



MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

FROM: JOEL ROJAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR

DATE: DECEMBER 21, 2010

SUBJECT: BORDER ISSUES STATUS REPORT

REVIEWED: CAROLYN LEHR, CITY MANAGER *CL*

Project Manager: Kit Fox, AICP, Associate Planner *KF*

RECOMMENDATION

1) Receive and file the current report on the status of Border Issues; and 2) authorize the Mayor to sign the attached letter to Los Angeles City Councilwoman Janice Hahn expressing our residents' concerns about the Rancho LPG butane storage facility.

EXECUTIVE SUMMARY

This month's report includes:

- A brief report on the most recent meeting of the San Pedro Facility Restoration Advisory Board (RAB);
- A final report on the *Butcher Ranch* subdivision in Rolling Hills Estates;
- An update on the revised *Ponte Vista* project in Los Angeles (San Pedro);
- An update on the *Chandler Ranch/Rolling Hills Country Club* project in Rolling Hills Estates and Torrance; and,
- An update on the Rancho LPG butane storage facility in Los Angeles (San Pedro).

BACKGROUND

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

http://palosverdes.com/rpv/planning/border_issues/2010/20101221_BorderIssues_StatusRpt.cfm

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DISCUSSION

Current Border Issues

San Pedro Facility Restoration Advisory Board, US Navy/Los Angeles (San Pedro)

The San Pedro Facility Restoration Advisory Board (RAB) held its most recent meeting on December 8, 2010. As described in the attached cover letter and agenda, the RAB is now only dealing with environmental remediation at the active Defense Fuel Support Point (DFSP), not the former San Pedro and Palos Verdes Drive North housing sites. Staff will continue to monitor this project in future Border Issues reports.

Butcher Ranch Subdivision, Rolling Hills Estates

On November 1, 2010, the Rolling Hills Estates Planning Commission adopted a resolution recommending approval of the *Butcher Ranch* project. The Rolling Hills Estates City Council subsequently approved the project on November 9, 2010. Copies of the Rolling Hills Estates Planning Commission and City Council agendas and Staff reports are attached. With this final action by the City of Rolling Hills Estates, Staff will remove this project from future Border Issues reports.

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

Subsequent to the completion of the November 2010 Border Issues Status Report, Staff received the Notice of Preparation (NOP) for the Environmental Impact Report (EIR) for the revised *Ponte Vista* project, which has now been reduced to 1,135 units. Staff also received a copy of the Initial Study (IS) for the revised proposal on November 10, 2010. A public meeting to receive input on the scope of the project EIR was scheduled for November 10, 2010, at Peck Park, with written comments on the scope of the revised project EIR due to the City of Los Angeles by November 29, 2010.

The table below briefly summarizes the differences between the current 1,135-unit proposal by iStar Financial; the previous 1,395-unit proposal by Credit Suisse from 2008; and the original 2,300-unit proposal by Bisno Development from 2005.

Project Component	2003 Proposal	2008 Proposal	Current Proposal
Senior housing	575 units	380 units	N/A
Multi-family condos and townhomes	1,725 units	1,015 units	600 units
Single-family homes	N/A	N/A	143 units
Apartments	N/A	N/A	392 units
Total dwelling units	2,300 units	1,395 units	1,135 units

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Project Component	2003 Proposal	2008 Proposal	Current Proposal
Residential density	37.4 DU/acre	22.7 DU/acre	18.5 DU/acre
Commercial	10,000 SF	8,000 SF	N/A
Parks/open space	6 acres (public) & 6 acres (private)	12 acres (public)	2.8 acres (public) & 2.0 acres (private)
Access road	Access road to be provided connecting Western Avenue to Mary Star-of-the-Sea High School		

On November 10, 2010, the scoping meeting for the revised 1,135-unit *Ponte Vista* project was held at Peck Park in San Pedro. The “scoping meeting” was conducted as an open house hosted by the developer’s public relations/community outreach team. Key points regarding the revised proposal that Staff noted at this meeting included:

- The developer will be asking the City of Los Angeles for the approval of a General Plan Amendment, a Zone Change, a Specific Plan, a Vesting Tentative Tract Map and a Development Agreement, the environmental effects of which will be analyzed in the revised EIR.
- The developer no longer proposes to voluntarily implement the various recommendations (i.e., turn lanes, acceleration/deceleration lanes, driveway modifications, etc.) of the Western Avenue Task Force as traffic impact mitigation for the project, unless such mitigation measures are identified as necessary in the revised traffic impact analysis.
- As with the previous proposals, no site access from Gaffey Street—vehicular or otherwise—is contemplated.
- The 143 single-family units proposed will probably be detached condominium units rather than “traditional” detached single-family residences.
- For the revised traffic impact analysis, the 392 apartment units proposed will be analyzed assuming higher trip-generation rates than the other 743 for-sale units, even though the apartment units will be identical to condominium units elsewhere in the project.
- Although there are no age-restricted or statutorily affordable housing units proposed in the revised project, the developer is still maintaining that some units will be “accessible” to senior citizens and/or “affordable” as “workforce housing.”
- Based upon current and anticipated future real estate market conditions, the developer expects build-out of the revised project to take seven (7) years.

On November 17, 2010, Staff forwarded comments on the NOP for the revised project to the City of Los Angeles (see attachments), prior to the close of the public comment period on November 29, 2010. Many of these comments echoed those from 2005 on the NOP for the original 2,300-unit proposal. Based upon conversations with the developer’s representatives at the scoping meeting, Staff does not expect to see the revised Draft EIR

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for the project released for public review and comment until Spring 2011. Staff will continue to monitor this project in future Border Issues reports.

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

On November 1, 2010, the Rolling Hills Estates Planning Commission continued its deliberations on the *Chandler Ranch/Rolling Hills Country Club* project. As noted in a *Daily Breeze* article of November 4, 2010, the developer now agrees to conduct more robust investigation and documentation of cultural resources than had been previously proposed, including the use of ground-penetrating radar. At the public hearing, however, the major issue of concern to the Planning Commission continued to be the proposed removal of the Horse Overlay from most of the project site. The public hearing was continued again to January 31, 2011. Staff will continue to monitor this project in future Border Issues reports.

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

The Planning and Land Use Committee of the Northwest San Pedro Neighborhood Council (NWSPNC) met on October 28, 2010 to discuss the September 2010 quantitative risk assessment of the Rancho LPG (formerly AmeriGas) butane storage facility that it commissioned earlier this year. The meeting was attended by roughly two (2) dozen residents and interested parties. NWSPNC's consultant, Cornerstone Technologies, did not attend the meeting to answer questions about its report. Rancho LPG—the new owner of the facility—did send representatives to refute the findings and conclusions of the Cornerstone report. Rancho LPG asserts that the Cornerstone report is inaccurate, not credible and not a “true” risk assessment. Of the eight (8) scenarios analyzed in the Cornerstone report, Rancho LPG claims that four (4) were incorrectly modeled and the other four (4)—including the most catastrophic scenarios—are “impossible.”

Rancho LPG indicated that it is preparing its own risk assessment for the facility, which it plans to release to the public in January 2011. Staff sent a letter to Rancho LPG on November 5, 2010, asking to be invited to the meeting at which the risk assessment will be presented. In telephone conversations on November 10, 2010, and November 29, 2010, Rancho LPG representatives confirmed that the City will be invited to attend this meeting, which is tentatively set for January 11, 2011.

At the November 30, 2010, City Council meeting, several San Pedro and Rancho Palos Verdes residents addressed the City Council (under “Audience Comments”) expressing their concerns about the Rancho LPG facility. Language for a draft resolution was presented to the City Council by members of the San Pedro and Peninsula Homeowners’ Coalition (see attachments). Rather than adopting a resolution, however, Staff recommends sending a letter from the Mayor to Los Angeles City Councilwoman Janice Hahn, relaying our residents’ concerns about this facility. A draft letter for this purpose is attached for the City Council’s review and consideration (see the last two (2) pages of the

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attachments to tonight's Staff report). Staff will continue to monitor this project in future Border Issues reports.

New Border Issues

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

Attachments:

- San Pedro Facility RAB cover letter and agenda (received 11/23/10)
- RHE PC agenda and Staff report for the *Butcher Ranch* project (dated 11/1/10)
- RHE CC agenda and Staff report for the *Butcher Ranch* project (dated 11/9/10)
- *Daily Breeze* article regarding the *Butcher Ranch* project (published 11/11/10)
- NOP and IS for the revised *Ponte Vista* project (received 10/26/10 & 11/10/10)
- *Daily Breeze* article regarding the *Ponte Vista* project (published 11/9/10)
- City comments on the NOP for the revised *Ponte Vista* project (dated 11/17/10)
- RHE PC agenda and Staff report for the *Chandler Ranch/Rolling Hills Country Club* project (dated 11/1/10)
- *Daily Breeze* article regarding the *Chandler Ranch/Rolling Hills Country Club* project (published 11/4/10)
- Rancho LPG response to NWSPNC Qualitative Risk Assessment (dated 10/27/10)
- Request for invitation to the upcoming Rancho LPG meeting (dated 11/5/10)
- San Pedro and Peninsula Homeowners' Coalition resolution language (dated 11/30/10)
- Draft letter from the Mayor to Councilwoman Janice Hahn regarding the Rancho LPG facility

RECEIVED

NOV 23 2010



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHWEST
1220 PACIFIC HIGHWAY
SAN DIEGO, CA 92132-5190

PLANNING, BUILDING AND
CODE ENFORCEMENT

5090
Ser JE30.GG/0352
November 16, 2010

Restoration Advisory Board (RAB)
Community Members

SUBJECT: 2010 SAN PEDRO FACILITY RESTORATION ADVISORY BOARD
(RAB) MEETING

Ladies and Gentlemen:

The Defense Fuel Support Point (DFSP) San Pedro will be holding a RAB meeting on Wednesday, December 8, 2010 from 5:00 to 7:00 PM, at the DFSP San Pedro Facility, Building 100. The enclosed agenda lists the proposed topics to be discussed and the location/address of the RAB meeting.

Please note that the San Pedro Facility RAB meets to review ongoing environmental work on the non-BRAC San Pedro sites. The RAB concerning the BRAC portion of the San Pedro Facility has been adjourned.

If you have any questions, you may contact me at (619) 532-2296 or at grady.gordon@navy.mil

Sincerely,



GRADY GORDON
Environmental Project Manager
By direction of the
Commanding Officer

Enclosure: 1. Pedro Facility RAB Meeting Agenda

Distribution List:

Restoration Advisory Board (RAB) Members
Community members

NOTICE OF 2010 SAN PEDRO FACILITY RESTORATION ADVISORY BOARD MEETING

WHO: Everyone is Welcome

WHEN: Tuesday, December 8, 2010 at 5:00 p.m.

WHERE: Defense Fuel Support Point, San Pedro
3171 N. Gaffey Street, Building 100, San Pedro, CA 90731

The Department of Defense (DoD) is conducting ongoing environmental investigations at locations within the Defense Fuel Support Point (DFSP) facility in San Pedro. Environmental sites within the DFSP facility are being addressed as part of the DoD's Installation Restoration Program (IRP). The DoD established a Restoration Advisory Board (RAB) for the environmental sites, referred to as "the San Pedro Facility RAB," in the summer of 1994.

This meeting is **OPEN TO THE PUBLIC** and is intended to provide a forum for the community to participate in the investigation and environmental cleanup activities associated with the San Pedro Facility.

Topics to be reviewed at the December 8, 2010 meeting include:

- On Going Installation Restoration Program at DFSP
- Palos Verdes Blue Butterfly Season
- Environmental Compliance Program at DFSP

Environmental documents associated with the environmental restoration program for the San Pedro Facility are kept at the **Information Repository – San Pedro Public Library**, Environmental Impact Statement (EIS) section. These documents are available for review by the public and other interested parties.

If you have any questions, feel free to contact:

Mr. Grady Gordon
Environmental Project Manager
Department of the Navy
Naval Facilities Engineering Command, Southwest
(619) 532-2296
grady.gordon@navy.mil

**SAN PEDRO FACILITY
RESTORATION ADVISORY BOARD (RAB) MEETING
Defense Fuel Support Point San Pedro Facility
3171 North Gaffey Street, Building 100
San Pedro, California**

Wednesday December 8, 2010

5:00pm to 7:00pm

AGENDA

5:00pm	Welcome and Introductions Navy Co-Chair: Mr. Grady Gordon Community Co - Chair: Mr. Gilbert Alberio
5:10pm	Installation Restoration (IR) Program Status Mr. Grady Gordon, Naval Facilities Engineering Command Southwest
5:20 pm	Palos Verdes Blue Butterfly Presentation and Discussion
5:40pm	DLA Environmental Project Update Mr. Kola Olohu, Defense Energy Support Center
5:50pm	Open Forum for RAB Members and Members of the Audience
7:00pm – TBD	Meeting Adjourned



CITY OF ROLLING HILLS ESTATES

4045 Palos Verdes Drive North

Rolling Hills Estates, CA 90274

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www.RollingHillsEstatesCa.gov

PLANNING COMMISSION AGENDA

November 1, 2010, 7:30 pm

Regular Meeting

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

1. CALL MEETING TO ORDER.
2. SALUTE TO THE FLAG.
3. ROLL CALL.
4. APPROVAL OF MINUTES (October 18, 2010).
5. AUDIENCE ITEMS.
6. CONSENT CALENDAR. The following routine matters will be approved in a single motion with the unanimous consent of the Planning Commission. There will be no separate discussion of these items unless good cause is shown by a member of the Commission or the public expressed under audience items prior to the roll call vote. (Items removed will be considered under Business Items.)
 - A. Waive reading in full of all resolutions that are presented for Planning Commission consideration on tonight's agenda and all such resolutions shall be read by title only.
 - B. PLANNING APPLICATION NO. 26-10; APPLICANT: Opus Bank; LOCATION: 395 Silver Spur Road; A Precise Plan of Design for three business identification signs with a logo. (NC)
7. BUSINESS ITEMS.
None
8. PUBLIC HEARINGS.
 - A. PLANNING APPLICATION NO. 33-04; APPLICANT: D&M Eight Limited Partnership; LOCATION: N/W corner PVDN/PVDE; Request for a Tentative Tract Map No. 52214, Neighborhood Compatibility Determination, Grading Plan and a Mitigated Negative Declaration to establish a residential subdivision. (KT)
 - Staff Report & Attachments 1-3
 - Attachment 4 - Part 1
 - Attachment 4 – Part 2
 - Attachment 4 – Part 3
 - Attachments 5-7
 - Attachment 8 – Part 1
 - Attachment 8 – Part 2
 - Attachment 8 – Part 3

B. PLANNING APPLICATION NO. 29-07; APPLICANT: Michael Cope, Chandler Ranch Properties, LLC; LOCATION: 26311 and 27000 Palos Verdes Drive East. A Vesting Tentative Tract Map, General Plan Amendments, Zone Changes, Zone Text Amendment, Grading Plan, Development Agreement, Conditional Use Permits, Neighborhood Compatibility Determination, an Annexation/Deannexation, and an Environmental Impact Report under the California Environmental Quality Act (CEQA) for the development of a 114 home single family subdivision, a reconfigured/relocated 18-hole golf course, and a new clubhouse complex on the site of the existing Chandler Sand and Gravel and Rolling Hills Country Club facilities. (NC)

9. COMMISSION ITEMS.
10. DIRECTOR'S ITEMS.
 - A. 2011 Planners Institute and Mini Expo.
11. MATTERS OF INFORMATION.
 - A. Park and Activities Minutes (October 19, 2010).
 - B. City Council Actions (October 26, 2010).
12. ADJOURNMENT.



Staff Report

City of Rolling Hills Estates

AGENDA

NOV 1 = 2010

ITEM NO. 8A

DATE: NOVEMBER 1, 2010
TO: PLANNING COMMISSION
FROM: KELLEY THOM, ASSOCIATE PLANNER
SUBJECT: PLANNING APPLICATION 33-04
APPLICANT: THE D&M LIMITED PARTNERSHIP
LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND
PALOS VERDES DRIVE EAST

OVERVIEW

The following is a request to approve a resolution recommending City Council approval of the following:

1. A Neighborhood Compatibility Determination (NCD) for the construction of 11 new single-family residences;
2. A Tentative Tract Map No. 52214 for the 14-lot subdivision, including 11 residential lots, two landscape lots, and one Commercial Recreation (C-R) designated lot in the RA-20,000 and C-R Zones;
3. A Grading Plan; and
4. A Mitigated Negative Declaration under the California Environmental Quality Act (CEQA) and Mitigation Monitoring and Reporting Program (MMRP), finding that the project, with mitigation measures, will not have a significant impact on the environment.

BACKGROUND AND DISCUSSION

At the last Planning Commission meeting of October 18, the Planning Commission discussed several issues including: 1) replacement tree size; 2) Lot 2 building mass/privacy issues; 3) extending the landscaped mound along PVDN to the west; 4) protective fencing between the project site and the Rolling Hills County Club; and 5) status of the Butcher/Kramer Club land swap; closed the Public Hearing, and directed staff to bring back Resolution No. PA-33-04 recommending approval of the subject project to the City Council (attached).

Included below are responses to the Commission's comments, as follows:

1. In response to the Commission's concern regarding the replacement tree size, staff has suggested to the applicant to provide a more mature tree size, such as 15 gallon container plantings. However, per discussion with the applicant's consultant who prepared the Conceptual Restoration Planting Plan, Margaret Bornyasz (ECORP) clarified that the use of one gallon container plantings is the appropriate and effective

size for restoration purposes and has provided an abstract discussing container sizes for habitat restoration (attached).

2. The applicant has re-oriented the proposed residence floor plan for Lot 2 to provide modulation of the second-story façade creating a “wedding-cake” approach to help mitigate the building mass, and relocated the proposed residence further away from PVDN, from approximately 20' to 30' to address the privacy concern, as shown in the Lot 2 Site Section and the revised Tentative Tract Map (attached).
3. The proposed landscaped mound has also been extended to the west along PVDN as shown on the revised Tentative Tract Map (attached).
4. Although the effective height of the protective fencing between the project site and the Rolling Hills County Club is unknown at this time, it is included as a condition of approval (Condition No. 84), and if it is determined that a height greater than 6' is required, the protective fencing shall be processed under a Special Use Permit (SUP) and subject to approval by the Planning Commission.
5. The Butchers and Kramer Club continue to work on the final agreement for the land swap between Lot 13 and the lot which is not included as part of this project.

It should also be noted that in addition to the project's mitigation measures, including the Streambed Alteration Agreement and Conceptual Restoration Plan, the proposed development will also be subject to the City's Water Efficient Landscape Ordinance which requires a number of water efficiency measures including the installation of dedicated water meters for landscaped areas of 5,000 square feet or greater, and the new California Green Building Standards Code (CalGreen), which addresses planning and design, energy efficiency, water efficiency/conservation, material conservation/resource efficiency, and environmental quality, and becomes effective January 1, 2011.

Attached as Exhibit A is the revised Tentative Tract Map No. 52214 and Preliminary Grading Plan, dated October 22, 2010, Architectural Drawings dated February 5, 2010, and the Lot 2 Site Section, dated October 25, 2010. Attached as Exhibit B is the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Take public testimony;
2. Discuss the issues;
3. Close the public hearing; and
4. Adopt Planning Commission Resolution No. PA-33-04 recommending approval of the project and adoption of the associated Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to the City Council.

(See the following page for a list of exhibits.)

Attached

1. Updated Response to Comments for the September 15, 2010 Initial Study and Mitigated Negative Declaration (provided at the Oct 18, 2010 meeting)
2. Minutes and Staff Reports dated October 18, 2010
3. Letter of Intent for the Public Record Concerning Offer of Exchange of Properties, dated July 8, 2010
4. Notification of Lake or Streambed Alteration Agreement and Conceptual Restoration Plan, dated July 21, 2010
5. Updated Tree Report, dated June 21, 2010
6. Staff correspondence (email) with Margaret Bornyasz of ECORP, dated October 27, 2010.
7. Abstract "Selecting the Right Container for Regeneration Success with Tap-rooted and Deep-rooted Chaparral and Oak Species," dated June 2006.
8. Planning Commission Resolution No. PA-33-04 (with Exhibits A & B)

PA-33-04 pm – 11.1.10



CITY OF
ROLLING HILLS ESTATES
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**NEXT RESOLUTION NO. 2241
NEXT ORDINANCE NO. 671**

CITY COUNCIL AGENDA

REGULAR MEETING

NOVEMBER 9, 2010

7:30 P.M.

NOTE: REPORTS AND DOCUMENTS RELATING TO EACH AGENDA ITEM ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION.

1. CALL MEETING TO ORDER

2. SALUTE TO THE FLAG

3. ROLL CALL

4. CEREMONIAL ITEMS

A. WASTE MANAGEMENT DRAWING FOR ONE YEAR'S FREE RESIDENTIAL REFUSE SERVICE

B. PRESENTATION TO SAM WISE UPON HIS RETIREMENT IN RECOGNITION OF AND APPRECIATION FOR HIS DEDICATION AND SERVICE AS ASSISTANT CITY MANAGER

5. ROUTINE MATTERS

A. ADJOURNED CITY COUNCIL MINUTES OF OCTOBER 26, 2010

B. CITY COUNCIL MINUTES OF OCTOBER 26, 2010

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

C. ADJOURNED CITY COUNCIL MINUTES/REGULAR PARK AND ACTIVITIES COMMISSION MINUTES OF NOVEMBER 2, 2010

D. DEMANDS AND WARRANTS – OCTOBER AND NOVEMBER

Recommendation: That the City Council approve Warrants 48255 through 48294 in the amount of \$195,197.64; Supplemental Warrants 100110 through 100210; 48113 through 48118; 48168 through 48186; 48233 through 48248; 48238 (Void); 48254 (Void) in the amount of \$272,519.03 for a grand total amount of \$467,716.67 with proper audit.

6. **CONSENT CALENDAR:** The following routine matters will be acted upon by one vote to approve with the majority consent of the City Council. There will be no separate discussion of these items unless good cause is shown by a member prior to the roll call vote. (Items removed will be considered under New Business.)

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. FEES AND CHARGES UPDATE

Memorandum from Mike Whitehead, Administrative Services Director, dated November 9, 2010.

Recommendation: That the City Council increase both the business license fee for horse trainers to \$400 per year effective January 1, 2011, and increase the Parking Penalties to \$53 per violation on or after December 7, 2010 in the Schedule of Fees and Charges for Fiscal Year 2010-2011.

C. WEST BASIN WATER RELIABILITY

Memorandum from Greg Grammer, Assistant to the City Manager, dated November 9, 2010.

Recommendation: That the City Council approve Resolution No. 2239 in support of West Basin's Water Reliability 2020 Program.

1. RESOLUTION NO. 2239 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES SUPPORTING THE WEST BASIN MUNICIPAL WATER DISTRICT'S WATER RELIABILITY 2020 PROGRAM.

7. AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

8. PUBLIC HEARINGS/MEETINGS **8:00 P.M.**

A. PLANNING APPLICATION 21-10: AMENDING TITLE 5 OF THE ROLLING HILLS ESTATES MUNICIPAL CODE TO ESTABLISH AN ADMINISTRATIVE APPEALS PROCEDURE FOR BUSINESS LICENSING AND PERMIT REVOCATION DECISIONS AND ESTABLISHING MORE UNIFORM PROCEDURES FOR OTHER BUSINESS LICENSE AND PERMIT APPEALS

Memorandum from David Wahba, Planning Director, and Niki Cutler, AICP, Principal Planner, dated November 9, 2010.

Recommendation: That the City Council: 1) Continue to take public testimony; 2) Close the public hearing; and 3) Adopt Ordinance No. 667 amending Title 5 of the Rolling Hills Estates Municipal Code to establish an administrative appeals procedure for business licensing and permit revocation decisions, and establishing more uniform procedure for other business license and permit appeals.

1. ORDINANCE NO. 667 FOR SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES TO ESTABLISH AN ADMINISTRATIVE APPEALS PROCEDURE FOR BUSINESS LICENSING AND PERMIT REVOCATION DECISIONS, AND ESTABLISHING MORE UNIFORM PROCEDURES FOR OTHER BUSINESS LICENSE AND PERMIT APPEALS.

B. PLANNING APPLICATION NO. 33-04; APPLICANT: THE D&M LIMITED PARTNERSHIP; LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND PALOS VERDES DRIVE EAST

Memorandum from David Wahba, Planning Director, and Kelley Thom, Associate Planner, dated November 9, 2010.

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Adopt Resolution No. 2240 for the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), and approve the Tentative Tract Map, Grading Plan, and Neighborhood Compatibility Determination (NCD) applications.

- Planning Staff Report & Attachments 1-3
- Attachment 4 – Part 1
- Attachment 4 – Part 2
- Attachment 4 – Part 3
- Attachments 5-7
- Attachment 8 – Part 1
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1. RESOLUTION NO. 2240 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING A TENTATIVE TRACT MAP, GRADING PLAN, NEIGHBORHOOD COMPATIBILITY DETERMINATION AND MITIGATED NEGATIVE DECLARATION TO ESTABLISH A SUBDIVISION INCLUDING ELEVEN (11) RESIDENTIAL LOTS, TWO (2) LANDSCAPE LOTS, AND ONE (1) COMMERCIAL RECREATION (C-R) DESIGNATED LOT ON A 8.55- ACRE PARCEL IN THE RA-20,000 AND C-R ZONES.

C. PLANNING APPLICATION NO. 17-10; PROPOSED REVISIONS TO RHEMC FOR PARKING OF VEHICLES IN YARDS CONTIGUOUS TO STREETS AND ON-STREET PARKING IN RESIDENTIAL ZONES; AND USE OF RESTRICTED ROADS FOR TRUCKS

Memorandum from David Wahba, Planning Director, dated November 9, 2010.

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Introduce Ordinance No. 670 for first reading; and 5) Continue the public hearing to the next available City Council meeting for second reading and adoption of Ordinance No. 670.

1. ORDINANCE NO. 670 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES ADOPTING AMENDMENTS TO THE MUNICIPAL CODE RELATED TO THE PARKING OF VEHICLES IN YARDS CONTIGUOUS TO STREETS AND ON-STREET PARKING (INCLUDING ANNUAL PARKING PERMITS) FOR RESIDENTIAL ZONES, AND AN AMENDMENT TO THE CODE FOR USE OF CERTAIN ROADS RESTRICTED BY WEIGHT (PA-17-10).

9. NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF NOVEMBER 1, 2010

10. OLD BUSINESS

A. ORDINANCE NO. 669 FOR SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES REPEALING THE PROVISIONS OF CHAPTER 5.16 ("CATV FRANCHISE") OF THE ROLLING HILLS ESTATES MUNICIPAL CODE AND ADDING A NEW CHAPTER 5.16 ("VIDEO FRANCHISE FEES, CUSTOMER SERVICE AND OTHER RELATED MATTERS").

B. GEORGE F CANYON NATURE PRESERVE BRUSH CLEARANCE REQUEST FOR PROPOSALS RESULTS

Memorandum from Andy Clark, Community Services Director, dated November 9, 2010.

Recommendation: That the City Council approve the contracting of GS Brothers, Inc., to provide brush clearing services in three (3) sections of the George F Canyon Nature Preserve per the proposal in an amount not to exceed \$25,000.

C. PARADE CARRIAGE UNIT

Memorandum from Andy Clark, Community Services Director, dated November 9, 2010.

Recommendation: That the City Council support the horse-drawn carriage for the Mayor's parade unit completing the parade route through the Promenade on the Peninsula Mall.

11. CITY ATTORNEY ITEMS

A. **FINDING REGARDING PERMIT REVOCATION HEARING (CRYSTAL SPA)**

Memorandum from Kristin A. Pelletier, City Attorney, dated November 4, 2010.

Recommendation: That the City Council adopt Resolution No. 2241.

1. **RESOLUTION NO. 2241 FOR ADOPTION**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES REVOKING THE PERMIT ISSUED FOR THE BUSINESS KNOWN AS CRYSTAL SPA, LOCATED AT 672B SILVER SPUR ROAD, ROLLING HILLS ESTATES.

12. CITY COUNCIL/REGIONAL COMMITTEE REPORTS: This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

A. **COUNCILWOMAN SEAMANS**

1. **PENINSULA HOLIDAY PARADE SUBCOMMITTEE MINUTES OF OCTOBER 19, 2010**

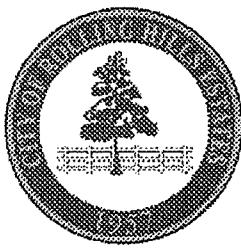
13. MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public.

14. CLOSED SESSION

A. **DISCUSSION WITH RESPECT TO PERSONNEL MATTERS**
(Pursuant to Government Code Section 54957)

1. **QUARTERLY CITY MANAGER PERFORMANCE EVALUATION**

15. ADJOURNMENT



Staff Report

City of Rolling Hills Estates

AGENDA

NOV - 9 2010

ITEM NO. 8B

DATE: NOVEMBER 9, 2010
TO: MAYOR AND CITY COUNCIL
FROM: DAVID WAHBA, PLANNING DIRECTOR
KELLEY THOM, ASSOCIATE PLANNER
SUBJECT: PLANNING APPLICATION 33-04
APPLICANT: THE D&M LIMITED PARTNERSHIP
LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND
PALOS VERDES DRIVE EAST

OVERVIEW

For consideration of the City Council, the following is a request to approve a Tentative Tract Map, a Grading Plan, and a Neighborhood Compatibility Determination (NCD) for a 14-lot subdivision, including 11 residential lots, two landscape lots, and one Commercial Recreation (C-R) designated lot in the RA-20,000 and C-R Zones.

BACKGROUND AND DISCUSSION

Revised Application Filed:	4.30.09
Application Deemed Complete:	5.14.09
Re-circulated IS/MND	9.16.10
Public Notices Mailed:	10.29.10*
Public Notices Published:	10.29.10*

*Dates refer to notification for this public hearing.

Public hearings for the project were held before the Planning Commission on April 19, 2010, October 18, 2010, and November 1, 2010. At the November 1, 2010 meeting, staff brought a Resolution back to the Planning Commission for consideration. As a result, the Commission approved a Resolution recommending to the City Council approval of a Tentative Tract Map, a Grading Plan, and a Neighborhood Compatibility Determination (NCD) and recommending that a Mitigated Negative Declaration be adopted for the project. For further project information, please refer to the attached documents.

DISCUSSION

Project Overview

The project site is located on the northeast corner of Palos Verdes Drive North (PVDN) and Palos Verdes Drive East (PVDE), is zoned RA-20,000 and Commercial Recreation (C-R), and is 8.55 acres in size. Currently, the property is vacant except for the small office building adjacent to the corner of PVDE/PVDN. The RA-20,000 zoning allows single-family detached residential units with each lot a minimum of 20,000 square feet in size, and all development to comply with the Neighborhood Compatibility Ordinance. The site is further subject to four General Plan Overlay designations including Horse, Cultural Resources, Scenic Corridor and Ecological

Resources. As proposed, the subject property would be subdivided into 11 residential lots zoned RA-20,000. The proposed residential lots would include horsekeeping areas with homes varying in architectural styles as shown in the architectural plans (included separately). Also included are two landscape lots, including a passive recreation mini-park (Lot 1) to be dedicated to the City, and a landscape buffer (Lot A) which includes Casaba Road. Adjacent to the Jack Kramer Tennis Club is a vacant lot (Lot 13) which would remain zoned for Commercial Recreation (C-R). It should be noted that in response to the comment's received on the IS/MND from the California Department of Fish and Game (CDFG) and the Planning Commission, the applicant revised the project to include a bioswale and bioretention basin into the site to address the project's biological and hydrology issues, and conducted a jurisdictional delineation of the project site, resulting in a "Notification of Lake or Streambed Alteration" (NLSA) application filed with CDFG. As part of the NLSA application, a "Conceptual Restoration Plan" was also prepared (included separately).

At the November 1 Planning Commission meeting, the Commission discussed a number of issues including the undergrounding of utilities. However, it should be noted that when this item went to the Planning Commission on November 1, staff did not have the information regarding the City's eligibility for grant monies from Edison to underground the existing utility poles east of PVDE and PVDN to Hitching Post Drive. Currently, there are ten utility poles along PVDN which would be part of the Edison grant project. However, there are three utility poles adjacent to the project site along PVDN closer to Montecillo Drive that are not included in the Edison grant project. Staff believes there would be a visual benefit to the proposed residences if utility poles were undergrounded. However, the developer would be responsible for an estimated \$150,000 to \$200,000 to underground the remaining poles, which staff recommends that the Council include as a condition of approval.

The Commission also discussed the replacement tree sizes identified in the Conceptual Restoration Plan and requested that the conditions of approval include a mixture of deep 1-gallon and 15-gallon planter sizes, and that for each Willow Tree removed, a minimum 15-gallon planter replacement tree will be provided.

Commissioner Scott expressed concern regarding the storm water runoff flooding the Montecillo neighborhood and inquired whether there was a way to have an inlet on PVDN to divert the storm water, especially with the potential future development of Lot 13 as a parking lot. As a result, staff recommends that the developer be responsible to work with the City Engineer to determine the feasibility of installing an inlet to collect the runoff which would be directed to the storm drain. In addition, a recorded easement would be required to ensure that when Lot 13 is graded, the storm water runoff would be directed towards the golf course (outlet) to the satisfaction of the City Engineer. This would be included as a condition of approval on the final map, subject to approval of the Council.

Another issue of both public's and Commission concern is the functionality of the future horsekeeping areas on the proposed lots, since the provided 10' side yard setback is minimal at best, and the Code prohibits the use of vehicles on the bridle trails, except for authorized personnel and emergency vehicles. As a result, the Commission discussed possible options to increase the accessibility and maintenance of the horsekeeping areas, including a larger side yard setback or a common shared easement for vehicle access. Staff suggested one way to improve the functionality of the lots is to provide a 15' side yard setback placed on one of the side yards. The Council may wish to include one of these options as a condition of approval.

If the proposed project is approved, the applicant envisions a future land swap with the adjacent Jack Kramer Tennis Club, and has prepared a "Letter of Intent for the Public Record Concerning Offer of Exchange of Properties" which addresses the land swap offer (attached). In the land swap scenario, Lot 13 would become property of the Tennis Club, to be developed with a

surface parking lot for the Tennis Club, and the existing undeveloped residential lot in the northeast corner of the PVDN/Montecillo Drive intersection (labeled "Not a Part" on project plans) would become part of the Butcher Ranch residential tract to be developed with a 12th residential unit. For further information, please see the Project Description section and Figures 4 and 5 in the re-circulated IS/MND (included separately).

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

The proposed development has been defined as a project under the California Environmental Quality Act (CEQA), which requires completion of an Initial Study to determine if the project would have significant impacts on the environment. The Notice of Intent to Adopt a Mitigated Negative Declaration and the Initial Study and Mitigated Negative Declaration were routed to the State Clearinghouse, adjacent cities, all property owners within 500' of the project site, to other interested parties, and posted on the City's website. The comment letters received during the public comment period and staff responses are included in the separate Response to Comments document. In addition, a representative from Willdan, who prepared the project Initial Study will be present at the meeting to answer questions.

RECOMMENDATION

Staff recommends that the City Council:

1. Open the Public Hearing;
2. Take Public Testimony;
3. Discuss the issues;
4. Close the Public Hearing; and
5. Adopt Resolution No. 2240 for the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), and approve the Tentative Tract Map, Grading Plan, and Neighborhood Compatibility Determination (NCD) applications.

Attached

1. Minutes and Staff Reports dated October 18, 2010 and November 1, 2010
2. Updated Response to Comments for the September 15, 2010 Initial Study and Mitigated Negative Declaration (provided at the Oct 18, 2010 meeting)
3. Letter of Intent for the Public Record Concerning Offer of Exchange of Properties, dated July 8, 2010
4. Notification of Lake or Streambed Alteration Agreement and Conceptual Restoration Plan, dated July 21, 2010
5. Updated Tree Report, dated June 21, 2010
6. Staff correspondence (email) with Margaret Bornyasz of ECORP, dated October 27, 2010
7. Abstract "Selecting the Right Container for Regeneration Success with Tap-rooted and Deep-rooted Chaparral and Oak Species," dated June 2006.
8. Planning Commission Resolution No. PA-33-04 (with Exhibits A & B)

Separate

Plans/Colored Renderings

Tentative Tract Map No. 52214

Initial Study/Mitigated Negative Declaration

MINUTES EXCERPT

REGULAR PLANNING COMMISSION MEETING

NOVEMBER 1, 2010

8. **PUBLIC HEARINGS**

A. PLANNING APPLICATION NO. 33-04; APPLICANT: D&M EIGHT LIMITED PARTNERSHIP; LOCATION: N/W CORNER PVDN/PVDE; REQUEST FOR A TENTATIVE TRACT MAP NO. 52214, NEIGHBORHOOD COMPATIBILITY DETERMINATION, GRADING PLAN AND A MITIGATED NEGATIVE DECLARATION TO ESTABLISH A RESIDENTIAL SUBDIVISION.

Associate Planner Thom gave a brief Staff Report, as per written material, and recommended adopting the resolution.

COMMISSIONER BAYER asked about addressing access to the horsekeeping areas, and Planning Director Wahba responded that it is less than an ideal situation for the future homeowners, but other residents are able to work within the same limitations. COMMISSIONER BAYER also asked whether the homeowner would be required to build a barn in the front yard, and Planning Director Wahba responded that horsekeeping will be optional. These lots merely demonstrate that they meet the minimum 800 sf horsekeeping requirement.

COMMISSIONER BAYER then asked about the underground utilities and the kind of land movement that will be required. Planning Director Wahba responded that the City will work with the utility companies, but the Planning Commission typically doesn't look at it.

COMMISSIONER BAYER then expressed her concern about sending the project to City Council without something in writing from the Butchers and the Kramer Club to effect the land swap. Planning Director Wahba advised that the concern would be relayed to City Council. COMMISSIONER SCOTT agreed that the project needs to be flagged as not approvable without the land swap contract.

COMMISSIONER SCOTT further commented that there has been great improvement in the drainage; however, there are two big lots at the end that will spit water out. There is a continuing issue at Vista Real. Lot #13 and the "not a part" lot will be shedding water, and COMMISSIONER SCOTT would like to see that mitigated by capturing other water and rerouting. Planning Director Wahba suggested that be addressed at the same time as the land swap is addressed. Planning Director Wahba and COMMISSIONER SCOTT then discussed various mitigation measures to mitigate the shedding water.

COMMISSIONER CONWAY asked about locating the riparian habitat within the city as part of the offsite mitigation measure. Planning Director Wahba advised that it is part of the resolution.

COMMISSIONER CONWAY then asked about the TMDLs and ensuring that once they become effective they are implemented. Planning Director Wahba responded that they have to follow County code.

COMMISSIONER CONWAY then asked about the 24-inch willows and 1-gallon trees and suggested making the applicant responsible until the 1-gallon plants grow to an appropriate size. Planning Director Wahba advised that there would be a five-year monitoring plan, and deep 1-gallon trees have been requested.

COMMISSIONER REIN expressed his concern over the efficiency of the drainage system, the two houses that could potentially have a drainage issue and whether there would be a long-term commitment from the City to the landowners to help them resolve problems. Planning Director Wahba responded that the HOA will be responsible for the drainage and bioswale because it is part of the common area; however, it is a newer way of handling drainage and will present its challenges.

COMMISSIONER REIN then pointed out the burden on that homeowner. Under ideal circumstances, that structure would belong to the City. Almost 60 houses worth of rainwater will be going into this backyard, where there's a 24-inch pipe that goes into the golf course. Planning Director Wahba again explained that there are a number of competing interests here that the Planning Department is trying to satisfy. The drainage system has been engineered, and there is a level of maintenance that the HOA will be responsible for over the years. COMMISSIONER SCOTT added that the drainage issue is a reality in the city. COMMISSIONER BAYER requested that the prospective homeowner get full disclosure.

COMMISSIONER O'DAY asked about the redesigned lot #2 floor plan. Planning Director Wahba responded that it is more of a conceptual plan, and the Planning Department would have to look at each lot more closely to see if it meets Neighborhood Compatibility. COMMISSIONER O'DAY requested that it be made clear that all lighting for that lot (on the second floor of the home) and zoning development standards be restricted on PVDN.

CHAIRMAN SOUTHWELL agreed with the previous comments about the Butcher/Kramer agreement and that the project be conditional upon a final agreement. CHAIRMAN SOUTHWELL then discussed the American Nursery and Landscape Association standards for nursery stock and asked that a landscape specialist ensure that each tree is not root-bound. CHAIRMAN SOUTHWELL proposed that a variety of trees be planted so that it will have the initial appearance of being more filled out. CHAIRMAN SOUTHWELL then asked that the Metropolitan Water District concerns be addressed and stated that COMMISSIONER REIN has an interesting point about an equity issue with respect to maintenance of the bioswale. CHAIRMAN SOUTHWELL also agreed with COMMISSIONER O'DAY'S comments about lot #2. The visual impact will be mitigated, but it would be nice to see the façade before the Commission is asked to approve it.

At CHAIRMAN SOUTHWELL'S invitation John Waldron (architect representing the applicant) came forward to address any comments. Mr. Waldron stated that they could do a mixture of 1-gallon and 15-gallon trees, as suggested by CHAIRMAN SOUTHWELL, and that the applicant will work with Staff to their satisfaction on lot #2.

COMMISSIONER SCOTT asked about revisiting with the City Engineer to mitigate drainage, and Mr. Waldron responded that they could look at opportunities.

Dan Bolton (civil engineer for the applicant) came forward and agreed that they would be happy to talk to the City Engineer on this topic, but there are complications. The project is not contributing any more watershed than is currently existing there, and the applicant has fulfilled its obligations in terms of not making the problem worse. However, the applicant is willing to dedicate an easement or stub out a connection for a city-owned catch basin. Revisiting sizing of the bioswale would be a concern, but providing a stub is reasonable. COMMISSIONER SCOTT agreed that would be fair.

Sheryl Steckle (3 Strawberry Lane) came forward and expressed her disappointment that the horse property will be very difficult to make work. RHE is a horse-friendly community and asks that this development have horsekeeping available to the potential new residents. The applicant makes it difficult to put horses on this property and has put it on the homeowners to make the horse property work but without access to the backyard for a veterinarian, hay delivery and manure pickup. Ms. Steckle asked that the applicant consult a horse expert if it is to be called Horse Overlay.

COMMISSIONER O'DAY pointed out that his neighbors have worse access than any of the homes that are in the plan with no road access at all, yet they keep their horses perfectly fine with the use of a lawnmower tractor and by hand. COMMISSIONER CONWAY further pointed out that there are only two homes that have proposed a horse area, one of which has direct access to PVDE. Planning Director Wahba stated that those are lots #3 and #4 and suggested considering increasing side yard setbacks to 15' minimum to have access from the front.

Linda Miller (2283 Carriage Drive) came forward. Ms. Miller is a past president of the Horseman's Association and has lived in the Larga Vista neighborhood for nearly 30 years. Ms. Miller has horses and no truck access and commented that it is not easy, very costly, backbreaking and presents many problems, including hay blowing onto her lawn and manure being apparent, which causes neighbor conflict and reduces the value of the homes. It can be done but is not ideal and foolish to develop horse property that does not have adequate facilities and access.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER O'DAY,

TO CLOSE THE PUBLIC HEARING.

AYES: O'Day, Conway, Southwell, Scott, Rein, Huff, Bayer, Chairman Southwell
NOES: None
ABSTAIN: None
ABSENT: None

COMMISSIONER BAYER asked about the PVDE equestrian easement and making that accessible for a truck for deliveries to lots #3 and #4. Planning Director Wahba responded that the radius would need to be increased to make that turn. It would be a 15-foot wide easement with probably a retaining wall for portions where it is steep. Planning Director Wahba suggested discussing having a minimum side yard setback of 15 feet for these lots to have a secondary driveway for horsekeeping purposes. COMMISSIONER BAYER then stated that the comments from Ms. Steckle and

Ms. Miller are very well taken. The lots are in a Horse Overlay zone and advertised as horse property, so they have to be accessible to make it work.

COMMISSIONER O'DAY pointed out that there are regulations around Horse Overlay zones, but the community is saying those regulations are insufficient. The Commission doesn't want to redraft those regulations on the fly to apply to this project. The Code section on Horse Overlay zones can be revisited, but it doesn't make sense to apply it to the project right now.

Planning Director Wahba added that if the Commission requires a minimum 15-foot side yard setback, lots 5, 6, 7, 8, 9, 10, 11 and 12 could use the street for access. Lots 3 and 4 could probably use the bridle trail but then would have to work with an engineer to widen the corner to make the radius work for lot 4.

COMMISSIONER SCOTT concurred that the horsekeeping conditions don't have to be ideal. He added that a half-acre horsekeeping space is not ideal, even without the bioswale in the way; and if we are going to say that it needs to be ideal for horsekeeping, we might as well throw out the plan and have half as many houses.

COMMISSIONER CONWAY added that the standard setback is 10 feet, and arbitrarily applying 15 feet is onerous. COMMISSIONER SCOTT agreed that a 10-foot setback is more than enough for a lawn tractor and trailer approach if the resident brings the horse to the ring to get it shoed, which is the situation for many people in the city.

COMMISSIONER SCOTT then suggested considering a 7½-foot setback or easement to be shared by both lots for an effective width of 15'. All Commissioners agreed with that solution.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

TO ADOPT RESOLUTION PA 33-04 WITH THE FOLLOWING
MODIFICATIONS: 1) LOT 13 AND THE "NOT A PART" LOT TO BE REVIEWED
FOR POTENTIALLY REDUCING THE RUNOFF FROM THE TWO LOTS ONTO
MONTECITO DRIVE; 2) INCLUDE HABITAT MITIGATION PROPERTY WITHIN
THE CITY IN THE MITIGATION MEASURES; 3) INCLUDE TMDL
COMPLIANCE UNDER PERMIT AS THE REQUIREMENTS BECOME
EFFECTIVE THEY WILL BE IMPLEMENTED; 4) HAVE A MIXTURE OF DEEP
1-GALLON AND 15-GALLON WILLOWS AS A REPLACEMENT
REQUIREMENT (ONE WILLOW REMOVED WOULD REQUIRE A 15-GALLON
TO BE PLANTED AND THE REST 1-GALLON); 5) HAVE THE APPLICANT
WORK WITH THE PLANNING DIRECTOR TO IDENTIFY ADEQUATE
HORSEKEEPING ACCESS TO THE SATISFACTION OF THE PLANNING
DIRECTOR.

AYES: O'Day, Conway, Southwell, Scott, Rein, Huff, Bayer, Chairman Southwell
NOES: None
ABSTAIN: None
ABSENT: None

Planning Director Wahba explained that this item will come before City Council on November 9, 2010, for approval of the project and adoption of the associated Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

CITY COUNCIL
CITY OF ROLLING HILLS ESTATES
LOS ANGELES COUNTY, CALIFORNIA

AGENDA

NOV - 9 2010

ITEM NO. 8B1

RESOLUTION NO. 2240

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, APPROVING A TENTATIVE TRACT MAP, GRADING PLAN, NEIGHBORHOOD COMPATIBILITY DETERMINATION AND MITIGATED NEGATIVE DECLARATION TO ESTABLISH A SUBDIVISION INCLUDING ELEVEN (11) RESIDENTIAL LOTS, TWO (2) LANDSCAPE LOTS, AND ONE (1) COMMERCIAL RECREATION (C-R) DESIGNATED LOT ON A 8.55-ACRE PARCEL IN THE RA-20,000 AND C-R ZONES. APPLICANT: THE D&M EIGHT LIMITED PARTNERSHIP; LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND PALOS VERDES DRIVE EAST.

WHEREAS, D&M Eight Ltd. Partnership filed an application with the Planning Department requesting approval of a residential subdivision including eleven (11) residential lots, two (2) landscape lots and one (1) Commercial Recreation (C-R) designated lot on a 8.55-acre parcel in the RA-20,000 and C-R Zones (see Exhibit A); such an application as required by Chapters 16.04, 16.12, 17.10, and 17.22 of the Rolling Hills Estates Municipal Code; and

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

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

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

WHEREAS, the Planning Commission conducted Public Hearings on April 19, 2010, October 18, 2010, and November 1, 2010 and adopted Resolution PA-33-04 recommending City Council approval of the project; and

WHEREAS, upon giving the required notice the City Council conducted a Public Hearing for the subject project on the 9th day of November, 2010, and all interested parties were given full opportunity to be heard and to present evidence; and

WHEREAS, as a result of studies and investigations made by the City Council and on its behalf, revealed that the facts as set forth in the Initial Study and Mitigated Negative Declaration, and those discussed during the public meeting show the following:

That the granting of this application will not be materially detrimental to the public welfare or injurious to property and improvements in the Zoning District and neighborhood in which the property is located because the proposed improvements will be regulated via a Neighborhood Compatibility Determination (Chapter 17.62 of the Rolling Hills Estates Municipal Code) and a Grading Application (Chapter 17.07), to mitigate project impacts.

That the granting of this application will not be contrary to the objectives of the General Plan because the development is consistent with the General Plan's Goals and Policies and the RA-20,000 and C-R Zones.

That as provided under the California Environmental Quality Act (CEQA), the Tentative Tract Map will not result in a significant impact on the environment because a Mitigated Negative Declaration has been prepared with mitigation measures that have been incorporated into this resolution.

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

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

SECTION 1. That the foregoing facts constitute conditions necessary to approve a Tentative Tract Map No. 52214, a Neighborhood Compatibility Determination and a Grading Plan to establish a subdivision including 11 residential lots, two landscape lots, and one Commercial Recreation (C-R) designated lot in the RA-20,000 and C-R Zones, and to adopt a Mitigated Negative Declaration for the construction of a Single-Family Residential development for eleven (11) homes on a 8.55-acre parcel; such an application as required by Chapters 16.04, 16.12, 17.07 and 17.62 of the Rolling Hills Estates Municipal Code, and that said Permits be granted subject to the following conditions, which must be met at all times by the applicant, unless otherwise stated, in order to enjoy the use of the subject property for any and all uses permitted by the granting of the subject permits.

General Conditions

1. That all improvements hereafter constructed or installed on land which is the subject of this approval shall be located substantially as shown on *Exhibit A* and/or as required under the Municipal Code and/or as required in these conditions.
2. That all applicable requirements of the State, County, City, and other governmental entities shall be met, and that prior to commencing any work on lands divided by the application and prior to applying for a building or grading permit, a zone clearance shall be obtained from the Planning Department.
3. That the Tentative Tract Map shall be valid for two years from the date of adoption of this resolution of approval. Requests for extensions shall be made prior to the expiration of this map and shall require approval by the City Council.
4. That any substantial modification including, but not limited to, exterior building elevations, site plan design, and landscaping, shall receive prior approval of the Planning Commission, with minor modifications approved by the Planning Director.
5. That in the event of one or more violations of these conditions, the City Manager shall have enforcement capability to remedy such violations and/or revoke said approvals.
6. That the City Council shall review and approve the final map prior to filing with the County Recorder's Office.
7. That the applicant shall submit plans for approval by the City Manager for all improvements required herein and further that the applicant will provide proof of completion of all improvements to City standards prior to recordation of the final map or, in those cases where permitted by the City Council, post labor, material, and performance bonds, or other appropriate forms of security in an amount to be determined by the City Manager in a form approved by the City Attorney. Improvements which are bonded must be installed within one year of recordation unless a time extension is granted by the City Council.
8. That prior to submitting the final map to the City Manager for his examination pursuant to Section 66450 of the Government Code, the applicant shall obtain clearances from all affected Departments and Divisions, including a clearance from the City Engineer, for the following mapping items: including but not limited to mathematical accuracy, survey analysis, and correctness of certificates and signatures.
9. That prior to final map approval, the applicant shall pay any required fees for Department of Fish and Game review.
10. That this project, classified as a "large project" under Ord. No. 668, shall be subject to a twelve month time period (commencing upon the effective date of project approval), in

which the entire project must be submitted for plan check review with the Department of Building and Safety, with two six month time extensions maximum allowed to be granted by the Planning Commission.

11. The applicant shall defend, hold harmless and indemnify at his own expense the City, its agents, officers and employees, from any claim, action, or proceeding, to attack, set aside, void or annul the approval granted in this resolution and shall reimburse the City, its agents, officers and employees for any damages, court costs and attorney's fees incurred as a result of such action. The City at its sole discretion may participate in the defense of any such action but such participation shall not relieve applicant of his obligation under this condition.

CC&Rs

12. That the applicant shall submit a copy of the CC&Rs to the City Manager for review and approval prior to the recordation of the Final Map.
13. That the CC&Rs shall specify the following requirements:
 - a. The City of Rolling Hills Estates shall be named as a third party beneficiary. Any proposed amendments to the CC&Rs must first receive approval of the City of Rolling Hills Estates.
 - b. The Homeowners Association shall be responsible for the maintenance of all landscaping located within commonly owned areas, private street (Casaba Road), bridle trail, and perimeter fencing for the subdivision, as shown on *Exhibit A*. There shall be public access on both the pedestrian walkway and the bridle trail at all times.
 - c. No recreational vehicles shall be parked in the front yard area.
 - d. A provision shall be included for trash pick-up for common areas and private residences and such provision shall include a residential recycling program.
 - e. The Homeowners Association shall maintain any natural drainage courses traversing the property.
 - f. That all residential units of the development shall be restricted to home-occupation uses, as specified in the Municipal Code.

Haul Route

14. Prior to issuance of a grading or building permit, the project applicant shall provide a haul route plan for review and approval by the City Engineer. The haul route plan shall identify routes for vehicles accessing the project site, staging areas, and worker parking areas.
15. That prior to demolition, the applicant shall submit a traffic control plan to minimize traffic disruption, subject to review and approval by the City of Rolling Hills Estates; said plan shall include, but not limited to, the use of flag persons.

Biological

16. Prior to recordation of the Final Map, the project applicant shall submit the covenants, codes, and restrictions (CC&Rs) for the development that includes restrictions on activities that occur in the bioswale, bioretention basin, and existing riparian forest area to the Planning Director for review and approval, and include the following:
 - a. For Lots 3 and 4 only, the minimum amount of vegetation removal as necessary (as determined by the Planning Director) to install horse arenas up to two total (one per lot) and associated equestrian access. Horse arenas shall be no greater than 1,000 sq. ft.

- b. Prior to clearing vegetation for the equestrian facilities, the homeowner shall provide the Planning Director with a site plan identifying the proposed area of disturbance and a corresponding sensitive plant survey (prepared in accordance with Mitigation Measure BIO-6) demonstrating that sensitive plants would not be impacted by the proposed vegetation clearance. Vegetation removal for equestrian facilities shall also be conducted in accordance with the Migratory Bird Treaty Act and the California Fish and Game Code Sections 3503, 3503.5 and 3513, as dictated by with Mitigation Measure BIO-5.
- c. For the equestrian trail, the minimum amount of vegetation removal as necessary (as determined by the Planning Director) to install an equestrian trail along the site's northern boundary. If construction of the equestrian trail does not occur in the same year as project grading, the trail proponent shall provide the Planning Director with a site plan depicting the proposed area of disturbance and a corresponding sensitive plant survey (prepared in accordance with Mitigation Measure BIO-6) demonstrating that sensitive plants would not be impacted by the proposed vegetation clearance. Vegetation removal for the equestrian trail shall also be conducted in accordance with the Migratory Bird Treaty Act and the California Fish and Game Code Sections 3503, 3503.5 and 3513, as dictated by with Mitigation Measure BIO-5.
- d. Vegetation that is required to be removed for wildfire abatement and/or emergency purposes, as determined by the Fire Department.
- e. The minimum amount of vegetation removal as necessary to maintain the drainage function of the bioswale, bioretention basin, and inlet structure (as determined by the City Engineer). Prior to clearing vegetation for such maintenance activities, the Planning Director shall be provided with a site plan depicting the proposed area of disturbance and a corresponding sensitive plant survey (prepared in accordance with Mitigation Measure BIO-6) demonstrating that sensitive plants would not be significantly impacted by the proposed vegetation clearance. Vegetation removal for the equestrian trail shall also be conducted in accordance with the Migratory Bird Treaty Act and the California Fish and Game Code Sections 3503, 3503.5 and 3513, as dictated by with Mitigation Measure BIO-5.
- f. Offsite mitigation required for the project shall be prioritized for projects within the City of Rolling Hills Estates.

Noise

- 17. Prior to issuance of a building permit, the project applicant shall submit a noise analysis to the Planning Director for review and approval. The noise analysis shall demonstrate the existing noise levels on site and noise levels with project build out and build out of approved projects in the project vicinity and mitigation, if required, to meet the City's exterior and interior noise standards. Measures to attenuate noise could include, but are not limited to, installation of insulation or windows beyond existing Building Code requirements.

Cultural Resources

- 18. Prior to issuance of a grading permit, the City Engineer shall verify that the applicant has contracted with a certified archaeologist to monitor all trenching and excavation activities. Should any archaeological resources be identified during the grading, trenching, or excavation, the certified archaeologist shall (1) ascertain the significance of the resource; (2) establish protocol with the City to protect such resources; (3) ascertain the presence of additional resources; and (4) provide additional monitoring of the site if deemed appropriate.
- 19. Upon completion of project grading, the qualified archaeologist shall submit a follow-up report to the City Planning Department. This report shall provide adequate documentation of any resources found within the project area and shall follow guidelines

presented in the Office of Historic Preservation "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format" Preservation Planning Bulletin.

20. Prior to issuance of a grading permit, a qualified paleontologist shall be retained by the project applicant to evaluate the project's potential to encounter paleontological resources. The Paleontological Resource Assessment shall be reviewed and approved by the Planning Director, and any minimization and/or avoidance measures identified in the assessment shall be incorporated into the grading plan documentation for the project.
21. Prior to issuance of a grading permit, the City Engineer shall review and approve a Paleontological Resources Impact Mitigation Program (PRIMP). The PRIMP shall be prepared and implemented to mitigate potential impacts to paleontological resources that may be present on the surface and to depth within the Monterey Formation or at depths below 10 feet within alluvial or colluvial sediments. The PRIMP shall contain the components listed below.
 1. A preconstruction field assessment shall be conducted to locate fossils at surface exposures. Salvage of fossils from known localities, including processing standard samples of matrix for the recovery of small vertebrate fossils, must be accomplished prior to excavation.
 2. Monitoring of excavation activities by a qualified paleontological monitor will be conducted in areas identified as likely to contain paleontological resources. The monitor shall be equipped to salvage fossils and/or matrix samples as they are unearthed in order to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment in the area of the find in order to allow removal of abundant or large specimens.
 3. Because the underlying sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix, it is recommended that these sediments occasionally be spot screened through one-eighth- to one-twentieth-inch mesh screens to determine whether microfossils exist. If microfossils are encountered, additional sediment samples (up to 6,000 pounds) shall be collected and processed through one-twentieth-inch mesh screens to recover additional fossils.
 4. A section shall be included that discusses preparation of any recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils and the removal of surplus sediment from around larger specimens to reduce the volume of storage for the repository and the storage cost for the developer.
 5. A section shall be included that discusses the identification and curation of specimens into a museum repository with permanent retrievable storage.
 6. A report of findings with an appended itemized inventory of specimens shall be prepared after the completion of grading.

Hazards

22. Prior to issuance of grading or building permits, the applicant shall provide evidence of coordination with the Los Angeles County Fire Department and incorporate any measures required for development within the Very High Fire Hazard Management Overlay area.
23. Prior to issuance of a grading or building permit, the project applicant shall retain an environmental professional to conduct a Phase I Environmental Site Assessment in accordance with current USEPA standards to determine whether disturbance of existing structures would release hazardous materials into the environment. Structures shall be surveyed for asbestos, LBP, PCBs, and other common hazardous materials prior to renovation or demolition activities by qualified environmental professionals. The applicant shall comply with all applicable existing local, State, and federally mandated site assessment, remediation, removal, and disposal requirements for, but not limited to, soil, surface water, groundwater contamination, asbestos, LBP, and PCBs. The Phase I assessment shall be provided to the Planning Director for his/her review and approval.

Hydrology and Water Quality

24. Prior to issuance of building permits and/or grading permits, the project shall be reviewed by the City Engineer for compliance with NPDES requirements. The project shall incorporate design elements to:
 - Minimize impacts from storm water and urban runoff on the biological integrity of Natural Drainage Systems and water bodies in accordance with requirements under CEQA (Cal. Pub. Resources Code Subsection 21200), CWC Subsection 13369; CWA Subsection 319, CWA Subsection 402(p), CWA Subsection 404, CZARA Subsection 6217(g), ESA Subsection 7 and local ordinances
 - Maximize the percentage of pervious surfaces to allow percolation of storm water into the ground
 - Minimize the quantity of storm water directed to impervious surfaces and the MS4
 - Minimize pollution emanating from parking lots through the use of appropriate Treatment Control Best Management Practices (BMPs) and good housekeeping practices
 - Properly design and maintain Treatment Control BMPs in a manner that does not promote the breeding of vectors
 - Provide for appropriate permanent measures to reduce storm water pollutant loads in storm water from the development site.
25. Prior to issuance of grading permits, site-specific mitigation design plans and/or design in accordance with the SUSMP requirements, including Numerical Design Criteria, shall be applied to the project in accordance with Order No. 01-182. The SUSMP shall be submitted to the City Engineer for review and approval.
26. Prior to issuance of a grading permit, the applicant shall provide evidence to the City Engineer that an NOI and SWPPP were filed with the Regional Water Quality Control Board and that the Board approved the SWPPP and NOI.
27. Prior to issuance of a building permit, the project applicant shall submit a final drainage plan to the City Building Official for review and approval. The drainage plan shall include any on-site structure and/or modifications of existing drainage facilities necessary to accommodate increased runoff resulting from the proposed project and shall indicate project contributions to the regional storm water drainage system. The drainage plan shall show all structural BMPs consistent with the project storm water management plan.

Population and Housing

28. Subsequent to approval of the proposed project, the Planning Director shall coordinate with SCAG to revise its growth projections for the City

Streets

29. That prior to the issuance of a grading and/or building permit, the applicant shall be required to post a security bond in an amount to be determined by the City of Rolling Hills Estates in an amount sufficient to pay for repairs caused by any damage to public streets or other facilities. Prior to the issuance of a certificate of occupancy, the applicant shall also be responsible for repair of any broken or damaged curb, street, gutter or other utility or public improvements or demolition permits resulting from any construction activity.

Easements

30. That the location of all easements required hereunder is subject to review by the City Manager. Dedications of, or offers to dedicate easements or right-of-way shall be completed by certification on the final map.

Utilities and Service Systems

31. That all utility work located in and connecting to Montecillo Drive, Palos Verdes Drive North, Palos Verdes Drive East and Casaba Road shall be subject to review and approval by the City Department of Public Works prior to issuance of a grading permit for the project. All new telephone and electrical service shall be installed underground. In addition, the developer shall be responsible for undergrounding three existing utility poles along PVDN and Montecillo Drive as part of the City's undergrounding project in this area.
32. That the applicant shall be responsible for installation of cable TV service within the public utility easement allowing connection to each residence. The applicant shall meet all design and installation standards employed by the cable company servicing the City of Rolling Hills Estates, which includes a requirement that all cable service be underground.
33. That the project plans and map shall be subject to review by the City's Department of Public Works prior to issuance of a building permit to ensure that no right-of-way impacts will result from installation of the project utilities and service systems.
34. That prior to the issuance of a building permit, the developer shall coordinate with the various utility companies serving the site and pay the necessary fees to ensure adequate and timely service to the proposed development.
35. That prior to the issuance of a building permit, water conservation and energy conservation features shall be designed and incorporated into the plumbing and irrigation equipment.
36. That prior to the issuance of a building and/or a grading permit or prior to the recordation of the final map, the developer shall obtain necessary permits and clearances for sewer and storm drain connections to existing lines.

Landscaping Requirements

37. That prior to issuance of a building permit, a final landscaping plan shall be submitted to the Park and Activities Commission for review and approval. The final landscaping plan shall include the location, spacing, numbers, sizes, and identity of all planting and material, an irrigation plan, water conservation statement, wall plans, sign plans, and other such plans and drawings required by the Park and Activities Commission.
38. That prior to issuance of a grading permit, a soils test shall be submitted per the landscape water conservation ordinance for the review and approval of the Park and Activities Commission.
39. That all landscaped areas shall be provided with an automatic irrigation system. The detailed specifications shall be reviewed and approved by the Park and Activities Commission prior to the issuance of Zone Clearance.
40. That the applicant and its successors in interest shall ensure that site planting and irrigation meet the conditions required by Water Efficient Landscape Ordinance (Chapter 17.59 of the Municipal Code). The Park and Activities Commission shall review the proposed landscaping and irrigation to ensure water usage compliance and compatibility with City's desired landscape palette.
41. That the landscape plan shall utilize extensive mulching.

City Engineer

42. Details shown on the tentative map are not necessarily approved. Any details, which are inconsistent with requirements of ordinances, general conditions of approval, or City Engineer's policies, must be specifically approved on the final map or improvement plan approvals.

43. A final tract map prepared by, or under the direction of a Registered Civil Engineer authorized to practice land surveying, or a Licensed Land Surveyor, must be processed through the City Engineer's office prior to being filed with the County Recorder.
44. A preliminary subdivision guarantee is required showing all fee interest holders and encumbrances. An updated title report shall be provided before the final tract map is released for filing with the County Recorder.
45. Monumentation of tract boundaries, street centerline and lot boundaries are required.
46. Final tract map shall be filed with the County Recorder and one (1) mylar copy of filed map shall be submitted to the City Engineer's office prior to issuance of building permits.
47. The project shall comply with all requirements of the Subdivision Map Act.
48. Approval for filing of this land division is contingent upon approval of plans and specifications mentioned below. If the improvements are not installed prior to the filing of this division, the developer must submit an Undertaking Agreement and a Faithful Performance and Labor and Materials Bond in the amount estimated by the City Engineer guaranteeing the installation of the improvements.
49. The City reserves the right to impose any new plan check and/or permit fees approved by City Council subsequent to tentative approval of this map.
50. Prior to recordation of the final map, grading and drainage plans must be approved to provide for contributory drainage from adjoining properties as approved by the City Engineer, including dedication of the necessary easements. In addition, Lot 13 and "Not a Part" Lot shall be reviewed for potentially reducing the storm water runoff from the two lots on Montecillo Drive.
51. Historical or existing storm water flow from adjacent lots must be received and directed by gravity to the street, a public drainage facility, or an approved drainage easement.
52. Approval of this land division is contingent upon providing separate house sewer laterals to serve each unit of the land division.
53. The developer shall consult the City Engineer to determine the sewer location and design requirements.
54. Power, telephone, and cable television service shall be underground.
55. Any utilities that are in conflict with the development shall be relocated at the developer's expense.
56. All lots shall be served by adequately sized water system facilities, which shall include fire hydrants of the size, type and location as determined by the Fire Chief.
57. The water mains shall be of sufficient size to accommodate the total domestic and fire flow required for the land division. Domestic flows required are to be determined by the City Engineer. Fire flows required are to be determined by the Fire Chief.
58. Plans and specifications for the water system facilities shall be submitted for approval to the water company serving this land division. The subdivider shall submit an agreement and other evidence, satisfactory to the City Engineer, indicating that the subdivider has entered into a contract with the servicing water purveyor guaranteeing payment and installation of the water improvements.
59. Prior to the filing of the final map, there shall also be filed with the City Engineer, a statement from the water purveyor indicating subdivider complies with the Fire Chief's fire flow requirements.
60. State regulations became effective on July 1, 2005 that may require that units within this project be made accessible to Persons with disabilities. The Architect is advised to

review the new regulations to determine the impact on the project.

61. The City of Rolling Hills Estates is a co-permittee under the Los Angeles County Storm Water Permit. Any residential project of ten or more units is a Priority project and shall include in the project design Best Management Practices to treat the runoff from the project. A SUSMP plan shall be prepared and approved for this project prior to the issuance of grading or building permits. The SUSMP shall include a clear statement on the long-term maintenance of the BMP's installed.
62. The developer shall create and implement a Waste Management plan for this project. AB 939 requires the City of Rolling Hills Estates to reduce its waste stream to the landfills by 50%. The plan shall identify demolition and construction waste that will be recycled, identifying potential recyclers for the materials and estimate the tonnage of material to be recycled. Prior to the issuance of a Certificate of Occupancy for the project, the developer shall present information that the recycling has been accomplished.

City Traffic Engineer

63. Casaba Road, a private street, shall be built to City Standards except that sidewalks and mid-block street lights will not be required.
64. Casaba Road shall be vacated in its entirety to the prolongation of the westerly right-of-way line of Montecillo Drive and the northerly property line of Palos Verdes Drive North. Access rights shall be granted to any adjacent properties for driveways to be built along Casaba Road (private street), including the Jack Kramer Tennis Club.
65. The dimensions of the proposed cul-de-sac must comply with Fire Department requirements with a radius no less than 32 feet. Curb parking shall be prohibited within the cul-de-sac with signs to the satisfaction of the City Traffic Engineer.
66. All entrances and private driveways shall comply with Fire Department requirements for turning radii and access.
67. A proposed driveway for the Jack Kramer Tennis Club shall be located west of the proposed right turn median island to avoid making a right turn on the wrong side of the median and to prevent driver conflicts and confusion within the intersection near the intersection of Casaba Road and Montecillo Drive.
68. The right turn median on Casaba Road shall be constructed to City standards, with a minimum right turn lane width of 14', and a minimum two-way street width of 28 feet wide adjacent to the median. The raised triangle median on Casaba Road shall be constructed to allow for future sidewalks along the west side of Montecillo Drive.
69. A northbound to eastbound left turn pocket shall be constructed on Montecillo Drive with a minimum storage of length of 60 feet for three (3) vehicles not including reverse curve. The left turn lane shall be built to City standards and approved by the City Traffic Engineer.
70. Parking shall be prohibited on both sides of Casaba Road from Montecillo Drive westerly up to 100 feet to the satisfaction of the City Traffic Engineer for driver visibility and vehicle access.
71. No structures, walls or landscaping over 30 inches high (except tree trunks) shall be constructed within the semi-circular area formed by the curve tangent points at the northeast and southwest corners of the intersection of Montecillo Drive and Casaba Road.
72. Stop signs and markings shall be installed on Casaba Road at its intersection with Montecillo Drive. Eastbound right turns shall be prohibited from the main portion of Casaba Road north of the proposed median. All signs and markings shall conform to current State standards.

- 73. A public access easement shall be recorded and an accessible pedestrian sidewalk shall be constructed near the western end of Casaba Road to connect to the multi-use path along the north side of Palos Verdes Drive North.
- 74. No driveways shall be permitted along the Palos Verdes Drive North or Palos Verdes Drive East property frontages. The developer shall execute and record a release of vehicular access rights along both streets for all fronting properties.
- 75. The developer shall provide an Edison street light at the intersection of Montecillo Drive and Casaba Road.
- 76. The proposed residential driveways shall meet City standards, including maximum slopes and transitions at each end, as required, to the satisfaction of the City Traffic Engineer.
- 77. No above ground structures or obstructions shall be located within the parkway on Casaba Road except mailboxes and landscaping.
- 78. To reduce the potential and severity of run-off-road type vehicle collisions, rolled curbs shall not be permitted on any common driveway, private or public street for any of the following conditions:
 - a. Vertical slope greater than 5 percent,
 - b. Horizontal curves less than 300 feet in radius,
 - c. Adjacent to side slopes greater than 1:2 ratio (V:H),
 - d. Adjacent to a sidewalk, or
 - e. Within 15 feet of a wall, building or structure.
- 79. Parking stall cross-slope shall not exceed 5%.
- 80. No construction related parking or activities shall be allowed on City streets, except as specifically authorized by the City for road construction on Montecillo Drive only.

Special Conditions

- 81. That the applicant shall ensure that lighting on the project site shall be directed only onto the property where the light source is located. No lighting shall be permitted which results in the direct illumination of other properties. Prior to issuance of building permits, a lighting plan shall be reviewed and approved by the Planning Director. In addition, the proposed residence on Lot 2 shall not have exterior lighting located on the south-side elevation of the second floor.
- 82. Prior to issuance of any grading permits, the project applicant shall be required to demolish the existing vacant single-story commercial building (the former ReMax building) and associated parking lot located on the corner of PVDN and PVDE.
- 83. That the applicant shall work with the Planning Director to identify adequate horsekeeping access to the satisfaction of the Planning Director.
- 84. For the replacement trees in the Conceptual Restoration Plan area, the applicant shall install a mixture of deep 1-gallon and 15-gallon planter sizes. In addition, for each Willow Tree removed a minimum 15-gallon planter replacement tree shall be installed.
- 85. Prior to the installation of any signs for the project including entry monumentation for the residences, a sign plan shall be reviewed and approved by the Planning Director and the Parks and Activities Commission.
- 86. Prior to issuance of the Certificate of Occupancy, fencing shall be installed along the northerly property border to protect residential and equestrian uses from golf ball hazards from the adjacent property (Rolling Hills Country Club - RHCC), and if it is determined that a fence height greater than 6' is required, the protective fencing shall be processed under a Special Use Permit (SUP) and subject to approval by the Planning Commission. In addition, once the golf ball hazard is eliminated with the relocation of

RHCC's driving range, the protective fence shall be removed.

87. That trucks transporting dirt, organic material, and demolition debris from the site shall be covered and hosed down in a location on-site prior to exiting the property. Any trucks transporting dirt and or organic material to the site shall be covered or properly secured to prevent off-site debris to the satisfaction of the City Traffic Engineer.
88. All construction activity shall be limited to between the hours of 7:00 A.M. and 5:00 P.M. Monday through Friday, and 9:00 A.M. and 5:00 P.M. on Saturday. No work shall be permitted on Sundays or holidays (New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day).
89. No queuing of trucks or arrival of construction materials and/or workers to the construction site shall be permitted outside the permitted construction hours and days.
90. Contractor shall prohibit off-site heavy truck activities in local residential areas as well as establish City-approved haul routes.
91. Contractor shall ensure that construction equipment is fitted with modern sound-reduction equipment.
92. That the project applicant shall be required to comply with School District development impact fee requirements and demonstrate to the City such compliance prior to issuance of the occupancy permit for the project.
93. That all roof-mounted equipment shall be screened from view to the satisfaction of the Planning Director.
94. That the applicant shall, to the extent feasible or as required by law, salvage and recycle demolition materials.
95. That all handicapped spaces shall be posted and painted to meet the State Handicapped Parking Requirements for the Americans with Disabilities Act (ADA).
96. Prior to issuance of building permits, the project applicant shall be required to pay its fair share of applicable fees for library and General Plan purposes, as a condition of the discretionary land use approvals granted by the City.
97. Prior to issuance of building permits, the project applicant shall pay fees to the City of Rolling Hills Estates pursuant to the Quimby Act, with adjustments to be made for the land dedication (mini-park) to the City.
98. That all project Mitigation Measures, as identified in the attached Mitigation Monitoring Program (*Exhibit B*), shall be completed to the satisfaction of the responsible Department/agency.
99. That prior to the issuance of building permits for each residence shown on *Exhibit A*, the applicant shall submit plans and required application fees pursuant to City requirements, for each lot to be reviewed by the Planning Department for neighborhood compatibility review and approval. Plans for each residence shall include final site plan information showing the precise placement of the residence on the lot as well as complete floor plans, roof plan and elevations, and any proposed site improvements, including horsekeeping facilities.
100. That prior to the issuance of building permits, the proposed development shall comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants. The applicant shall comply with all Fire Department requirements for access, fire flow and hydrants.
101. As a condition of project approval, the City of Rolling Hills Estates will require that the applicant notify Fire Stations 2, 106, and 6 at least 3 days in advance of any street closures that may affect fire/paramedic responses in the area.

102. As a condition of project approval, the City of Rolling Hills Estates will require that the applicant coordinate water service disruptions with the Fire Department.
103. The applicant shall contact and receive approval from the Metropolitan Water District for any work to be performed in the vicinity of Metropolitan Water District facilities.

SECTION 2. That the City Clerk shall certify to the adoption of this Resolution and shall keep a copy of same to be submitted to the City Council with such other documents and records of proceedings.

ADOPTED this 9th day of November, 2010.

JOHN ADDLEMAN, MAYOR

ATTEST:

DOUGLAS R. PRICHARD, CITY CLERK

I HEREBY CERTIFY that the foregoing Resolution No. 2240 was adopted by the City Council of the City of Rolling Hills Estates at a regular meeting held thereof on the 9th day of November, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DOUGLAS R. PRICHARD, CITY CLERK

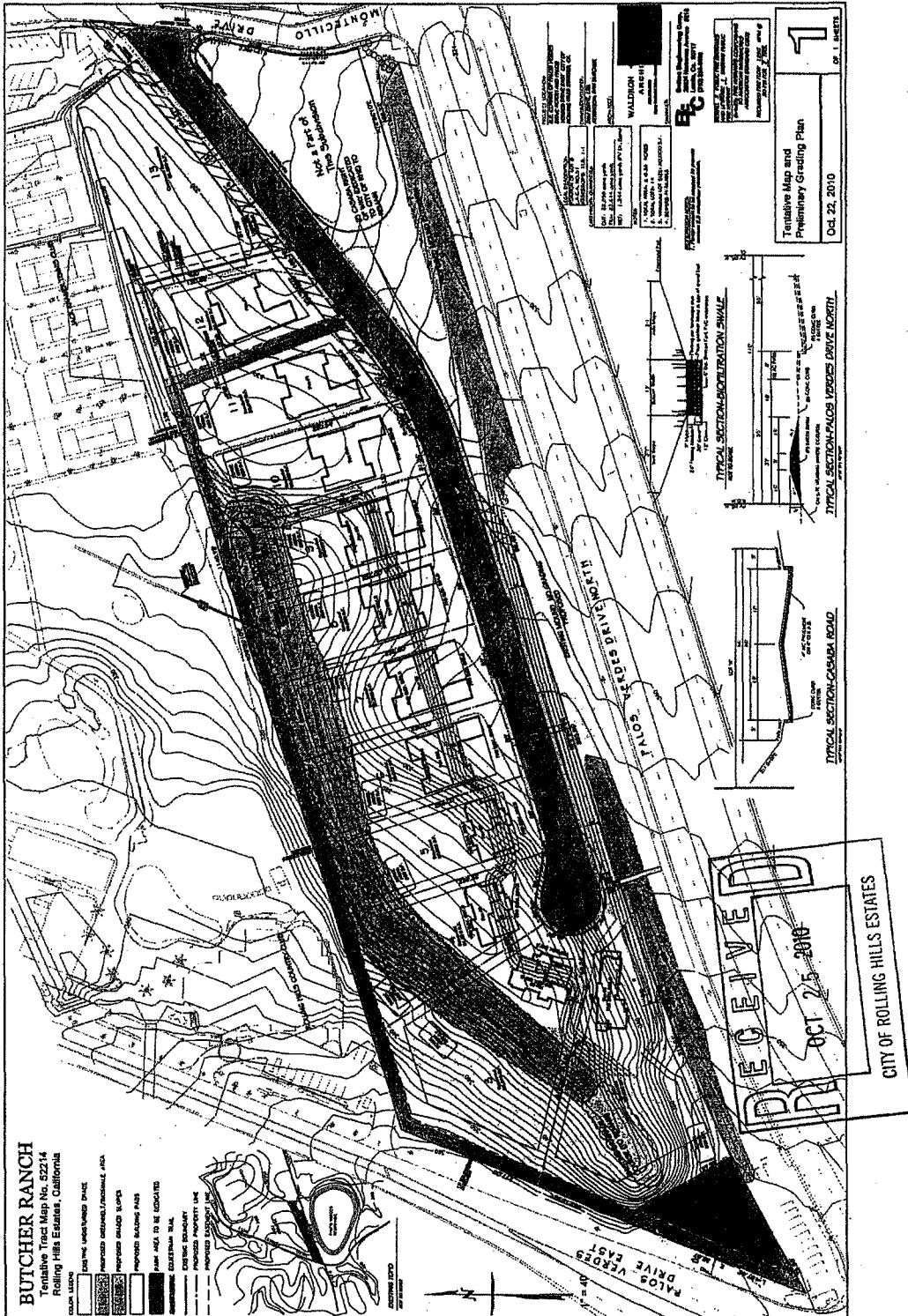


EXHIBIT "A"
RESO. PA-33-04

1 of 14



DATE: February 5, 2010

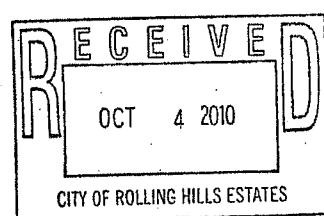
PLAN 1R

CRAFTSMAN

Scale: 1/4"=1'-0"

BUTCHER RANCH
Tract No. 92214, Rolling Hills Estates, CA
D & H B L L P.
2371 Torrance Blvd, Torrance, CA 90501

WADDEON
ARCHITECT
4040 South Figueroa Street, Suite 1000, Los Angeles, CA 90040



PA-33-04

2 OF 14



DATE: February 5, 2010

PLAN 2R

CRAFTSMAN

Scale: 1/4"=1'-0"

BUTCHER RANCH
Tract No. 8214, Rolling Hills Estates, CA
D & H B L.L.P.
2371 Torrance Blvd. Torrance, CA 90501

WADRON
ARCHITECTURE
6012 South 10th Street, Suite 100, Lakewood, CO 80401
303-777-1111

3 OF 14



DATE: February 5, 2010

PLAN 3

FRENCH COUNTRY

Scale: 1/4"=1'-0"

BUTCHER RANCH
Tract No. 52214, Rolling Hills Estates, CA
D & M 8 L.L.P.
2371 Torrance Blvd. Torrance, CA 90501

WALDRON
ARCHITECTURE
2011 Society of Interior Designers
Member

4 OF 14



DATE: February 5, 2010

PLAN 4

FRENCH COUNTRY

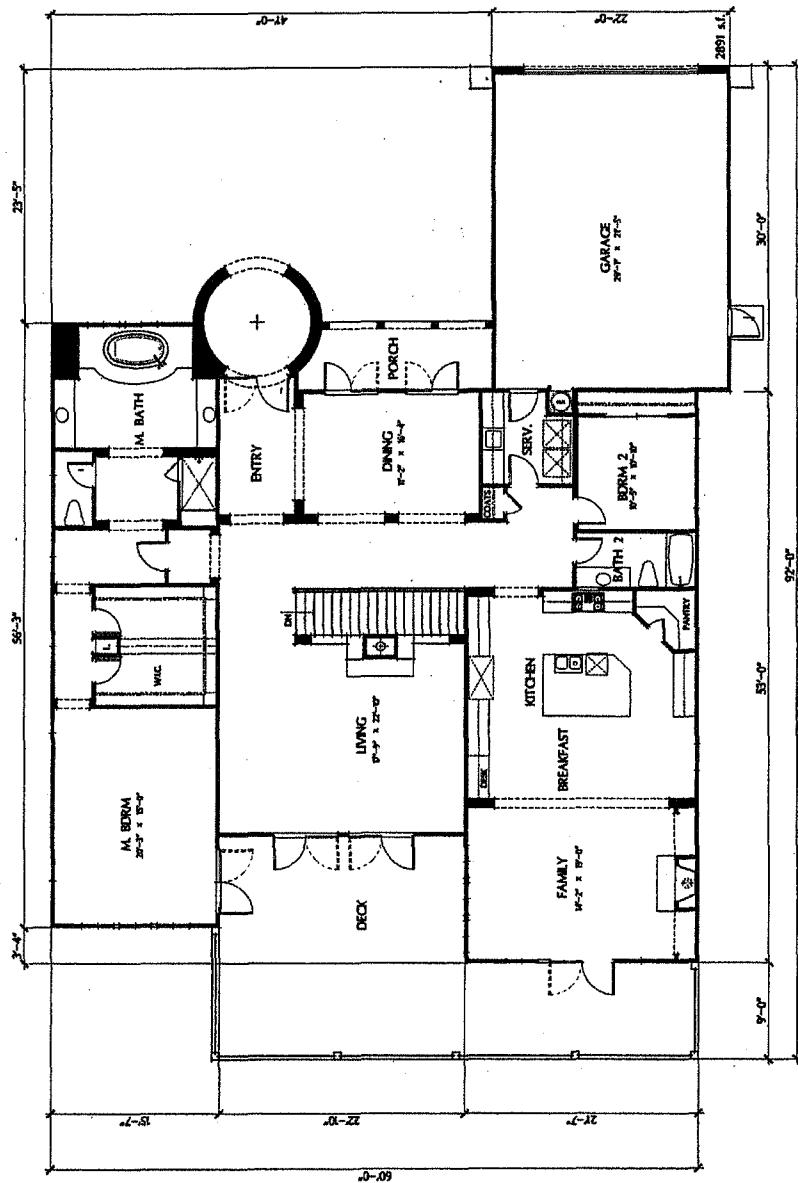
SIDE ELEVATION

Scale: 1/4"=1'-0"

BUTCHER RANCH
Tract No. S2214, Rolling Hills Estates, CA
D & H B L.L.P.
23711 Terranea Blvd. Torrance, CA 90501

WALDRON
ARCHITECTURE
DESIGN
INTERIOR DESIGN
9042 S. Sepulveda Blvd., Suite 200
Culver City, CA 90230
(310) 265-1000

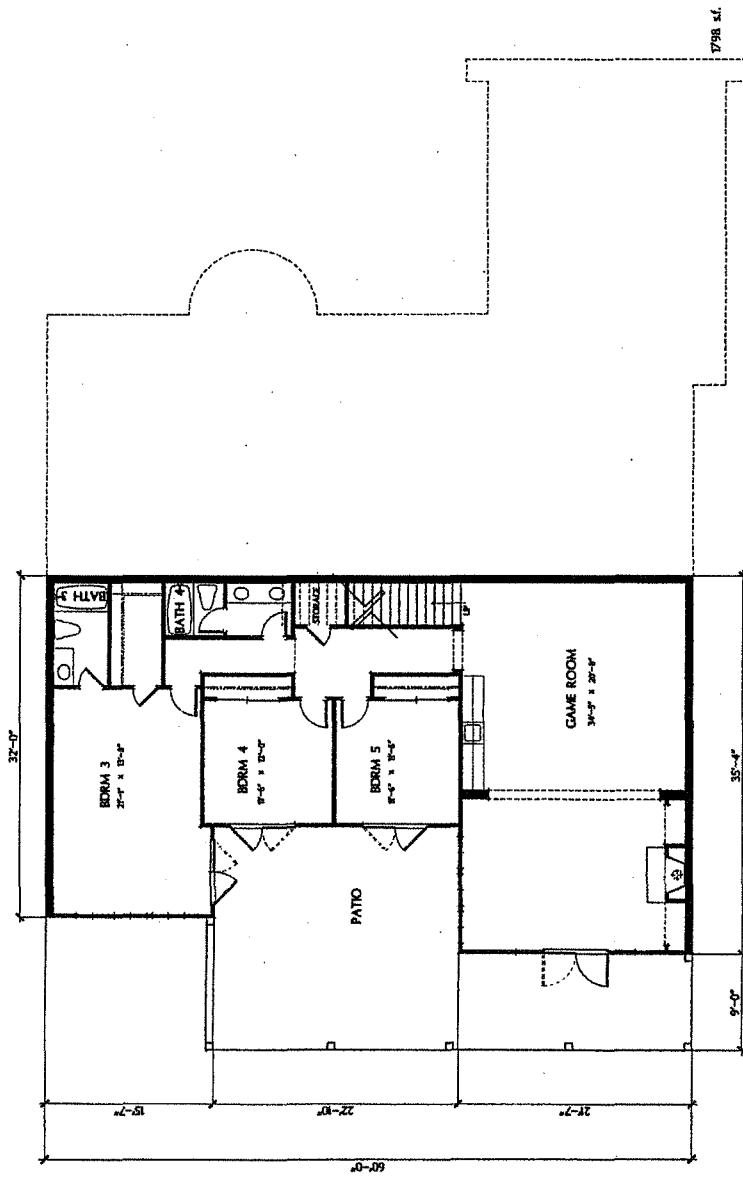
5 OF 14



PLAN 2 4689 S.F.

Date : February 5, 2010
BUTCHER RANCH
 Tract No. 52214, Rolling Hills Estates, CA
 D&M8 L.L.C.
 2377 Torrance Blvd, Torrance, Ca 90501

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PLAN 2 4689 S.F.

Date : February 5, 2010

BUTCHER RANCH
Tract No. 23714 Rolling Hills Estates, CA
D&M8 L.L.P.
2371 Torrance Blvd. Torrance, Ca 90501

LOWER LEVEL PLAN

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

WALDRON

ARCHITECTURE
2111 1/2 10th Street
6415 Seward Drive, Suite 100
Long Beach, CA 90803
(562) 437-1000

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8 OF 14

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WALDRON
ARCH
MAY 1946

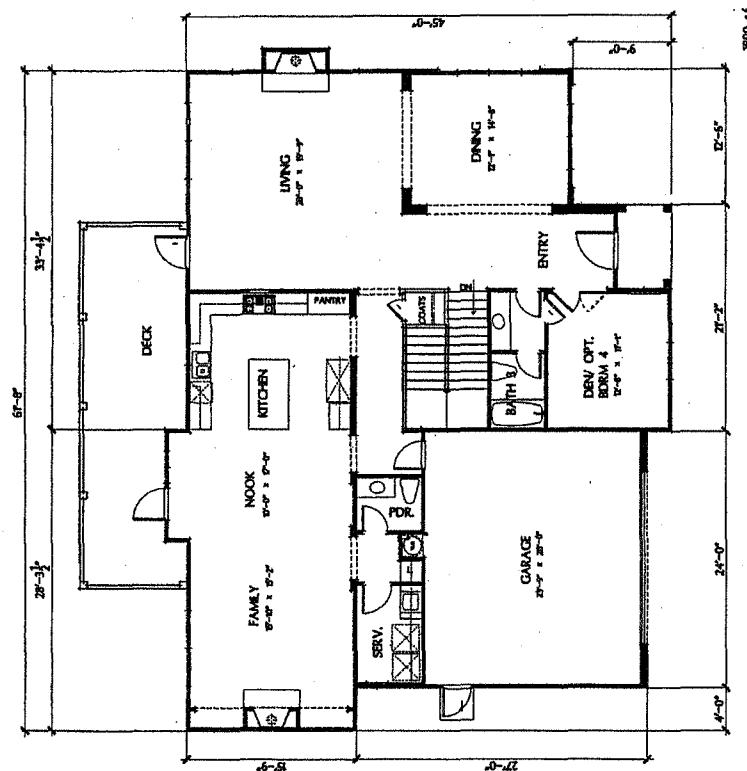
MAIN LEVEL PLAN

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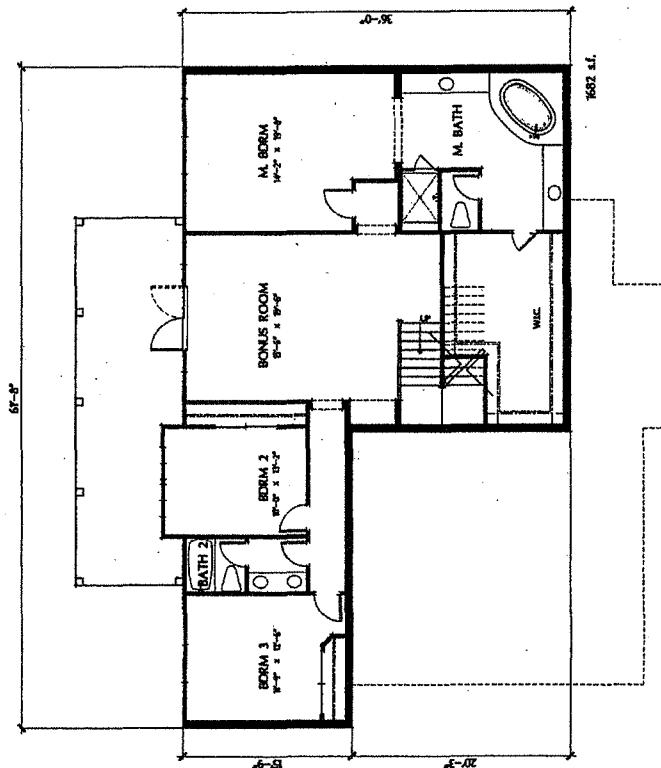
PLAN 3. 3572 S.F.

Date : February 5, 2010

BUTCHER RANCH
Tract No. 52214, Rolling Hills Estates, CA
D&M8 L.L.P.
2371 Torrance Blvd, Torrance, CA 90501



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PLAN 3 3572 S.F.
LOWER LEVEL PLAN

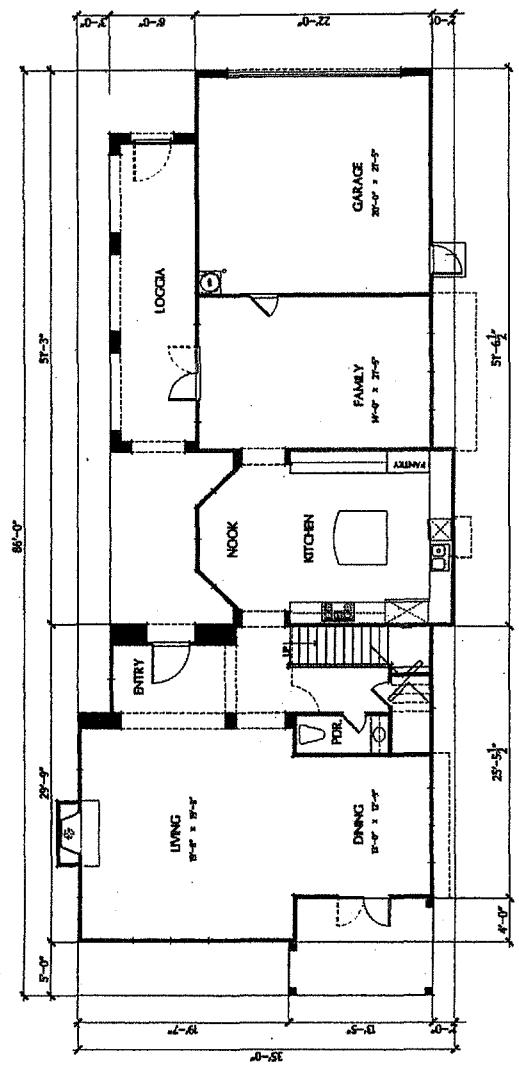
Date : February 5, 2010

BUTCHER RANCH
Tract No. 52274, Rolling Hills Estates, CA
D&M8 L.L.P.
2371 Torrance Blvd, Torrance, Ca 90501

WALDIRON
ARCHITECT
32021 10th
6041 Second Street, Redwood City, CA 94063

A-4

10 OF 14



PLAN 4 3493 S.F. **FIRST LEVEL PLAN** **SCALE: 1/4" = 1'-0"**

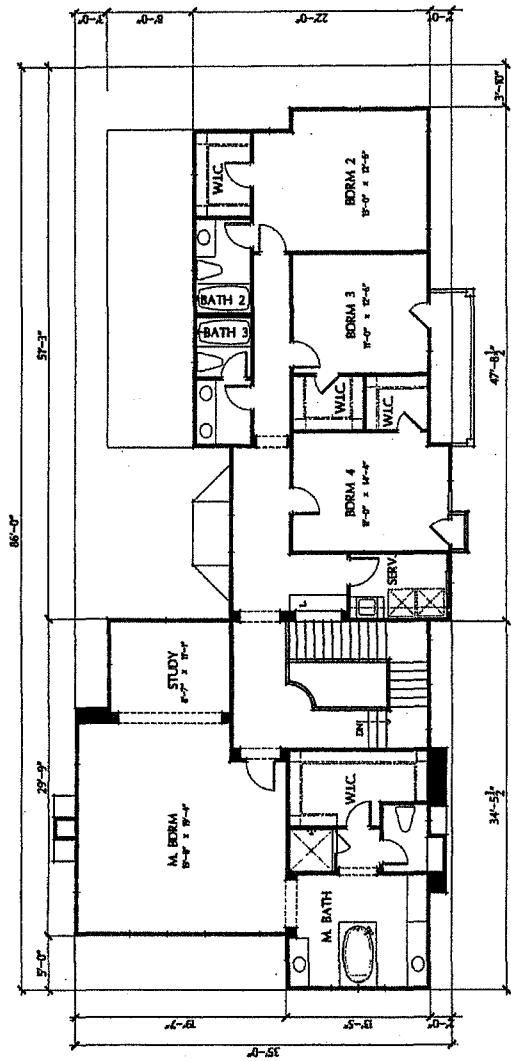
11 OF 14

BUTCHER RANCH
Tract No. 52214, Rolling Hills Estates, CA
D&M8 L.L.P.
2371 Torrance Blvd. Torrance, Ca 90501

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WALDRON
ARCHITECTS
20th & 7th Aves. • 601-603-605-607-609

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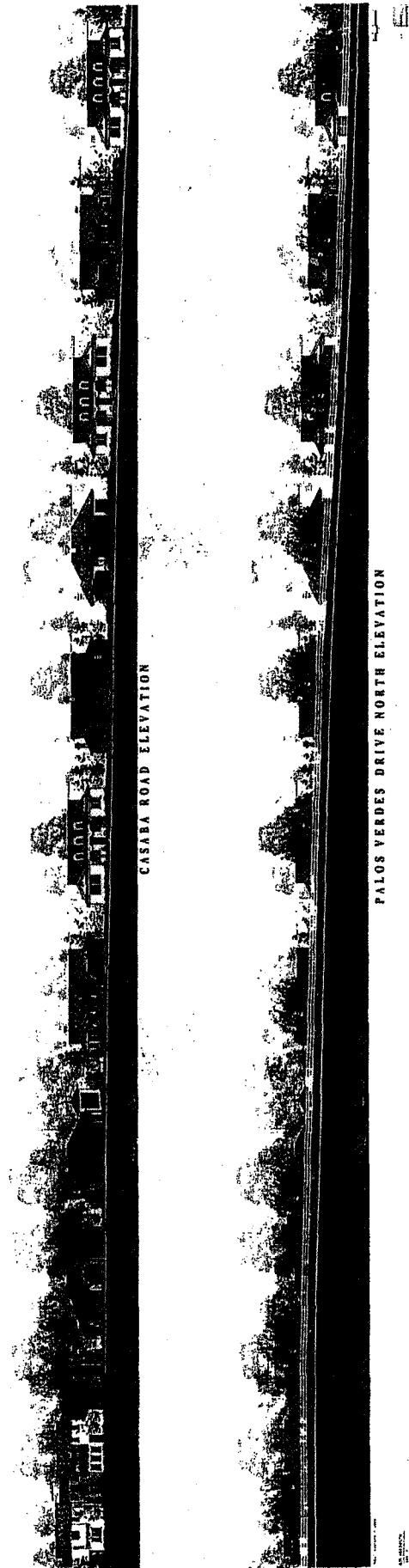
PLAN 4 3493 S.F.
SECOND LEVEL PLAN
SCALE: 1/4" = 10'

Date : February 5, 2010

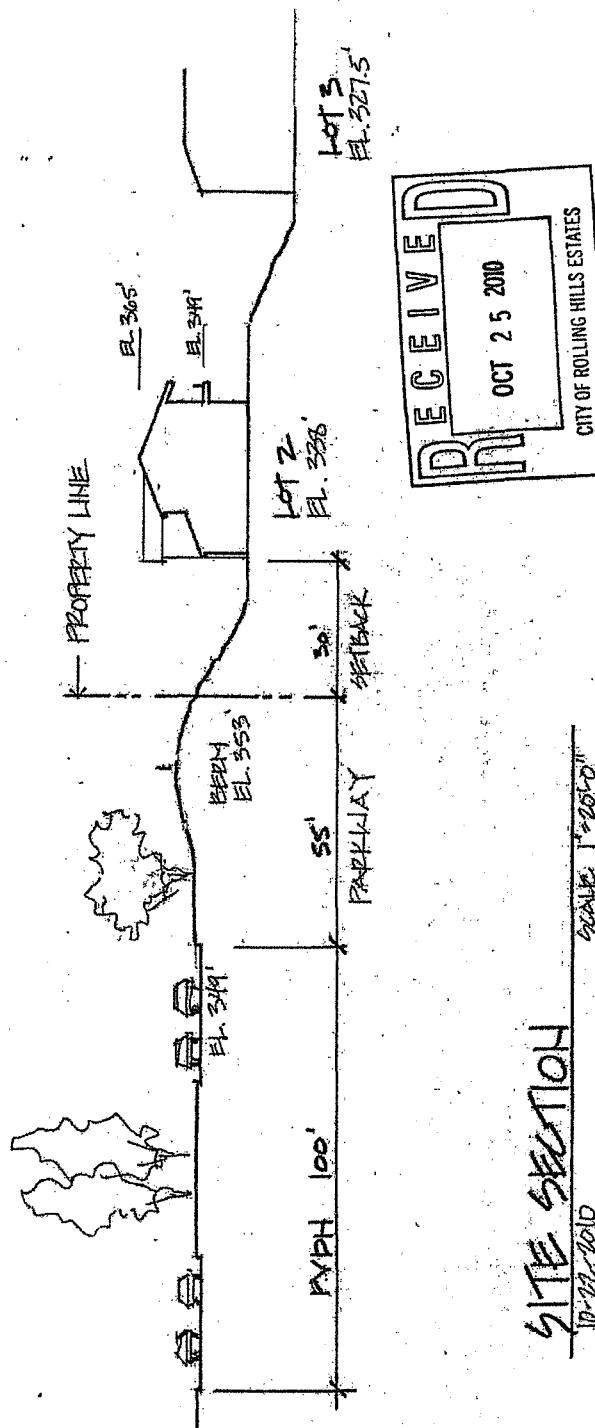
BUTCHER RANCH
Tract No. 52214, Rolling Hills Estates, CA
D&M8 L.L.P.
23711 Lorretta Blvd., Torrance, CA 90501

WALDRON
ARCHITECTURE
11011 Rolling Hills Estates
23711 Lorretta Blvd., Torrance, CA 90501
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13 of 14



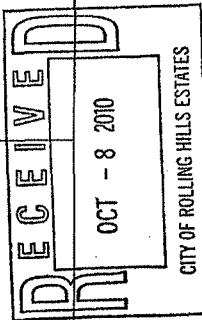
WALDRON
ARG
310.212.8880
6043 Scenicview Drive •

BUTCHER RANCH
Tract No. 52214, Rolling Hills Estates, CA
D & M 8 L.L.P.
1222311 Torrance Blvd. Torrance, CA 90501

14 of 14

City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 552214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure LU-1: Fencing shall be installed along the northern property border to protect residential and horse uses from golf ball hazards. The fencing design shall be reviewed and approved by the Planning Director and shall be installed prior to completion of either the horse trail, or occupancy of the proposed homes, whichever is first.	Prior to the issuance of a Certificate of Occupancy or completion of the Horse Trail, whichever is first	City of Rolling Hills Estates Planning Staff	Planning Staff shall review fence plans and shall inspect the fence after installation to ensure compliance with this requirement.			
Mitigation Measure AE-1: Prior to issuance of construction permits, Planning staff shall review the design of each proposed home within Tentative Tract 52214 to ensure that it complies with the approved plans.	Prior to issuance of building permits	City of Rolling Hills Estates Planning Staff	Planning Staff shall review construction level architectural plans to ensure compliance with this requirement.			
Mitigation Measure AQ-1: During grading and construction, fugitive dust emissions shall not exceed the performance standards in SCAQMD Rule 403. In complying with this Rule, the project applicant shall minimally require project contractors to implement the following dust control measures during project construction:	During grading and construction	City of Rolling Hills Estates Building and Safety Staff	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			
a. During grading and construction, active areas and haul roads shall be watered at least twice (2x) per day. b. During construction, replace ground cover in disturbed areas as quickly as possible. Disturbed surfaces shall be maintained in a stabilized condition using water or other non-toxic chemical dust suppressant until ground cover is replaced.						

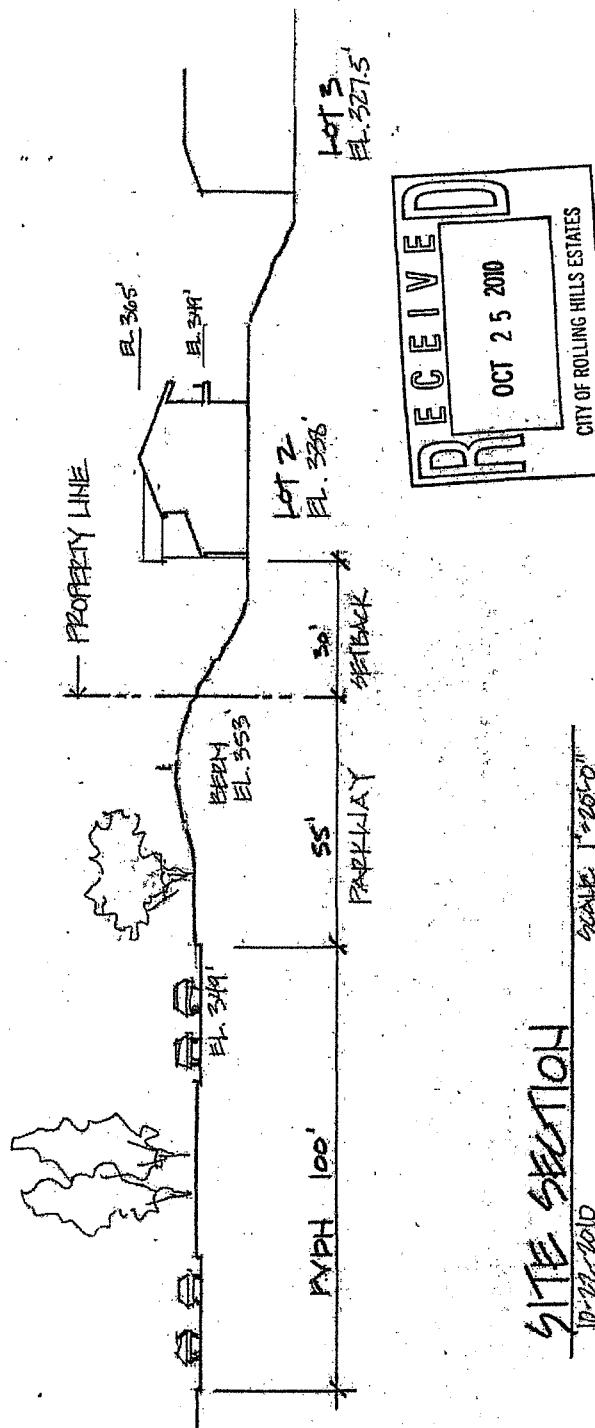


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Exhibit "B"

RESO PA - 33 - 04

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BUTCHER RANCH
Tract No. 52214, Rolling Hills Estates, CA
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22371 Torrance Blvd. Torrance, CA 90504

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City of Rolling Hills Estates
 Butcher Ranch—Tentative Tract Map No. 552214
 Mitigation Monitoring Program

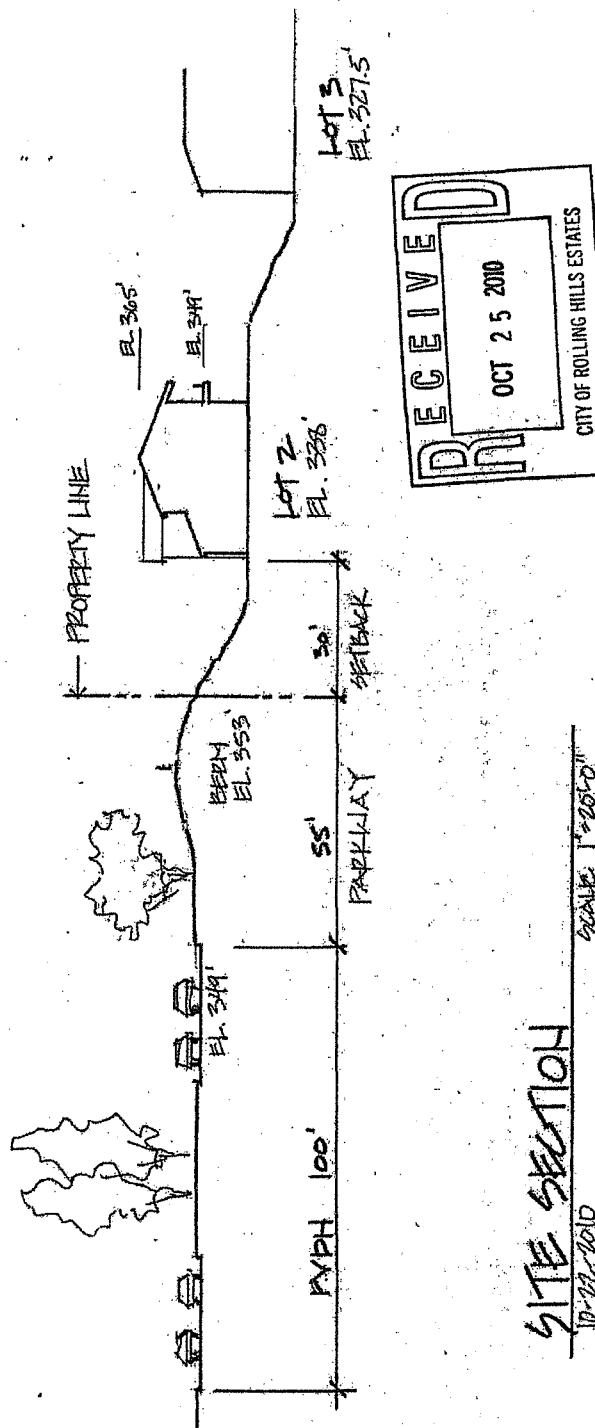
Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure LU-1: Fencing shall be installed along the northern property border to protect residential and horse uses from golf ball hazards. The fencing design shall be reviewed and approved by the Planning Director and shall be installed prior to completion of either the horse trail, or occupancy of the proposed homes, whichever is first.	Prior to the issuance of a Certificate of Occupancy or completion of the Horse Trail, whichever is first	City of Rolling Hills Estates Planning Staff	Planning Staff shall review fence plans and shall inspect the fence after installation to ensure compliance with this requirement.			
Mitigation Measure AE-1: Prior to issuance of construction permits, Planning staff shall review the design of each proposed home within Tentative Tract 52214 to ensure that it complies with the approved plans.	Prior to issuance of building permits	City of Rolling Hills Estates Planning Staff	Planning Staff shall review construction level architectural plans to ensure compliance with this requirement.			
Mitigation Measure AQ-1: During grading and construction, fugitive dust emissions shall not exceed the performance standards in SCAQMD Rule 403. In complying with this Rule, the project applicant shall minimally require project contractors to implement the following dust control measures during project construction:	During grading and construction	City of Rolling Hills Estates Building and Safety Staff	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			
a. During grading and construction, active areas and haul roads shall be watered at least twice (2x) per day. b. During construction, replace ground cover in disturbed areas as quickly as possible. Disturbed surfaces shall be maintained in a stabilized condition using water or other non-toxic chemical dust suppressant until ground cover is replaced.				RECEIVED OCT - 8 2010 CITY OF ROLLING HILLS ESTATES		

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Exhibit "B"

RESO PA - 33 - 04

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Tract No. 52214, Rolling Hills Estates, CA
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City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 552214
Mitigation Monitoring Program

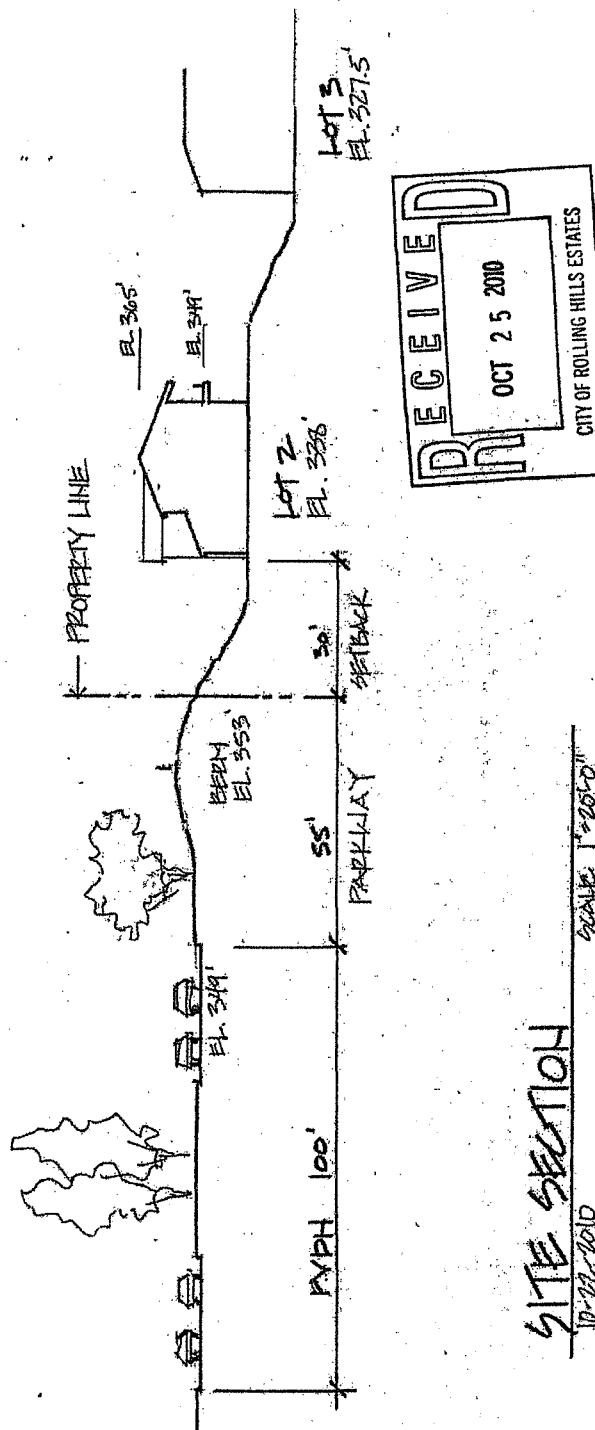
Mitigation Measures	Period of Implementation	Mitigation Monitoring		Comments	Date	Initials
		Monitoring Responsibility	Monitoring Procedure			
Mitigation Measure LU-1: Fencing shall be installed along the northern property border to protect residential and horse uses from golf ball hazards. The fencing design shall be reviewed and approved by the Planning Director and shall be installed prior to completion of either the horse trail, or occupancy of the proposed homes, whichever is first.	Prior to the issuance of a Certificate of Occupancy or completion of the Horse Trail, whichever is first	City of Rolling Hills Estates Planning Staff	Planning Staff shall review fence plans and shall inspect the fence after installation to ensure compliance with this requirement.			
Mitigation Measure AE-1: Prior to issuance of construction permits, Planning staff shall review the design of each proposed home within Tentative Tract 52214 to ensure that it complies with the approved plans.	Prior to issuance of building permits	City of Rolling Hills Estates Planning Staff	Planning Staff shall review construction level architectural plans to ensure compliance with this requirement.			
Mitigation Measure AQ-1: During grading and construction, fugitive dust emissions shall not exceed the performance standards in SCAQMD Rule 403. In complying with this Rule, the project applicant shall minimally require project contractors to implement the following dust control measures during project construction:	During grading and construction	City of Rolling Hills Estates Building and Safety Staff	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			
a. During grading and construction, active areas and haul roads shall be watered at least twice (2x) per day. b. During construction, replace ground cover in disturbed areas as quickly as possible. Disturbed surfaces shall be maintained in a stabilized condition using water or other non-toxic chemical dust suppressant until ground cover is replaced.				RECEIVED	OCT - 8 2010	CITY OF ROLLING HILLS ESTATES

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Exhibit "B"

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City of Rolling Hills Estates
 Butcher Ranch—Tentative Tract Map No. 552214
 Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure LU-1: Fencing shall be installed along the northern property border to protect residential and horse uses from golf ball hazards. The fencing design shall be reviewed and approved by the Planning Director and shall be installed prior to completion of either the horse trail, or occupancy of the proposed homes, whichever is first.	Prior to the issuance of a Certificate of Occupancy or completion of the Horse Trail, whichever is first	City of Rolling Hills Estates Planning Staff	Planning Staff shall review fence plans and shall inspect the fence after installation to ensure compliance with this requirement.			
Mitigation Measure AE-1: Prior to issuance of construction permits, Planning staff shall review the design of each proposed home within Tentative Tract 52214 to ensure that it complies with the approved plans.	Prior to issuance of building permits	City of Rolling Hills Estates Planning Staff	Planning Staff shall review construction level architectural plans to ensure compliance with this requirement.			
Mitigation Measure AQ-1: During grading and construction, fugitive dust emissions shall not exceed the performance standards in SCAQMD Rule 403. In complying with this Rule, the project applicant shall minimally require project contractors to implement the following dust control measures during project construction:	During grading and construction	City of Rolling Hills Estates Building and Safety Staff	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			
a. During grading and construction, active areas and haul roads shall be watered at least twice (2x) per day. b. During construction, replace ground cover in disturbed areas as quickly as possible. Disturbed surfaces shall be maintained in a stabilized condition using water or other non-toxic chemical dust suppressant until ground cover is replaced.				RECEIVED RECEIVED OCT - 8 2010 CITY OF ROLLING HILLS ESTATES		

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City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 532214
Mitigation Monitoring Program

Mitigation Measures	Period of Implementation	Mitigation Monitoring		Reporting	
		Monitoring Responsibility	Monitoring Procedure	Comments	Date
Mitigation Measure B10-5: The Federal Migratory Bird Treaty Act makes it unlawful to disturb or destroy any occupied native bird nest. Construction activities that result in grading or in the removal of shrubs or trees shall be conducted during the nonbreeding season for birds (approximately September 1 through February 15), if feasible. Portions of project area where construction is scheduled to take place during the nesting season (February 16 through August 31) shall be grubbed and graded to remove any potential nesting habitat for birds, per the certification of a qualified ornithologist, prior to February 15. This will avoid violations of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5 and 3513. Alternatively, if grubbing and grading activities cannot avoid the bird breeding season, the applicant shall retain the services of a qualified ornithologist approved by the City to conduct a survey of the construction zone. The ornithological survey may require 2 to 4 days to complete, depending upon the extent of the project area scheduled for grubbing, grading, or other construction activities. The survey shall occur not more than 1 week prior to the initiation of those construction activities to minimize the potential that bird nests are not initiated after the survey and prior to construction. If the ornithologist detects any occupied nests of native birds within the construction zone, the applicant shall notify the City and conspicuously flag off the area(s) supporting bird nests, providing a minimum buffer of 100 feet (30 meters) between the nest and limits of construction. The construction crew shall be instructed to avoid any activities in this zone until the bird nest(s) is/are no longer occupied, per a subsequent survey by the qualified ornithologist.	City of Rolling Hills Estates Planning Staff	Planning Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement. If avoidance protection efforts are required, Planning Staff shall review the recorded results of such efforts undertaken and the documented compliance with applicable State and Federal laws pertaining to the protection of native birds.			

City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 532214
Mitigation Monitoring Program

Mitigation Measures	Period of Implementation	Mitigation Monitoring		Reporting	
		Monitoring Responsibility	Monitoring Procedure	Comments	Date
Mitigation Measure B10-5: The Federal Migratory Bird Treaty Act makes it unlawful to disturb or destroy any occupied native bird nest. Construction activities that result in grading or in the removal of shrubs or trees shall be conducted during the nonbreeding season for birds (approximately September 1 through February 15), if feasible. Portions of project area where construction is scheduled to take place during the nesting season (February 16 through August 31) shall be grubbed and graded to remove any potential nesting habitat for birds, per the certification of a qualified ornithologist, prior to February 15. This will avoid violations of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5 and 3513. Alternatively, if grubbing and grading activities cannot avoid the bird breeding season, the applicant shall retain the services of a qualified ornithologist approved by the City to conduct a survey of the construction zone. The ornithological survey may require 2 to 4 days to complete, depending upon the extent of the project area scheduled for grubbing, grading, or other construction activities. The survey shall occur not more than 1 week prior to the initiation of those construction activities to minimize the potential that bird nests are not initiated after the survey and prior to construction. If the ornithologist detects any occupied nests of native birds within the construction zone, the applicant shall notify the City and conspicuously flag off the area(s) supporting bird nests, providing a minimum buffer of 100 feet (30 meters) between the nest and limits of construction. The construction crew shall be instructed to avoid any activities in this zone until the bird nest(s) is/are no longer occupied, per a subsequent survey by the qualified ornithologist.	City of Rolling Hills Estates Planning Staff	Planning Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement. If avoidance protection efforts are required, Planning Staff shall review the recorded results of such efforts undertaken and the documented compliance with applicable State and Federal laws pertaining to the protection of native birds.			

City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 552214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring				Reporting	
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure BIO-6: The U.S. Fish and Wildlife Service (USFWS or Service) generally considers protocol surveys to be valid for one year. As such, if construction of the proposed project does not commence prior to April 2011, a supplemental protocol survey for the Least Bell's Vireo shall be conducted less than one year prior to land disturbance. Said protocol survey shall be conducted in accordance with the USFWS protocols by a biologist permitted by the USFWS to conduct said surveys. If Least Bell's Vireo are found on the site, the applicant shall conduct the appropriate coordination with the USFWS and the CDFG and obtain any necessary permits prior to land disturbance.	Prior to construction if construction does not commence prior to April 2011	City of Rolling Hills Estates Planning Staff	Planning Staff shall coordinate with the developer and review required reports prior to construction.			
Mitigation Measure BIO-7: Two-striper Garter Snake and South Coast Garter were determined to have low and very low potentials to occur on site, respectively. Given their potential to occur, albeit remote, the following measure is included to ensure that no individuals of these species are taken. A qualified biologist shall conduct pre-construction surveys to determine if any Two-striper Garter Snake and South Coast Garter are present within areas of the subject ground disturbance or construction activities. Surveys shall be conducted within 48 hours of construction and any individuals observed within harm's way shall be moved. Exclusionary fencing surrounding the construction sites shall be installed to prevent any such species from re-entering the active construction site.	Prior to construction	City of Rolling Hills Estates Planning Staff	Planning Staff shall coordinate with the developer and project biologist to ensure compliance with this requirement.			

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City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 52214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure BIO-8: No greater than one year prior to any earth-moving or vegetation disturbing activities, a qualified biologist/botanist shall conduct rare plant surveys in accordance with USFWS, CDFG, and CNPS protocols, including the CDFG's Protocols for Surveying and Evaluating Impacts to Special Status native Plant Populations and Natural Communities. To capture all special-status species potentially occurring during their respective blooming periods, these surveys shall be conducted between April and June. Evidence that a rare plant survey was conducted and any follow up activity shall be presented to the Director of Planning prior to the issuance of any grading/building permits.	Within one year of commencing any earth-moving or vegetation disturbing activities and prior to the issuance of any grading/building permits	City of Rolling Hills Estates Planning Director or his designee	The Planning Director shall review the report of the required survey prior to the issuance of grading/building permits.			
Mitigation Measure BIO-9: Prior to construction, a qualified arborist or biologist meeting the satisfaction of the Director of Planning shall flag-off a protection zone for the Southern California Black Walnut tree onsite. While construction is not anticipated in the area of this tree, if any construction activities must occur within the flagged protection area, such activities shall be done under the supervision of a certified arborist.	Prior to construction	City of Rolling Hills Estates Planning Staff	Planning staff shall inspect the site prior to construction to ensure compliance with this measure.			
Cultural Resources						
Mitigation Measure CULT-1: Grading and excavation activities on the project site shall be monitored by qualified archaeological/paleontological monitor(s) approved by the City. The Planning Director shall be notified of any finds and the recommendation of the monitor within 24-hours. At the conclusion of monitoring, a report of findings with an appended itemized inventory of specimens shall be prepared and submitted to the Planning Director to indicate completion of project monitoring. Paleontological Monitoring - The monitor shall be equipped to salvage fossils and samples of sediments as they are unearthed to avoid construction delays. The Monitor shall be empowered to	During demolition, grading, and other phases of construction that disturb soils	City of Rolling Hills Estates Building and Safety	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			

City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 52214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
temporarily halt or divert equipment to allow removal of abundant or large specimens or to avoid resources requiring evaluation. Monitoring for paleontological resources shall be reduced or eliminated if it is determined by qualified paleontologic personnel that the site has a low potential to contain fossil resources. Recovered specimens shall be prepared to the point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Specimens shall be curated into a professional, accredited museum repository with permanent retrievable storage. Archaeological Monitoring – If buried archaeological resources are uncovered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the significance of the archaeological resources and recommend to the City the appropriate action. Disposition of recovered prehistoric artifacts shall be made in consultation with culturally affiliated Native Americans. In the event of the accidental discovery of any human remains, the steps and procedures specified in Health and Safety Code 7050.5, CEQA Guidelines 15064.5(e) and Public Resources Code 5097.98 shall be implemented.						
Geology and Soils						
Mitigation Measure GEO-1: Prior to the issuance of a grading permit, the applicant shall submit an updated geotechnical report to the City for review and approval. The applicant shall comply with all of the requirements of the geotechnical report approved by the City to ensure that pad and lot design meets acceptable standards.	Prior to the issuance of a Grading Permit	City of Rolling Hills Estates Geotechnical Engineer	The City's Geotechnical Engineer shall review the subject report, review project plans, and conduct site inspections to ensure compliance with this requirement.			

City of Rolling Hills Estates
 Butcher Ranch—Tentative Tract Map No. 52214
 Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Comments	Date	Initials
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure			
Hydrology and Water Quality						
Mitigation Measure HYD-1: The project stormwater mitigation plan must demonstrate compliance with the pollutant-specific Total Maximum Daily Load waste load allocations in effect for the Machado Lake sub-watershed as well as the maximum extent practicable (MEP) standard for other pollutants of concern by providing a retention/bifiltration/filtration system that provides the equivalent of the predevelopment stormwater retention. Runoff from areas of the project not captured by the retention/bifiltration/filtration system must be mitigated by providing treatment of the pollutants of concern in runoff from the volumetric or flow based treatment control numerical design standard specified in the Los Angeles County Municipal Stormwater Permit and the Standard Urban Stormwater Mitigation Plan for Los Angeles County and Cities in Los Angeles County.	Prior to the issuance of a grading permit	City of Rolling Hills Estates Public Works Staff	Public Works Staff and shall ensure the project's stormwater mitigation plan meets this requirement.			
Mitigation Measure HYD-2: Prior to the issuance of a grading permit, the project proponent shall either obtain Clean Water Certification from the RWQCB pursuant to Section 401 of the Clean Water Act or obtain documentation from the RWQCB acknowledging their receipt of the project's application for Clean Water Certification and stating that such certification is not required for the project.	Prior to the issuance of a grading permit	City of Rolling Hills Estates Public Works Staff	Public Works Staff and shall review RWQCB documentation and/or correspondence to ensure compliance with this requirement.			

City of Rolling Hills Estates
 Butcher Ranch—Tentative Tract Map No. 52214
 Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Transportation and Circulation						
Mitigation Measure TRAF-1: The final design of the intersection configuration and landscape design at the intersection of Montecillo Drive and Casaba Road shall be subject to review and approval by the City Traffic Engineer to ensure that both landscape features and turning movements meet City traffic safety standards. Any changes requested by the City Traffic Engineer shall be made to the Tentative Tract Map prior to final review and approval of the Final Tract Map.	Prior to Final Tract map approval	City of Rolling Hills Estates City Traffic Engineer	The City Traffic Engineer shall review and approve the final design plans for street improvements prior to approval of the Final Tract Map to ensure compliance with this requirement.			
Utilities and Service Systems						
Mitigation Measure ULT-1: Prior to approval of the grading permit for the project, the project applicant shall meet with Cal Water's engineering department to ensure that the project grading plan is acceptable to Cal Water and does not result in any impacts to Cal Water facilities. Any measures requested by Cal Water to protect facilities during construction will be transmitted to the City Engineer and incorporated into the mitigation plan. Should Cal Water request modifications to the grading plan, those modifications will be reviewed by the City Engineer to determine whether requested modifications are minor, or of sufficient magnitude to trigger additional environmental review. No permit for grading for the project will be issued unless both Cal Water and the City Engineer deem the grading plan acceptable.	Prior to issuance of demolition and demolition permit	City of Rolling Hills Estates Public Works Department	Public Works Department shall review Construction and Demolition Materials Management Plan to ensure compliance with this requirement.			

City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 52214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Biological Resources						
Mitigation Measure BIO-1: Prior to the issuance of a grading permit, the project proponent shall either enter into a Lake or Streambed Alteration Agreement (LSAA) with the CDFG or obtain documentation from the CDFG acknowledging their receipt of the project's Notification of Lake or Streambed Alteration application and stating that a formal LSAA is not required for the project. In either case, (1) the loss of riparian habitat shall be replaced to the satisfaction of the CDFG; (2) there shall be no net loss in acreage of riparian habitat; and (3) on-site riparian habitat restoration/creation that meets the satisfaction of the CDFG is required. In that regard, minimally, habitat restoration/creation and corresponding maintenance, monitoring, and any necessary remedial measures shall occur onsite as detailed in the project's 21 July 2010 Conceptual Restoration Plan prepared by ECORP, or a subsequent iteration of this document that meets the satisfaction of the CDFG. Likewise, any offsite replacement habitat shall be acquired and/or created to the satisfaction of the CDFG.	Prior to the issuance of a grading permit; during construction; and ongoing maintenance and monitoring after construction	City of Rolling Hills Estates Planning Staff	Planning Staff shall ensure that LSAA documentation is in place and that habitat restoration/replacement plans meet CDFG satisfaction prior to the issuance of a grading permit. After construction Planning Staff shall coordinate with the developer and the homeowners association to ensure that appropriate maintenance and monitoring occurs.			
Mitigation Measure BIO-2: The project's conditions of approval shall restrict post-construction vegetation removal in the bioswale, detention basin, and existing riparian forest to remain onsite (as depicted in Figure 7) to the following:	Prior to the approval of plans for the equestrian trail; prior to the approval of plans for equestrian areas on Lots 3 and 4; and during clearing and grubbing for such facilities	City of Rolling Hills Estates Planning Staff	Planning Staff shall review the required reports, review the appropriate plans, and conduct periodic site inspections during clearing and grubbing activities to ensure compliance with these requirements.			

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City of Rolling Hills Estates
 Butcher Ranch—Tentative Tract Map No. 52214
 Mitigation Monitoring Program

Mitigation Measures	Period of Implementation	Mitigation Monitoring			Reporting		
		Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials	
<p>corresponding sensitive plant survey (prepared in accordance with Mitigation Measure BIO-6) demonstrating that sensitive plants would not be impacted by the proposed vegetation clearance. Vegetation removal for equestrian facilities shall also be conducted in accordance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5 and 3513, as dictated by Mitigation Measure BIO-5.</p> <ul style="list-style-type: none"> The minimum amount necessary (as determined by the Director of Planning) to install an equestrian trail along the site's northern boundary. If construction of the equestrian trail does not occur in the same year as project grading, the trail proponent shall provide the Director of Planning with a site plan depicting the proposed area of disturbance and a corresponding sensitive plant survey (prepared in accordance with Mitigation Measure BIO-6) demonstrating that sensitive plants would not be impacted by the proposed vegetation clearance. Vegetation removal for the equestrian trail shall also be conducted in accordance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5 and 3513, as dictated by Mitigation Measure BIO-5. Vegetation that is required to be removed for wildfire abatement and/or emergency purposes, as determined by the Fire Department or emergency service provider. <p>The minimum amount necessary to maintain the drainage function of the bioswale, detention basin, and inlet structure as determined by the City Engineer. Prior to clearing vegetation for such maintenance activities, the Director of Planning shall be provided with a site plan depicting the proposed area of disturbance and a corresponding sensitive plant survey (prepared in accordance with Mitigation Measure BIO-6) demonstrating</p>							

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City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 52214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
that sensitive plants would not be significantly impacted by the proposed vegetation clearance. Vegetation removal for maintenance activities shall also be conducted in accordance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5 and 3513, as dictated by Mitigation Measure BIO-5.						
Mitigation Measure BIO-3: Construction staging, including vehicle parking and materials storage, shall not occur within or along the edge of the ravine and no materials shall be discharged or dumped into the ravine.	During Grading and construction	City of Rolling Hills Estates Building and Safety Staff	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			
Mitigation Measure BIO-4: Lighting associated with construction shall not be directed into the ravine.	During construction	City of Rolling Hills Estates Building and Safety Staff	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			

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City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 532214
Mitigation Monitoring Program

Mitigation Measures	Period of Implementation	Mitigation Monitoring		Reporting	
		Monitoring Responsibility	Monitoring Procedure	Comments	Date
Mitigation Measure B10-5: The Federal Migratory Bird Treaty Act makes it unlawful to disturb or destroy any occupied native bird nest. Construction activities that result in grading or in the removal of shrubs or trees shall be conducted during the nonbreeding season for birds (approximately September 1 through February 15), if feasible. Portions of project area where construction is scheduled to take place during the nesting season (February 16 through August 31) shall be grubbed and graded to remove any potential nesting habitat for birds, per the certification of a qualified ornithologist, prior to February 15. This will avoid violations of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5 and 3513. Alternatively, if grubbing and grading activities cannot avoid the bird breeding season, the applicant shall retain the services of a qualified ornithologist approved by the City to conduct a survey of the construction zone. The ornithological survey may require 2 to 4 days to complete, depending upon the extent of the project area scheduled for grubbing, grading, or other construction activities. The survey shall occur not more than 1 week prior to the initiation of those construction activities to minimize the potential that bird nests are not initiated after the survey and prior to construction. If the ornithologist detects any occupied nests of native birds within the construction zone, the applicant shall notify the City and conspicuously flag off the area(s) supporting bird nests, providing a minimum buffer of 100 feet (30 meters) between the nest and limits of construction. The construction crew shall be instructed to avoid any activities in this zone until the bird nest(s) is/are no longer occupied, per a subsequent survey by the qualified ornithologist.	City of Rolling Hills Estates Planning Staff	Planning Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement. If avoidance protection efforts are required, Planning Staff shall review the recorded results of such efforts undertaken and the documented compliance with applicable State and Federal laws pertaining to the protection of native birds.			

City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 552214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure BIO-6: The U.S. Fish and Wildlife Service (USFWS or Service) generally considers protocol surveys to be valid for one year. As such, if construction of the proposed project does not commence prior to April 2011, a supplemental protocol survey for the Least Bell's Vireo shall be conducted less than one year prior to land disturbance. Said protocol survey shall be conducted in accordance with the USFWS protocols by a biologist permitted by the USFWS to conduct said surveys. If Least Bell's Vireo are found on the site, the applicant shall conduct the appropriate coordination with the USFWS and the CDFG and obtain any necessary permits prior to land disturbance.	Prior to construction if construction does not commence prior to April 2011	City of Rolling Hills Estates Planning Staff	Planning Staff shall coordinate with the developer and review required reports prior to construction.			
Mitigation Measure BIO-7: Two-striper Garter Snake and South Coast Garter were determined to have low and very low potentials to occur on site, respectively. Given their potential to occur, albeit remote, the following measure is included to ensure that no individuals of these species are taken. A qualified biologist shall conduct pre-construction surveys to determine if any Two-striper Garter Snake and South Coast Garter are present within areas of the subject ground disturbance or construction activities. Surveys shall be conducted within 48 hours of construction and any individuals observed within harm's way shall be moved. Exclusionary fencing surrounding the construction sites shall be installed to prevent any such species from re-entering the active construction site.	Prior to construction	City of Rolling Hills Estates Planning Staff	Planning Staff shall coordinate with the developer and project biologist to ensure compliance with this requirement.			

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City of Rolling Hills Estates
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Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure BIO-8: No greater than one year prior to any earth-moving or vegetation disturbing activities, a qualified biologist/botanist shall conduct rare plant surveys in accordance with USFWS, CDFG, and CNPS protocols, including the CDFG's Protocols for Surveying and Evaluating Impacts to Special Status native Plant Populations and Natural Communities. To capture all special-status species potentially occurring during their respective blooming periods, these surveys shall be conducted between April and June. Evidence that a rare plant survey was conducted and any follow up activity shall be presented to the Director of Planning prior to the issuance of any grading/building permits.	Within one year of commencing any earth-moving or vegetation disturbing activities and prior to the issuance of any grading/building permits	City of Rolling Hills Estates Planning Director or his designee	The Planning Director shall review the report of the required survey prior to the issuance of grading/building permits.			
Mitigation Measure BIO-9: Prior to construction, a qualified arborist or biologist meeting the satisfaction of the Director of Planning shall flag-off a protection zone for the Southern California Black Walnut tree onsite. While construction is not anticipated in the area of this tree, if any construction activities must occur within the flagged protection area, such activities shall be done under the supervision of a certified arborist.	Prior to construction	City of Rolling Hills Estates Planning Staff	Planning staff shall inspect the site prior to construction to ensure compliance with this measure.			
Cultural Resources						
Mitigation Measure CULT-1: Grading and excavation activities on the project site shall be monitored by qualified archaeological/paleontological monitor(s) approved by the City. The Planning Director shall be notified of any finds and the recommendation of the monitor within 24-hours. At the conclusion of monitoring, a report of findings with an appended itemized inventory of specimens shall be prepared and submitted to the Planning Director to indicate completion of project monitoring. Paleontological Monitoring - The monitor shall be equipped to salvage fossils and samples of sediments as they are unearthed to avoid construction delays. The Monitor shall be empowered to	During demolition, grading, and other phases of construction that disturb soils	City of Rolling Hills Estates Building and Safety	Building and Safety Staff shall periodically consult with construction representatives and conduct periodic construction site visits to ensure compliance with this requirement.			

City of Rolling Hills Estates
Butcher Ranch—Tentative Tract Map No. 52214
Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
temporarily halt or divert equipment to allow removal of abundant or large specimens or to avoid resources requiring evaluation. Monitoring for paleontological resources shall be reduced or eliminated if it is determined by qualified paleontologic personnel that the site has a low potential to contain fossil resources. Recovered specimens shall be prepared to the point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Specimens shall be curated into a professional, accredited museum repository with permanent retrievable storage. Archaeological Monitoring – If buried archaeological resources are uncovered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the significance of the archaeological resources and recommend to the City the appropriate action. Disposition of recovered prehistoric artifacts shall be made in consultation with culturally affiliated Native Americans. In the event of the accidental discovery of any human remains, the steps and procedures specified in Health and Safety Code 7050.5, CEQA Guidelines 15064.5(e) and Public Resources Code 5097.98 shall be implemented.						
Geology and Soils						
Mitigation Measure GEO-1: Prior to the issuance of a grading permit, the applicant shall submit an updated geotechnical report to the City for review and approval. The applicant shall comply with all of the requirements of the geotechnical report approved by the City to ensure that pad and lot design meets acceptable standards.	Prior to the issuance of a Grading Permit	City of Rolling Hills Estates Geotechnical Engineer	The City's Geotechnical Engineer shall review the subject report, review project plans, and conduct site inspections to ensure compliance with this requirement.			

City of Rolling Hills Estates
 Butcher Ranch—Tentative Tract Map No. 52214
 Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Comments	Date	Initials
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure			
Hydrology and Water Quality						
Mitigation Measure HYD-1: The project stormwater mitigation plan must demonstrate compliance with the pollutant-specific Total Maximum Daily Load waste load allocations in effect for the Machado Lake sub-watershed as well as the maximum extent practicable (MEP) standard for other pollutants of concern by providing a retention/bifiltration/filtration system that provides the equivalent of the predevelopment stormwater retention. Runoff from areas of the project not captured by the retention/bifiltration/filtration system must be mitigated by providing treatment of the pollutants of concern in runoff from the volumetric or flow based treatment control numerical design standard specified in the Los Angeles County Municipal Stormwater Permit and the Standard Urban Stormwater Mitigation Plan for Los Angeles County and Cities in Los Angeles County.	Prior to the issuance of a grading permit	City of Rolling Hills Estates Public Works Staff	Public Works Staff and shall ensure the project's stormwater mitigation plan meets this requirement.			
Mitigation Measure HYD-2: Prior to the issuance of a grading permit, the project proponent shall either obtain Clean Water Certification from the RWQCB pursuant to Section 401 of the Clean Water Act or obtain documentation from the RWQCB acknowledging their receipt of the project's application for Clean Water Certification and stating that such certification is not required for the project.	Prior to the issuance of a grading permit	City of Rolling Hills Estates Public Works Staff	Public Works Staff and shall review RWQCB documentation and/or correspondence to ensure compliance with this requirement.			

City of Rolling Hills Estates
 Butcher Ranch—Tentative Tract Map No. 52214
 Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Transportation and Circulation						
Mitigation Measure TRAF-1: The final design of the intersection configuration and landscape design at the intersection of Montecillo Drive and Casaba Road shall be subject to review and approval by the City Traffic Engineer to ensure that both landscape features and turning movements meet City traffic safety standards. Any changes requested by the City Traffic Engineer shall be made to the Tentative Tract Map prior to final review and approval of the Final Tract Map.	Prior to Final Tract map approval	City of Rolling Hills Estates City Traffic Engineer	The City Traffic Engineer shall review and approve the final design plans for street improvements prior to approval of the Final Tract Map to ensure compliance with this requirement.			
Utilities and Service Systems						
Mitigation Measure ULT-1: Prior to approval of the grading permit for the project, the project applicant shall meet with Cal Water's engineering department to ensure that the project grading plan is acceptable to Cal Water and does not result in any impacts to Cal Water facilities. Any measures requested by Cal Water to protect facilities during construction will be transmitted to the City Engineer and incorporated into the mitigation plan. Should Cal Water request modifications to the grading plan, those modifications will be reviewed by the City Engineer to determine whether requested modifications are minor, or of sufficient magnitude to trigger additional environmental review. No permit for grading for the project will be issued unless both Cal Water and the City Engineer deem the grading plan acceptable.	Prior to issuance of demolition and demolition permit	City of Rolling Hills Estates Public Works Department	Public Works Department shall review Construction and Demolition Materials Management Plan to ensure compliance with this requirement.			

DailyBreeze.com

Rolling Hills Estates approves 12-home Butcher Ranch subdivision

By Nick Green Staff Writer

Posted: 11/10/2010 06:24:02 PM PST

Updated: 11/10/2010 06:28:35 PM PST

Homes will begin to rise within six months on a 12-home subdivision in Rolling Hills Estates that took more than three decades to win municipal approval.

The City Council on Tuesday unanimously signed off on plans for the subdivision that's known locally as Butcher Ranch at Palos Verdes Drive North and Palos Verdes Drive East.

The homes will sit on a wooded 8 1/2-acre site north of the Palos Verdes Reservoir and south of Rolling Hills Country Club and the Jack Kramer Tennis Club.

"It's a new gateway for the city of Rolling Hills Estates," said architect John Waldron of Rancho Palos Verdes-based firm Waldron & Waldron, adding that work on the project will begin immediately.

"They have financing in place to move the project forward, which is really saying something these

days," he added.

The City Council approval was for an 11-home project.

A land swap is pending with the tennis club that will provide another half-acre of land for a 12th home. In return, the club will receive a lot of roughly the same size that will allow it to expand its relatively small parking lot, Planning Director David Wahba said.

The homes will range in size from 3,500- to 4,700-square-feet on lots of at least 20,000-square-feet. Sales prices have yet to be established.

The subdivision will be largely hidden by a landscaped berm, Waldron said.

"It's very pretty," said Mayor John Addleman. "You won't be offended as

you drive on Palos Verdes Drive North.

"It will be private," he added of the subdivision and its homes. "They are tucked away, they're very classy and they fit right in with Rolling Hills Estates."

The project includes the restoration of three acres of riparian habitat - including 1 1/2 acres not on the actual subdivision site itself, Waldron said. That includes a bioswale - a natural water filtration system - to improve water quality and the natural habitat.

DailyBreeze.com

Also included is a new equestrian trail and land for a small municipal park.

Housing on the site was first proposed in the mid-1970s and various proposals came and went over the years.

In 2006 the city rejected a 13-home project on the site.

nick.green@dailybreeze.com

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LOS ANGELES, CA 90012-4801
AND
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OCT 26 2010

October 26, 2010

**NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT
AND PUBLIC SCOPING MEETING**

EAF NO.: ENV-2005-4516-EIR

PROJECT NAME: Ponte Vista.

PROJECT ADDRESS: 26900 S. Western Avenue

COMMUNITY PLAN AREA: Wilmington-Harbor City

COUNCIL DISTRICT: 15

COMMENT DUE DATE: November 29, 2010

The City of Los Angeles, Department of City Planning, as the Lead Agency, will require the preparation of an Environmental Impact Report (EIR) for the project identified herein. An EIR was required for the previously proposed project in September 2005; however, The project plans have since been revised and the revised project will once again require an EIR. The Department of City Planning requests your comments as to the scope and content of the EIR. A comprehensive project description and potential environmental effects are included below. Also included are the date, time and location of the second Public Scoping Meeting, which will be held to solicit input regarding the content of the EIR. The environmental case file is available for review at the Department of City Planning, 200 North Spring Street, Room 750, Los Angeles, CA, 90012.

The Project will require the demolition of 245 residential units, a 2,161 square foot community center and a 3,454 square foot retail convenience facility that were constructed in 1962 by the U.S. Navy for the purpose of housing and accommodating personnel stationed at the Long Beach Naval Shipyard. The site was closed in 1999.

The Project site is approximately 61.5 acres. The proposed Project will include approximately 9% landscaped common areas, recreation areas, and parks (excluding roads). The Project will incorporate internal open space and recreational areas, including an approximately 2.8-acre park, 1.3-acre community clubhouse and pool/recreation area and an approximately 0.7-acre open space and trail network. Additional recreational amenities will be distributed throughout the site.

The Project's residential units will be comprised of single-family, duplex, townhome, flat, and apartment units, within buildings constructed over and/or adjacent to residential parking garages. Up to 392 of the 1,135 units may be rental units. The Project will also provide an access road from Western Avenue to the Mary Star of the Sea High School.

The Project applicant is proposing a Specific Plan (proposed residential density is approximately 18-units per acre), General Plan Amendment, Zone Change, Vesting Tentative Tract Map and a Development Agreement for the subdivision, construction and operation of a 1,135-unit residential development featuring a combination of single-family, duplex, townhome, flat, and apartment units.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use Planning, Noise, Population & Housing, Public Services, Transportation/Traffic, Utilities/Service Systems, Mandatory Findings of Significance.

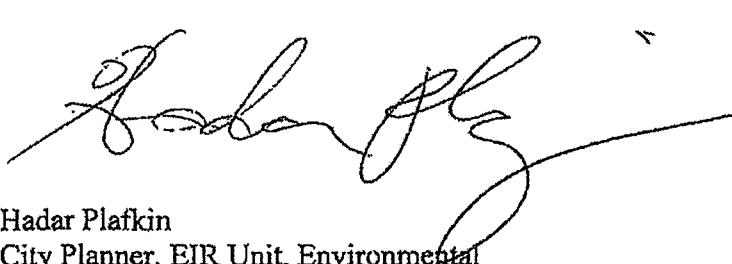
PUBLIC SCOPING MEETING: The location, date and time of the public scoping meeting for the EIR is as follows:

Date: November 10, 2010
Time: 6:00 PM - 8:00 P.M.
Location: Peck Park Auditorium
560 N. Western Avenue
San Pedro, CA 90732 (see attached map)

Public testimony and written comments are encouraged and will be considered in the preparation the Draft EIR. Written comments must be submitted to this office by November 29, 2010.

Please direct your comments to: Hadar Plafkin, Project Coordinator,
Environmental Review Section
Department of City Planning
200 N. Spring Street, Room 750
Los Angeles, CA 90012
(213) 978-1343 (fax)
Hadar.Plafkin@lacity.org (email)

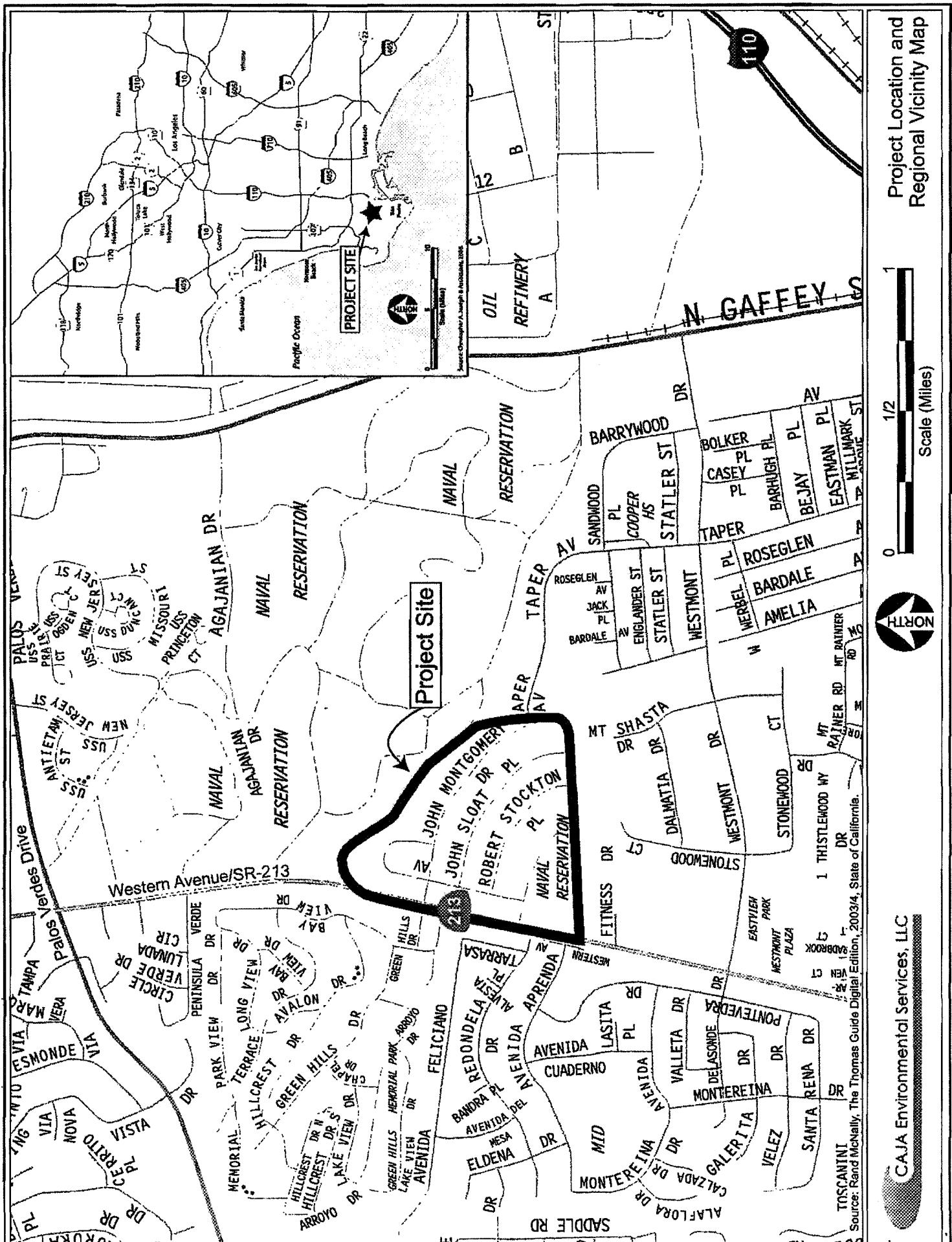
Michael J. LoGrande
Director of City Planning

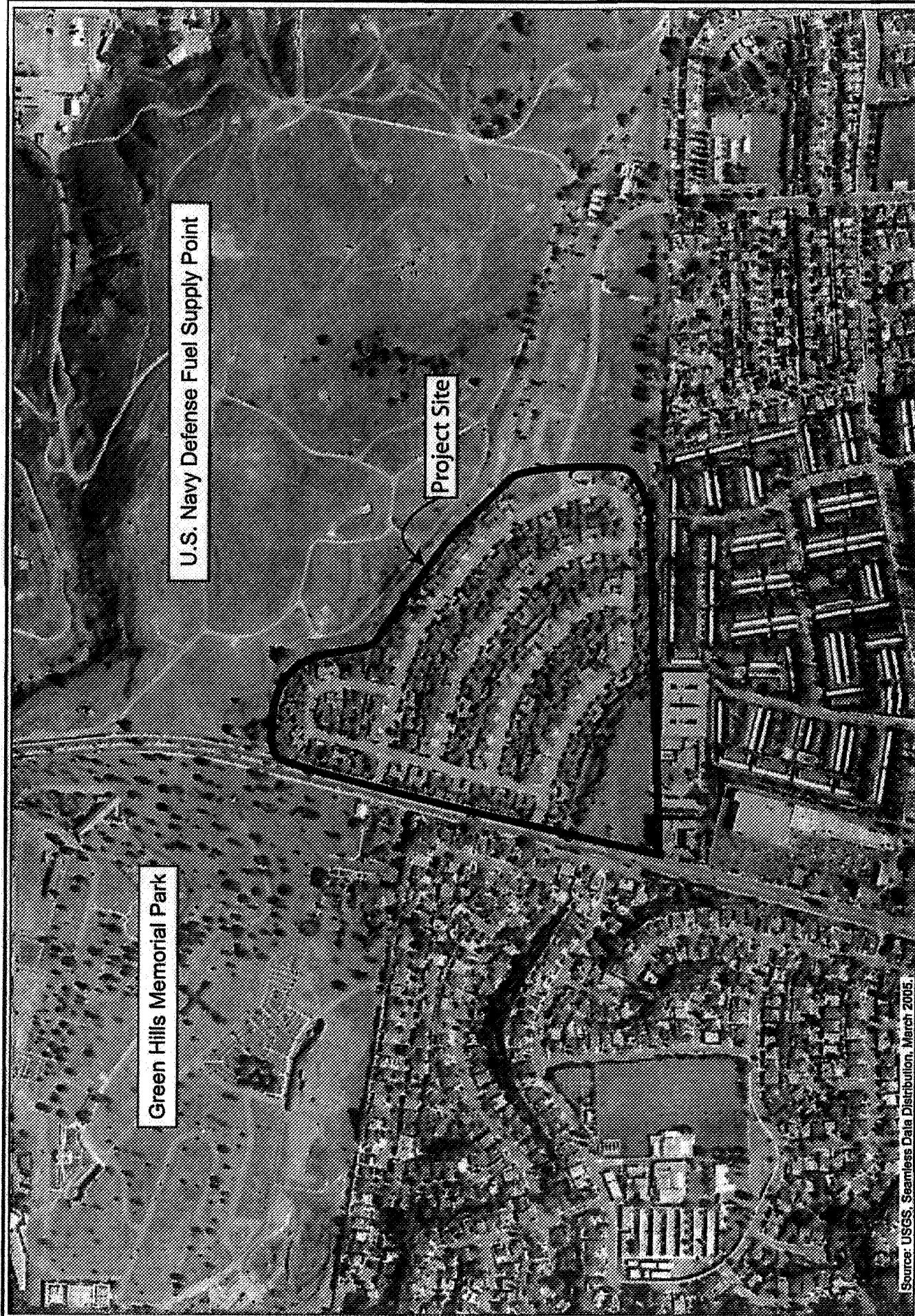


for

Hadar Plafkin
City Planner, EIR Unit, Environmental

Enclosures



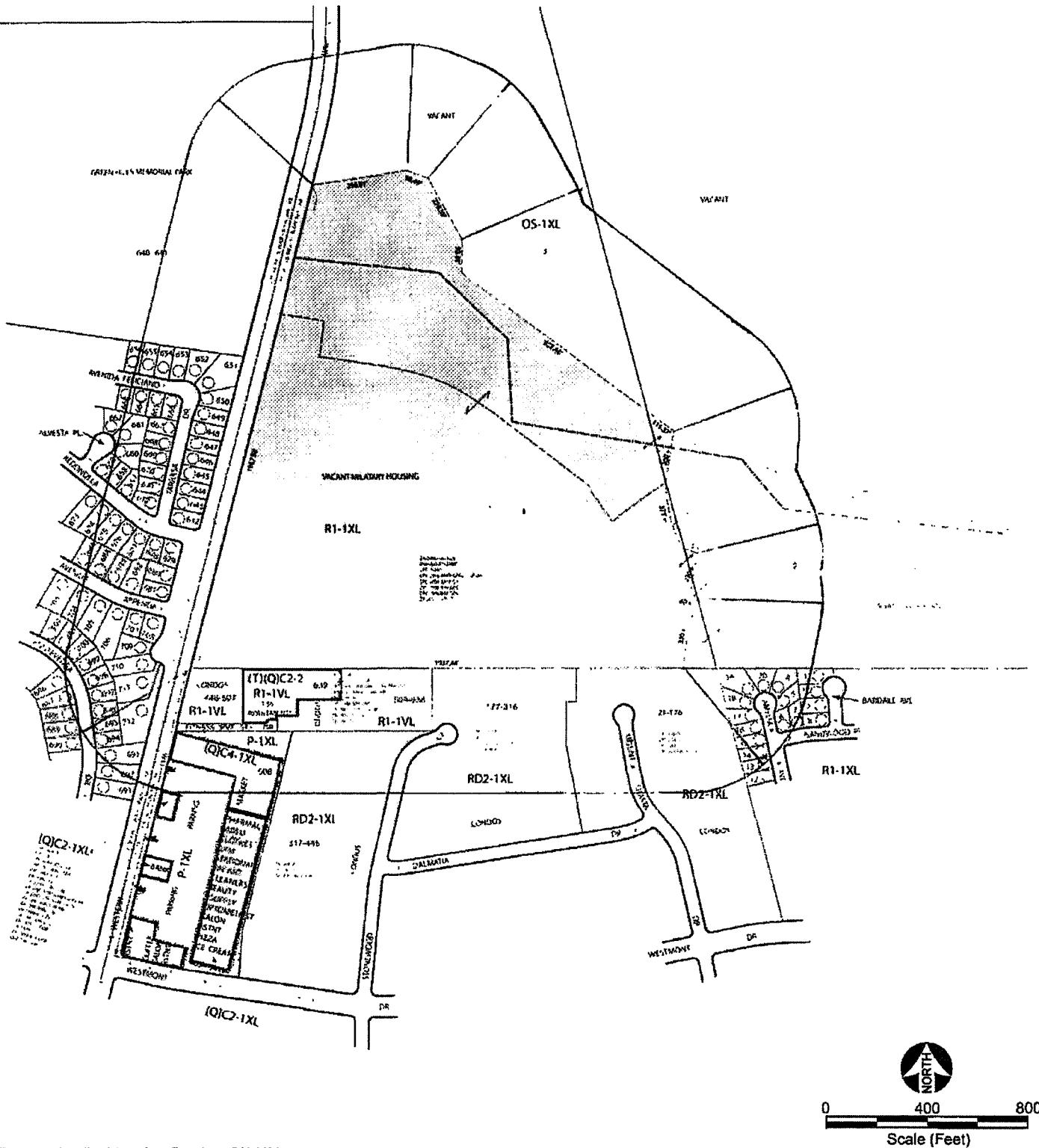


Aerial Photograph of the Project Site
and the Surrounding Area

0 1/8 1/4
Scale (Miles)



CAJA Environmental Services, LLC



Source: Quality Mapping Service, 9/14/10.

CAJA Environmental Services, LLC

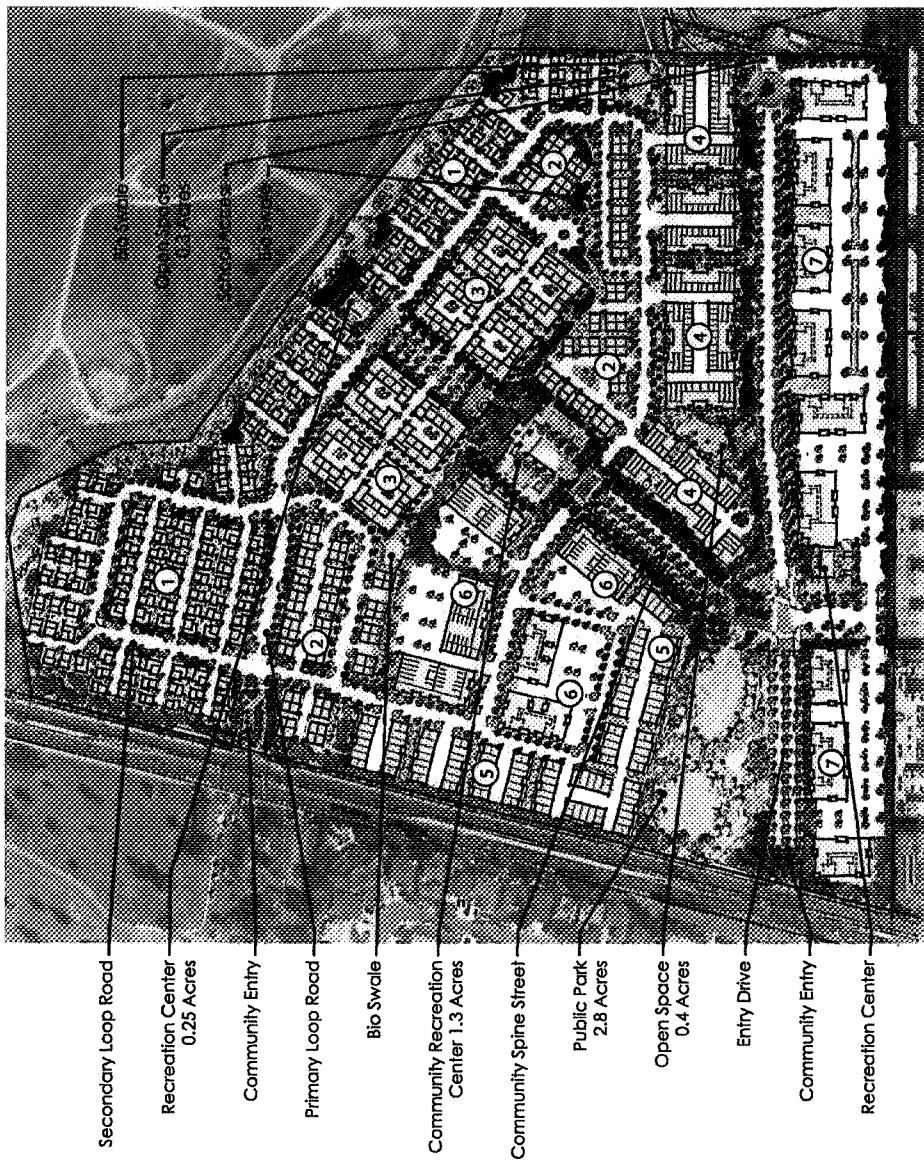
Radius Map

Product Type Diagrams

	Product Type 1	143 Units
①	Product Type 1 -2-story detached -detached garage -detached private garages	
②	Product Type 2 -2.5-story townhomes, duplexes -detached private garages	74 Units
③	Product Type 3 -3-story building -detached & attached with elevators -motor court private garages	128 Units
④	Product Type 4 -3-story building -detached 4 bdr -detached private garages	136 Units
⑤	Product Type 5 -3-story townhomes in courtyard building -detached private garages	101 Units
⑥	Product Type 6 -4-story building -detached with elevator -secured common garage	161 Units
⑦	Product Type 7 -4-story building over courtyard garage -detached with elevator -secured common garage	392 Units
Total: 1,135 Units		

0 250 500
Scale (Feet)

Proposed Site Plan



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

CAJA Environmental Services, LLC

CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
AND CHECKLIST

October 15, 2010

Environmental Setting and Project Description

The proposed project is located on an approximately 61.5-acre site in the Harbor-Gateway Community Plan area, and is bordered by Western Avenue (State Route 213) to the west, Fitness Drive and multiple-family residential developments to the south, the U.S. Navy's Defense Fuel Supply Point (DFSP) to the north, and the campus for Mary Star of the Sea High School (a private high school) to the east. Land uses to the west across Western Avenue include the Green Hills Memorial Park cemetery and single-family homes.

The project site is currently improved with 245 residential units, a community center, and a retail convenience facility that were constructed in approximately 1962 by the U.S. Navy for the purpose of housing personnel stationed at the Long Beach Naval Shipyard. The Navy housing facility (formerly known as San Pedro Housing) was closed in 1999. A firefighting training facility was also located on the southwest portion of the site, and was subsequently closed. As part of the project, existing improvements will be removed from the site.

The project proposes the development of a residential community comprised of 1,135 residential units featuring a combination of for-sale and for-rent single-family, duplex, townhome, and flat units. The Project's residential units will range in size from 600 to approximately 2,000 square feet, within buildings constructed over and/or adjacent to residential parking garages. Up to 392 of the 1,135 units may be rental units. Project access will be provided through two entrances from Western Avenue. A road to provide access from Western Avenue to Mary Star of the Sea High School will also be included in the project.

When completed, the proposed project will include approximately 9% landscaped common areas and parks (excluding roads). It will be lushly landscaped, and will provide pedestrian amenities such as walking paths, benches, fountains, water features, distinctive light poles and street signage. The project will incorporate large internal open space and recreational areas including an approximately 2.8-acre park, 1.3-acre community clubhouse and pool/recreation area and an approximately 0.7-acre open space and trail network. Additional recreational amenities will be distributed throughout the site.

The Project's residential units will be comprised of single-family, duplex, townhome, flat, and apartment units ranging in size from 600 to approximately 2,000 square feet, within buildings constructed over and/or adjacent to residential parking garages. Up to 392 of the 1,135 units may be rental units.

Entitlements necessary for the project include the following: (1) A General Plan amendment; (2) A Zone Change and Specific Plan are proposed to provide zoning, architectural, landscape and streetscape standards to guide the project's development (at residential densities ranging from 11 units per acre to approximately 34 units per acre, the project will fall within the City of Los Angeles' Low-Medium I, Low-Medium II and Medium General Plan Land Use Designations; by way of comparison, the City of Los Angeles' medium-density multiple family residential zoning category, "R3", permits approximately 54 units per acre, while the City's lower density multi-family residential category, "RU 1.5", permits approximately 28 units per acre); and (3) A Vesting Tentative Tract Map. The project is anticipated to be completed within seven years of the time construction is commenced.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the proposed project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. As noted in this Initial Study, all "Potentially Significant Impacts" will be examined in further detail in the EIR.

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

Environmental Checklist and Analysis

1. **Aesthetics**. Would the project:

- Have a substantial adverse effect on a scenic vista?
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a scenic highway?
- Substantially degrade the existing visual character or quality of the site and its surroundings?
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	✓		
			✓
			✓
	✓		

Discussion:

- Potentially Significant Unless Mitigation Incorporated.** Viewshed impacts are typically characterized by the loss and/or obstruction of existing scenic vistas or other major views in the area of a site which are available to the general public. Within the San Pedro area, the most significant visual resource is the Pacific Ocean. However, the Pacific Ocean is located over three miles from the project site, and vistas of the ocean are accordingly limited by distance, the horizon, and intervening topographical features. The vast majority of views from and across the project site towards the coast (to the southeast) are characterized by manmade features typical of an urban industrial environment (e.g., storage tanks, refineries, industrial facilities, harbor infrastructure, cranes, freeways, bridges, roads, etc.), which generally are not considered scenic vistas.

The elevation of the project site ranges from approximately 101 to 249 feet above mean sea level (msl), sloping downward to the southeast. As one travels southbound on Western Avenue from the higher ground north of the project site, views towards the harbor area become available across open space portions of the Naval Fuel Supply Depot, which is anticipated to remain. As one approaches the project site, Western Avenue drops. Generally, views towards the harbor area from Western Avenue across the project site are obstructed due to topography, existing dilapidated buildings, vegetation, and fencing, except at the very northerly upper elevations of the property. Intermittent views are principally characterized by storage tanks, industrial (refinery) infrastructure, and distant views of harbor cranes and the Vincent Thomas Bridge. Views toward the harbor area across the southern portion of the project site from Western Avenue are generally not available due to topography, adjacent development, and existing vegetation.

The project would change the visual character of the property's frontage along Western Avenue by replacing existing one story buildings, overgrown landscaping, and fences with new entrances, landscaping, and residential buildings, as well as an approximately 2.8-acre park area. Intermittent views towards the harbor area along Western Avenue will continue to be available in the project area. However, the presence of the project on the site could potentially have an adverse effect on currently available scenic vistas from other public vantage points in the site's vicinity. For this reason, impacts related to scenic vistas will be evaluated in the EIR for the project.

- b) **No Impact.** The project site is not located within the view corridor of a city-designated scenic highway.¹ Therefore, the proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural features within a city-designated scenic highway. No further analysis of this issue is required.
- c) **No Impact.** The project site and surrounding area are characterized by both currently- and formerly-occupied residential uses, commercial uses, industrial uses, and institutional facilities (e.g., cemetery, DFSP). Views of the project site are limited because of topography, existing dilapidated buildings, vegetation, and fencing and barbed wire. Remnants of the site's past use as housing for the U.S. Navy are strewn throughout the project site. A baseball diamond overgrown with weeds and grass is located in the southwestern corner of the site, the remainder of which is largely open space. Vegetation typical of disturbed urban areas is present throughout the project site, such as ornamental trees and annual, non-native grasses. Overall, the visual condition of the project site is considered to be unpleasant. The project will change and upgrade the visual character of the property's frontage along Western Avenue by replacing existing dilapidated one-story buildings, overgrown landscaping, and fences with new entrances, landscaping, and residential buildings, as well as an approximately 2.8-acre park area. Given the unpleasant visual and aesthetic characteristics of the site in its existing state, the project is not expected to introduce any features that would substantially degrade the visual character of the site or its surroundings. Thus, no further analysis of this issue is necessary.
- d) **Potentially Significant Unless Mitigation Incorporated.** The project site is located in an urban area with an ambient light environment that is typified by artificial lighting. The project site was used as a residential community and contains buildings and street lighting, but has been closed for several years. Implementation of the proposed project would introduce new sources of light, including multi-story buildings with interior and exterior building lighting, low-level security/courtesy lighting for parking areas, street lighting, vehicle headlights, reflective surfaces such as windows and light-colored paint, and other nighttime lighting. Given these new sources of light to be included within the project, the presence of the project on the site could potentially have an adverse effect with respect to light and glare. For this reason, impacts related to light and glare will be evaluated in the EIR for the project.

¹ CALTRANS, California Scenic Highway Program, website: <http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>, map dated April 8, 2005.

2. **Agricultural & Forestry Resources.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- d. Result in the loss of forest land or conversion of forest land to non-forest use?
- e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓
			✓
			✓
			✓
			✓

Discussion:

- a) **No Impact.** The Farmland Mapping and Monitoring Program (FMMP) designates the project site as "Out of Survey Area."² However, there is no agricultural land located on the project site. Therefore, the proposed project would not convert any agricultural land to non-agricultural use, and no further analysis of this issue is required.
- b) **No Impact.** The project site is zoned R1-1XL (One-Family, Extra Limited Height District 1). Additionally, the project site is located in the County of Los Angeles, which currently does not participate

² California Division of Land Resource Protection, Farmland Mapping and Monitoring Program Overview, website: http://www.consrv.ca.gov/dlrp/FMMP/overview/survey_area_map.htm, map dated November 23, 2004.

in the Williamson Act. Therefore, the project would not conflict with existing zoning for agricultural use or Williamson Act Contract, and no further analysis of this issue is required.

- c) **No Impact.** No forest land or timberland is located on or in proximity to the project site. Therefore, the project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production and no further analysis of this issue is required.
- d) **No Impact.** No forest land is located on or in proximity to the project site. Therefore, the project would not result in conversion of forest land to non-forest use, and no further analysis of this issue is required.
- e) **No Impact.** No agricultural or forest land uses are located on or in proximity to the project site. Therefore, the project would not result in conversion of Farmland to non-agricultural use or forest land to non-forest use, and no further analysis of this issue is required.

3. **Air Quality.** The significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project:

- a. Conflict with or obstruct implementation of the South Coast Air Quality Management Plan or Congestion Management Plan?
- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment (ozone, carbon monoxide, & PM 10) under an applicable federal or state ambient air quality standard?
- d. Expose sensitive receptors to substantial pollutant concentrations?
- e. Create objectionable odors affecting a substantial number of people?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
✓			
✓			
✓			
		✓	

Discussion:

- a) **Potentially Significant Impact.** The project site is under the jurisdiction of the South Coast Air Quality Management District's (SCAQMD) 2007 Air Quality Management Plan (AQMP). The air quality goals and policies identified in the AQMP are based on land use projections from local general plans and population growth projections; thus, projects that are consistent with local general plans are considered consistent with the AQMP. The project proposes a General Plan amendment. Accordingly, the EIR will address the potential for the proposed project to result in significant impacts related to conflicting with or obstructing implementation of the AQMP.
- b) **Potentially Significant Impact.** Short-term construction activities and traffic from long-term operation of the proposed project could result in the generation of criteria pollutant emissions that exceed thresholds established by SCAQMD. Therefore, the EIR will address the potential for the proposed project to result in

significant impacts related to violation of air quality standards or substantial contribution to an existing or projected air quality violation.

c) **Potentially Significant Impact.** The South Coast Air Basin is currently in non-attainment for ozone (O_3) and particulate matter 10 (PM_{10}). The emissions associated with short-term construction and/or long-term operation of the proposed project could contribute to cumulative air quality impacts related to these criteria pollutants. Therefore, the EIR will address the potential for the proposed project to contribute to a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment.

d) **Potentially Significant Impact.** Certain land uses are generally considered to be more sensitive to air emissions than others. The SCAQMD defines typical sensitive receptors as residences, schools, playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive receptors within 500 feet of the project site include:

- Mary of the Sea High School, located adjacent to the eastern border of the project site
- Multiple-family residences located south of the project site
- Single-family residences located west of the project site

The proposed project itself would also be considered a sensitive receptor. Sensitive receptors could be exposed to criteria pollutant emissions in excess of SCAQMD thresholds. Therefore, the EIR will address the potential for the proposed project to result in significant impacts related to exposing sensitive receptors to substantial pollutant concentrations generated by both the proposed project and by certain adjacent land uses.

e) **Less than Significant Impact.** According to the SCAQMD *CEQA Air Quality Handbook* (Figure 5-5), land uses associated with odor complaints include: agricultural facilities (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding facilities. The proposed project does not include any of these uses and would not create objectionable odors that would affect a substantial number of people. Therefore, project impacts related to odors would be less than significant, and no further analysis of this issue is required.

4. **Biological Resources.** Would the project::

- a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations 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 the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
✓			

- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

✓			
			✓
			✓
			✓

Discussion:

- a) **Potentially Significant Impact.** The project site has been previously disturbed and is located in a developed, urban environment. Along the northwest edge of the site, there is a previously graded area containing grassland patches. Although marginal in character as potential habitat, it is possible that the California Gnatcatcher (*Polioptila californica*), and the Palos Verdes Blue Butterfly (*Glauopsyche lygdamus palosverdesensis*) could be found in this area. In the southern portion of the project site, a drainage ditch enters the site from a subterranean culvert under Western Avenue and flows southeasterly until it exits the site through a subterranean culvert near the southern boundary of the site. The drainage ditch is lined on its northern side with concrete, and on its southern side with deteriorated asphalt. Although not identified as being present on site, the Least Bell's Vireo (*Vireo bellii pusillus*) has been found on the Palos Verdes peninsula. Thus far, biological surveys conducted on the project site have not detected the presence of any of the abovementioned species. These issues will be further studied in the EIR.
- b) **Potentially Significant Impact.** The majority of the project site is occupied by abandoned homes, and does not support riparian habitat. In the southern portion of the project site, a drainage ditch enters the site from a subterranean culvert under Western Avenue and flows southeasterly until it exits the site through a subterranean culvert near the southern boundary of the site. The drainage ditch is lined on its northern side with concrete, and on its southern side with deteriorated asphalt. The drainage ditch is the remnant of a historical stream that was substantially modified between 1956 and 1965, during which time it was concretized, widened, and realigned. The drainage ditch is currently in a neglected and dilapidated state. Due to this neglect, a tree canopy has developed, which is believed to be less than 30 years old. Trees that line the drainage ditch include the California Fan Palm (*Washingtonia filifera*), a native of the desert areas of Southern California; Shamel Ash (*Fraxinus uhdei*), a non-native, invasive species; and Arroyo Willow (*Salix lasiolepis*), a native riparian species. The Arroyo Willow population is not considered indicative of a sensitive riparian habitat because the man-made drainage ditch has been substantially invaded by Shamel Ash and remains in a disturbed, fragmented condition. The channel does not contain any sensitive plant communities. However, the potential for the project to significantly impact these resources exists. Thus, this issue will be further studied in the EIR.

- c) **Potentially Significant Impact.** As discussed in Checklist Question 4(b), a drainage ditch is located on the project site. Although the drainage ditch is a manmade flood control area, the potential exists for jurisdictional waters to be present within this corridor area. Therefore, this issue will be further discussed in the EIR.
- d) **No Impact.** The previously disturbed project site contains no on-site waterways capable of supporting a migratory fish or wildlife species. The project site is located in an urbanized area and is completely surrounded by industrial and residential development. As such, it is highly unlikely that the site is part of a movement corridor or habitat linkage system. Therefore, development of the proposed project would not interfere substantially with the movement of a native resident or migratory fish or wildlife species. The closest native wildlife nursery to the project site is located in the DFSP to the north, where coastal sage scrub habitat has been restored for the Palos Verdes Blue Butterfly (*Glauopsyche lygdamus palosverdesensis*) (see Checklist Question 4(a)). The proposed project would not impede the use of this site. Therefore, no impact would occur and no further analysis is required.
- e) **No Impact.** Tree preservation ordinances in the City of Los Angeles are limited to the Native Tree Preservation Ordinance (Ordinance No. 177,404), adopted by the City on April 23, 2006. There are no trees protected by the ordinance located on the project site. Thus, the proposed project would not conflict with any local policies or ordinances protecting biological resources, and no further study is required.
- f) **No Impact.** The previously disturbed project site is zoned for residential use and is not located within an area designated as an adopted habitat conservation plan, natural community conservation plan, or other approved habitat conservation plan. Therefore, no impact would occur to adopted conservation plans and no further discussion is required.

5. **Cultural Resources.** Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d. Disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
✓			
✓			
		✓	

Discussion:

- a) **Potentially Significant Impact.** A historical resources records search for the project site will be conducted by the South Central Coastal Information Center. The search will include reviews of the California Points of Historical Interest (PHI), California Historical Landmarks (CHL), California Register of Historic Places (CR), National Register of Historic Places (NR), California State Historic Resources Inventory (HRI), and City of Los Angeles Historic-Cultural Monuments listings. The results of this records search and an analysis of the eligibility of existing structures on-site for historical designation will be presented in the project EIR.

b) **Potentially Significant Impact.** An archaeological resources records search for the project site will be conducted by the South Central Coastal Information Center. The search will include reviews of all recorded archaeological sites within a 1/2-mile radius of the project site, as well as a review of cultural resource reports on file. The project site has been extensively altered by grading and building construction, including the construction of the Navy Housing project over most of the site, the cutting of slopes throughout the site, the placement of fill over most of the site, the construction and removal of the former Navy firefighting school on the southern portion of the site, the installation of utilities and roads, and the construction of the existing baseball field on the southern portion. The results of the updated archaeological resources records search will be presented and evaluated in the project EIR.

c) **Potentially Significant Impact.** A paleontological resources records search for the project site will be conducted. As discussed above, the project site has been extensively altered by previous grading, cutting and filling, and construction. While no significant impacts are anticipated, the results of the updated paleontological resources records search will be evaluated in the project EIR.

Lastly, there are no unique geological features on the project site. Therefore, the proposed project would not directly or indirectly destroy a unique geologic feature, and no impact would occur. Further evaluation of this issue is not required.

d) **Less than Significant Impact.** The project site is not occupied by a cemetery, and has not been identified as the site of any archeological resources. In addition, the site has been subjected to substantial previous alteration including grading, cutting and filling, and the construction of improvements. Accordingly, it is not anticipated that human remains would be encountered during the construction phase of the proposed project. While no significant impacts are anticipated, the EIR will review this potential impact and prescribe appropriate mitigation.

6. **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? Refer to Division of Mines and Geology Special Publication 42.
 - ii. Strong seismic ground shaking?
 - iii. Seismic-related ground failure, including liquefaction?
 - iv. Landslides?
- b. Result in substantial soil erosion or the loss of topsoil?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
	✓		
	✓		
	✓		
		✓	

- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 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 waste water?

	✓		
	✓		
			✓

Discussion:

- a.i) **Potentially Significant Impact.** The project site is not located within an Alquist-Priolo Fault Zone.³ However, some degree of uncertainty exists over the location of the Palos Verdes Fault trace with respect to the project site. Therefore, analysis of this issue is required in the project EIR.
- a.ii) **Potentially Significant Unless Mitigation Incorporated.** The project site is located in the Southern California region, which is a seismically-active area. Thus, the project site could experience strong ground shaking during a seismic event. Pursuant to existing law and applicable regulations, design and construction of the proposed project will be required to incorporate measures to ensure state-of-the-art seismic protection. These measures include compliance with the City of Los Angeles Uniform Building Code (UBC), the City's building permit requirements, and site-specific engineering recommendations based upon the recommendations of a licensed geotechnical engineer and a geotechnical report approved by the City of Los Angeles Department of Building and Safety. A preliminary geotechnical report and seismicity study has been prepared and will be presented and evaluated in the project EIR.
- a.iii) **Potentially Significant Unless Mitigation Incorporated.** Liquefaction is the process in which loose granular soils below the groundwater table temporarily lose strength during strong ground shaking as a consequence of increased pore pressure and subsequently reduced effective stress. Significant factors that affect liquefaction include groundwater level, soil type, particle size and gradation, relative density, confining pressure, and intensity and duration of shaking. The south portion of the project site is identified on planning maps as within an area that is susceptible to liquefaction.⁴ A preliminary geotechnical report has been prepared and will be presented and evaluated with respect to this issue in the project EIR.
- a.iv) **Potentially Significant Unless Mitigation Incorporated.** The project site is characterized by hillside terrain and is located within a Slope Stability Study Area as defined in the Seismic Safety Plan for the City of Los Angeles. Although the project site is relatively gentle in slope, it is identified on planning maps as within a potential landslide area.⁵ A preliminary geotechnical report has been prepared and will be presented and evaluated with respect to this issue in the project EIR.

³ *Environmental and Public Facilities Maps, Map No. 33: Alquist-Priolo Special Study Areas, Los Angeles City Planning Department, 1996, and City of Los Angeles Zoning Information and Map Access System (ZIMAS), website: <http://zimas.lacity.org/>, September 21, 2010.*

⁴ *Environmental and Public Facilities Maps, Map No. 32: Areas Susceptible to Liquefaction, Los Angeles City Planning Department, 1996, and City of Los Angeles Zoning Information and Map Access System (ZIMAS), website: <http://zimas.lacity.org/>, September 21, 2010.*

⁵ *City of Los Angeles Zoning Information and Map Access System (ZIMAS), website: <http://zimas.lacity.org/>, September 21, 2010.*

b) **Less than Significant Impact.** The proposed project would increase the amount of impervious area on the project site by potentially introducing more impervious area as compared to existing conditions. The existing drainage pattern of the site may be altered by changing the direction, rate, and amount of surface runoff. However, all stormwater would be directed to onsite drainage infrastructure and then to the existing local stormdrain system. Drainage would be directed to the local storm drainage system and would not encounter unpaved or unprotected surfaces, thereby avoiding the potential for substantial erosion or siltation on- or off-site. (For potential stormdrain capacity impacts, see Checklist Questions 8(d) and 8(e)). Therefore, project impacts related to this issue would be less than significant, and no further analysis of this issue is required.

c) **Potentially Significant Unless Mitigation Incorporated.** Pursuant to existing law and applicable regulations, design and construction of the proposed project will be required to incorporate measures to protect against geologic instability risks. These measures include compliance with the City of Los Angeles Uniform Building Code (UBC), the City's building permit requirements, and site-specific engineering recommendations based upon the recommendations of a licensed geotechnical engineer and a geotechnical report approved by the City of Los Angeles Department of Building and Safety. A preliminary geotechnical report has been prepared and will be presented and evaluated with respect to this issue in the project EIR.

d) **Potentially Significant Unless Mitigation Incorporated.** See Checklist Question 6(c).

e) **No Impact.** The project site is located in a developed area of the City of Los Angeles that is served by a municipal wastewater collection, conveyance, and treatment system. No septic tanks are proposed. Therefore, no further discussion of this issue is required.

7. **Greenhouse Gas Emissions.** Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
✓			

a) **Potentially Significant Impact.** Short-term construction activities and traffic from long-term operation of the proposed project could result in the generation of both indirect and direct greenhouse gas emissions that may have a significant impact on the environment. Therefore, the EIR will address the potential for the proposed project to result in significant impacts related to greenhouse gas emissions.

b) **Potentially Significant Impact.** The proposed project could conflict with the policies within applicable plans, policies, or regulations adopted for the purpose of reducing the emission of greenhouse gases. Therefore, the EIR will address the potential for the proposed project to conflict with such plans, policies, or regulations.

8. **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?
- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 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?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓
✓			
			✓
✓			
			✓
			✓
			✓
			✓

Discussion:

- a) **No Impact.** The proposed project includes the development of residential and recreational uses. The types of hazardous materials associated with routine, day-to-day operation of the proposed project would include landscaping chemicals that would be used in quantities typical for landscaped residential developments and typical cleaning solvents used for janitorial purposes. The transport, use, and disposal of these materials would not pose a significant hazard to the public or the environment. Therefore, significant impacts related to hazardous materials would not occur, and no further analysis of this issue is required.
- b) **Potentially Significant Impact.** Remediation investigation activities were conducted by the U.S. Navy on the southwestern portion of the project site at the former location of the fire fighter training facility.

Contaminants found in this location and at other areas of concern on the project site have been remediated, and former underground and aboveground storage tanks (USTs and ASTs) in this area have been removed. Recent groundwater tests indicate the subsurface contamination is not present. Due to these past remediation efforts, the risk of upset of subsurface contaminants within the project site boundaries is considered to be less than significant.

The project site is located adjacent to the Defense Fuel Supply Point (DFSP). The EIR will evaluate potential risk of upset associated with this facility to future project residents.

Evidence of hydrocarbon impacted soil was found at the project site. The type of contamination is not considered toxic, and can be easily removed and easily remediated, and thus does not pose an environmental threat. However, this issue will be evaluated in the project EIR.

In addition, a substantial amount of lead-based paint associated with the existing unoccupied residential buildings exists on the project site. These structures are also known to contain nonfriable asbestos containing materials (ACMs). If not properly removed and/or managed, construction workers and future residents at the project site could be exposed to these known sources of contamination. Prior to demolition of the existing structures, ACMs will be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and federal rules and regulations. Construction workers will be properly trained in lead-related construction in order to avoid exposure of such workers to lead containing material. These actions would prevent adverse environmental impacts related to these contaminants from occurring.

The project site is located within a City of Los Angeles Methane Buffer Zone.⁶ The City of Los Angeles has adopted the City of Los Angeles Methane Ordinance (No. 175,790; 2004), which requires compliance with the Methane Mitigation Standards in LAMC section 91.7102, and as directed and approved by the Department of Building and Safety (DBS) and Los Angeles Fire Department (LAFD). If an applicant does not wish to comply with the standard mitigation measures required, the Methane Ordinance permits the building applicant to submit a detailed plan that demonstrates adequate protection against flammable gas incursion by providing the installation of suitable methane mitigation systems, if warranted, based on further site specific subsurface investigations. The project applicant will comply with the standard mitigation measures set forth in LAMC Section 91.7102. Compliance with such mandatory requirements will assure that potential risks from methane leaks would be mitigated with a less than significant level.

- c) **No Impact.** The Mary Star of the Sea High School is located within one-quarter mile of the project site. However, as discussed above in Checklist Question 7(a), the proposed project would not involve routine handling of hazardous materials, substances, or waste. Therefore, no impact would occur and further investigation is not warranted.
- d) **Potentially Significant Impact.** The proposed project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.⁷ However, a portion of the site was identified by its former owner, the U.S. Navy, as Installation Restoration Program Site 5, OU 2. This area is the location of the former fire fighters' training facility in the southwestern portion of the site. Investigation, tank removal, and remediation activities in this area were performed and completed by the

⁶ City of Los Angeles Zoning Information and Map Access System (ZIMAS), website: <http://zimas.lacity.org/>, September 21, 2010.

⁷ California Department of Toxic Substances Control, Hazardous Waste and Substances Sites, <http://www.envirostor.dtsc.ca.gov/public/>, September 21, 2010.

U.S. Navy prior to the transfer of site ownership to the project applicant. However, this issue will be evaluated in the Draft EIR.

- e) **No Impact.** The project site is not within two miles of a public airport or public use airport.⁸ Therefore, the project would not expose persons to a safety hazard related to airports. No further analysis of this issue is required.
- f) **No Impact.** The project site is not located within the vicinity of a private airstrip. Therefore, the project would not result in a safety hazard associated with a private airstrip. No further analysis of this issue is required.
- g) **No Impact.** Because the project site is currently developed and the proposed project would not expand the development footprint on the site, the proposed project would not be expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Furthermore, the proposed project would provide road access from Western Avenue for Mary Star of the Sea High School, which will improve emergency access to the school. Thus, no further analysis of this issue is required. (For potential impacts associated with additional area traffic, see Checklist Section 15).
- h) **No Impact.** The project site is located in an urbanized portion of the City of Los Angeles that does not include wildlands or high fire hazard terrain or vegetation. Furthermore, the project site does not lie within an identified fire hazard zone.⁹ Therefore, the project would not expose people or structures to a significant risk of loss associated with wildland fires. Thus, no further discussion of this issue is required.

9. **Hydrology & Water Quality.** Would the project:

- a. Violate any water quality standards or waste discharge requirements?
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of 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)?
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial erosion or siltation on- or off-site?
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	✓		
		✓	
		✓	
	✓		

⁸ Rand McNally, Thomas Guide Digital Edition 2009/10, State of California.

⁹ City of Los Angeles Zoning Information and Map Access System (ZIMAS), website: <http://zimas.lacity.org/>, September 21, 2010, and Environmental and Public Facilities Maps, Map No. 13: Selected Wildfire Hazard Areas, Los Angeles City Planning Department, 1996.

- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f. Otherwise substantially degrade water quality?
- g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j. Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?

	✓		
		✓	
			✓
			✓
	✓		
			✓

Discussion:

a) **Potentially Significant Unless Mitigation Incorporated.** Implementation of the proposed project could affect the quality of runoff from the project site. During construction, sediment is typically the constituent of greatest potential concern. The greatest risk of soil erosion during the construction phase occurs when site disturbance peaks due to grading activity and removal and re-compaction or replacement of fill areas. (Sediment is not typically a constituent of concern during the long-term operation of developments similar to the proposed project because sites are usually paved, and proper drainage infrastructure has been installed.) Other pollutants that could affect surface water quality during the project construction phase include petroleum products (gasoline, diesel, kerosene, oil and grease), hydrocarbons from asphalt paving, paints and solvents, detergents, fertilizers, and pesticides (insecticides, fungicides, herbicides, rodenticides).

Once the project has been constructed, urban runoff might include all of the above contaminants, as well as trace metals from pavement runoff, nutrients and bacteria from pet wastes, and landscape maintenance debris. Runoff may be mobilized in wet-season storm conditions from roadway areas, parking areas, and landscaping, and in dry-season "nuisance flows" from landscape irrigation. Liquid product spills occurring at the project site could also enter the storm drain system. Dry product spills could enter the storm drain via runoff in wet weather conditions or dry-season "nuisance flows."

Applicable laws and regulations require that, prior to obtaining a grading permit, the project applicant would be required to submit a Stormwater Pollution Prevention Plan (SWPPP), in accordance with the National Pollution Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity. The SWPPP would detail the treatment measures and BMPs to control pollutants and an erosion control plan that outlines erosion and sediment control measures that would be implemented during the construction and post-construction phases of project development. In addition, the SWPPP would include construction-phase housekeeping measures for control of contaminants such as petroleum products, paints and solvents, detergents, fertilizers, and pesticides. It would also describe the post-construction BMPs used to reduce pollutant loadings in runoff and percolate site runoff once the site is occupied (e.g., grassy swales, wet ponds, and educational materials) and would set forth the

BMP monitoring and maintenance schedule and responsible entities during the construction and post-construction phases.

In addition, the project would be required to comply with the City of Los Angeles' Municipal Separate Storm Sewer System (MS4) Permit and related Standard Urban Stormwater Mitigation Plan (SUSMP) requirements. These requirements include the implementation of measures to conserve natural areas, minimize stormwater pollutants of concern, protect slopes and channels, provide storm drain stenciling and signage, properly design outdoor material storage areas, properly design trash storage areas, provide proof of ongoing BMP maintenance, mimic pre-development peak stormwater discharge rates, and install post-construction volume-based or flow-based treatment BMPs to filter, treat, or infiltrate stormwater runoff in accordance with specific design standards.

The following list of BMPs is recognized by the City of Los Angeles as being effective in controlling pollutants, sedimentation, and erosion caused by stormwater runoff: vegetated swales, infiltration basin/trenches, oil/water separators, catch basin inserts, foundation planting, bioretention, continuous flow deflection units, permeable pavement, and direction of rooftop runoff to pervious areas (yards, vegetated areas). These and other BMPs on the City's list will be evaluated for applicability to the proposed project and will form the basis for project compliance with the SUSMP requirements. The RWQCB would enforce compliance with the regulatory requirements of the MS4 Permit. Through compliance with both the construction SWPPP and the MS4 Permit/SUSMP requirements, project impacts related to water quality would be expected to be reduced to a less than significant level. However, additional analysis of this issue will be included in the project EIR.

- b) **Less than Significant Impact.** The project site is currently largely developed and, as such, contains impervious surfaces which convey runoff to the local stormwater drainage system. However, the proposed project may increase the amount of impervious surface on the site. This would increase the percentage of runoff that would be directed to onsite drainage infrastructure and then to the existing local stormdrain system rather than infiltrating to the local groundwater aquifer. However, the project would contain large areas of permeable surfaces and the magnitude of this impact in the context of regional groundwater recharge is expected to be minimal and without potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Thus, project impacts related to groundwater would be less than significant and no further analysis of this issue is required.
- c) **Less than Significant Impact.** The project site is currently largely developed and, as such, contains impervious surfaces which convey runoff to the local stormwater drainage system. However, the proposed project may increase the amount of impervious surface on the site as well as the amount of runoff that would be directed to onsite drainage infrastructure and then to the existing local stormdrain system. The project would contain large areas of permeable surfaces. However, since the portion of site drainage that is not infiltrated or otherwise directed to pervious areas would be directed to an impervious drainage system and would not encounter unpaved or unprotected surfaces, the alteration of the existing drainage pattern would not result in substantial erosion or siltation on- or off-site. Therefore, project impacts related to this issue would be less than significant, and no further analysis of this issue is required.
- d) **Potentially Significant Unless Mitigation Incorporated.** The project site is currently largely developed and, as such, contains impervious surfaces which convey runoff to the local stormwater drainage system. The proposed project may increase the amount of impervious surface on the site. Stormwater falling on previously impervious surfaces would instead either be directed to pervious areas on the redeveloped site (yards, vegetated swales) for infiltration or would be directed to onsite drainage infrastructure and then to the existing local stormdrain system. This would alter the existing drainage pattern of the site by changing

the direction, rate, and amount of surface runoff. The incremental change in runoff quantity and flow has not yet been calculated, although the project will contain large areas of permeable surfaces, and the precise plan for drainage has not been determined. Whether existing storm drain capacity structure is adequate to serve the site, and potential required improvements, if any, has not yet been determined. The EIR will include a storm drain capacity study and identify the need for improvements and impacts, if any. Potential effects, if any, are anticipated to be less than significant with appropriate mitigation.

- e) **Potentially Significant Unless Mitigation Incorporated.** With respect to polluted runoff, see Checklist Question 8(a). With respect to the project's potential to exceed the capacity of existing or planned stormwater drainage systems, as discussed above in Checklist Question 8(d), the proposed project would likely change the direction, rate, and amount of surface runoff from the project site by introducing a greater amount of impervious surface area to the site. Whether this alteration of the existing drainage pattern would cause runoff from the project site to exceed the capacity of existing or planned stormwater drainage systems is unknown at this time. Therefore, the EIR will include a storm drain capacity study which will analyze the potential for the project to exceed the capacity of existing or planned stormwater drainage systems.
- f) **Less than Significant Impact.** See Checklist Question 8(a), above.
- g) **No Impact.** The project site is not located within a 100-year or 500-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.¹⁰ Therefore, the project would not place housing within a 100-year or 500-year flood hazard area, and no further discussion of this issue is required.
- h) **No Impact.** See Checklist Question 8(g), above.
- i) **Potentially Significant Unless Mitigation Incorporated.** Although no dams or levees are located on or in proximity to the project site, the Palos Verdes Reservoir is located approximately one mile northwest and up-gradient of the project site. Additionally, the drainage channel crossing the southerly portion of the site has been designated as a potential floodway for passing reservoir overflows downstream to the City of Los Angeles' stormdrain system. An engineering analysis of the capacity of this drainage and the associated stormdrain infrastructure both upstream and downstream of the project site has not yet been conducted. Therefore, the EIR will include an assessment of the degree to which the Palos Verdes Reservoir poses a threat to people or structures on the project site.
- j) **No Impact.** Seiches are standing waves created by seismically induced ground shaking (or volcanic eruptions or explosions) that occur in large, freestanding bodies of water. A tsunami is a series of waves that are caused by earthquakes that occur on the seafloor or in coastal areas. The project site is approximately 3 miles from the Pacific Ocean but is situated at an elevation of at least 100 feet above mean sea level and therefore would not be subject to inundation by seiche or tsunami. Furthermore, the project site is not located within an identified inundation or tsunami hazard area.¹¹ The project area is moderately sloping and does not contain any steep hillside terrain; therefore, there is no potential for the project site to be inundated by a mudflow. Thus, no further discussion of this issue is required.

¹⁰ FEMA, *Flood Insurance Rate Maps*, website: <http://msc.fema.gov/> September 21, 2010, and *Environmental and Public Facilities Maps*, Map No. 35: 100 Year & 500 Year Flood Plans, Los Angeles City Planning Department, 1996.

¹¹ *Environmental and Public Facilities Maps*, Map No. 34: Inundation & Tsunami Hazard Areas, Los Angeles City Planning Department, 1996.

10. **Land Use and Planning.** Would the project:

- a. Physically divide an established community?
- b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓
	✓		
			✓

Discussion:

- a) **No Impact.** The project site contains an abandoned residential community that is no longer in use and is surrounded by areas that are developed with urban land uses, including industrial, commercial, and residential uses. The U.S. Navy has required that all existing residential improvements be removed from the site. The U.S. Navy property to the north is a separated facility that is not tied into other adjacent land uses in the vicinity of the project site. The proposed project would include the development of residential uses on a lot that is designated for development and would not create a physical barrier within the community or otherwise divide contiguous land uses. Therefore, the proposed project would not physically divide an established community, and no further discussion is necessary.
- b) **Potentially Significant Unless Mitigation Incorporated.** As discussed initially, prior to 1980, the project site was located within the unincorporated area of the County of Los Angeles. It was annexed to the City of Los Angeles in 1980 (Ord. 154-525). When it was annexed by the City of Los Angeles, it was designated "Low Residential" under the City of Los Angeles' Wilmington-Harbor City Community Plan, and zoned "R1-1XL" (Single-Family; Height limited to 2-stories/30 feet). These designations basically reflected the use of the site of the time and the improvements then in place, and were not adopted for the purpose of avoiding or mitigating environmental effects.

In 1999, when the housing complex was closed, the Navy in conjunction with the City of Los Angeles processed a reuse plan for the project site, which was approved by the City Council in July 1999. It provided for the development of 200,000 square feet of biomedical research facilities, the refurbishment of 144 residential units, road access to Western Avenue to serve Mary Star of the Sea High School (a private high school east of the project site), and a transitional housing complex for homeless persons. The reuse plan would have required General Plan and zoning changes to be implemented, as well as environmental review, but the plan never went forward.

The project proposes a General Plan amendment and Specific Plan to address development criteria, landscaping, and streetscaping requirements. All streets within the project will continue to be private streets. The density of the project is approximately 18 units per acre. Approximately 9% of the project will be landscaped common area and parks. By way of comparison, the City's medium-density multiple family residential zoning category, "R3", permits approximately 54 units per acre, while the City's lower-density multi-family residential category, "RD1.5", permits approximately 28 units per acre. Multiple-family housing is not a new area use and is found throughout the area. For example, the project site is located directly adjacent to two multiple-family housing complexes located along Fitness Road that are developed

at densities of approximately 72 dwelling units per acre and 49 dwelling units per acre (respectively), as well as "The Gardens", which is a multiple-family community zoned RD2.

The adoption of the proposed General Plan amendment and Specific Plan would eliminate conflicts between the existing General Plan and zoning designation and the proposed project. Relevant potential environmental impacts resulting from the project will be addressed in other sections of the EIR as discussed in this Initial Study. While the project is not anticipated to result in significant land use conflicts, potential land use impacts will be addressed in the EIR.

c) **No Impact.** There are no habitat conservation or natural community conservation plans in effect for the previously disturbed project site. Therefore, no impact would occur, and further discussion of this issue is not necessary.

11. **Mineral Resources.** Would the project:

- a. Result in the loss of availability of a known mineral resource that would be or value to the region and the residents or the state?
- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
			✓
			✓

Discussion:

- a) **No Impact.** The project site is not known to be the likely source for any mineral resources of value to the region, residents, or the state.¹² Furthermore, as the site is currently developed, the proposed project would not alter its status with respect to the availability of mineral resources. Thus, no impact would occur and no further discussion of the issue is required.
- b) **No Impact.** The project site is not located within a locally-important mineral resource recovery area delineated on a local general plan, specific plan, or other land use plan.¹³ Thus, no impact would occur and no further discussion of the issue is required.

¹² *Environmental and Public Facilities Maps (Map No. 28: Areas Containing Significant Mineral Deposits, Map No. 29: Oil Field & Oil Drilling Areas, and Map No. 30: Oil Drilling & Surface Mining Zoning), Los Angeles City Planning Department, 1996.*

¹³ *Ibid.*

12. **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?
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f. For a project within the vicinity of a private airstrip would the project expose people residing or working in the project area to excessive noise levels?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
✓			
✓			
✓			
			✓
			✓

Discussion:

- a) **Potentially Significant Impact.** Due to the existing lack of activity on the project site, implementation of the proposed project would result in an increase in ambient noise levels during both construction and long-term operation. The EIR will address the potential for the proposed project to expose people to excessive noise levels in excess of those established in the City's General Plan and/or Noise Ordinance, although it is not anticipated that the project will have a significant construction noise impact because it will incorporate all available noise attenuating technology (e.g., mufflers, shields, etc.) in order to reduce construction noise levels to the maximum extent feasible per Section 112.05 of the City's Noise Ordinance.
- b) **Potentially Significant Impact.** Construction of the proposed project would include the use of typical construction equipment such as jackhammers, pneumatic tools, saws, and hammers, all of which would generate some groundborne vibration and groundborne noise during certain phases such as demolition and grading. Therefore, this issue will be further analyzed in the EIR. However, it is not anticipated that the project will have a significant construction noise impact because it will incorporate all available noise attenuating technology (e.g., mufflers, shields, etc.) in order to reduce construction noise levels to the maximum extent feasible per Section 112.05 of the City's Noise Ordinance.
- c) **Potentially Significant Impact.** Long-term operation of the proposed project would result in an increase in ambient noise levels, mainly due to project-related traffic. The City of Los Angeles' General Plan provides standards for acceptable ambient noise levels in residential areas such as the project site and the vicinity. The potential for the project to result in a permanent adverse ambient noise impacts will be addressed in the EIR.

- d) **Potentially Significant Impact.** Noise generated during the proposed project's construction phase could, on a temporary basis, substantially increase noise levels at nearby land uses. Therefore, the EIR will address the proposed project's potential to create a substantial temporary or periodic increase in ambient noise levels in the project vicinity.
- e) **No Impact.** As discussed above in Checklist Question 7(e), the project site is not located within two miles of a public airport or public use airport. Therefore, the proposed project would not expose persons to excessive noise levels associated with a public airport or public use airport. No further analysis of this issue is required.
- f) **No Impact.** As discussed above in Checklist Question 7(f) above, the project site is not located within the vicinity of a private airstrip. Therefore, the proposed project would not expose persons to excessive noise levels associated with a private airstrip. No further analysis of this issue is required.

13. **Population and Housing.** Would the project:

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c. Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
			✓
			✓

Discussion:

- a) **Potentially Significant Impact.** The proposed project would induce direct population growth by adding 1,135 residential units to the project site. Compared to the most recent use of the site, in which 245 residential units and approximately 880 residents occupied the property (based on Community Plan demographic estimates), the proposed project would represent a net increase of 890 units. Therefore, the potential for the project to induce substantial population growth in an area, either directly or indirectly, will be addressed in the EIR.
- b) **No Impact.** The former military housing on the site is required to be demolished by the U.S. Navy. The project proposes a low-medium density (between Low Medium I, Low Medium II, and Medium General Plan land use designations) residential community containing 1,135 units. In doing so, the proposed project would help to address the housing needs of the region. At present, the project site is one of the few large developable parcels of land remaining in the San Pedro area of the City of Los Angeles. SCAG has identified a housing shortfall in both the City of Los Angeles as a whole and the San Pedro-Wilmington area of the City in particular. Thus, the project site represents an important option for addressing identified housing needs in the San Pedro area. This issue will be addressed further in the land use analysis of the EIR. No further discussion of housing displacement is required.
- c) **No Impact.** See answer to Checklist Question 12(b) above.

14. Public Services.

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
✓			
✓			
✓			
✓			

Discussion:

a.i) **Potentially Significant Impact.** As discussed in Checklist Question 12(a), the proposed project would introduce 1,135 new residential units and new residents to the project site. Although the existing 245 homes on the project site are currently unoccupied, they were once occupied and served by the Los Angeles Fire Department (LAFD). The project's net impact on LAFD services equates to an additional 890 units to be served at the site. It is possible that the demand for fire protection services associated with the proposed project could require the need for new or physically altered fire facilities, the construction of which could cause significant environmental impacts. Therefore, the EIR will address this issue.

a.ii) **Potentially Significant Impact.** As discussed above in Checklist Question 13(a.i), the proposed project would introduce 1,135 new residential units and new residents to the project site. Although the existing 245 homes on the project site are currently unoccupied, they were once occupied and served by the Los Angeles Police Department (LAPD). The project's net impact on LAPD services equates to an additional 890 units to be served at the project site. It is possible that the demand for police protection services associated with the proposed project could require the need for new or physically altered police facilities, the construction of which could cause significant environmental impacts. Therefore, the EIR will address this issue.

a.iii) **Potentially Significant Impact.** As discussed above in Checklist Question 13(a.i), the proposed project would introduce 1,135 new residential units and new residents to the project site, thereby inducing direct population growth and increasing the number of school-aged children in the area who would attend local Los Angeles Unified School District (LAUSD) schools. The project will pay all statutorily required school fees. However, it is possible that the demand for school services associated with the proposed project could require the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts. Therefore, the EIR will address this issue.

a.iv) **Potentially Significant Impact.** As discussed above in Checklist Question 13(a.i), the proposed project would introduce 1,135 new residential units and new residents to the project site, thereby inducing direct population growth and increasing the number of people who could potentially use local parks and recreational facilities maintained by the City of Los Angeles Department of Recreation and Parks (DRP). Although the increased demand for local parks and recreational facilities would be markedly offset by the inclusion of on-site recreational amenities and the project applicant would pay applicable Quimby fees implemented by the DRP to mitigate development impacts, it is possible that the demand for parks and recreational facilities associated with the proposed project could require the need for new or physically altered parks and recreational facilities, the construction of which could cause significant environmental impacts. Therefore, the EIR will address this issue.

a.v) **Potentially Significant Impact.** As discussed above in Checklist Question 13(a.i), the proposed project would introduce 1,135 new residential units and new residents to the project site, thereby inducing direct population growth and increasing the number of people who could potentially use local libraries operated by the City of Los Angeles Public Library (LAPL). It is possible that the demand for library services associated with the proposed project could require the need for new or physically altered library facilities, the construction of which could subsequently result in environmental impacts. Therefore, the EIR will address this issue.

15. **Recreation.**

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓	
		✓	

Discussion:

a) **Less than Significant Impact.** As discussed above in Checklist Question 13(a.iv), the proposed project would introduce 1,135 new residential units and new residents to the project site, thereby inducing direct population growth and increasing the number of people who could potentially use local parks and recreational facilities maintained by the City of Los Angeles Department of Recreation and Parks (DRP). Although the increased demand for local parks and recreational facilities would be markedly offset by the inclusion of on-site recreational amenities and the project applicant would pay applicable Quimby fees implemented by the DRP to mitigate development impacts, it is possible that the usage of existing parks and recreational facilities could be increased. However, the amount of projected usage would not be enough to result in substantial physical deterioration of these facilities due to the provision of park area and recreational facilities within the project itself and the availability of multiple off-site parks and recreational facilities capable of absorbing the excess demand. Thus, no further analysis of this issue is necessary.

b) **Less than Significant Impact.** See Checklist Questions 13(a.iv) and 14(a).

16. **Transportation/Traffic.** Would the project:

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e. Result in inadequate emergency access?
- f. Result in inadequate parking capacity?
- g. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
✓			
✓			
			✓
			✓
			✓
	✓		
		✓	

Discussion:

- a) **Potentially Significant Impact.** Currently, the project site is developed with unoccupied residential duplexes. Implementation of the proposed project would create 1,135 new homes which would generate vehicle trips to and from the project site. Therefore, the EIR will address the potential for the proposed project to cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.
- b) **Potentially Significant Impact.** As discussed above, the proposed project would increase the number of vehicle trips traveling to and from the project site. Therefore, the EIR will address the potential for the project to exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.
- c) **No Impact.** Due to the nature and scope of the proposed project, implementation of the project would not have the potential to result in a change in air traffic patterns at any airport in the area. Therefore, no further discussion of this issue is required.
- d) **No Impact.** The proposed project would alter access to the project site and would create a new circulating road system within the residential portion of the site. The project will also provide road access for Mary Star of the Sea High School to Western Avenue. In addition, roadway and/or intersection improvements may be required in order to mitigate any potentially significant traffic impacts that could be identified in the EIR. The proposed circulation system would be designed in accordance with the site plan review requirements of the LAFD and the LAPD, and would not include any hazardous design features. All access

roads, driveways, and parking areas would be made accessible to emergency service vehicles as needed. Through implementation of the site plan review process and incorporation of any conditions mandated by applicable agencies (e.g., Caltrans) and departments (e.g., LAFD, LAPD), adequate emergency and evacuation access would be ensured. The proposed project would therefore not result in inadequate emergency access and no adverse impacts would result. In addition, no agricultural land uses are located in proximity to the project site. Therefore, the project would not result in traffic hazards associated with incompatible uses such as farm equipment. No further discussion is required.

- e) **No Impact.** See Checklist Question 15(d).
- f) **Potentially Significant Unless Mitigation Incorporated.** Parking would be provided by surface and above-grade parking on-site. The amount of parking required to serve residents and visitors will be addressed in the EIR.
- g) **Less than Significant Impact.** The proposed project would incorporate measures that support alternative transportation for the purpose of reducing vehicle trips. Bicycle racks would be distributed throughout the site. Ingress and egress would be designed to encourage bus and other mass transit access to all portions of the project site, with particular emphasis on mass transit access to the adjacent Mary Star of the Sea High School. Residents of the proposed project would have direct access to bus routes along Western Avenue. Therefore, the proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation, (e.g., bus turnouts, bicycle racks), and impacts would be less than significant. Although further analysis of this issue is not required, the EIR will include a discussion of alternative transportation.

17. Utilities & Service Systems. Would the project:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b. Require or result in the construction of a new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
		✓	
✓			
✓			
✓			
✓			
✓			
✓			

g. Comply with federal, state, and local statutes and regulations related to solid waste?

		✓	
--	--	---	--

Discussion:

a) **Less than Significant Impact.** The Los Angeles Regional Water Quality Control Board (LARWQCB) enforces wastewater treatment and discharge requirements for properties in the project area. The project site is not served by a private on-site wastewater treatment system, but instead conveys wastewater via municipal sewage infrastructure to a local treatment plant. Treatment plants in the County and City of Los Angeles are subject to the State's wastewater treatment requirements. Wastewater from the project site would therefore be treated according to the wastewater treatment requirements enforced by the LARWQCB. Therefore, project impacts related to exceeding wastewater treatment requirements would be less than significant, and no further discussion of this issue is required.

b) **Potentially Significant Impact.** The proposed project would introduce 1,135 new residential units to the project site. Although the existing 245 homes on the project site are currently unoccupied, they once consumed treated water and produced wastewater that was sent to a local treatment plant. As such, the project's net impact on existing water and wastewater treatment facilities equates to an additional 890 units. Whether the proposed project's demand for treated water and wastewater can be accommodated by existing treatment facilities and regional planning efforts will be addressed in the EIR.

c) **Potentially Significant Impact.** As discussed in Checklist Question 8(e), the proposed project would alter the existing drainage pattern on the project. Whether this alteration would cause runoff from the project site to exceed the capacity of the existing stormwater drainage system is unknown at this time. Therefore, a storm drain capacity study will be prepared, and the potential for the proposed project to 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, will be addressed in the EIR.

d) **Potentially Significant Impact.** As discussed above in Checklist Question 16(b), implementation of the proposed project would increase the demand for potable water. Water could be supplied to the proposed project by the California Water Service Company (CWS Co.) which has supplied water to the project site in the past, or by the City of Los Angeles Department of Water and Power (DWP) which supplies water to much of the Los Angeles area. However, whether the project's demand for water can be accommodated by existing facilities and regional planning efforts will be addressed in the EIR.

In addition, in accordance with state law, a water supply assessment will be prepared for the proposed project in order to investigate water availability. The results of the water supply assessment will be presented in the EIR.

e) **Potentially Significant Impact.** As discussed above in Checklist Question 16(b), implementation of the proposed project would result in an increase in on-site wastewater generation. Whether the project's demand for wastewater collection, conveyance, and treatment can be accommodated by existing facilities and regional planning efforts will be addressed in the EIR.

f) **Potentially Significant Impact.** The proposed project would introduce 1,135 new residential units to the project site. Although the existing 245 homes on the project site are currently unoccupied, they once produced solid waste that was transported by local waste haulers to local landfills; therefore, existing local landfill capacity to serve the project site has previously been planned for 245 units. As such, the project's net impact on local landfills equates to an additional 890 units. Whether the project's demand for landfill

capacity can be accommodated by existing facilities and regional planning efforts will be addressed in the EIR.

g) **Less than Significant Impact.** The construction and operation of the proposed project would be required to adhere to all applicable federal, State, and local statutes and regulations related to solid waste. Therefore, project impacts regarding compliance with federal, State, and local statutes and regulations related to solid waste would be less than significant, and no further discussion of this issue is required.

18. Mandatory Findings of Significance.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes	No
✓	
✓	
✓	

Discussion:

a) **Yes.** As noted in this Initial Study, implementation of the proposed project could have the potential to degrade the quality of the environment. The EIR will address potential impacts with respect to relevant issues and will identify mitigation measures and alternatives, as well as unavoidable adverse environmental effects, if any. This Initial Study also identifies issue areas where potential environmental effects are less than significant, or will be mitigated to a less-than-significant level by applicable laws and regulations; such issues will not be further studied in the EIR. The following issue areas will be addressed in the EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services

- Transportation/Traffic
- Utilities and Service Systems

b) **Yes.** As noted in this Initial Study, the proposed project could contribute to cumulative environmental impacts. The proposed project's potential cumulative impacts on the environment will be further scrutinized in the EIR.

c) **Yes.** As noted throughout this Initial Study, implementation of the proposed project could cause indirect adverse effects on human beings by adversely impacting the environment. The proposed project's potential adverse impacts on human beings will be further scrutinized as part of the overall environmental impact analysis included in the EIR.

Is third time the charm for Ponte Vista's latest developer?

By Donna Littlejohn Staff Writer

Posted: 11/08/2010 06:00:52 PM PST

Updated: 11/08/2010 06:07:10 PM PST

Five years after San Pedro's Ponte Vista housing development was proposed for a 62-acre former Navy housing site, the land remains fenced off and vacant.

Now, a new developer, iStar Financial Inc., is ready to roll out yet a third generation of plans - scaled back again - in hopes that this time new homes will finally get built.

A community meeting to unveil the latest proposal will be held from 6 to 8 p.m. Wednesday.

"We needed to reset this whole thing," said Dennis Cavallari, the new developer.

The first developer, Bob Bisno, created a plan built out to 2,300 homes that Cavallari says now was simply was "nutty."

The next round brought a reduction in density to 1,950 homes. It was still too dense for critics and Cavallari said the plan was not much different - essentially a "Bisno Junior" redraft.

Now, Cavallari is calling for 1,135 homes, with new studies and a new, more suburban approach.

But whether the new housing numbers are low enough to satisfy community members remains to be seen. Many Ponte Vista critics still advocate building only to what the current R1 zoning allows - in the neighborhood of 800 to 900 single family homes - at the site at 26900 S. Western Ave., just south of Palos Verdes Drive North.

The concern, as always, is density and traffic along Western Avenue.

As with the earlier plans, this Ponte Vista proposal will need a zoning change from the city of Los Angeles

before it can be built.

"The limitation of this is that Western Avenue is the only route through there," said John Greenwood of San Pedro, who headed up a citizens panel that reviewed the original Bisno plans. "It's not like there are a lot of other roads you can develop. That's really kind of the dilemma with the whole project."

The good news, Greenwood said, is that the number of homes has been slashed and the developers are starting from scratch on environmental and traffic studies.

"When I saw this plan it had more logic behind it," he said. "But I still have some questions - and

DailyBreeze.com

I still think it's too big."

Eliminated from this project is the over-55 housing set-aside.

"We can't be everything to everybody," Callavari said.

New are 392 rental apartment units lining the southern boundary - the old plans were for-sale only units - and 143 detached single family homes farthest away from Western Avenue along the northeastern perimeter.

"There are people in the community who want to rent," Cavallari said. "There's a proven demand for rental products."

Rentals later, he said, could be transitioned to for-sale units should the market improve.

The rest of the homes offer a mix of two- and three-story townhomes, flats and duplexes scattered throughout the property. A 2.8-acre public park is included along walking trails around the site, which also are open to the public.

Many of the homes, Cavallari said, will be well suited for older residents who prefer a single-level home.

There will be a range of home sale prices, he said, from about \$300,000 to \$700,000.

In a departure from earlier proposals, no retail uses are included on the property in this plan.

The new planners have "softened" the edge along Western Avenue, doing away with tall barriers. The project will be open to public access.

Overall, he said, the new project offers a more suburban feel than earlier versions, which were high-density urban models.

Still to come are all new traffic and planning studies that will stretch the preliminary stages into the middle part of 2011 before the proposal is ready to go before city planners again.

"We tried to be more respectful of the existing grades," Cavallari said, noting the earlier renditions called for extensive grading of the property.

Cavallari was critical of earlier proposals, saying they seemed to be not well researched. But he also noted that the economic climate was far different five years ago than it is today.

Cavallari said iStar Financial Inc. remains committed to seeing the project through the approval process, including efforts to find a way to legally prevent any potential new owner someday from cashing in on a "density bonus" provision by which more homes could be added.

In September, Bloomberg Businessweek reported that iStar, a commercial real estate lender, was trying to restructure some of its \$8.6 billion of debt and could seek bankruptcy protection.

donna.littlejohn@dailybreeze.com

DailyBreeze.com

Want to go?

What: Public scoping meeting to unveil plans and take comments on the new Ponte Vista housing plan

Where: Peck Park Auditorium, 560 N. Western Ave., San Pedro

When: 6 to 8 p.m. Wednesday

Information: 310-241-0699; 213-978-1343; written comments must be submitted by Nov. 29 to Hadar Plafkin, project coordinator; Environmental Review Section, Department of City Planning, 200 N. Spring St., Room 750, Los Angeles, CA 90012; Hadar.Plafkin@lacity.org



PLANNING, BUILDING, & CODE ENFORCEMENT

17 November 2010

Hadar Plafkin, Project Coordinator
Department of City Planning
Environmental Review Section
200 N. Spring St., Rm. 750
Los Angeles, CA 90012

SUBJECT Comments in Response to the Revised Notice of Preparation of an Environmental Impact Report for the Proposed *Ponte Vista* Project, 26900 South Western Avenue (Case No. ENV-2005-4516-EIR)

Dear Mr. Plafkin:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the revised Notice of Preparation and Initial Study (NOP/IS) for the above-mentioned project. The City respectfully requests the inclusion of the following issues within the scope of the potential environmental impacts analyzed for the revised project:

- 1) The discussion of Aesthetics in the Initial Study (pp. 2-3) indicates that, although the impact of the proposed project upon scenic vistas will be analyzed in the EIR, views characterized by man-made features—such as those that occur in and around the harbor—are not considered to be a scenic vista. The City of Rancho Palos Verdes respectfully disagrees with this conclusion. Views of the harbor area—especially at night—are a prominent visual feature of the City's neighborhoods along Western Avenue. The City of Rancho Palos Verdes frequently considers (and protects) city-light views of the harbor when considering development proposals. The Initial Study goes on to state that views towards the harbor from the neighborhood on the west side of Western Avenue (i.e., *Rolling Hills Riviera*) are not generally available. However, in our comments on the scope of the EIR for the previous 2,300-unit proposal for this site, we suggested that the assessment of view impacts should be obtained from homes in the 27600 block of Tarrasa Drive and the 27800 block of Palmeras Place in the *Rolling Hills Riviera* neighborhood. We take this opportunity to reiterate this position on behalf of our residents.
- 2) The discussion of Hazards and Hazardous Materials in the Initial Study (pp. 12-14) notes that, due to the close proximity of the Navy's San Pedro Defense Fuel Support Point (DFSP), the EIR will include the assessment of the potential risk of upset to future residents of the *Ponte Vista* project. The City of Rancho Palos Verdes suggests that the risk of upset should also be assessed for the nearby Rancho LPG Holdings (formerly AmeriGas) butane storage facility, located at the northeast corner

of North Gaffey Street and Westmont Drive in San Pedro. Also, the Initial Study notes that the proposed project will not involve the emission or handling of acutely hazardous materials within a 1/4-mile radius of Mary Star-of-the-Sea High School. For informational purposes, it should be noted that Rudecinda Sepulveda Dodson Middle School in Rancho Palos Verdes is also located within a 1/4-mile radius of the project site. Finally, the Initial Study asserts that the project site is not within a 2-mile radius of Torrance Municipal Airport (TOA), so the potential aircraft safety hazards posed for future residents will not be assessed in the EIR. However, based upon our review of USGS topographic maps and other sources, we believe that the project site is within a 2-mile radius of TOA.

- 3) The discussion of Land Use and Planning in the Initial Study (pp. 18-19) concedes that land use impacts will be discussed in the EIR, even though they are not expected to be significant. The City of Rancho Palos Verdes respectfully suggests that a proposal that increases the existing residential density of the project site by more than four (4) times is still likely to have adverse land use impacts upon surrounding neighborhoods that were generally built out at lower densities. The City is concerned that the revised proposal for residential densities in excess of eighteen (18) units per acre for this site will still be out of character with the surrounding patterns of development, both in Rancho Palos Verdes and Los Angeles.
- 4) The discussion of Noise in the Initial Study (pp. 20-21) states that aircraft-related noise impacts will not be assessed because the project site is not within a 2-mile radius of a public airport or private airstrip. However, as noted above in our comments on Hazards and Hazardous Materials, we believe that the project site is located within a 2-mile radius of TOA.
- 5) The discussion of Public Services in the Initial Study (pp. 22-23) acknowledges that the directly-induced population growth attributable to the proposed project may trigger the need for new and/or altered school facilities in the Los Angeles Unified School District (LAUSD), and that this issue will be addressed in the EIR. There are two (2) LAUSD campuses in Rancho Palos Verdes near the project site: Crestwood Street Elementary School and Rudecinda Sepulveda Dodson Middle School. The EIR should give particular focus to growth-induced impacts upon these campuses.
- 6) The discussion of Recreation in the Initial Study (p. 23) suggests that the impact of the proposed project will be less than significant as the result of the payment of Quimby fees to the City of Los Angeles, and concludes that this issue will not be analyzed in the EIR. The City of Rancho Palos Verdes respectfully notes, however, that the nearest public park to the project site is Rancho Palos Verdes' Eastview Park, located at 1700 Westmont Drive. The payment of Quimby fees to Los Angeles will do nothing to offset impacts to nearby Rancho Palos Verdes park facilities. Furthermore, since the revised project provides substantially less public parkland than did previous iterations of the project (i.e., 3 acres vs. 12 acres), we believe that

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the project's off-site recreational impacts will be significant and should be fully assessed in the EIR.

7) The discussion of Transportation/Traffic in the Initial Study (pp. 24-25) acknowledges that the project will lead to increased vehicle trips, and that these trips may affect intersections monitored as part of the County's Congestion Management Plan (CMP). Please note that the intersection of Western Avenue and Toscanini Drive in the City of Rancho Palos Verdes is one of the intersections that are monitored for compliance with the CMP. As such, the City requests that the traffic study and the EIR for the proposed project include the intersection of Western Avenue and Toscanini Drive in the analysis of level-of-service impacts. Also, we understand that the trip-generation assumptions for the project's traffic impacts analysis will be based upon the ITE rates for apartments (ITE Code 220) for the 392 apartment units and condominiums/townhomes (ITE Code 230) for the remaining 743 units, which include 143 detached, single-family residences. The City of Rancho Palos Verdes respectfully suggests that the ITE rates for single-family homes (ITE Code 210) should be used for the 143 detached residences in this project. Finally, previous iterations of this project proposed to voluntarily implement the recommendations of the Western Avenue Task Force (WATF) in order to reduce its traffic impacts. We understand that the WATF recommendations (i.e., turn lanes, acceleration/deceleration lanes, driveway modifications, etc.) are no longer included in the project. However, we request that these recommendations be re-considered for inclusion as mitigation measures, if warranted by the revised project's traffic impact analysis.

Again, thank you for the opportunity to provide additional comments on this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5228 or via e-mail at kif@rpv.com.

Sincerely,



Kit Fox, AICP
Associate Planner

cc: Mayor Wolowicz and City Council
Carolyn Lehr, City Manager
Joel Rojas, Community Development Director
Border Issues file (Ponte Vista project)



CITY OF ROLLING HILLS ESTATES

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PLANNING COMMISSION AGENDA

November 1, 2010, 7:30 pm

Regular Meeting

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

1. CALL MEETING TO ORDER.
2. SALUTE TO THE FLAG.
3. ROLL CALL.
4. APPROVAL OF MINUTES (October 18, 2010).
5. AUDIENCE ITEMS.
6. CONSENT CALENDAR. The following routine matters will be approved in a single motion with the unanimous consent of the Planning Commission. There will be no separate discussion of these items unless good cause is shown by a member of the Commission or the public expressed under audience items prior to the roll call vote. (Items removed will be considered under Business Items.)
 - A. Waive reading in full of all resolutions that are presented for Planning Commission consideration on tonight's agenda and all such resolutions shall be read by title only.
 - B. PLANNING APPLICATION NO. 26-10; APPLICANT: Opus Bank; LOCATION: 395 Silver Spur Road; A Precise Plan of Design for three business identification signs with a logo. (NC)
7. BUSINESS ITEMS.
None
8. PUBLIC HEARINGS.
 - A. PLANNING APPLICATION NO. 33-04; APPLICANT: D&M Eight Limited Partnership; LOCATION: N/W corner PVDN/PVDE; Request for a Tentative Tract Map No. 52214, Neighborhood Compatibility Determination, Grading Plan and a Mitigated Negative Declaration to establish a residential subdivision. (KT)
 - Staff Report & Attachments 1-3
 - Attachment 4 - Part 1
 - Attachment 4 – Part 2
 - Attachment 4 – Part 3
 - Attachments 5-7
 - Attachment 8 – Part 1
 - Attachment 8 – Part 2
 - Attachment 8 – Part 3

B. PLANNING APPLICATION NO. 29-07; APPLICANT: Michael Cope, Chandler Ranch Properties, LLC; LOCATION: 26311 and 27000 Palos Verdes Drive East. A Vesting Tentative Tract Map, General Plan Amendments, Zone Changes, Zone Text Amendment, Grading Plan, Development Agreement, Conditional Use Permits, Neighborhood Compatibility Determination, an Annexation/Deannexation, and an Environmental Impact Report under the California Environmental Quality Act (CEQA) for the development of a 114 home single family subdivision, a reconfigured/relocated 18-hole golf course, and a new clubhouse complex on the site of the existing Chandler Sand and Gravel and Rolling Hills Country Club facilities. (NC)

9. COMMISSION ITEMS.

10. DIRECTOR'S ITEMS.

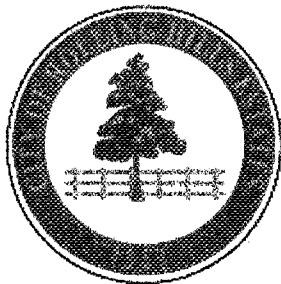
A. 2011 Planners Institute and Mini Expo.

11. MATTERS OF INFORMATION.

A. Park and Activities Minutes (October 19, 2010).

B. City Council Actions (October 26, 2010).

12. ADJOURNMENT.



Staff Report

City of Rolling Hills Estates

AGENDA

NOV 1 = 2010

ITEM NO. 8B

DATE: NOVEMBER 1, 2010

TO: PLANNING COMMISSION

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

SUBJECT: PLANNING APPLICATION NO. 29-07
APPLICANT: MICHAEL COPE;
LOCATION: 26311 AND 27000 PALOS VERDES DRIVE EAST

OVERVIEW

The subject request is for approval of a Vesting Tentative Tract Map, General Plan Amendments, Zone Changes, Zone Text Amendment, Grading Plan, Development Agreement, Conditional Use Permits, Neighborhood Compatibility Determination, an Annexation/Deannexation, and an Environmental Impact Report under the California Environmental Quality Act (CEQA) for the development of a 114 home single family subdivision, a reconfigured/relocated 18-hole golf course, and a new clubhouse complex on the site of the existing Chandler Sand and Gravel and Rolling Hills Country Club facilities.

BACKGROUND

A public hearing for the subject application was held on October 4, 2010. An excerpt of meeting minutes are provided herein as Attachment 1. At that meeting, the applicant and City environmental consultant presented the project to the Planning Commission, public testimony was received and some Planning Commission comment was given. The Planning Commission continued the public hearing to this meeting and identified several issues for further clarification as discussed below.

It can be noted, as seen in Attachment 2 to this report, that the applicant is requesting a continuance of this item to allow time to work further with the members of the equestrian community on project benefits. Staff believes it is the best interest of the project and for the City to support these discussions and recommends continuance of this item until the Tuesday, January 18, 2011 Planning Commission accordingly as seen in the Recommendation section of this report.

DISCUSSION

The following describes items identified for clarification at the October 4, 2010 Planning Commission meeting and provides staff responses:

- Delineation Study/Regional Water Quality Control Board Changes: A study identifying the delineation of jurisdictional waterways was prepared for the Recirculated EIR by ECORP entitled "Jurisdictional Delineation of the Bent Springs Canyon Feature within the Proposed Chandler Ranch/Rolling Hills Country Club Project Site". This report is included in Appendix C-2 of the EIR.

Staff anticipates changes from the Regional Water Quality Control Board with respect to our Municipal Stormwater Permit renewal as there will likely be requirements for low impact development incorporated into the next permit. However, there is usually a grandfathering of projects that have already received permit approvals. Further, much of water quality mitigation on this project is considered low impact development. Thus, it is likely that the project, with the mitigation as proposed including the infiltration system, would meet the new permit requirements.

- Development Agreement (MS4 Permit Impacts): The proposed project development agreement continues to be reviewed by the City Attorney. Commission Conway inquired whether or not the proposed agreement addresses the City's MS4 permit with regard to urban runoff discharged from municipal storm water systems. While impacts to the MS4 permit and National Pollutant Discharge Elimination System (NPDES) requirements will be addressed for the project through design and tentative map review, the MS4 permit is not mentioned or addressed in the development agreement.
- Alquist-Priolo Earthquake Fault Zone: The site is not within an Alquist-Priolo Earthquake Fault Zone. While not an Alquist-Priolo Earthquake Fault Zone, the Palos Verdes Fault Zone, which is identified in the City's General Plan, lies along the northern perimeter of the project site. Thus, an analysis of the potential for fault rupture to occur on the project site was undertaken by the project applicant's geotechnical consultant, Earth Consultants International.¹ Earth Consultants International investigated the five "lineaments" of the Palos Verdes Fault that had been previously identified onsite or nearby and concluded that the potential for surface rupture on the project site is low for the areas tested. However, Earth Consultants International recommended three zones be further investigated.

In follow-up to the Earth Consultants International study, further investigation of these lineaments was conducted by a different geotechnical consultant, Neblett & Associates, Inc., April 29, 2005. The Neblett & Associates, Inc. investigation resulted in a finding that these lineaments do not constitute "active" faults and would not affect future development of the project site.² This determination was made based on further investigations by Neblett & Associates including fault trench logs, field mapping, soils stratigraphic

¹ Geologic Constraints Investigation of the Chandler's Inert Solid Land Fill Quarry and Surrounding Properties, Rolling Hills Estates, California, Earth Consultants International, June 15, 2000.

² Fault Investigation, Phases I and II, Chandler Quarry and Rolling Hills Country Club, Palos Verdes Estates, California, Neblett & Associates, Inc., April 29, 2005.

analyses, and a geophysical investigation. For further detail, see the discussion of Impact GEO-3 beginning on page 3.5-14 of the Draft Environmental Impact Report (DEIR).

- Density: A comment was made indicating that the amount of residential land on the project site and the number of allowable units is inconsistent in the DEIR with one portion of the DEIR citing 60 acres at 2 units/acre, while another portion cites 25 acres at 1 unit per acre. The different acreages and allowable densities refer to different scenarios. Currently, the City's General Plan designates approximately 25-30 acres of the site for "Very Low Density Residential" use (exact acreage cannot be accurately calculated since the existing designation does not correspond to any existing parcels). The project proposes to designate approximately 62 acres of the project site for "Low Density Residential" use with a "Residential Planned Development" (RPD) zoning designation. The proposed designation would allow 2 residential units per acre.
- Paleontological Resources: The potential for paleontological resources to exist onsite was evaluated by McKenna et al. and Dr. Samuel McLeod, Ph.D. of the Natural History Museum of Los Angeles County as discussed in Impact CULT-3 beginning on page 3.4-15 of the EIR. In summary, the project site and the underlying materials (Middle Miocene Marine Altamira Shale Member of the Monterey Formation) are considered highly sensitive for paleontological remains. As a result, Mitigation Measure CULT-2 requires that a paleontological monitoring program be implemented during the proposed demolition and grading activities.
- Senate Bill (SB) 375: Senate Bill (SB) 375 seeks to sync transportation facilities and land use planning at the regional level in a manner that would reduce the total amount of vehicle miles traveled (VMT) by passenger vehicles and light trucks in California, thereby reducing the volume of greenhouse gases emitted. SB 375 is a regional planning effort that has no direct applicability on site-specific development projects.

In addition, there are currently no SB 375 implementation plans or programs to which the project can be compared. The development of SB 375 implementation plans is scheduled to take several years, and generally consists of the following steps:

1. Establishment of regional greenhouse gas emission reduction targets by the California Air Resources Board (ARB);
2. Formulation of a Sustainable Communities Strategy (SCS) by each Metropolitan Planning Organization (MPO), in this case the Southern California Association of Governments (SCAG), that will attempt to achieve the ARB's established targets;
3. Local agency consideration of, and potential implementation of, land use and transportation measures to implement the SCS.

Currently, SCAG is in the process of preparing the SCS, which is scheduled to be submitted to ARB for review in June of 2011. Subsequent approval of the SCS by the ARB is anticipated in June 2012.

Further, the baseline for environmental analysis for the subject project was established with the publication of the Notice of Preparation (NOP) on January 10, 2008. SB 375 was signed into law on September 30, 2008 – after the establishment of the baseline for analysis. Thus, SB 375 and all resulting future regional plans and programs are not germane to the subject EIR.

- **"California Gnatcatcher":** One commenter noted his experience at a location near the project site during which he witnessed swarms of birds, which he noted were in groups of 20 or 30 or more. The commenter indicated that the witnessed birds were coastal California gnatcatcher. The bird behavior witnessed by the commenter is not characteristic of the coastal California gnatcatcher (CCG). CCG do not fly in flocks and do not fly in out in the open. CCG are territorial species, with each mating pair often occupying more than 10 acres of coastal sage scrub habitat (Riverside, County of. 2003. *Multiple Species Habitat Conservation Plan, Species Account for the Coastal California Gnatcatcher*; and Zink, R. M., et al. 2000. *Genetics, Taxonomy, and Conservation of the Threatened California Gnatcatcher*. *Conservation Biology*, 14: 1394).

Based on the description and behavior provided by the commenter, the species of bird observed may have been a bushtit (*Psaltriparus minimus*) or a species of sparrow, such as the sage sparrow (*Amphispiza belli*). Both the bushtit and sage sparrow are similar to the CCG in terms of size, shape, and plumage, both species fly in flocks (the bushtit is particularly noted for acrobatic flying such as that described by the commenter), and the project site lies within the year-round range for both species. Regardless, mitigation measure BIO-1 requires that, no greater than one year prior to any earth-moving or vegetation disturbing activities, a qualified biologist shall conduct presence/absence surveys for the coastal California gnatcatcher in accordance with United States Fish and Wildlife Services protocol.

- **Noise Impacts:** The significant permanent noise impacts that cannot be mitigated to a less than significant level are:
 - Daytime Golf Course Maintenance Noise – More than 20 Minutes/Hour – Certain residences along the following streets would experience noise in excess of the 60 dBA threshold for a noise level exceeded for more than 20 minutes during the worst daytime hour:
 - Club View Lane, Silverbit Lane, Dapplegray Lane, Vista Real Drive, and Palos Verdes Drive East in Rolling Hills Estates;
 - Delos Drive in Torrance;
 - Pennsylvania Drive and Danmar Court in Lomita; and
 - Future "A", "C", "D", "E", and "G" Streets.

In summary, essentially all residential properties that share a border with the proposed golf course would experience daytime noise levels in excess of Rolling Hills Estates' 20 minutes/hour standard of 60 dBA for 20 minutes in an hour. In the worst case, anticipated noise levels are expected to be approximately 65 dBA for 20 minutes out of the worst hour. Mitigation Measure NOI-3 would prevent evening noise levels from exceeding Rolling Hills Estates' 20 minutes/hour standard.

Of note, the residences along Dapplegray Lane (Rolling Hills Estates) and Pennsylvania Drive (Lomita) currently experience daytime noise levels in excess of Rolling Hills Estates' 20 minutes/hour standard. Thus, the project would not create a new significant noise impact in these locations.

Also of note, residences along Silverbit Lane (Rolling Hills Estates), Club View Lane (Rolling Hills Estates), and Pennsylvania Drive (Lomita) currently experience significant

evening noise levels for more than 20 minutes/hour. The project (with Mitigation Measure NOI-3) would reduce the evening noise levels at these locations to a less than significant level.

- Daytime Golf Course Maintenance Noise – Maximum Noise Level – The following maintenance equipment would generate maximum noise levels in excess of the City's 1 minute/hour daytime noise standard of 70 dBA:
 - Towed blower operating 70 feet or less from a residence; and
 - Fairway mower operating 63 feet or less from a residence; and
 - Rough mower operating 63 feet or less from a residence.

Since the above maintenance operations are anticipated to occur within the stated distances from residences, golf course maintenance noise would temporarily and periodically exceed the threshold of significance, with maximum noise levels of about 85 dBA.

- Traffic Improvements at Palos Verdes Drive North at Dapplegray Road: The proposed mitigation measure would construct an additional eastbound lane within the vicinity of the intersection. This measure has been previously approved by the City Council as part of the Peninsula Village Traffic Mitigation Plan and Fee. The eastbound lane would start approximately 200 feet before the intersection, and would merge back into one eastbound lane 250 feet past the intersection, for a total length of 450 feet. There is no proposal to add a second through lane on Palos Verdes Drive North beyond the 450 feet described.
- Traffic Analysis at Palos Verdes Drive North/Palos Verdes Drive East: This intersection was studied as part of the project Traffic Impact Study (Intersection 11) described in Section 3.14 and Appendix J of the DEIR. While additional traffic is expected to be generated through the intersection by the project, the small net increase does not reach significant impact thresholds. Even though the intersection will operate at an unacceptable LOS in the future, the project contributes less than 1/2 of one percent to those future traffic conditions, which does not require mitigation pursuant to the City's Traffic Impact Guidelines.

The project applicant submitted a letter (see Attachment 3) with various responses to items discussed at the last Planning Commission meeting. The letter indicates that:

- A presentation will be made regarding the proposed Infiltration System Design at the Planning Commission meeting;
- Indemnification provisions are included for various items in the agreement between Chandler and Rolling Hills Country Club, including environmental indemnification;
- Chandler is prepared to conduct further preconstruction field testing utilizing Ground Penetrating Radar (GPR). As a note, a condition of approval will require that GPR be conducted as part of preconstruction testing;
- At the meeting, Chandler will provide an update on the status of various meetings held with members of the Palos Verdes Peninsula Horsemen's Association to address benefits to the equestrian community;
- The project applicant will fund costs associated with implementation of a pedestrian/bike trail on both sides of Palos Verdes Drive East from Palos Verdes Drive North to the northerly City limits (which will also be included as a project condition of approval); and

- Rolling Hills Country Club will address the issue of a pedestrian trail from the southwest corner of the project to the Chandler Preserve at the meeting.

The applicant's letter also addresses the results of an analysis of the project if the minimum standards for horsekeeping within the residential portion of the project were incorporated. Attachment 4 provides a small-scale site plan showing the configuration of these lots. The plan indicates that 74 lots could be designed resulting in a loss of 40 residential lots. This plan should be used for illustrative and discussion purposes only as staff has not reviewed the plan in detail against requirements of the horse overlay zone including suitability of horsekeeping areas or presence of trails/trail access.

RECOMMENDATION

The public hearing for this item remains open. Staff recommends that the Planning Commission:

1. Continue to Take Public Testimony;
2. Discuss the issues; and
3. Continue the Public Hearing until Tuesday, January 18, 2011.

Exhibits

Attached

1. Planning Commission Meeting of 10/4/10 – Minutes Excerpt
2. Letter from Chandler Ranch Properties, LLC (10/28/10)
3. Letter from Chandler Ranch Properties, LLC (10/26/10)
4. Illustrative Site Plan of Project Design with Horse Overlay Lots

ATTACHMENT 1

DRAFT MINUTES

REGULAR PLANNING COMMISSION MEETING

OCTOBER 4, 2010

8. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 29-07; APPLICANT: MICHAEL COPE, CHANDLER RANCH PROPERTIES, LLC; LOCATION: 26311 AND 27000 PALOS VERDES DRIVE EAST. A VESTING TENTATIVE TRACT MAP, GENERAL PLAN AMENDMENTS, ZONE CHANGES, ZONE TEXT AMENDMENT, GRADING PLAN, DEVELOPMENT AGREEMENT, CONDITIONAL USE PERMITS, NEIGHBORHOOD COMPATIBILITY DETERMINATION, AN ANNEXATION/DEANNEXATION, AND AN ENVIRONMENTAL IMPACT REPORT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE DEVELOPMENT OF A 114 HOME SINGLE FAMILY SUBDIVISION, A RECONFIGURED/RELOCATED 18-HOLE GOLF COURSE, AND A NEW CLUBHOUSE COMPLEX ON THE SITE OF THE EXISTING CHANDLER SAND AND GRAVEL AND ROLLING HILLS COUNTRY CLUB FACILITIES.

Principal Planner Cutler gave a Staff Report, as per written material.

John Bellas of Willdan Associates provided a history of the process of the Environmental Impact Reports.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER SCOTT,
TO OPEN THE PUBLIC HEARING.

AYES: Conway, Scott, Rein, Huff, Chairman Southwell

NOES: None

ABSTAIN: None

ABSENT: O'Day, Bayer

Kevin Jennings (Rolling Hills Country Club Board member) provided summary introductory comments.

Mike Cope (Project Manager representing the Chandler family), gave the applicant's presentation.

CHAIRMAN SOUTHWELL invited members of the audience to speak.

Dale Allen (39 Buckskin Lane) came forward as a 49-year resident and representative of the Palos Verdes Horseman's Association. Mr. Allen commented on the lack of notice provided to the residents about this hearing. Mr. Allen further expressed that he is not against golf course improvements or housing, but he would like it to be done in a

responsible manner. Mr. Allen then pointed out some discrepancies between the Staff Report and the EIR and addressed two areas of concern for the equestrian community: 1) the addition of 114 houses changing the demographics of the city; and 2) removal of a planned trail from the General Plan. Mr. Allen is also concerned with taking the property out of the horse overlay.

Laura Schenasi (3632 Navajo Place, PVE) came forward representing Torrance Memorial Medical Center and expressed her gratitude to the Rolling Hills Country Club and their support of the community.

Linda Retz (18 Dapplegray Lane) expressed concern with the construction and the desecration of Native American burial sites. She is also concerned with taking so much horse overlay land away and the collision of lifestyles.

Linda Bentz (1065 Goldenrose Street, San Pedro), who teaches archaeology for the Palos Verdes School District, gave a history of the Native Americans from Palos Verdes and asked that the project respect the archaeological significance of the site.

Kirk Retz (18 Dapplegray Lane) also expressed his concern over the short period of time he had to review the EIR before this meeting. Mr. Retz is concerned about the horse overlay property being taken away due to people/land density of traffic. Mr. Retz opined that adding a second lane for traffic on PVDN will just bring more drivers. Mr. Retz also pointed out that the EIR does not show any mention of the endangered California gnat catcher bird.

Bill Pomeranz (55 Encanto Drive) came forward and stated that he believes he is the most effected by this project because his home sits on a hill that overlooks the quarry. Mr. Pomeranz expressed concern for safer access for pedestrian and bicycle use on PVDE.

Jacob Gutierrez (3622 S. Leland Street, San Pedro) came forward representing the Native American Tongva tribe. Mr. Gutierrez is in support of an exhaustive study. The Chief and his son informed Mr. Gutierrez that the tribe was hurried from one area to the next, and with the outpouring of concern from the community, the tribe would like to take another look at this area. The Ground Penetrating Radar (GPR) seems to be a more extensive look at the area going down between 12 and 15 feet. The tribe's demise happened because of colonization; however, the tribe is not trying to stop the development but rather take the position of responsibility. Thousands of the Tongva ancestors have been uncovered and ended up in a mass grave, and this should be avoided. This is a \$350M project, and a GPR is a drop in the bucket for that and doesn't take very long. Machado Lake used to be sweet water, drinkable and swimmable. The equestrian trails are probably the last remnants of animals in the area. Mr. Gutierrez has requested, as a representative of the Native American community, that the developers just be responsible.

Bob Bennett (16 Deerhill Drive) came forward as past president of the Harbor Sight Homeowners Association, a Member of the Palos Verdes Peninsula Homeowners Association, and a member of Rolling Hills Country Club. Mr. Bennett stated that the developer funds are going to further enhance the equestrian lifestyle on the Peninsula.

Larry Hadley (32 Harbor Sight Drive) came forward and advised that he has property that overlooks the existing country club. Mr. Hadley asked that the community compare the current land pit at the gateway to the city with 60,000 trucks a year carrying waste from other communities versus having green space with a nice housing track and a mile-long horse trail.

Vic Otten (no address provided) came forward as a licensed attorney, Board member of the Palos Verdes Peninsula Horseman's Association and member of the Sierra Club, which opposes this project. Mr. Otten echoed the comments concerning the lack of sufficient time to review the EIR. Mr. Otten pointed out that only 185 of the 500 country club members live in the city and commented that this project would block off access, take away from the equestrian zone and change the General Plan for only 185 millionaires, whereas most of the citizens will probably never be able to belong to the golf course. In addition, Mr. Otten agreed with the concerns for retrieving historical resources and pointed out discrepancies between the EIR and the presentation. Mr. Otten would like to find out whether the project needs to comply with the SB 375 and would like to know how the infiltration system works.

Gary Johnson (17 Dapplegray Lane) also came forward with concerns about the cultural resources. Mr. Johnson recently stumbled upon archaeological finds adjacent to the Chandler site, and a professor at Cal State Long Beach has sent two letters to the city requesting that certain points be amended in the EIR. Some items have been changed, but the recommendations have largely been ignored. Mr. Johnson is concerned with the local history getting lost, as it is very likely that archaeological information lies below the current golf course surface over 15 feet down. Mr. Johnson would like further study of this area because once it is covered with housing it will be gone forever.

John Taber (37 Harbor Sight Drive) came forward as a resident living near the reservoir. Mr. Taber is concerned with the curve on PVDE near the Sheriff's station, as there will come a time when the land will be gone and this will be a missed opportunity to fix that curve. Mr. Taber encourages that detail be given to this road and that some of the curve be eliminated and perhaps even widened into a 4-lane road.

COMMISSIONER CONWAY expressed interest in the infiltration system and how that affects Machado; whether or not a delineation study has been done; and whether or not there are any anticipated changes with the regional water control board.

COMMISSIONER CONWAY is also curious about whether there are any environmental indemnities involved between the golf course and the Chandler property and whether there are any setbacks. The intersection of PVDE and PVDN was not included as a traffic impact, and COMMISSIONER CONWAY would like to understand; and also what the impacts would be if all of the property remained in a horse overlay zone.

COMMISSIONER CONWAY summarized the community's concerns: density; cultural resources and deeper penetration studies; two lanes of traffic on PVDN; California gnat catchers; better pedestrian and bike access; straightening the curve; significant permanent noise impact. CHAIRMAN CONWAY advised that the opportunity to straighten the curve is not possible.

COMMISSIONER HUFF added that restoring the horse overlay would impact a number of houses, and it might be helpful to know how much of an impact that would have.

CHAIRMAN SOUTHWELL agreed that the archaeological significance of this site should probably be looked at more carefully and questioned whether the paleontological aspects have been looked into at all.

COMMISSIONER SCOTT suggested that it would be a good idea to connect the back end of this development with the little league field and the horse trail behind that by virtue of a path. The golf course layout looks like that might be practical and questioned the resistance to putting a trail through to connect the residential area to the horse trail at the little league field.

COMMISSIONER HUFF is also interested in the cost of the ground penetrating radar.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER SCOTT,

TO CONTINUE PA 29-07 TO NOVEMBER 1, 2010.

AYES: Conway, Scott, Rein, Huff, Chairman Southwell

NOES: None

ABSTAIN: None

ABSENT: O'Day, Bayer

ATTACHMENT 2

Chandler Ranch Properties, LLC
26311 Palos Verdes Drive East
Rolling Hills Estates, California 90274
310-784-2900 (Office)
310-326-5810 (Fax)

Via Email

October 28, 2010

David Wahba
Planner Director
City of Rolling Hills Estates
Rolling Hills Estates, California 90274

Re: Request for Continuance.

Dear David,

This letter will serve as a request from the Palos Verdes Peninsula Horsemen's Association and Chandler that the Planning Commission following its scheduled meeting of 11/1/10 continue the public hearings for the Rolling Hills Country Club/Chandler Project until January 17, 2011. Chandler and PVPHA have been meeting and discussing various equestrian issues. Chandler has also been meeting with citizens who have expressed an interest in further field testing associated with cultural resources and archeological issues.

The continuance of the public hearing to January 17, 2011 will allow for continued discussions and potential resolutions of these issues among the parties prior to further hearings.

Please call with any questions.

Sincerely,



J. Michael Cope
Director of Real Estate

cc: Niki Cutler

ATTACHMENT 3

Chandler Ranch Properties, LLC
26311 Palos Verdes Drive East
Rolling Hills Estates, California 90274
310-784-2900 (Office)
310-326-5810 (Fax)

Via Hand Delivery

October 26, 2010

Niki Cutler
Senior Planner
City of Rolling Hills Estates
Rolling Hills Estates, California 90274

Re: Follow-up to planning commission Meeting of 10-4-10.

Dear Niki,

The following information is provided as a result of several requests from the Planning Commission during its meeting of 10-4-10:

1. A presentation will be made on the Infiltration System Design that will allow the Project to meet or exceed the Regional Water Quality Control Board's mandate dealing with TMDL and the Machado Lake restoration plan.
2. Rolling Hills Country Club and Chandler have reciprocal indemnification provisions in the Project agreement between the parties which indemnifies each other for numerous issues including environmental.
3. An analysis was completed that incorporated the minimum standards for horse keeping within the residential portion of the Project. The result was a loss of 40 lots or 35% of the proposed residential homes. Attached is an overlay of horse keeping lots.
4. Chandler has met with representatives of the various interests regarding the Cultural Resources/Archeological issues and a plan is being prepared for further pre-construction field testing utilizing Ground Penetrating Radar. It is not anticipated that costs associated with this technology will be an issue.
5. Chandler has had additional meetings with representatives of the Palos Verdes Peninsula Horsemen's Association and continues to do so in an attempt to come up with a benefits plan for the equestrian community. Further updates on these efforts will be provided at the meeting.
6. The Project sponsors will agree to fund the costs associated with the implementation of a pedestrian/bike trail on both sides of Palos Verdes Drive East commencing at Palos Verdes Drive North and extending northerly to the city's boundary at Narbonne Avenue.

7. Rolling Hills Country Club will be prepared to address the issue of a pedestrian trail from the southwest corner of the project to the Chandler Preserve.

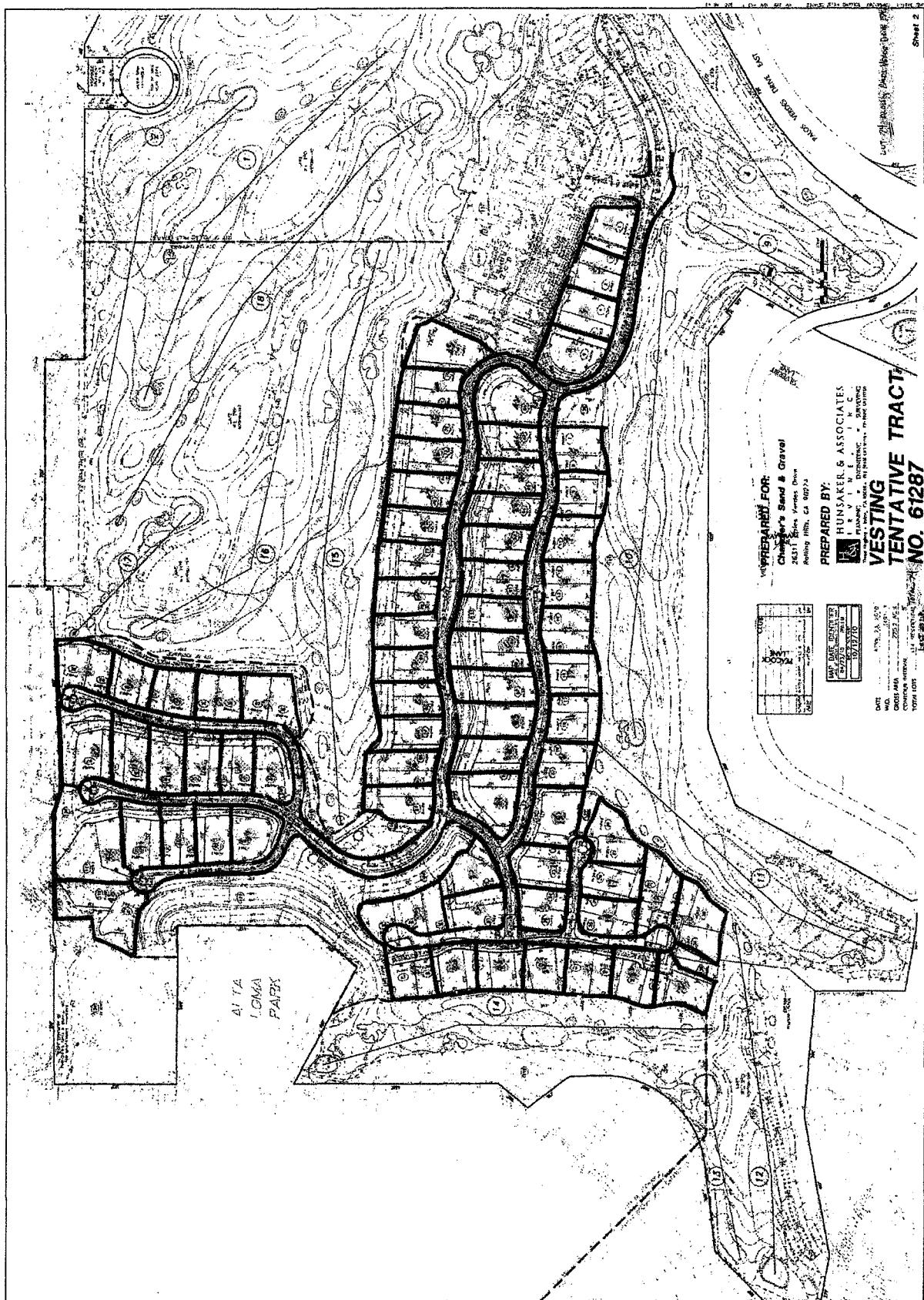
Please call with any questions.

Sincerely,



J. Michael Cope
Director of Real Estate

ATTACHMENT 4



[Print Page](#)

Horses still a question in country club expansion

Thursday, November 4, 2010 11:18 AM PDT

Developers agree to more extensive archeological survey but can't settle horse debate.

By Jeremiah Dobruck, Peninsula News

RHE — On a night when the city's horsekeeping requirements were called into question, the Rolling Hills Estates Planning Commission and public seemed to accept that there would be little room for equestrians in the Rolling Hills Country Club's proposed expansion.

RHE residents filled the council chambers Monday night to hear an update on the potential 224-acre project that would transform the Chandler's Palos Verdes Sand and Gravel Facility on Palos Verdes Drive East into an Arnold Palmer-designed golf course and 114 homes, most of which abut the course.

A representative for Chandler, Mike Cope, discussed the horse problem and put to rest a previous complaint by reporting Chandler and RHCC are willing to pay for a more extensive archaeological survey.

Some of the proposed construction could affect sites used by the Tongva Indians, an issue citizens raised at previous meetings. Cope said, developers will bring in ground-penetrating radar to investigate and document any historical sites after concerns that the trenching used to investigate was not enough.

"After learning about the [ground-penetrating radar] we're pleased to go ahead and do that," Cope said. "The cost of the [ground-penetrating radar] is not an issue."

However, the horse questions continue to linger. The new site sits in a horse overlay zone, which would require the lots to have minimum horsekeeping standards if the city does not approve the application to remove the zoning.

If the overlay is kept, the number of lots would drop to 74 to meet the minimum square-foot requirement. That would bring the building costs per lot up to \$750,000, said Cope — something that may not be economically feasible.

Even if the horsekeeping standards are applied — 20,000 square feet and increase depth in the front and back of lots — Cope believes only one lot in the development could practically house equestrians.

"We feel more strongly than ever that those minimum standards are not appropriate horsekeeping lots," Cope said. "The 74 lots we'd have, they're not horse lots. A 20,000-foot lot is not a horse lot."

Additionally, he explained horses on golf-course-front lots are essentially incompatible.

"It's one thing to hit a golf ball into a person's patio who bought a house on a golf course ... it's another thing to hit a golf ball into an area where a horse is being kept. Even if it doesn't hit the horse, it's pretty spooky. I just don't see how there's any way you could do horsekeeping on all of the lots ... that

actually have rear lots that front onto to golf course," Cope said, estimating that is 40 percent of the homes.

The Palos Verdes Horseman's Association and the horsekeeping constituency generally have viewed the development as a blow to the equestrian community.

"Realistically, a golf-course neighborhood is not conducive, not compatible or inviting to an equestrian neighborhood," said Carole Hoffman, a Rolling Hills resident and member of the PV Horseman's Association.

However, at least Hoffman believes it would be a mistake to hold up the project for equestrian concerns, despite her self-described bias toward horses.

"There's no shortage of equestrian zoned neighborhoods in Rolling Hills Estates; the fact is, with so many empty barns, the supply now clearly exceeds the demand," Hoffman said. "You would be changing the gateway to your city from a dirt pit hosting hundreds of trucks carrying gravel and trash to an enclave of beautiful homes and spacious green fairways," she said to applause from the room.

Developers are in talks with the PV Horseman's Association to find a way to mitigate the loss of an equestrian-zoned community, including adding a 1-mile horse trail through the area.

"We're talking to them. The objective of the conversation is to see what kind of givebacks can we do, what kind of offsets can we do that would help preserve and enhance the equestrian legacy, not only in Rolling Hills Estates but the entire Peninsula," Cope said.

Cope hopes to return with answers at the Jan. 31, 2011, public hearing at 7:30 p.m. The commission encouraged residents to bring equestrian-related comments and questions to that meeting.

jdobruck@pvnews.com



October 27, 2010

Mr. John Greenwood
Chair, Planning and Land Use Committee
1807 El Rey Road
San Pedro, CA 90732

Subject: Cornerstone Technologies, Inc.'s *Quantitative Risk Analysis for Amerigas Butane Storage Facility*, dated September, 2010. (referred to as the "Report")

Dear Mr. Greenwood,

It has come to our attention that the Planning and Land Use Committee of the NW San Pedro Neighborhood Council will be discussing the captioned Report in its meeting on Thursday October 28th, 2010.

As the operator of the North Gaffey Street Facility, we understand the NW San Pedro Neighborhood Council's desire for clear and accurate information regarding potential risks relating to our facility. It is for this reason that we formally advise you that the conclusions drawn in the subject Report include some fundamental inaccuracies. These inaccuracies result from: (i) using a relatively simplistic model to analyze scenarios outside of its intended scope (ii) failing to incorporate critical site-specific elements into the analysis, and (iii) making assumptions that are physically impossible and/or not applicable to our facility. Since many of the inputs utilized were inappropriate or quite simply not physically possible, the outputs are predictably inaccurate. We attempted, unsuccessfully, to contact Cornerstone Technologies to discuss these matters.

We have commissioned Quest Consultants Inc., an engineering and safety consulting firm with considerable experience in preparing such studies for Liquefied Petroleum Gas storage facilities, to review the Report. A summary of Quest's findings are outlined below and a copy of the full evaluation is attached.

Primary questions addressed by Quest (along with summarized responses) include:

1. Does the Report adequately calculate the risks associated with the butane storage and transfer operations at the North Gaffey facility and does it meet the minimal requirements of a Quantitative Risk Analysis (QRA)?

The Report does not calculate the risks associated with the operations at North Gaffey nor does it meet the minimal requirements of a Quantitative Risk Analysis (QRA), because it fails to incorporate the following critical analytical elements that are standard in performing such an analysis:

- a. No accident failure rate or accident probabilities were generated or used.
- b. Only a subset of eight release events was evaluated. A QRA requires that a full range of potential accidents be evaluated.
- c. No summation of probability/consequence pairs were made in order to develop risk.
- d. No risk assessment was conducted using risk criteria.

2. Does the Report utilize the proper modeling tools and scenario analysis to appropriately assess the risks inherent in the North Gaffey facility?

The RMP*Comp tool utilized by the Report is a commonly utilized, relatively simplistic tool accepted by the EPA for compliance purposes. The EPA warns however that the RMP*Comp model "makes simple generalized calculations". Given the simplicity of its construction, the RMP*Comp model does not reject unfeasible inputs/outputs; therefore, care must be taken by the user to ensure that the data input is consistent with EPA guidance for the intended use of the RMP*Comp modeling software, or irrational outputs can be generated.

In this regard, each scenario set forth in the Report incorporates technical input errors, which make the results of the Report unreliable or inaccurate. These errors include:

- a. Using physically impossible inputs achieving incorrect results
 1. Five of the scenarios outlined in the Report include an assumption that large quantities of refrigerated Butane instantaneously vaporize, mix with sufficient air into a perfect sphere, and then are ignited. Given the physical properties of butane, the pressure regime of the tankage at our facility, and the passive mitigation system, this assumption incorporates a physical impossibility into the models, providing incorrect results.
 2. One scenario includes an elevated cold butane vapor release, which the RMP*Comp software cannot model.
 3. Two scenarios (which the Report indicates generate the largest offsite consequence areas) assume that an event (known as BLEVE – Boiling Liquid Expanding Vapor Explosion) occurs with the largest of the refrigerated storage tanks. However, a BLEVE is an impossible scenario due to the behavior of refrigerated butane contained in a low pressure refrigerated tank.
- b. Not considering the plant and equipment at the North Gaffey facility.
 1. Our facility includes drainage surrounding each tank such that if a release of butane were to occur, the refrigerated liquid butane would be directed to the large impoundment basin, limiting the size of a potential vapor cloud. The EPA allows consideration of this mitigative measure in risk assessments. However, the Report does not reflect the substantial beneficial effect of the impoundment feature in its conclusions.

As a result of these factors and other factors set forth in Quest's evaluation, the outcomes generated in the Report apparently overstate the offsite consequence area by more than 13 times greater than the worst case offsite consequence scenario calculated by Rancho and submitted to the EPA in its Risk Management Plan. We draw this comparison to point out the magnitude of the discrepancy and not to marginalize the seriousness of any potential offsite

consequence. We remain focused on operating the facility in a prudent manner with the safety of our employees and the community ever present in our minds.

3. Are the results of the analysis presented in the Report accurate enough to be relied upon when evaluating the potential risks associated with the North Gaffey facility?

We believe that the above, and attached evaluation, clearly demonstrate that the Report is not an accurate assessment of the risks associated with the North Gaffey Street facility. In May 2009, Rancho addressed the offsite consequence area with neighborhood and community leaders, using assumptions that are physically possible and taking into consideration the physical attributes of the facility. We intend to provide a detailed assessment of the risks associated with our facility in our regularly scheduled meeting to be held in January. We look forward to seeing you at this meeting.

Meanwhile, please advise if you have any questions on the above.

Best Regards,



Ron Conrow
District Manager
[Rancho LPG Holdings]
A division of Plains Midstream Canada

Cc:

Mr. Mr. Robert Bryant, Vice President – NW San Pedro Neighborhood Council
Mr. John R. Talbot, Cornerstone Technologies, Inc.



October 27, 2010

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

Re: Review of Cornerstone Report
QCI Project 6774

Dear Mr. Conrow:

Quest Consultants Inc. has completed a review of Cornerstone Technologies, Inc.'s report titled *Quantitative Risk Analysis for Amerigas Butane Storage Facility*, dated September, 2010. This report, henceforth referred to as the "Report", claims to quantify the risks associated with the existing Rancho LPG Holdings, LLC (Rancho) facility located on North Gaffey Street in San Pedro, California. Quest's review of the Report addressed general as well as specific questions. Those questions are summarized below and addressed in detail in the remainder of this letter.

1. Does the Report calculate the risks associated with the current Liquefied Petroleum Gas (LPG) storage and transfer operations at the North Gaffey facility and does it meet the minimal requirements of a Quantitative Risk Analysis (QRA)?
2. Does the Report utilize the proper modeling tools and scenario analysis to appropriately assess the risks inherent in the North Gaffey facility?
3. Are the results of the analysis presented in the Report accurate enough to be relied upon by decision makers when evaluating the potential risks associated with the North Gaffey facility?

This review will focus on answering these three questions. Information from the Report, published EPA materials, and reference to internationally accepted works will be used to support the conclusions drawn.

Question 1 - Does the Report calculate the risks associated with the current Liquefied Petroleum Gas (LPG) storage and transfer operations at the North Gaffey facility?

The short answer to this question is no. The definition of risk is as follows:

$$\text{Risk} = \text{Probability} \times \text{Consequence}$$

In addition, in order to perform a Quantitative Risk Analysis (QRA), the total risk associated with a facility is defined as follows:

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SHIPPING 908 26th AVENUE NW SUITE 103 NORMAN OK 73069
TELEPHONE (405) 329-7475 FAX (405) 329-7734
E-mail info@questconsult.com

$$\text{Total Risk} = \Sigma (\text{Probability} \times \text{Consequence})$$

Information on the use and execution of a QRA can be found many published references including the Center for Chemical Process Safety text titled *Guidelines for Chemical Process Quantitative Risk Analysis*¹.

Section 2 of the Report outlines the steps required to perform a QRA on the North Gaffey facility as follows:

2.0 Objective, Scope, and Methodology of Study

The aim of the analysis is to assess the risk to safety of people living and working in the adjacent neighborhoods surrounding the Amerigas facility. The specific objectives of this analysis include:

- Identification of the typical hazardous incidents that relate to the operation of the facility;
- Assessing the significance of each incident that could occur in terms of its potential off-site impact;
- Assessing and quantifying the off-site levels of risk to people, property and the environment due to the proposed facility operations, using a quantitative risk analysis method; and
- Providing a clear, concise report of the analysis to determine the health risk associated with the operation of the facility.

In order to meet the necessary objectives of this study, the following items are included for consideration:

- Identification of the typical hazards present on the site and development of incident scenarios;
- Assessment of the consequences of the identified potential risk events;
- An assessment of the risk in relation to established risk guidelines.

The Quantitative Risk Analysis includes a systematic approach to the analysis of what potential hazards can occur within the storage facility. The normal conditions of operation of the system are defined and the following questions are provided best-approximation answers:

- (1) What accidental events can occur within the storage system?
- (2) What are the consequences of each accidental event?
- (3) What is the significance of the calculated risk levels?

¹ AIChE (2000). *Guidelines for Chemical Process Quantitative Risk Analysis*. Second Edition. Center for Chemical Process Safety of the American Institute of Chemical Engineers

By objectively quantifying the potential risks from each part of the system, a quantitative risk analysis enables identification of more effective measures to reduce such risks. The methodology begins by defining the system through compiling and assimilating the facility information that is readily available to the public domain. Following the characterization of the facility, common hazards are recognized, in which internal and external events are identified which may cause the release of hazardous materials. The consequence and frequency of such events is modeled based on available information. A risk assessment is conducted, which calculates the potential facility-wide risk and compares the result to other accidental health risk hazards.

In this way, the facility is objectively defined, analyzed, and quantified in order to provide a more accurate evaluation of its safety risk potential for the facility operators and the general public.

The sections highlighted in yellow are not present, nor are they referenced in the Report. A review of the report shows that no frequency or probability data for the selected events were calculated or presented. Thus, "risk" as defined above could not have been quantified. The outline in the report of how to conduct a QRA has a subset of the proper elements, but as demonstrated in the report, many of the steps necessary to complete a QRA were not performed.

In summary, the answer to Question 1 is no for the following reasons.

1. No accident frequency or probability data was compiled or presented.
2. Only a subset of eight release events was evaluated. A QRA requires that a full range of potential accidents be evaluated.
3. Risk calculations were not made.
4. Without risk calculations, no risk assessment can be made.
5. Without risk calculations, no comparison to "established risk guidelines" could be made.

Thus, the Cornerstone Report cannot be relied upon to provide any risk information for the current operations at the North Gaffey facility.

Question 2 - Does the Report utilize the proper modeling tools and scenario analysis to appropriately assess the risks inherent in the North Gaffey facility?

The short answer to this question is no. The Report's Quantitative Risk Analysis methodology is presented in Section 4.0 of the report as follows.

4.0 Quantitative Risk Analysis Methodology

By understanding the configuration of the facility and by describing the storage configuration of the liquid butane, a quantitative risk analysis can provide three primary conclusions:

- (1) Determination of potential releases that could result in significant hazardous conditions outside the boundaries of the facility.
- (2) For each potential release that is identified, the potentially lethal hazard zones can be defined.

(3) And using a consistent, accepted methodology, a measure of the "risk" posed to the public can be calculated.

It is assumed that a release of butane from the Amerigas storage facility could potentially result in one or more of the following health hazards:

(1) Exposure to thermal radiation, which is heat radiated by combustion of materials.
(2) Exposure to a blast wave from explosion of storage tanks from over-pressure or ignition of materials.

As described earlier in reference to Question 1, there were no risk calculations presented in the Report. Thus, item 3 was not completed.

The Report clearly identifies the use of the EPA's RMP*Comp (Ver. 1.07) for computing the hazard zones for the eight selected release scenarios. It should be recognized that the RMP*Comp model has serious technical drawbacks and, if run for a release scenario that is properly defined, will produce very conservative (i.e., too large) impact distances. The EPA recognizes this reality and explicitly warns/informs the Users of RMP*Comp on its website² when addressing frequently asked questions. A couple of the EPA responses germane to the Report modeling are listed below.

I tried running the same scenarios in ALOHA and in RMP*Comp. I got different answers. Why?

The results you obtain using RMP*Comp may not closely match the results you obtain running the same release scenario in a more sophisticated air dispersion model such as ALOHA or DEGADIS. That's because of a fundamental difference in purpose between those models and RMP*Comp. RMP*Comp is a planning tool, designed to help you to easily identify high-priority hazards at your facility. It makes simple, generalized calculations. In contrast, models like ALOHA and DEGADIS are intended to give you as accurate an estimate as possible of the extent and location of the area that might be placed at risk by a particular chemical release. They account for many more of the factors that influence the dispersion of a hazardous chemical. (For this reason, when you need to make decisions during an actual response, use models like ALOHA or DEGADIS, not RMP*Comp.)

For alternate release scenarios, RMP*Comp uses set values for meteorological conditions like humidity, wind speed, temperature, stability class, and so on. Is there a way to change those values? I want to use meteorology data from my own location.

RMP*Comp indeed uses fixed values for certain atmospheric parameters, and does not allow them to be set by the user. This is because the software is intended as a simplified model, adhering to the EPA's Offsite Consequence Analysis Guidance (PDF), that is acceptable for compliance with the Risk Management Program (RMP) Rule. Other tools/models may also be used. In order to use local meteorological data, you'd have to use one of those other tools.

² U.S. Environmental Protection Agency. Emergency Management, RMP*Comp Frequent Questions webpage. http://www.epa.gov/ncerweb/1/content/rmp/rmp_compo_faq.htm

Does RMP*Comp perform some math or modelling in order to arrive at an endpoint distance, or is it simply interpolating from the tables in the EPA's Offsite Consequence Analysis Guidance (PDF)?

RMP*Comp follows the procedures set out in the QCA Guidance. This means that for some scenarios, the endpoint distance is arrived at via table lookups, for others via calculations. (An example of the latter is the case of pool fires; see Section 12.2 of the Guidance.) However, when table lookups are used, no interpolation is performed (see Section 4.0 of the Guidance).

The EPA's responses to these questions tell us two things in regard to the Report modeling results.

1. RMP*Comp is not a sophisticated model and will not provide accurate site-specific answers.
2. RMP*Comp cannot incorporate site-specific weather or terrain effects.

In addition to the information presented on the referenced EPA website, the assumptions and technical details behind the RMP*Comp modeling are presented in the EPA's Offsite Consequence Analysis Guidance document³. A review of the EPA modeling methodology reveals situations in which the results generated by RMP*Comp modeling, are, in fact, physically impossible. A clear example of this is presented in Chapter 5 of the EPA's Offsite Consequence Analysis Guidance.

5 Estimation Of Distance To Overpressure Endpoint For Flammable Substances

Methods to estimate the worst-case consequence distances for releases of flammable substances.

- 5.1 Vapor cloud explosions of flammable substances that are not mixed with other substances, and
- 5.2 Vapor cloud explosions of flammable substances in mixtures.

For the worst-case scenario involving a release of flammable gases and volatile flammable liquids, you must assume that the total quantity of the flammable substance forms a vapor cloud within the upper and lower flammability limits and the cloud detonates. As a conservative worst-case assumption, if you use the method presented here, you must assume that 10 percent of the flammable vapor in the cloud participates in the explosion. You need to estimate the consequence distance to an overpressure level of 1 pound per square inch (psi) from the explosion of the vapor cloud. An overpressure of 1 psi may cause partial demolition of houses, which can result in serious injuries to people, and shattering of glass windows, which may cause skin laceration from flying glass.

This statement would tell the user that if 20 gallons of gasoline were to be spilled on the ground, all the gasoline (a volatile flammable liquid) would immediately vaporize, mix with air such that all of the gasoline was in a flammable condition, then ignite and explode causing an overpressure wave. While we know this is not true, as most people have seen or spilled small amounts of gasoline on the ground

³ CEPP (1999), *Risk Management Program Guidance for Offsite Consequence Analysis*, Chemical Emergency Preparedness and Prevention Office, April, 1999

without experiencing an explosion, it is up to the person using the model to recognize that RMP*Comp will allow you to model an impossible condition. The use of gasoline in the example above is meant to describe a system that an average reader can relate to. The use of RMP*Comp to model instantaneous releases of butane follows a similar argument – the instantaneous vaporization of liquid butane following a release from the refrigerated storage tanks in the Rancho North Gaffey facility is physically impossible.

The misapplication of the RMP*Comp software is demonstrated in each of the eight scenarios evaluated in the Report. A short description of the errors and omissions made in each of the eight scenarios modeled is presented below.

Scenario 1 – Alternative Release – Vapor Cloud Explosion #1

This scenario is mislabeled. The calculations performed with RMP*Comp are to determine the extent of the lower flammable limit (LFL). The LFL defines the extent of the flash fire hazard, or vapor cloud fire hazard as it is described in the RMP*Comp manual.

The assumed scenario is a nine (9) square inch hole, 75 feet below the maximum liquid fill height in one of the refrigerated butane storage tanks.

While the probability of such an event is not defined in the Report, it could be argued that the probability of such an event is not zero. Therefore, while the release may not represent a probable event, it is nevertheless possible.

Both of the refrigerated butane storage tanks in the North Gaffey facility have channeled drainage surrounding each tank such that if a release of butane were to occur, the liquid butane would be directed to the large impoundment basin. This type of hazard mitigation system, the impoundment basin, is considered a passive system and is always present. This passive mitigation system is not considered in the RMP*Comp program since RMP*Comp assumes that as the butane is released it instantly vaporizes. This is physically impossible.

The RMP*Comp model continues to evaluate the dispersion of the butane vapor cloud to a concentration limit equal to the LFL (1.8 mol % for butane). The RMP*Comp model does not calculate any flash fire hazard distances less than 0.1 miles. Thus, if a small release were to occur, the RMP*Comp program would simply list the impact distance as < 0.1 miles.

It is instructive to look at another example. Suppose 1 gallon of butane was spilled at the base of one of the refrigerated storage tanks. RMP*Comp would present the distance to the LFL endpoint as < 0.1 miles. Using this methodology, the Report would state that such a scenario could produce a flammable cloud on Gaffey Street over 600 feet way from the nearest tank. This is clearly not true: a single gallon of butane cannot create a flammable cloud 600 feet long.

Conclusion – The results for Scenario 1, as modeled in the Report are incorrect. This appears to be due in part to a lack of knowledge regarding the behavior of liquid butane and in part due to the use of RMP*Comp, a model that cannot simulate this type of refrigerated liquid release.

Scenario 2 – Alternative Release – Vapor Cloud Explosion #2

This scenario is also mislabeled. The calculations performed with RMP*Comp are to determine the extent of the lower flammable limit (LFL).

This scenario assumes that 1,000 pounds per minute (60,000 pounds per hour) of butane vapor is released into the atmosphere from one or more of the pressure relief valves on the top of one of the refrigerated butane storage tanks.

It should be recognized that regardless of how accurate the 1,000 pounds a minute butane release rate is when compared to the actual system, the RMP*Comp model has no ability to model the airborne release of a denser-than-air gas cloud. The RMP*Comp model will refer to a look-up table (Reference Table 29 presented below) for the answer. (Note – the correct LFL for butane is 1.8 mol %. The RMP*Comp program lists the LFL for butane as 1.5 mol %. 1.5 mol % = 36 mg/L, Appendix C, Exhibit C-2).

Reference Table 29
Dense Gas Distances to Lower Flammability Limit
Urban Conditions, D Stability, Wind Speed 3.0 Meters per Second

Release Rate (lbs/min)	Lower Flammability Limit (mg/L)				
	27	30	35	40	>40
	Distance (Miles)				
<5,000	#	#	#	#	#
5,000	<0.1	<0.1	#	#	#
7,500	0.1	0.1	<0.1	#	#
10,000	0.1	0.1	0.1	<0.1	#

< 0.1 mile (report distance as 0.1 mile)

Using Reference Table 29 with a release rate of 1000 lbs/min and a Lower Flammability Limit of 36 mg/L defines the distance to the LFL as #, or less than 0.1 miles. Note that even if the release rate from the tanks was increased five-fold to 5,000 lbs/min the RMP*Comp answer would be the same, < 0.1 miles.

Conclusion – The results for Scenario 2 as modeled in the Report are incorrect. This is due in part to a lack of knowledge involving the behavior of cold butane vapor releases and in part due to the use of RMP*Comp, a model that cannot simulate this type of above grade dense gas release.

Scenario 3 – Alternative Release – Pool Fire

This scenario assumes a release of 500 lbs/min for 6 hours originating from one of the refrigerated butane tanks. The scenario also assumes that the liquid butane spreads unconfined and unobstructed over a flat surface. This is equal to saying the liquid is being released on a perfectly flat surface and will spread in a uniform circular manner.

This is clearly not the case in the North Gaffey facility as the drainage channels around the refrigerated liquid butane tanks direct any and all liquid to the impoundment basin. This incorrect assumption in the Report has the effect of expanding the base of the potential fire well beyond what is physically possible.

The RMP*Comp model does have the ability to “bound” the size of the base of the liquid pool, but the Report does not employ this capability.

To demonstrate how large the RMP*Comp butane pool becomes before the flammable vapors are ignited and a pool fire results, the following assumption in RMP*Comp should be considered.

The total amount of liquid released is allowed to spread (while not evaporating) until the depth of the liquid pool on the perfectly flat surface decreases to 1 cm (~ 3/8 of an inch).

This procedure is outlined in Section 3, equation 3.6.

The maximum area of the pool (assuming a depth of one centimeter) is:

$$A = QS \times DF \quad (3-6)$$

where: A = Maximum area of pool (square feet) for depth of one centimeter

QS = Quantity released (pounds)

DF = Density Factor (listed in Exhibit B-2, Appendix B)

Using the values in the Report would result in the following:

$$A = 500 \text{ lbs/min} \times 360 \text{ minutes} \times 0.81$$

$$A = 145,800 \text{ square feet}$$

This results in a pool diameter of 430 feet.

This is clearly not physically possible in the North Gaffey facility. It should be noted that the assumption that the liquid does not vaporize upon release is in direct conflict with the assumption used in Scenario 1.

Conclusion – The results for Scenario 3 as modeled in the Report are incorrect. This may reflect a lack of knowledge involving the use of the RMP*Comp model as well as a lack of understanding of liquefied gas behavior.

Scenario 4 – Alternative Release – Pool Fire

This scenario is identical to Scenario 3 except it assumes a release of 7,790 lbs/min for 6 hours (the same release rate as Scenario 1). All the comments made in reference to Scenario 3 apply to this scenario as well. For this larger release, the unrestricted pool diameter is calculated via RMP*Comp as follows using the values in the Report.

$$A = 7,790 \text{ lbs/min} \times 360 \text{ minutes} \times 0.81$$

$$A = 2,271,564 \text{ square feet}$$

This results in a pool diameter of 1,700 feet.

These results are clearly in error as the entire release would be contained by the impoundment basin designed specifically for this purpose.

Conclusion – The results for Scenario 4 as modeled in the Report are incorrect. This may reflect a lack of knowledge involving the use of the RMP*Comp model as well as a lack of understanding of liquefied gas behavior.

Scenarios 1 through 4 were developed in the Report as being representative of “typical hazardous incidents.” The next section of the Report, the evaluation of Scenarios 5 through 8, was developed to identify and quantify the impacts of worst case events. Scenarios 7 and 8 are defined as Alternative Releases in the Scenario title, but are described as Worst Case Releases in the Report text.

Scenario 5 – Worst Case – Vapor Cloud Explosion

The “Worst Case Scenario of a Flammable Substance” is described as follows in the EPA’s Offsite Consequence Analysis Guidance, upon which the RMP*Comp program is based.

2.1 Definition of Worst-Case Scenario

A worst-case release is defined as:

- The release of the largest quantity of a regulated substance from a vessel or process line failure, and
- The release that results in the greatest distance to the endpoint for the regulated toxic or flammable substance.

Flammable Substances

For all regulated flammable substances, you must assume that the worst-case release results in a vapor cloud containing the total quantity of the substance that could be released from a vessel or pipeline. For the worst-case consequence analysis, you must assume the vapor cloud detonates. If you use a TNT-equivalent method for your analysis, you must assume a 10 percent yield factor.

Effect of Required Assumptions

The assumptions required for the worst-case analysis are intended to provide conservative worst-case consequence distances, rather than accurate predictions of the potential consequences of a release; that is, in most cases your results will overestimate the effects of a release. In certain cases, actual conditions could be even more severe than these worst-case assumptions (e.g., very high process temperature, high process pressure, or unusual weather conditions, such as temperature inversions); in such cases, your results might underestimate the effects. However, the required assumptions generally are expected to give conservative results.

While the EPA’s guidance states the assumptions made “generally are expected to give conservative results”, it does not say whether the assumed release is even physically possible. The following description of Scenario 5 demonstrates how the RMP*Comp model can be used to simulate impossible conditions.

Scenario 5 assumes the following sequence of events (as described in the Report and modeled with the RMP*Comp program).

1. Instantaneous failure of one of the refrigerated butane tanks. Tank is at full capacity of 12.6 million gallons (~63 million pounds).
2. Instantaneous vaporization of 12.6 million of gallons (~63 million pounds) of butane.
3. Instantaneous mixing of all 63 million pounds of butane with sufficient air (~ 1 billion pounds of air or a "ball" of air 3,200 feet in diameter) such that the entire butane/air gas cloud is mixed to the optimum burning condition.
4. Instantaneous formation of the perfectly mixed butane/air gas cloud into a perfect sphere.
5. Ignition of the perfectly mixed gas cloud.

The RMP*Comp model then uses the TNT-equivalency model to determine the overpressure as a function of distance from the center of the sphere.

The question becomes, can the sequence of events listed above even occur? Are they physically possible? A review of each finds the following.

1. It may be possible to fail one of the refrigerated butane tanks. However, the tank would not simply disappear; a failure mode (e.g., a tear or split) would result in a release of liquid butane at a high rate out into the drainage channel. The bulk of the liquid butane would be channeled into the impoundment basin.
2. It is physically impossible for 12.6 million gallons (~63 million pounds) of butane to instantaneously vaporize. This exercise should stop at this point. This scenario is impossible.
3. It is physically impossible for the 63 million pounds of vaporized butane to instantly mix perfectly with one billion pounds of air. This exercise should stop at this point. This scenario is impossible.
4. Since the perfectly mixed butane/air is denser-than-air, there is no physical mechanism by which it could form a sphere. This exercise should stop at this point. This scenario is impossible.
5. If an ignition source were present, the flammable portion of the cloud could ignite.

Conclusion – The answer provided by RMP*Comp has no meaning as the scenario is physically impossible.

Scenario 6 – Worst Case – Vapor Cloud Explosion

Scenario 6 is identical to Scenario 5 except that all the vessels in the North Gaffey facility (refrigerated butane tanks and pressurized butane bullets) instantaneously fail at exactly the same time. Once this physically impossible assumption is made, the sequence of events listed in steps 2 through 5 from Scenario 5 are executed.

Conclusion – The results for Scenario 6, as presented in the Report are incorrect. Scenario 6 is not possible for all of the same technical reasons that Scenario 5 is not possible.

Scenario 7 – Alternative Release – BLEVE #1

Scenario 7 is described in the Report as follows.

Alternative Release – BLEVE #1

This model is another worst-case scenario like the previous two scenarios, though the resulting release type is considered alternative to the more common type of release mode vapor cloud explosions. BLEVE (Boiling Liquid Expanding Vapor Explosion) occurs when a sudden drop in pressure inside a container causes violent boiling of the liquid, which rapidly liberates large amounts of vapor. The pressure of this vapor can be extremely high, causing a significant wave of overpressure (explosion) which may completely destroy the storage vessel and project fragments over the surrounding area. The harm involved with such an incident can include injury from shrapnel, explosion, and fire radiation.

There are many technical sources for the definition of BLEVE. The one listed below is from the Center for Chemical Process Safety text titled *Guidelines for Chemical Process Quantitative Risk Analysis*.

BLEVE: A "Boiling Liquid Expanding Vapor Explosion," which occurs from the sudden release of a large mass of pressurized liquid to the atmosphere. A primary cause is an external flame impinging on the shell of a vessel above the liquid level, weakening the shell and resulting in sudden rupture.

With this definition in mind, the following errors in the Report scenario development are apparent.

1. "BLEVE (Boiling Liquid Expanding Vapor Explosion) occurs when a sudden drop in pressure inside a container causes violent boiling of the liquid". The truth is just the opposite. A BLEVE occurs when the pressure in the vessel increases to a point where the vessel fails catastrophically.
2. "...which rapidly liberates large amounts of vapor." In the context that the Report presents this statement it is not true. The catastrophic failure of one of the refrigerated butane tanks would not result in a large amount of vapor being produced because the temperature of the butane would not support the rapid vaporization of liquid.

It should be recognized that a BLEVE occurs when the pressure inside the vessel (in this case a refrigerated tank) exceeds the pressure rating of the vessel. Refrigerated tanks are built to operate in the 1 to 2 psig range (psig = pounds per square inch gauge pressure, the amount of pressure over atmospheric pressure). If the pressure in the refrigerated tank were to exceed the tank design pressure (probably around 3 to 4 psig), the tank would begin to fail and the liquid butane would be released (similar to Scenario 3). If the liquid butane had reached equilibrium before this happened, less than 4% would flash to vapor (assuming a 4 psig tank failure pressure). This is certainly not a large amount of vapor compared to the total mass of butane in the tank.

3. "The pressure of this vapor can be extremely high, causing a significant wave of overpressure (explosion) which may completely destroy the storage vessel and project fragments". As described above, if the vessel were to fail at the design point, the overpressure generated would be in the 3 to 4 psig range. This level of overpressure is incapable of producing any significant off-site impacts since much of the energy associated with the overpressure is consumed in causing the vessel failure.

The RMP*Comp model should never have been used to calculate the impacts associated with a BLEVE of a refrigerated storage tank. The sequence of events that are assumed by RMP*Comp are as follows.

1. Instantaneous failure of one of the refrigerated butane tanks. Tank is at full capacity of 12.6 million gallons (~63 million pounds).
2. Instantaneous vaporization of nearly 12.6 million of gallons (~63 million pounds) of butane.
3. Instantaneous mixing of all 63 million pounds of butane with sufficient air (~ 1 billion pounds of air) such that the entire butane/air gas cloud is mixed to the optimum burning condition.
4. Instantaneous formation of the perfectly mixed butane/air gas cloud into a perfect sphere.
5. Ignition of the perfectly mixed gas cloud which burns instead of exploding.

This sequence is nearly identical to that assumed for Scenario 3. In this case instead of the perfectly mixed butane/air vapor cloud exploding, it simply burns until all the fuel is consumed.

The results from RMP*Comp for this scenario are meaningless as the scenario is physically impossible.

Conclusion – The results for Scenario 7, as developed and presented in the Report are not only incorrect, they cannot occur. This event should not have been considered as part of the analysis as it is impossible. This appears in large part due to a lack of knowledge involving the behavior of liquid butane.

Scenario 8 – Alternative Release – BLEVE #2

The development of Scenario 8 suffers from all the technical difficulties associated with Scenario 7. The difference between Scenarios 7 and 8 is that in 8 all the butane in all the storage tanks in the North Gaffey facility are assumed to fail at exactly the same time (similar to Scenario 4) and all the released mass comes into one large gas cloud. As described in the review of Scenario 7, this simply cannot happen.

Conclusion – The results for Scenario 8, as developed and presented in the Report are not only incorrect, they cannot occur. This event should not have been considered as part of the analysis as it is impossible and may be due to a lack of knowledge involving the behavior of liquid butane.

Question 3- Should the results of the analysis presented in the Report be relied upon by decision makers when evaluating the potential risks associated with the North Gaffey facility?

The short answer to this question is no. The Report contains information that does not accurately depict the behavior of liquefied gas in release scenarios for the reasons described throughout this letter.

Summary

Quest has reviewed the report titled *Quantitative Risk Analysis for Amerigas Butane Storage Facility*, dated September, 2010. by Cornerstone Technologies, Inc. Our findings can be summarized as follows.

1. The Report does not meet the minimal requirements of a Quantitative Risk Analysis (QRA). This is because:
 - a. No accident failure rate or accident probabilities were generated or used.
 - b. Only eight release events were considered. A QRA requires that a full range of potential accidents be evaluated.
 - c. No summation of probability/consequence pairs were made in order to develop risk.
 - d. No risk assessment was conducted using risk criteria.
2. Of the eight release events considered in the analysis, Quest found the following technical problems.

Cornerstone Scenario	Summary of Quest Review
Scenario 1 – Alternative Release – Vapor Cloud Explosion #1	Incorrectly modeled – results inaccurate
Scenario 2 – Alternative Release – Vapor Cloud Explosion #2	Incorrectly modeled – results inaccurate
Scenario 3 – Alternative Release – Pool Fire	Physically Impossible as developed – RMP*Comp could be used to develop a more realistic result
Scenario 4 – Alternative Release – Pool Fire	Physically Impossible as developed – RMP*Comp could be used to develop a more realistic result
Scenario 5 – Worst Case – Vapor Cloud Explosion	Physically Impossible – results invalid
Scenario 6 – Worst Case – Vapor Cloud Explosion	Physically Impossible – results invalid
Scenario 7 – Alternative Release – BLEVE #1	Physically Impossible – results invalid
Scenario 8 – Alternative Release – BLEVE #2	Physically Impossible – results invalid

As a result, none of the consequence modeling results presented in the Cornerstone Report can be relied upon to provide any guidance in assessing the hazards associated with the butane storage and transfer operations at the Rancho facility on North Gaffey Street.

As a result of this review, Quest would suggest that no reliance be placed on the Cornerstone Report as it provides no useful data and contains serious misrepresentations of what can occur at the Rancho facility as well as significant technical errors in the approach and execution of such an evaluation.

If you have any questions, please feel free to contact me directly.

Sincerely,



John B. Cornwell
Principal Engineer



PLANNING, BUILDING, & CODE ENFORCEMENT

5 November 2010

Ronald Conrow, District Manager
Rancho LPG Holdings, LLC
2110 N. Gaffey St.
San Pedro, CA 90731

SUBJECT: Rancho LPG Butane Storage Facility

Dear Mr. Conrow:

Last week, I attended (on behalf of the City of Rancho Palos Verdes) the Planning and Land Use Committee meeting of the Northwest San Pedro Neighborhood Council (NWSPNC), at which were discussed the Cornerstone Technologies report and other matters related to your butane storage facility. As I recall, you stated that your firm would be preparing its own risk assessment for the facility, to be presented at a meeting to be held in January 2011.

I understand that your firm has met periodically with selected members of the surrounding community to keep them up-to-date on your facility. Although your facility is not located in our city, there are homes in Rancho Palos Verdes that are within roughly one-quarter mile of your site. Our City Council and City Manager have asked me, in my capacity as the City's Border Issues Staff Liaison, to monitor and report on issues and activities related to the Rancho LPG facility. To that end, I respectfully request to be included on the list of invitees to your future meetings with interested parties in the surrounding community. You may contact me at the mailing address listed below.

Thank you very much for your consideration in this matter. If you have any questions or need additional information, please feel free to contact me at (310) 544-5228 or via e-mail at kif@rpv.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Fox'.

Kit Fox, AICP
Associate Planner

cc: Mayor Wolowicz and City Council
Carolyn Lehr, City Manager
Joel Rojas, Community Development Director
Greg Pfost, Deputy Community Development Director
John Greenwood, NWSPNC, 638 S. Beacon St., Box 688, San Pedro, CA 90731
✓Border Issues file (Rancho LPG Butane Storage Facility)

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November 30th, 2010

RESOLUTION OF THE CITY COUNCIL
RANCHO PALOS VERDES

WHEREAS: Findings of a quantitative risk analysis received in October, 2010 reveals that residents of Rancho Palos Verdes and other County of LA residents are left extremely vulnerable to vapor cloud explosion and other associated risks from a catastrophic incident at the Rancho Liquid Propane and Butane facility located at 2110 No. Gaffey St. in San Pedro, CA.

WHEREAS: The City of Los Angeles has never conducted a Worst Case Scenario Analysis of this facility and has allowed this "Ultra Hazardous" activity to be conducted in the midst of a densely populated area affecting Rancho Palos Verdes

WHEREAS: An "ultra hazardous activity" is a question of law. *SKF Farms v. Sup. Ct.* (1984) 153 Cal. App. 3d 902. *California has adopted the Rest.2d Torts approach for determining whether activities are abnormally dangerous:* The Rancho LPG facility fits the following *Ultra Hazardous* criteria:

1. *Existence of a high degree of risk of some harm to the person, land, or chattel of others;*
2. *Likelihood that the harm that results will be great;*
3. *Extent to which the activity is not a matter of common usage;*
4. *Inability to eliminate the risk by the exercise of reasonable care;*
5. *Inappropriateness of the activity to the place where it is carried out;*

Extent to which its value to the community is outweighed by its dangerous attributes

THEREFORE: let it be resolved that the City Council of Rancho Palos Verdes request that the County of Los Angeles intervene in this matter in the interest of public safety and demand immediate action to remove this unacceptable hazard.

December 21, 2010

Councilwoman Janice Hahn, 15th District
City of Los Angeles
200 N. Spring St., Room 435
Los Angeles, CA 90012

SUBJECT: City of Rancho Palos Verdes' Concerns regarding the Rancho LPG Butane Storage Facility, 2110 North Gaffey Street, San Pedro

Dear Councilwoman Hahn:

As you may be aware, residents in San Pedro and Rancho Palos Verdes have been concerned for many years about the Rancho LPG (formerly AmeriGas) butane storage facility at North Gaffey Street and Westmont Drive. Recently, these concerns have returned to the forefront, particularly in the aftermath of the catastrophic gas pipeline failure in the Bay Area community of San Bruno in September 2010.

We understand that plans were made several years ago for this facility to be re-located to Pier 400 in the Port of Los Angeles—away from homes, schools and local business—plans that (for some reason) have never come to fruition. The facility was approved for this site more than thirty (30) years ago, at a time when less-rigorous environmental review and public participation processes were in effect than is the case today.

Earlier this year, the Northwest San Pedro Neighborhood Council (NWSPNC) commissioned a quantitative risk assessment of the Rancho LPG facility. The risk assessment—released in September 2010—identified a variety of possible accident scenarios for the facility. These ranged from a relatively small, on-site mishap with impacts mainly contained to the site, to a sudden, catastrophic failure of the butane storage tanks with impacts extending for a 5- to 7-mile radius from the facility.

The facility's operator, Rancho LPG Holdings, LLC, has refuted the conclusions of the NWSPNC risk assessment, and the assessment's authors have not (to the City's knowledge) responded publicly to questions about how the risk assessment was prepared or how its conclusions were reached. Although Rancho LPG has stated that it intends to prepare its own risk assessment of the facility and to publicly release its findings, there remain today many unanswered questions about the safety of this facility for residents living nearby.

Councilwoman Janice Hahn
December 21, 2010
Page 2

Ideally, the City of Rancho Palos Verdes and its residents would like to see this facility relocated to another site that does not pose such a significant "risk of upset" to surrounding property and neighborhoods. Failing that, however, we wish to be assured that the facility is operated as safely as possible, and in complete accordance the regulations of all local, State and Federal agencies having jurisdiction over this site and these types of facilities. To these ends, we respectfully request your assistance in the fulfilling the following community objectives:

- Fully and exhaustively pursue the relocation of the Rancho LPG facility to Pier 400 (or some other, more appropriate site), as the City and Port of Los Angeles committed to nearby residents to do many years ago;
- Regularly monitor the Rancho LPG site and facility and enforce (to the maximum extent possible) the City of Los Angeles' land use regulations and the State's environmental review processes (i.e., CEQA) with respect to the on-going operation of the facility and any possible future proposals for its modification, renovation and/or expansion; and,
- Provide to the general public a transparent and accountable clearinghouse for the dissemination of information and the discussion of issues about the Rancho LPG site and facility.

Our Planning Staff continues to monitor issues related to the Rancho LPG site and facility, and to report these issues regularly to our City Council. We look forward to working with you and the facility's owner/operator to ensure the future safety and tranquility of our respective communities and residents.

Sincerely yours,

Thomas D. Long
Mayor

cc: Rancho Palos Verdes City Council
Carolyn Lehr, City Manager
Joel Rojas, Community Development Director
Kit Fox, Associate Planner