

October 22, 2003

Mr. Gary Munsterman  
United States Department of the Interior  
National Park Service  
Pacific Great Basin Support Office  
1111 Jackson St. Suite 700  
Oakland, CA 94607

Subject: Biennial Compliance Report – 1999-2002: Portions, NIKE Site 55, Point Vicente GSA No. D-Calif-1088 (Point Vicente Park and Del Cerro Park)

Dear Mr. Munsterman,

The City of Rancho Palos Verdes is pleased to submit the 1999-2002 Biennial Compliance Report for the former Federal property, "Portions, NIKE Site 55, Point Vicente, GSA No. D-Calif-1088", now known as Point Vicente Park and Del Cerro Park. As your records may reveal, a 1999-2000 Biennial Compliance Report was not submitted to the National Park Service because the City was considering a request by a private developer, Destination Development, to amend the Program of Utilization (POU). The proposed amendment would have allowed a public golf course on approximately 68 acres of what is referred to as the Upper Point Vicente Park. The City Council, after considering hundreds of public comment letters and several hours of public testimony, on October 16, 2001 denied the applicant's request to include Upper Point Vicente Park as a golf course use, as part of the applicant's development application. The applicant's project, which was subsequently revised to exclude City land, was eventually approved by the City Council on August 28, 2002 and the California Coastal Commission on June 11, 2003. Since a final approval for the project was not rendered until this year, the City withheld the processing of this report until now. Therefore, the City respectfully requests that the National Park Service accept this Report for the years between 1999 and 2002.

For purposes of this report, and consistent with the local nomenclature, Point Vicente Park is divided into two parts: Upper Point Vicente, consisting of the area landward of Palos Verdes Drives South and West which is the location of the civic center facilities, and Lower Point Vicente which is seaward of Palos Verdes Drive South and the location of the Point Vicente Interpretive Center.

**Park Visitation**

Consistent with the earlier reports regarding the subject properties, both Upper Point Vicente and Del Cerro Parks receive heavy use from the public and continue to be developed and/or operated in accordance with the Program of Utilization, approved by your agency in December 1989. Since submittal of the last compliance report in 1998, the City estimates that the annual public facilities usage has increased by approximately one percent at these facilities. However, due to closure of the Lower Point Vicente Park and the Point Vicente Interpretive Center for reasons discussed below, the attendance at PVIC has decreased from 62,612 to zero. Table One, below, indicates the estimated yearly attendance rates for each park.

**TABLE ONE**

<b>1999-2002 Estimated Park Attendance on Former Federal Lands</b>		
<b>Park Name</b>	<b>1999-2000</b>	<b>2001-2002</b>
Del Cerro Park	19,938	20,137
Lower Point Vicente ( Point Vicente Interpretive Center) <sup>1</sup>	63,050	0
Upper Point Vicente (Civic Center)	19,447	19,641
Total:	39,385	39,778

Historically, over eighty (80) percent of the total park visitors have used Upper or Lower Point Vicente Park, while twenty (20) percent used Del Cerro Park. During this reporting period, however, the split is close to 50% of users visiting Del Cerro Park and 50% visiting Upper Point Vicente.<sup>2</sup> This pattern change is mainly due to the temporary closure of the Interpretative Center. It should be noted that Upper Point Vicente did not receive a notable increase in attendance because of the temporary closure of Lower Point Vicente. This may be attributed to the fact that people visiting Lower Point Vicente were seeking an experience associated to the Interpretative Center and its surrounding grounds. Nonetheless, the Lower Point Vicente Park was partially reopened to the public in February 2003. The City anticipates the park's attendance to gradually increase until the expansion and renovations to the Interpretative Center are completed and can accommodate its original capacity.

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1 The Lower Point Vicente Park and the Interpretive Center Facility were closed on August 29, 1999 due to Lead Contamination. Therefore public usage of the site did occur for a significant portion of this reporting period. The estimated attendance for this reporting period is based on the 1997-1998 reporting period up through August 1999.

2 These are estimates based on past Biennial Reports and Staff observations.

### **Operation and Maintenance Costs**

Table Two, below, indicates the annual estimated cost of operation and maintenance for the three park sites between the years of 1999 and 2002. The costs for the Upper Point Vicente and Del Cerro Parks have been adjusted according to the following percentage increase based on the Consumer Price Index (CPI): 1999 – 1.9%; 2000- 3.4%; 2001 – 2.8%; and 2002 – 1.6%. The Lower Point Vicente Park reopened to the public in February 2003. It had been closed since August of 1999 due to the discovery of lead contaminated soil. The closure of the Lower Point Vicente Park and the Interpretative Center resulted in unusually low maintenance costs for that facility from what was typically reported (see table below)<sup>3</sup>. Maintenance costs typically involve the everyday operations, such as maintenance of park grounds and the staffing of the Interpretative Center. The costs associated with the lead contamination cleanup project is estimated to be \$4 million, a one time cost which has been shared by the Army Corps of Engineers and the City.

**TABLE TWO**

<b>Operation and Maintenance Costs for Former Federal Properties in Rancho Palos Verdes</b>				
<b>Park Name</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>
Del Cerro Park	\$16,304.00	\$16,858.00	\$17,330.00	17,607.00
Lower Point Vicente ( Point Vicente Interpretive Center)	\$161,848.00	\$5,095.00	\$5,268.00	\$5,415.00
Upper Point Vicente (Civic Center)	\$24,863.00	\$25,708.00	\$26,427.00	\$26,849.00
Total:	\$203,015.00	\$47,661.00	\$49,025.00	\$49,871.00

The City is not experiencing any significant difficulties in overuse or excessive vandalism at any of the three park sites. As required, permanent dedication plaques are located near the entrance to each park. In addition, the City follows a non-discriminatory policy in all of its actions and programs. The City hereby certifies that all revenue generated on the property was used for the development, maintenance, or operation of the subject property. No revenues were generated for or expended for non-recreation purposes, in accordance with the Program of Utilization.

The expansion of the Point Vicente Interpretive Center (PVIC), as described in the 1998 Report, was placed on hold pending the completion of the lead contamination issue

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<sup>3</sup> Based on a conversation with the Director of Public Works, Dean Allison, on September 8, 2003.

described above, which was subsequently completed in February 2003. The Lower Point Vicente Park is now partially re-opened to the public. The portion of the area that remains closed to the public consists of the Point Vicente Interpretive Center and the surrounding park area to allow for the construction of the building expansion to the Interpretive Center. The expansion project is estimated to be completed by Spring 2005.

### **Future Biennial Reports**

In accordance to the stipulation included on the deed when the subject property was conveyed to the City, ten (10) biennial reports are required to be prepared and submitted to the Department of Interior. The stipulation language states the following:

*“4. From the date of this conveyance, the Grantee, its successors and assigns, shall submit biennial reports to the Secretary of the Interior, setting forth the use made of the property during the proceeding two year period, and other pertinent data establishing its continuous use for the purposes set forth above, for 10 consecutive reports and as further determined by the Secretary of Interior.”*

On August 19, 1996, the City of Rancho Palos Verdes requested that the Secretary of the Interior determine that no further reporting on the subject property be required since ten (10) biennial reports have been prepared and submitted to the Secretary of the Interior. On August 26, 1996, the Secretary of the interior denied the City's request because “the original plan (Program of Utilization) and several modifications were never completed.” As noted in the August 26, 1996 letter, the City filed a major revision to the plan in January of 1990, which was only conceptually approved because of several issues raised regarding the plan. The letter continued to state that until the outstanding issues are addressed and the plan is finalized the City would be required to continue submitting the Biennial Reports.

The issues raised by the Secretary of the Interior regarding the plan revisions proposed in 1990 were not formally addressed because of the City's on-going consideration of using portion of the property for a proposed golf course. As noted earlier, the City Council in 2001 removed the Upper Point Vicente Park from consideration as a potential public golf course. Instead, the City is proposing to dedicate 55-acres of the Upper Point Vicente Park towards the establishment of a habitat preserve under the City proposed Natural Communities Conservation Plan (NCCP). The remaining 15-acres will continue to be utilized by the general public for active and passive recreational activities. As such, the City of Rancho Palos Verdes respectfully requests that the Secretary of the Interior re-consider the suspension of the Biennial Reports. This request is based on the existing use of the parcels as public parks, the intent to retain recreational uses on each of these properties into the future, and the City's continued policy of non-discrimination in all actions and programs. Please inform me of the

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determination with respect to future reporting requirements. In the event that any amendments to the Program of Utilization are proposed, the National Park Service will be given the opportunity to review the proposed amendments.

We hope that this report brings you up to date with the status of the implementation of the Program of Utilization, and please do not hesitate to contact me or Ara Michael Mihranian, Senior Planner, at (310) 544-5228 if you have any questions or need any additional information.

Sincerely,

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Joel Rojas  
Director of Planning, Building  
and Code Enforcement

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Dean Allison  
Director of Public Works

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Ron Rosenfeld  
Director of Recreation and Parks

c: Les Evans, City Manager  
Carol Lynch, City Attorney  
Dean Allison, Director of Public Works  
Ron Rosenfeld, Director of Recreation and Parks  
Biennial Report File - Civic Center