

## 11.0 RESPONSES TO COMMENTS ON THE RECIRCULATED PORTIONS OF THE DEIR

### 11.1 PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES THAT COMMENTED ON THE RECIRCULATED PORTIONS OF THE DEIR

The public review period for the Recirculated Portions of the Draft EIR for the Chandler Ranch/Rolling Hills Country Club Project commenced on June 21, 2010 and ended on August 4, 2010. Table 11.1 lists the persons, organizations, and public agencies that provided comments to the City of Rolling Hills Estates on the Recirculated Portions of the Draft EIR.

<b>Table 11.1</b>		
Commenters on the Recirculated Portions of the Draft EIR		
Agency, Organization, and/or Person	Date Received	Date of Letter
Agencies and Organizations		
County of Los Angeles Fire Department Todd, John R. (Follow-Up: Nancy Rodeheffer)	8/16/2010  (8/24/2010)	8/11/2010  (8/24/2010)
Keepers of Indigenous Ways Gutierrez, Jacob	8/4/2010	8/4/2010
Metropolitan Water District of Southern California Shamma, John	7/30/2010	7/30/2010
Palos Verdes Peninsula Horsemen's Association Wells, James T., PhD, PG; Holland, Karin; and Chandler, Benjamin	8/2/2010	8/2/2010
Palos Verdes Peninsula Horsemen's Association Joyce, Brigid, Esq.	8/4/2010	8/4/2010
Sierra Club Wiggins, David; and Schwitkis, Kent	8/4/2010	8/3/2010
Individuals		
Gliksman, Jerry and Kathleen	8/4/2010	8/3/2010
Holstine, Craig; Holstine, Zach; and Reilly, Marsha	8/3/2010	no date
Lipo, Carl	8/2/2010	8/2/2010

**Table 11.1**  
Commenters on the Recirculated Portions of the Draft EIR

Agency, Organization, and/or Person	Date Received	Date of Letter
Johnson, Gary	8/3/2010	8/3/2010
Pian, Lanna	7/30/2010	7/29/2010
White, Diane and Donavan	8/2/2010	no date

## 11.2 COMMENTS AND RESPONSES

This section of the Final EIR presents the comments and recommendations received on the Recirculated Portions of the Draft EIR, along with the Lead Agency's response to the environmental points that were raised.

All comments on the Recirculated Portions of the Draft EIR were submitted in written form and are included in their entirety in this section. Each point raised in these comment letters was assigned a number (e.g. XY-1), as noted on the comment letters included in this section. The Lead Agency's response to each enumerated comment is provided after the respective comment letter. The comment letters and corresponding responses in this section appear in the same order as they are listed in Table 11.1.

LETTER FROM: COUNTY OF LOS ANGELES FIRE DEPARTMENT, JOHN R. TODD, CHIEF, FORESTRY DIVISION

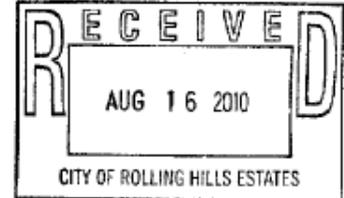


COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330



P. MICHAEL FREEMAN  
FIRE CHIEF  
FORESTER & FIRE WARDEN

August 11, 2010

Niki Cutler, Principal Planner  
City of Rolling Hills Estates  
4045 Palos Verdes Drive North  
Rolling Hills Estates, CA 90274

Dear Ms. Cutler:

**NOTICE OF COMPLETION/NOTICE OF AVAILABILITY OF RECIRCULATED PORTIONS OF THE DRAFT ENVIRONMENTAL IMPACT REPORT, CHANDLER RANCH/ROLLING HILLS COUNTRY CLUB PROJECT, PLANNING APPLICATION NO. 29-07, STATE CLEARINGHOUSE NO. 2008011027, 114 SINGLE FAMILY HOMES, GOLF COURSE, NEW CLUB HOUSE COMPLEX, NATURAL OPEN SPACE, ROLLING HILLS ESTATES/TORRANCE (FFER #201000137)**

FD-1

The Recirculated Portions of the Draft Environmental Impact Project have been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

**PLANNING DIVISION:**

1. We have no additional comments at this time.

FD-2

**LAND DEVELOPMENT UNIT:**

1. The proposed development may necessitate multiple ingress/egress access for the circulation of traffic, and emergency response issues.
2. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water main, fire flows and fire hydrants.
3. This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, must be met.

FD-3

FD-4

FD-5

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSENDALE	WALNUT
BELL GARDENS	COMMERCE	GLENDALE	IRVINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	RICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

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- |     |   |       |
|-----|---|-------|
| 4.  | Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.  | FD-6  |
| 5.  | Approved Fire Department access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of Section 503 of the 2008 County of Los Angeles Fire Code, and extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. | FD-7  |
| 6.  | Access roads shall be maintained with a minimum of 10 feet of brush clearance on each side. Fire access roads shall have an unobstructed vertical clearance clear-to-sky with the exception of protected tree species. Protected tree species overhanging fire access roads shall be maintained to provide a vertical clearance of 13 feet 6 inches.  | FD-8  |
| 7.  | When a bridge is required to be used as part of a fire access road, it shall be constructed and maintained in accordance with nationally recognized standards and designed for a live load sufficient to carry a minimum of 75,000 pounds. All water crossing designs are required to be approved by the public works department prior to installation.   | FD-9  |
| 8.  | The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade; in such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topographical difficulties, should be no more than 17%. Grade breaks shall not exceed 10% in 10 feet.   | FD-10 |
| 9.  | When involved with subdivision in a city contracting fire protection with the County of Los Angeles Fire Department, Fire Department requirements for access, fire flow and hydrants are addressed during the subdivision tentative map stage.  | FD-11 |
| 10. | Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.   | FD-12 |
| 11. | The development may require fire flows up to 5,000 gallon per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of buildings, their relationship to other structures, property lines, and types of construction used.  | FD-13 |
| 12. | Fire hydrant spacing shall be 300 feet and shall meet the following requirements:<br>a. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.   | FD-14 |

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- b. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.
  - c. Additional hydrants will be required if hydrant spacing exceeds specified distances.
  - d. When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block.
  - e. A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.
- FD-14 (cont.)
- 13. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A fire department approved turning area shall be provided for all Driveways exceeding 150 feet in length and at the end of all cul-de-sacs.
- FD-15
- 14. All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to, and within 30 feet of an exterior wall on one side of the proposed structure.
- FD-16
- 15. Single-family detached homes shall require a minimum fire flow of 1,250 gallons per minute at 20 pounds per square inch residual pressure for two-hour duration. Two family dwelling units (duplexes) shall require a fire flow of 1,500 gallons per minute at 20 pounds per square inch residual pressure for two-hour duration. When there are five or more units taking access on a single driveway, the minimum fire flow shall be increased to 1,500 gallons per minute at 20 pounds per square inch residual pressure for two-hour duration.
- FD-17
- 16. Fire hydrant spacing shall be 600 feet and shall meet the following requirements:
    - a. No portion of lot frontage shall be more than 450 feet via vehicular access from a public fire hydrant.
    - b. No portion of a structure should be placed on a lot where it exceeds 750 feet via vehicular access from a properly spaced public fire hydrant.
    - c. Additional hydrants will be required if hydrant spacing exceeds specified distances.
    - d. When cul-de-sac depth exceeds 450 feet on a residential street, hydrants shall be required at the corner and mid-block.
    - e. Additional hydrants will be required if spacing exceeds specified distances.
- FD-18
- 17. A fire department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs.
- FD-19

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- 18. Fire Department access shall provide a minimum unobstructed width of 28 feet, clear-to-sky and be within 150 feet of all portions of the exterior walls of the first story of any single unit. If exceeding 150 feet, provide 20 feet minimum paved width "Private Driveway/Fire Lane" clear-to-sky to within 150 feet of all portions of the exterior walls of the unit. Fire Lanes serving three or more units shall be increased to 26 feet in width. FD-20
  
- 19. Streets or driveways within the development shall be provided with the following:
  - a. Provide 36 feet in width on all streets where parking is allowed on both sides.
  - b. Provide 34 feet in width on cul-de-sacs up to 700 feet in length. This allows parking on both sides of the street.
  - c. Provide 36 feet in width on cul-de-sacs from 701 to 1,000 feet in length. This allows parking on both sides of the street. FD-21
  - d. For streets or driveways with parking restrictions, the entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
  - e. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road.
  
- 20. All access devices and gates shall comply with California Code of Regulations, Title 19, Articles 3.05 and 3.16. FD-22
  
- 21. All access devices and gates shall meet the following requirements:
  - a. Any single gated opening used for ingress and egress shall be a minimum of 26 feet in width, clear-to-sky.
  - b. Any divided gate opening (when each gate is used for a single direction of travel i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
  - c. Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way, and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device. FD-23
  - d. All limited access devices shall be of a type approved by the Fire Department.
  - e. Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.

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- 22. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation.

FD-24
- 23. Notify the County of Los Angeles Fire Department, Fire Stations 2, 106, and 6, at least three days in advance of any street closures that may affect fire/paramedic responses in the area.

FD-25
- 24. Temporary bridges shall be designed, constructed, and maintained to support a live load of at least 70,000 pounds. A minimum vertical clearance of 13'6" will be required throughout construction.

FD-26
- 25. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.

FD-27
- 26. The County of Los Angeles Fire Department, Land Development Unit, comments are only general requirements. Specific fire and life safety requirements and conditions set during the environmental review process will be addressed and conditions set at the building and fire plan check phase. Once the official plans are submitted for review, there may be additional requirements that must have adherence for the project to move forward.

FD-28
- 27. The Statutory Responsibilities of the County of Los Angeles Fire Department, Land Development Unit, are the review of, and comment on, all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for fire fighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department.

We are responsible for the review of all projects within contract cities (cities that contract with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities, located within non-contract cities. The County of Los Angeles Fire Department, Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.

FD-29
- 28. Submit three sets of water plans to the County of Los Angeles Fire Department, Land Development Unit. The plans must show all proposed changes to the fire protection water system, such as fire hydrant locations and main sizes. The plans shall be submitted through the local water company.

FD-30
- 29. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department, Land Development Unit, Inspector, Juan Padilla at (323) 890-4243.

FD-31

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**FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:**

- 1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division includes erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. ] FD-32
- 2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed. ] FD-33

**HEALTH HAZARDOUS MATERIALS DIVISION:**

- 1. The proposed development site includes a landfill, a former oil field with five abandoned oil wells in addition to a golf course and a fuel dispensing area. ] FD-34
- 2. In addition to the methane issue, the landfill, oil field, fuel dispensing, and the golf course may have contributed to soil contamination. It is the opinion of this department that the subject property should be assessed and if necessary mitigated under oversight of the Department of Toxic Substances Control or the Los Angeles Regional Water Quality Control Board. No grading or construction permit should be issued until a "No Further Action Letter" is obtained from an oversight agency. ] FD-35

If you have any additional questions, please contact this office at (323) 890-4330. ] FD-36

Very truly yours,

  
 JOHN R. TODD, CHIEF, FORESTRY DIVISION  
 PREVENTION SERVICES BUREAU

JRT:ss

**From:** Rodeheffer, Nancy  
**Sent:** Tuesday, August 24, 2010 3:41 PM  
**To:** 'nikic@rollinghillsestates.ca.gov'  
**Subject:** FFEIR2010000137

Niki,

Regarding the Notice of Completion/Notice of availability of Recirculated Portions of the Draft Environmental Impact Report FFEIR 2010000137, the Fire Department Land Development Unit has determined that the project does not require multiple ingress/egress access for the circulation of traffic and emergency response issues.

If changes to the proposed configuration are made additional Fire Department review shall be required.

Please contact me if you have any questions.

Nancy Rodeheffer  
FPEA II  
Land Development  
LACoFD  
323.890.4243  
[nrodeheffer@fire.lacounty.gov](mailto:nrodeheffer@fire.lacounty.gov)

FD-37

## RESPONSES

**FD-1:** The commenter provides opening remarks. No response is required.

**FD-2:** The Planning Division of the Fire Department states they “have no additional comments at this time”. No response required.

**FD-3:** See the follow-up email of 8/24/2010 from Nancy Rodeheffer of the Land Development Unit of the Fire Department (comment FD-37), in which the Fire Department clarifies that “the project does not require multiple ingress/egress access for the circulation of traffic and emergency response issues”. No further response is required.

**FD-4:** Comment and requirements are duly noted.

**FD-5:** Comment and requirements are duly noted.

**FD-6:** Requirements are duly noted. See Mitigation Measures PS-3 and PS-9.

**FD-7:** Requirements are duly noted. See Mitigation Measures PS-2, PS-3, and PS-9.

**FD-8:** Requirements are duly noted. See Mitigation Measure PS-9.

**FD-9:** Requirements are duly noted. See Mitigation Measure PS-10.

**FD-10:** Requirements are duly noted. Mitigation Measures PS-1 and PS-17 afford the Fire Department review and approval authority over the Final Tract Map, which ensures compliance with the Department’s design requirements.

**FD-11:** Comment is duly noted. No response required.

**FD-12:** Suggestion is duly noted. No response required.

**FD-13:** Comments are duly noted. See Mitigation Measures PS-6 and PS-8.

**FD-14:** Requirements are duly noted. See Mitigation Measures PS-6 and PS-8.

**FD-15:** Requirements are duly noted. See Mitigation Measures PS-4 and PS-13.

**FD-16:** Requirements are duly noted. See Mitigation Measure PS-9.

**FD-17:** Requirements are duly noted. See Mitigation Measure PS-8.

**FD-18:** Requirements, while inconsistent with those noted in comment FD-14, are duly noted. See Mitigation Measures PS-6 and PS-8.

**FD-19:** Requirement is duly noted. See Mitigation Measure PS-4.

**FD-20:** Requirements are duly noted. See Mitigation Measures PS-5 and PS-9.

**FD-21:** Requirements are duly noted. See Mitigation Measure PS-13.

**FD-22:** Requirements of the California Code of Regulations, Title 19, Articles 3.05 and 3.16 are duly noted.

**FD-23:** Requirements are duly noted. Mitigation Measure PS-1 affords the Fire Department review and approval authority over the project, which ensures compliance with the Department's design requirements.

**FD-24:** Request is duly noted. See Mitigation Measure PS-14.

**FD-25:** Request is duly noted. 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.

**FD-26:** Requirements are duly noted. See Mitigation Measure PS-10.

**FD-27:** Request is duly noted. 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.

**FD-28:** Comments noted. See Mitigation Measures PS-1 and PS-17.

**FD-29:** The Fire Department provides general information. No response is required.

**FD-30:** Request is duly noted. See Mitigation Measure PS-8.

**FD-31:** The Fire Department provides general information. No response is required.

**FD-32:** The Fire Department provides general information. No response is required.

**FD-33:** The Forestry Division of the Fire Department indicates that areas germane to their purview have been addressed. No response is required.

**FD-34:** The Fire Department provides background information. No response is required.

**FD-35:** A Phase I Environmental Site Assessment (ESA) and a Phase II Subsurface Environmental Site Assessment were prepared by FREY Environmental, Inc. in order to assess the potential for hazardous materials to be present on the project site. Additionally, a methane gas survey and surface water sampling investigation report was prepared by Premier Environmental Services, Inc. The purpose of this sampling investigation was to determine the potential for hazardous methane gas levels to be present on the project site. Also consulted in the preparation of the EIR were documents pertaining to the five abandoned oil wells currently located on the project site. All relevant studies are contained in Appendix F.

As described on page 3.6-14 of the Draft EIR:

Based on the data collected during the Phase II and the Phase I ESAs, it can reasonably be concluded that total petroleum hydrocarbons, BTEX, and fuel oxygenates are not present in subsurface soil in areas investigated at the project site. Accordingly, there is a low likelihood that soil and/or groundwater have been significantly impacted as a result of releases from the facilities investigated at the site. In addition, the detected concentrations of 4,4-DDE and 4,4-DDT (pesticides) were well below EPA Preliminary Remediation Goals (PRG's) for residential soil. Therefore, impacts related to hazardous materials are less-than-significant.

Since the results of the hazardous material testing program did not reveal significant contamination, and since there are no active corrective action items for the property, further coordination with an oversight agency for a “No Further Action Letter” is not warranted.

**FD-36:** The commenter makes closing remarks. No response is required.

**FD-37:** The Fire Department provides follow-up correspondence in regards to comment FD-3. See response to comment FD-3.

LETTER FROM: KEEPERS OF INDIGENOUS WAYS, JACOB GUTIERREZ, EXECUTIVE DIRECTOR



Keepers of Indigenous Ways 501 (c) (3)

4 August 2010

Thunder Hawk Hill, including the entire Palos Verdes peninsula and the Los Angeles Basin.

"You must teach your children that the ground beneath their feet is the ashes of your grandfathers. So that they will respect the land, tell your children that the earth is rich with the lives of our kin. Teach your children what we have taught our children, that the earth is our mother. Whatever befalls the earth befalls the sons of the earth. If men abuse the ground, they abuse themselves." Chief Seattle

Native Americans have always professed being caretakers of their ancestral lands. Even in these times of colonization, we see ourselves as the first environmentalist/friends of the earth. In more cases than not our ancestral lands have been abused, destroyed, and desecrated. These disrespectful acts and contemptuous treatment of our lands, which are held to be sacred by our people, are oftentimes overlooked by many developers. Archeologists, anthropologists, contractors, workers, and unsanctioned monitors are compromised or paid to look the other way. We are hoping that through education and a mutual understanding, what is left of our ancestral lands can be preserved. No one has the right to destroy history, a history that should be shared by all. We recognize that the legacy, the unwritten stories, lie in the grounds of our Mother Earth. This is our history and must be protected for future generations.

KIW-1

Local tribal leaders have also been contacted and we have verified that the location is an historic Tongva habitation area, and we support future scientific research at this site. This includes CA-LAN-3863, which is located on Palos Verdes Land Conservancy property, and the adjacent Chandler Ranch/Rolling Hills Country Club Project property. We are aware of the recent findings and support further research.

KIW-2

Therefore we advocate that before any construction begins that exhaustive studies be done to all areas that have any possibility of cultural significance. Allow the research using GPR to be done in our presence to quickly and methodically cover any grounds in question.

*Jacob Gutierrez*

Representing Tribal interest  
(from Malibu to San Clemente, 5 miles inland)

Tongva-Jacob Gutierrez  
Executive Director of Keepers of Indigenous Ways  
1(310)464-1821 office  
1(310)832-2846 hm  
1(310)809-6625 cell  
[kiw@cox.net](mailto:kiw@cox.net)  
<http://keepersofindigenousways.org/>

## RESPONSES

**KIW-1:** The commenter provides opening remarks and general commentary, which is duly noted. No response is required.

**KIW-2:** The commenter references Thunder Hawk Hill (CA-LAN-3863) and expresses support for future scientific research regarding historic Tongva habitation of the project site and surrounding area. The support for further research is duly noted. CA-LAN-3863 is outside the current project area and would not be impacted by the project.

The commenter further requests “exhaustive Studies be done to all areas that have any possibility of cultural significance.” The entire project site is sensitive for cultural resources. Therefore, ground penetrating radar (GPR) testing of the golf course could take extended periods of time and yield little definitive data, given the extent of the disturbances known to date. (See also response to comment CL-a3.) While the lead agency agrees that the protection and preservation of resources is important, the lead agency and the project archaeologist (McKenna et al.) maintain that the procedures outlined in Mitigation Measure CULT-1 represent the most appropriate methods for evaluating and mitigating impacts on cultural resources for this project.

**LETTER FROM: METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, JOHN SHAMMA, MANAGER, ENVIRONMENTAL PLANNING TEAM**



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

Office of the General Manager

July 30, 2010

**Via E-Mail and Federal Express**

Ms. Niki Cutler, AICP  
Principal Planner  
City of Rolling Hills Estates,  
4045 Palos Verdes Drive North,  
Rolling Hills Estates, CA 90274

Dear Ms. Cutler:

**Notice of Completion and Notice of Availability of the Recirculated Draft  
Environmental Impact Report for the Chandler Ranch/Rolling Hills Country Club Project**

The Metropolitan Water District of Southern California (Metropolitan) has received the Notice of Completion/Notice of Availability for the Chandler Ranch/Rolling Hills Country Club Project (Project). The city of Rolling Hills Estates is acting as the Lead Agency under the California Environmental Quality Act (CEQA) for this project. The Project consists of developing residential homes and a clubhouse complex, reconfiguring an 18-hole golf course, planning for natural open space and infrastructure improvements, and approvals for discretionary entitlements. The proposed project would be located along Palos Verdes Drive East between Pacific Coast Highway and Palos Verde Drive North in the cities of Rolling Hills Estates and Torrance, within Los Angeles County. This letter contains Metropolitan's response to the Public Notice as a potentially affected public agency.

MWD-b1

Our review of the Notice indicates Metropolitan owns and operates facilities adjacent to the boundaries of the proposed project location. Metropolitan's Second Lower Feeder is a 78" pre-stressed concrete pipe that runs in a southerly direction along Palos Verdes Drive East. Metropolitan's Oak Street Pressure Control Structure is adjacent to Chandler's Palos Verdes Sand and Gravel Facility. Metropolitan is concerned with the potential impacts to the pipeline that may result from the construction and implementation of the proposed Project.

MWD-b2

We are concerned with potential impacts to these facilities associated with future excavation, construction, utilities or any redevelopment that may occur as a result of proposed activity under the proposed Project. Development and redevelopment associated with the proposed Project must not restrict any of Metropolitan's day-to-day operations or/or access to its facilities. Metropolitan must be allowed to maintain its rights-of-way and requires unobstructed access to our facilities and properties at all times in order to repair and maintain our system. Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling

700 N. Alameda Street, Los Angeles, California 90012 • Mailing Address: P.O. Box 54153, Los Angeles, California, 90054-0153 • Telephone: (213) 217-6000

Ms. Niki Cutler  
Page 2  
July 30, 2010

Metropolitan's Substructures Information Line at (213) 217-6564. To assist in preparing plans that are compatible with Metropolitan's facilities, easements, and properties, we have enclosed a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and /or easements of The Metropolitan Water District of Southern California." Please note that all submitted designs or plans must clearly identify Metropolitan's facilities and rights-of-way.

MWD-b2  
cont.

We appreciate the opportunity to provide input to your planning process and we look forward to receiving the Final EIR on this Project. If you have any questions, please contact Mr. William Fong at (213) 217-6899.

MWD-b3

Very truly yours,

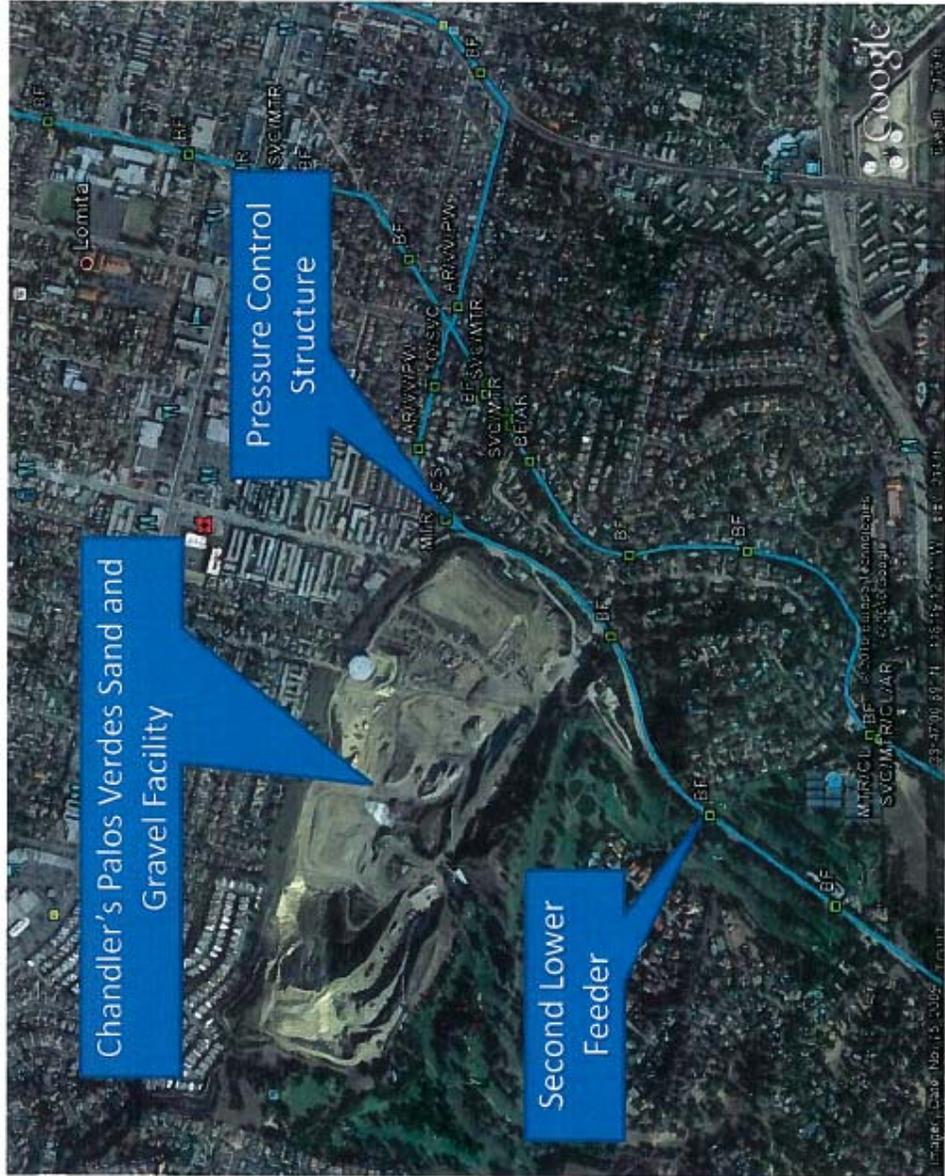


John Shamma  
Manager, Environmental Planning Team

WF/wf  
(Letter -Chandler Ranch, Rolling Hills County Club, Aug2010)

Enclosures: Map  
Guidelines

The Metropolitan Water District of Southern California  
Second Lower Feeder and Pressure Control Structure



Note: Due to its length, the enclosure *Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of the Metropolitan Water District of Southern California* is included in project file and available for review upon request.

Responses

**MWD-b1:** The commenter provides opening remarks. No response is required.

**MWD-b2:** The Metropolitan Water District's (MWD's) concerns are duly noted and the presence of their facilities in relation to the project site is acknowledged. As a condition of project approval, the City of Rolling Hills Estates will require that any work in the vicinity of MWD facilities must be first approved by MWD.

**MWD-b3:** The commenter provides closing remarks. No response is required.

**LETTER FROM: PALOS VERDES PENINSULA HOESMENS ASSOCIATION, JAMES T. WELLS, PHD, PG, HALEY & ALDRICH, KARIN HOLLAND, SCIENTIST, HALEY & ALDRICH, AND BENJAMIN CHANDLER, VICE PRESIDENT, HALEY & ALDRICH**

**From:** Wells, James [mailto:JWells@haleyaldrich.com]  
**Sent:** Monday, August 02, 2010 4:50 PM  
**To:** Niki Cutler  
**Subject:** Comment Letter regarding Chandler Ranch DEIR

Hi Niki,  
Here's a comment letter regarding the Recirculated DEIR for the Chandler Ranch project. These comments are made on behalf of the Palos Verdes Peninsula Horseman's Association. I am sending a hard copy of this letter to your attention by US mail.  
Regards,  
Jim Wells

HA-c1

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2 August 2010  
File No. 37350-000

Niki Cutler, AICP  
Principal Planner  
Rolling Hills Estates City Hall  
4045 Palos Verdes Drive North  
Rolling Hills Estates, CA

Subject: Comments on Draft Environmental Impact Report for the Proposed Chandler Ranch/Rolling Hills Country Club Project

Dear Ms. Cutler:

We are writing on behalf of the Palos Verdes Peninsula Horseman's Association with comments on the June 2009 Draft Environmental Impact Report for the Proposed Chandler Ranch/Rolling Hills Country Club Project (herein referred to as "DEIR"), State Clearinghouse Number 2008011027. It is our opinion that the DEIR is deficient in its analysis of the proposed project's greenhouse gas (GHG) emissions for a number of reasons, including:

- Certain requirements set forth in Assembly Bill (AB) 32 are not adequately addressed;
- Certain requirements set forth in Senate Bill (SB) 97 are not adequately addressed;
- Certain requirements set forth in SB 375 are not adequately addressed;
- The DEIR uses outdated thresholds of significance; and
- Insufficient detail is provided for certain GHG calculations and assumptions.

HA-c2

These reasons are discussed below in more detail.

**ASSEMBLY BILL 32 SCOPING PLAN**

As part of the requirements set forth in AB 32, the California Air Resources Board (CARB) wrote a Scoping Plan (CARB, 2008) detailing California's strategy to reduce GHG emissions by 2020. A number of emission reduction measures were discussed in the Scoping Plan, including a measure relating to green buildings and a measure relating to water. These two measures are directly related to the proposed project; however, it is our opinion that they have not been adequately addressed.

**Green Building Strategy**

As described in the CARB Scoping Plan and as stated in the DEIR (page 3.2.17), a green building strategy is proposed as a measure to reduce GHG emissions. Related to the green building strategy, the California Building Standards Commission (CBSC) has adopted a Green Building Standards Code (GBSC, [CBSC, 2010]) for all new construction in California. The GBSC is scheduled to become mandatory on 1 January 2011 and will institute minimum environmental performance standards for all occupancies, including new residential and commercial developments. As stated in the DEIR (page

HA-c3

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2.0.23), the proposed project is estimated to be constructed in 30 months, and will therefore be completed in 2013. It is likely that the GBSC will be adopted during the proposed project timeframe. It is therefore requested that the DEIR specify how each of green building requirements specified in the GBSC will be implemented.

Furthermore, the CARB Scoping Plan's green building strategy includes zero net energy (ZNE) goals for new and existing homes and commercial buildings in line with the California Long Term Energy Efficiency Strategic Plan (California Public Utilities Commission, 2008). The Scoping Plan states that:

*"Zero energy new and existing buildings can be an overarching and unifying concept for energy efficiency in buildings [...]. In order to achieve statewide GHG emission reductions, targets should be expanded to address other aspects of environmental performance. For example, these targets could be re-framed as a carbon footprint reduction goal for a 35 percent reduction in both energy and water consumption. For commercial buildings, a 2011 target should be established such that a quarter of all new buildings reduce energy and water consumption by at least 25 percent beyond [the GBSC] code".*

HA-c3  
(cont.)

It is recommended that the DEIR discuss how the proposed project, in particular the country club (a commercial building) will contribute to the above carbon footprint reduction targets.

**Water Use**

As described in both the CARB Scoping Plan and in the DEIR (page 3.2.17), the Scoping Plan proposes six reduction measures to reduce GHG emissions associated with water use. Measures include water efficiency and water recycling. The DEIR states that the golf course irrigation system "will allow for future recycled water options as available" (page 2.0.15). To comply with the requirements of the Scoping Plan, the proposed project should specify measures for water conservation and recycling measures from the onset of proposed project, especially relating to the water-intensive golf course.

**SENATE BILL 97**

SB 97 required that the California Environmental Quality Act (CEQA) Guidelines be amended to address GHG emissions. These respective amendments became effective on March 18, 2010. It is believed that the DEIR is non-compliant with section 15126.2 of the amended CEQA Guidelines.

**15126.2. Consideration and Discussion of Significant Environmental Impacts**

HA-c4

15126.2. Consideration and Discussion of Significant Environmental Impacts states that "the EIR should evaluate any potentially significant impacts of locating development in [...] areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas)." The entire City of Rolling Hills is designated as a very high fire hazard severity zone, as prescribed by the Director of California Department of Forestry and Fire Protection (City of Rolling Hills Municipal Code, Title 15). The DEIR mentions that an example of global warming impact in California is a higher risk of fires (page 3.2.15). The DEIR does not address to potential impacts associated with wildfire, as required by the section 15126.2 requirements.



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#### SENATE BILL 375

SB 375 was enacted to control GHG emissions by curbing sprawl (Office of the Governor, 2008). SB 375 requires that GHG emission reduction targets be set for the automobile and light truck sector for 2020 and 2035 (Senate Bill No. 375, Chapter 728). Each of California's Metropolitan Planning Organizations (MPOs) is therefore requested to develop a Sustainable Communities Strategy. The proposed project is located in Los Angeles County and is therefore included in the Southern California Association of Governments (SCAG) MPO region.

The DEIR maintains that GHG emission targets have not been established and that SCAG therefore has not prepared a Sustainable Communities Strategy (page 3.2.30). However, draft regional GHG emission reduction targets were published in June 2010 by CARB (CARB, 2010). The draft GHG targets set for SCAG are 5-10% reductions in per capita emissions relative to 2005 for 2020, and 3-12% reductions in per capita emissions relative to 2005 for 2035. The DEIR does not discuss how the proposed project will support SCAG in achieving these draft regional GHG emission reduction targets. Neither does the DEIR address how the proposed project will support SCAG to achieve its Sustainable Community Strategy. The DEIR provides no reference relating to how the proposed project would reduce sprawl and/or provide public transit, although these are fundamental challenges that SB 375 is seeking to resolve.

HA-c5

Therefore, the statement "the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions greenhouse gases" (pages 3.2.31 and 3.2.49 of the DEIR) is not fully supported, since the DEIR neglects to address certain requirements set forth in SB 375.

#### BAY AREA AIR QUALITY MANAGEMENT DISTRICT CEQA GUIDELINES

The DEIR states on page 3.2.22 that "the most recent advance in CEQA analysis of GHGs comes from the Bay Area Air Quality Management District (BAAQMD)." The BAAQMD adopted CEQA thresholds of significance on 2 June 2010. The thresholds of significance specified by the BAAQMD are as follows:

- Compliance with Qualified GHG Reduction Strategy, or
- 1,100 metric tons of carbon dioxide equivalents per year, or
- 4.6 metric tons of carbon dioxide equivalents per service populations per year.

The DEIR thresholds of significance are currently based on a screening threshold which was published in a preliminary iteration of the South Coast Air Quality Management District (SCAQMD) in October 2008. The proposed SCAQMD threshold was 3,000 metric tons of carbon dioxide equivalents per year for a residential or commercial project. The SCAQMD threshold was never finalized and is now almost two years old. Given the pace of the development of GHG regulation in California, this threshold is considered outdated. The BAAQMD thresholds are considered more appropriate for the proposed project. Furthermore, since the proposed projects estimated GHG emissions are based on software developed by the BAAQMD, utilizing the BAAQMD thresholds of significance would provide a more consistent approach to the GHG emissions evaluation in the DEIR.

HA-c6

**HALEY &  
ALDRICH**

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**AIR QUALITY AND CLIMATE CHANGE IMPACT ASSESSMENT, SESPE CONSULTING, INC., 2010**

Sespe Consulting Inc. (herein referred to as "Sespe") prepared an Air Quality and Climate Change Impact Assessment report on 7 June 2010 which was submitted as part of the DEIR. The Sespe report states that the full burden of traffic will represent a total of 2,382 average daily trips and 22,602 vehicle miles traveled per day (Appendix F). An explanation for the derivation of these values is not documented. Furthermore, Appendix F discusses a number of adjustments which were made to transportation emissions once they were imported from the URBEMIS model. The reasoning for these adjustments is unclear. It is requested that the basis for these results be discussed to enable verification of the calculation steps and the assumptions associated with the results.

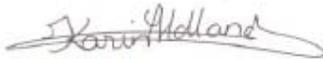
HA-c7

The Sespe report states in Appendix F that water use is assumed to remain unchanged from the baseline. However, it is understood that a quantity of water above the baseline will be required for irrigation purposes, unless a plan for the use of recycled water is in place from the inception of the project. The use of such water will contribute to the GHG emissions generated by the proposed project, which could be significant. It is therefore requested that these emissions be included in the calculation of the project GHG emissions.

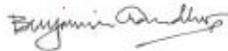
Thank you for the opportunity to provide comments on the Draft EIR for the Proposed Chandler Ranch/Rolling Hills Country Club Project.

HA-c8

Sincerely yours,  
HALEY & ALDRICH, INC.



Karin S. Holland  
Scientist



Benjamin Chandler  
Vice President

Attachment:  
References

G:\37350-Chandler Ranch\DELIVERABLES\2010\_0802\_HAI\_GHG letter\_F.docx

**HALEY &  
ALDRICH**

Chandler Ranch/Rolling Hills Country Club Project  
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#### REFERENCES

1. California Air Resources Board, 2008. Climate Change Scoping Plan, A framework for Change, December.
2. California Building Standards Commission, 2010. Draft 2010 California Green Building Standards Code, 27 January.
3. California Public Utilities Commission, 2008. California Long Term Energy Efficiency Strategic Plan, September.
4. California Environmental Protection Agency Air Resources Board, 2010. Draft Regional Greenhouse Gas Emission Reduction Targets for Automobiles and Light Trucks Pursuant to Senate Bill 375, 30 June.
5. Office of the Governor, 2008. Senate Bill 375: Redesigning Communities to Reduce Greenhouse Gases, 1 October.
6. City of Rolling Hills Municipal Code, <http://www.rolling-hills.org/index.aspx?nid=66>.

**HALEY &  
ALDRICH**

## RESPONSES

**HA-c1:** The transmittal is noted. No response is required.

**HA-c2:** The commenter provides opening remarks and introduces several alleged inadequacies of the Draft EIR, which are detailed in later paragraphs of the comment letter. Corresponding responses are provided below.

**HA-c3:** The regulatory setting is a part of the existing physical conditions which are set on the date the Notice of Preparation is published. CEQA does not require an EIR to address new requirements like the GBSC that came into existence after the Notice of Preparation was published. Nevertheless, the project would be required to comply with the GBSC and its applicability is discussed below.

CEQA does not require that an EIR specify how each requirement will be met provided that it can demonstrate that feasible measures are available and implementation of the project will not conflict with the AB 32 Scoping Plan. The fact that the 2010 GBSC was approved demonstrates that the State of California believes it is possible for all new buildings in the State to meet the mandatory standards of that code. The specifics of how the requirements are eventually met by this project can therefore be deferred until building plans are prepared and submitted. The Governor's Myth vs. Fact sheet regarding the 2010 GBSC (see Figure 11.1) specifically addresses how this project and others like it will be required to comply with the GBSC.

In addition, regarding Green Building Strategies the Scoping Plan states, "although some of these emissions reductions may be additional, most of them are accounted for in the Energy, Waste, Water, and Transportation sectors. In addition, some of these reductions may occur out of state, making quantification more difficult. Because of this, these emissions reductions are not currently counted toward the AB 32 2020 goal." (Page 59, Scoping Plan). Therefore, inconsistency with green building strategies in the Scoping Plan should not necessarily be considered a conflict that would prevent the AB 32 Scoping Plan from achieving its GHG emissions reductions targets.

Nevertheless, the requirements in the 2010 GBSC are outlined herein for purposes of disclosure. The 2010 GBSC contains mandatory requirements for residential and non-residential buildings beginning January 1, 2011. The types and nature of the GBSC requirements are paraphrased below to give a broad sense of what they contain. Determinations of how each type of requirement applies to the project will be made by City staff during plan-check.

- **Planning and design.** Methods that include environmentally responsible site selection, building design, building siting and development to protect, restore, and enhance the environmental quality of the site and respect the integrity of adjacent properties. The GBSC makes considerations for the following:
  - Construction SWPPP for all commercial developments and residential developments greater than one acre.
  - Bicycle parking and changing rooms.

- Designate parking for low-emitting, fuel efficient, and carpool/van pool vehicles.
- Design lighting such that zero direct-beam illumination leaves the building site. Meet or exceed exterior lighting levels and uniformity ratios and described.
- Grading and/or drainage plan to control erosion.
- **Energy efficiency.** “It is the intent of this code to encourage buildings to achieve exemplary performance in the area of energy efficiency. For the purposes of energy efficiency standards, the CEC believes specifically, a green building should achieve at least 15% reduction in energy usage when compared to the State’s mandatory energy efficiency standards.” (GBSC Section 5.201.1).
- **Water efficiency and conservation.**
  - Sub-meters for high use spaces in non-residential buildings larger than 50,000 sq. ft. and for outdoor use of potable water for landscaping.
  - 20% savings in potable water use for all buildings by plumbing fixtures and fixture fittings as compared to the Water Use Baseline rates in GBSC.
  - Automatic irrigation system controllers for landscaping provided by the builder and installed at the time of final inspection.
  - 20% savings in wastewater in non-residential buildings by using water-conserving fixtures or non-potable water systems (captured rainwater, graywater, and municipally treated recycled water).
  - Non-residential buildings will have a water budget for landscape irrigation use that conforms to the local water efficient landscape ordinance or to the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELo) where no local ordinance is applicable.
- **Material conservation and resource efficiency.** The measures protect buildings from exterior moisture, divert construction waste, employ techniques to reduce pollution through recycling of materials, and require building commissioning methods be followed.
  - Take measures to prevent moisture from causing mold growth on buildings.
  - Construction waste management plan and recycle/salvage at least 50% of non-hazardous debris. Excavated soil and land clearing debris shall be 100% recycled.
  - Non-residential buildings provide designated area for collection of recyclables.
  - Commission building using prescribed GBSC methods that require trained personnel and documentation.

- **Environmental quality.** Measures reduce the quantity of air contaminants that are odorous, irritating, and/or harmful to the comfort and well-being of a building's installers, occupants, and neighbors.
  - Ensure compliance requirements for new fireplaces and wood burning stoves. Fireplaces are direct-vent sealed-combustion type. Wood and/or pellet stoves are comply with EPA Phase 2 emissions standards.
  - Cover HVAC ducting during construction
  - Ensure compliance with VOC and air toxics standards for building materials.
    - Adhesives, sealants, caulks comply with SCAQMD Rule 1168 except aerosols which comply with 17 CCR 94507.
    - Paints and coatings comply with CARB VOC limits. Aerosols would be subject to Product-Weighted MIR Limits for ROC (17 CCR 94522(a)(3)).
    - Carpet meets one of several testing requirements related to VOC content.
    - Resilient flooring systems. 50% or more of the resilient flooring area comply with VOC limits.
    - Composite wood products comply with ATCM for Composite Wood (17 CCR 93120 et seq.).
  - Interior moisture control measures including concrete slab foundations have vapor retarder, prohibition of installation of materials with water damage, bathroom exhaust fan ENERGY STAR and ducting/humidistat requirements louvers on central air vents with minimum insulation of R-4.2, HVAC design using ASHRE methods.
  - Prohibit smoking within 25 feet of building entrances, outdoor air intakes and operable windows and in building.
  - Ensure adequate outside air delivery to prevent build-up of carbon dioxide within buildings.
  - Employ building assemblies and components with sound transmission coefficient (STC) values that are sufficient to reduce the impact of exterior and interior noise sources on occupants within the building.
  - HVAC, refrigeration and fire suppression equipment shall not contain chloroflourocarbons (CFCs) or halons.

In regards to the comment regarding zero net energy (ZNE) goals, the ZNE goals are part of the green building strategies measure in the Scoping Plan and therefore do not contribute to emissions reductions that are relied upon in that document (Page 59, Scoping Plan). In addition, the ZNE goals are strategic goals and not well suited for application at the project level. The project would employ a host of CEQA mitigation measures and design features required by the building codes that would achieve some level of efficiencies in water and energy consumption. Mitigation Measure AQ-

25 requires that Project buildings be 20% more energy efficient than Building Standards Code requirements. As discussed above, the Green Building Standards Code mandates no additional energy efficiency requirements. Thus, the clubhouse building may be representative of the quarter of new commercial developments in 2011 that meet the suggested target in the Scoping Plan of 25% more energy efficient than code. Ultimate performance of the building will depend upon how efficiently the building systems are operated and efficiency of the appliances that are installed but 25% appears to be achievable.

Water would be conserved according to the performance standards in the GBSC which is considered to be the maximum extent feasible. As presented in the Appendix F of the Air Quality and Climate Change Impact Assessment (AQCCIA, June 1, 2010), water use accounts for approximately one percent (1%) of the project's incremental GHG emissions. Water use is therefore a de minimis source of GHG emissions in the project's CEQA analysis. Furthermore, water is not a source of emissions that can be avoided and GHG emissions from water use must be offset on-site in order to have a ZNE building. Mitigation Measure AQ-26 lists actions that may be taken to offset GHG emissions from water use and other project sources. Some of those actions would result in further on-site energy and water efficiency improvements and others would not.

As discussed above, increased water use accounts for approximately one (1) percent of project incremental GHG emissions making it a de minimis source of GHG emissions (i.e. California Climate Action Registry General Reporting Protocol allows up to 5% of an entity's emissions to remain unverified because they are generated by de minimis sources). Increases in water use as a result of the project will occur due to the new homes. As there is already a golf course and clubhouse at the site, water used for the new golf course and clubhouse would remain similar to past water use levels and may be less due to better design, newer technologies in golf course maintenance and irrigation/plumbing, and implementation of the GBSC.

In addition, it should be noted that the golf course would obtain water from an on-site well. Thus, GHG emissions from the transportation of water, which is the largest source of water-related energy use, are expected to be reduced for the golf course as compared to potable water obtained from the Palos Verdes water system that would service the residences and clubhouse.

Lastly, the amount of water that can be used by the proposed development for landscape irrigation (including the golf course) would be determined during plan-check according to the GBSC and MWELD as discussed previously in this response.

The use of recycled or grey water is not required at this time. Grey water may be used in the future if a source becomes available.

**HA-c4:** The Draft EIR (Impact HAZ-5 beginning on page 3.6-15) evaluates the potential wildfire hazard impacts of the project; and fire protection is further analyzed in the discussion of Impact PS-1 (beginning on page 3.12-4). The project could expose future residents of the site to the risks of wildfire. However, such risks are largely equivalent to the risks experienced by most residents of the City of Rolling Hills Estates and the greater Palos Verdes Peninsula. In addition, fire risks are minimized due to the required compliance with the California Fire Code (CFC) and Los Angeles County Fire Department's recommended conditions, which are included as Mitigation Measures PS-1 through PS-17. Furthermore, insomuch as the project would provide for greater maintenance and fuel modification of the site, the project would reduce wildfire hazards in the vicinity. Given the

required compliance with the CFC and the Fire Department's conditions, as well as the fuel modification/wildfire abatement that the proposed development would provide, the project's potential wildfire risks are considered a less than significant impact, even after taking into account the potential increased risks of wildfire that could be caused by global climate change.

**HA-c5:** The project is an urban in-fill project; it is the construction of a residential and commercial development on an existing commercial/residential/industrial site. Therefore the project is consistent with SB 375 and the related smart growth objective of reducing urban sprawl.

SCAG will be preparing a Sustainable Communities Strategy (SCS) as part of the next Regional Transportation Plan cycle. At that time, project-level consistency with SB 375 will be more easily determined because a regulatory framework will have been established. Until then, given the regional nature of SB 375, only very large projects that would affect travel patterns for the region would be expected to have potential significant impacts. This project is relatively small and not a center of commerce or high density residential land uses that warrant consideration of transit at the site. Therefore, the project does not conflict with activities or goals of SB 375.

**HA-c6:** At this time, there is no such thing as an outdated GHG significance threshold because no formal threshold exists in the City of Rolling Hills Estates. Under CEQA, the thresholds of significance for GHG impacts are left for the lead agency to determine. Section 15064.7(c) of the CEQA Guidelines states, "When adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence." During preparation of the DEIR, available guidance on tiered GHG significance thresholds and quantitative screening thresholds were evaluated and a screening threshold of 3,000 MTCO<sub>2</sub>e/yr was applied to the project.

In preparation of the Recirculated Portions of the DEIR, methodologies for emissions calculation as well as the DEIR 3,000 MTCO<sub>2</sub>e/yr screening threshold were reviewed. The URBEMIS.COM website, a statewide resource, directs users to the Bay Area GHG Model (BGM) that was used with URBEMIS to calculate emissions in the Recirculated Portions of the DEIR. The BGM was used because it contains adjustments to the EMFAC on-road emissions data used by URBEMIS to estimate on-road vehicle GHG emissions that are necessary to account for AB 32 measures that have become regulation (e.g. Pavely, Low Carbon Fuel Standard).

GHG emissions are calculated in a way so that emissions from different sectors are interchangeable (i.e. a ton from one source equals a ton from another source). Therefore, the choice of calculation method is independent from any numerical threshold that may be applied and use of the BGM to calculate GHG emissions does not require the use of the BAAQMD CEQA GHG significance screening thresholds for comparison.

The BAAQMD GHG screening thresholds are not applicable to the project. Discussions with the local air district, SCAQMD, and review of the CEQA GHG Threshold Working Group presentations from meetings that occurred after the DEIR was published indicate that they have come to believe that 3,000 MTCO<sub>2</sub>e/yr may be too low for a residential project screening threshold. Other jurisdictions use a percentage below "business as usual" (BAU) approach which is consistent with how many have characterized the AB 32 goal of 30% below BAU by 2020. Regardless, the SCAQMD, BAAQMD, and other jurisdictions' thresholds are not required to be utilized because

the Lead Agency is the City of Rolling Hills Estates. As the project is within the South Coast Air Basin, SCAQMD is the responsible agency for air quality and thus their views on thresholds are weighted appropriately. Review of the most currently available information that was undertaken during preparation of the Recirculated DEIR indicates that 3,000 MTCO<sub>2</sub>e/yr remains a reasonable screening threshold and so is retained in the Recirculated DEIR.

Finally, the project contains design features and mitigations that satisfy reasonable performance standards for GHG emissions reductions. On that basis alone, the tiered GHG significance thresholds under evaluation by SCAQMD and CARB would find that the project has a less than significant impact on GHG emissions. The Recirculated Portions of the DEIR document goes beyond meeting performance standards and requires that the project mitigate GHG emissions to less than the screening threshold. This additional mitigation is provided in order to further ensure that the project will do its fair share to address this cumulative impact. Therefore, the GHG impact from the project is considered to be less than significant.

**HA-c7:** The 2,382 ADT figure is derived in Table 3.14.5 of the DEIR and the corresponding traffic study. 22,602 VMT/day was based upon URBEMIS default trip distances. URBEMIS results showing both values are located in Appendix E of the Air Quality and Climate Change Impact Analysis found in the Recirculated Portions of the DEIR (AQCCIA).

To clarify the modeling, both the URBEMIS model and BGM model use the same input file(s). The BGM uses two URBEMIS input files per run, the baseline (see Appendix C in the AQCCIA which contains URBEMIS output with 120 average daily trips as discussed in Appendix F) and the project (see Appendix E in the AQCCIA which presents the URBEMIS output described in response 5.A. above). The Recirculated Portions of the DEIR refined an imprecise assumption in the baseline vehicle trips, reducing the baseline ADT from 685 to 120 trips, which is a more conservative approach.

In regards to the comment regarding the consideration of water demand in the GHG analysis, the report states, “In the interest of time, natural gas use, water/wastewater use, and solid waste generation at RHCC were assumed to remain unchanged from baseline because their effect on GHG emissions is small as compared to other sources.” Although natural gas use and solid waste are not expected to change from baseline, water use is expected increase. The DEIR determines an increase in water use for the project of 73.08 acre-feet per year (Page 3.15-8). In the Recirculated Portions of the DEIR, 73.08 acre-feet was input in a user override cell field for the BGM which is set up to estimate water use automatically. For the increase in water use, the BGM model calculated emissions of 40.97 MTCO<sub>2</sub>e/yr which account for approximately one (1) percent of the project’s total increase in GHG emissions. This is considered a de minimis amount under GHG reporting protocols (e.g. California Climate Action Registry General Reporting Protocol). Increases in water use are expected to occur due to the new homes. Water used for the golf course and clubhouse would remain similar to past water use and perhaps be somewhat less due to better design, available technologies, and implementation of the GBSC.

In addition, it should be noted that the golf course would obtain water from an on-site well. Thus, GHG emissions from the transportation of water, which is the largest source of water-related energy use, are expected to be reduced for the golf course as compared to potable water obtained from the Palos Verdes water system that will service the residences and clubhouse. As a measure of

conservatism in the analysis, no reductions were taken in the GHG calculations to account for this energy saver.

Lastly, the amount of water that can be used indoors and outdoors at buildings; and for irrigation of the golf course and would be determined during plan-check according to the GBSC and MWEL0 as discussed previously in this responses.

**HA-c8:** The commenter provides closing remarks. No response is required.

**Figure 11.1** Governor's Myth vs. Fact Sheet Regarding the 2010 GBSC

## **Myth vs. Fact: Setting the Record Straight On 2010 California Green Building Standards Code**

*As the nation's first statewide mandatory green-building standard code, the 2010 California Green Building Standards Code establishes mandatory regulations that will achieve major reductions in greenhouse gas emissions, energy consumption, and water. These provisions of the new CALGREEN Code will now become the baseline of regulated green construction practices in the country's most populous state.*

### **Here are the facts:**

*MYTH 1: "The 2010 Green Building Standards Code is not stringent enough to make a difference in the climate change efforts."*

- **FACT 1:** The California Air Resources Board estimates that the mandatory provisions will reduce greenhouse gas emissions (CO<sub>2</sub> equivalent) by 3 million metric tons in 2020. Additionally, the provisions will reduce water use by 20 percent and divert 50 percent of construction waste from landfills.

*MYTH 2: "Local jurisdictions do not have the technical expertise to verify whether builders are complying with the Green Building Code."*

- **FACT 2:** The code will utilize the long-standing, successful enforcement infrastructure that the state has established to enforce its health, safety, fire, energy, and structural building codes making verification of the Green Code for local building inspectors a simple transition. Unlike many private green building certification programs, the CALGREEN Code will not require businesses or property owners to pay additional fees for certification. Additionally, the CALGREEN Code requires field inspections to ensure compliance.

*MYTH 3: "California's CALGREEN label and the tier structures will create market confusion with other third party verification systems."*

- **FACT 3:** The CALGREEN Code is a moniker to distinguish California's many other Building Codes from the California Green Building Standards Code. The tier structure was developed by the Commission to promote market continuity. Having a mandatory code with a tier structure in place will allow California's builders to build to a certifiable green standard without having to pay costly fees for third-party programs.

*MYTH 4: "The new code will significantly impact California cities' own green building programs."*

- **FACT 4:** The Code sets a sensible floor that all new structures must meet to significantly minimize the state's overall carbon output. Each individual local jurisdiction retains the administrative authority to decide what is best for their communities while meeting the mandatory provisions in the new Green Code. They are encouraged to take additional actions to green their buildings that will reduce greenhouse gas emissions, improve energy efficiency and conserve our natural resources.

**LETTER FROM: PALOS VERDES PENINSULA HOESMENS ASSOCIATION, BRIGID JOYCE, ESQ.,  
CAUFIELD & JAMES, LLP**

**From:** Brigid Joyce [mailto:brigid@caufieldjames.com]  
**Sent:** Wednesday, August 04, 2010 3:19 PM  
**To:** Niki Cutler  
**Cc:** Jeff Caufield; John Golembesky; Ken James; Melanie Wright  
**Subject:** Chandler Ranch - Recirculated Portions of the Draft EIR - PVPHA Comment Letter

Dear Ms. Cutler,

Attached, please find the Palos Verdes Peninsula Horsemen's Association's comments to the Recirculated Portions of the Draft EIR.

HA-d1

Please let me know if you have any trouble opening the PDF. A copy has also been mailed.

Thanks,  
Brigid

Brigid Joyce, Esq.  
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August 4, 2010

**Via E-mail and U.S. Mail**

Ms. Niki Cutler, AICP  
Principal Planner  
City of Rolling Hills Estates  
4045 Palos Verdes Drive North  
Rolling Hills Estates, CA 90274  
E-mail: niki@ci.rolling-hills-estates.ca.us

Re: Chandler Ranch/Rolling Hills Country Club Project  
Planning Application No. 29/07

Dear Ms. Cutler:

We represent the Palos Verdes Peninsula Horsemen's Association ("PVPHA"). We hereby submit PVPHA's comments to the Recirculated Portions of the Draft Environmental Impact Report ("EIR") dated June 18, 2010.

HA-d2

On an initial note, we are disappointed that you failed to reconsider PVPHA's arguments relating to the Horse Overlay Zone and the trail that is part of the General Plan in the Recirculated Portions of the Draft EIR. The Project as contemplated gives the Applicant complete discretion as to whether to include horse trails in the Project site. As stated in the Mitigation Measure LU-1, "[t]he exact location and alignment of such a trail would be subject to review to address safety concerns of equestrians *and be designed in a way so as not to impede the primary (golf course) recreational use of the project site.*" (Emphasis added). This is, in effect, no mitigation measure at all. Horse trails have a clear and significant effect on the historic use of the community of the City and the Project site. PVPHA urges the City not to remove the Project from the Horse Overlay, and to require that the Applicant include the trail that is part of the General Plan. Again, we reiterate our argument that the Applicant must be required to include a reasonable mitigation measure in the EIR relating to the Horse Overlay Zone.

HA-d3

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In addition, the issues raised in the comments submitted by James T. Wells, PhD, PG on the hydrological impacts have not been fully addressed, nor has the potential effect and mitigation of greenhouse gas emissions.<sup>1</sup> Please see the analysis below.

HA-d4

Our comments on the Recirculated Portions of the Draft EIR are as follows:

**The Draft EIR and Recirculated Portions of the Draft EIR Do Not Sufficiently Address Wetlands**

Applicant acknowledges in the Recirculated Portions of the Draft EIR that there is an emergent wetland on the Project Site included in .3444 acres of what may be jurisdictional waters of the United States. Applicant further contends that its expert, ECORP, has concluded that the wetland is not within the jurisdiction of the United States Army Corps of Engineers' jurisdiction. If within USACE's jurisdiction, Applicant would be required to get a permit before proceeding with the Project.

Under USACE regulations, wetlands are defined as areas that are "inundated or saturated by surface or ground water at a frequency and duration sufficient to support" hydrophytic vegetation (i.e., vegetation typically adapted for life in saturated soil). Such wetlands include swamps, marshes, bogs, and similar areas. 33 CFR §328.3(b).

HA-d5

A wetlands delineation to determine potential Corps jurisdiction is usually completed by a qualified consultant retained by the applicant. The delineation is then presented to the Corps for confirmation and approval.<sup>2</sup> The courts usually defer to Corps' decisions on the presence and scope of wetlands. See *New Hanover Township v U.S. Army Corps of Eng'rs* (ED Pa 1992) 796 F. Supp. 180, vacated (as unripe) and remanded (3d Cir 1993) 992 F2d 470.

Here, on page 3.3-5, ECORP's conclusion is summarized as: "ECORP also concluded that the project site does not contain any waters of the U.S. subject to the jurisdiction of the U.S. Army Corps of Engineers, because the onsite features do not have a hydrologic surface connection to a traditional navigable water."

Under *Rapanos v. U.S.*, 547 U.S. 715 (2006), there are two possible tests to determine jurisdiction – Scalia plurality's continuous surface connection test for adjacent wetlands (*Id.* at 742), and Justice Kennedy's "significant nexus test" in his concurring opinion. Federal appeals circuits have disagreed on which of these tests was adopted by the Court.

<sup>1</sup> The California Court of Appeal recently rejected an Environmental Impact Report ("EIR") evaluating the potential expansion of an oil refinery on the grounds that the EIR failed to quantify the greenhouse gas (GHG) emissions created by the refinery's expansion, and identify specific mitigation for those impacts. *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70.

<sup>2</sup> In this instance, it appears that because the Department of Fish and Game failed to process the Applicant's application for a lake or streambed agreement, the Applicant can go ahead and proceed with the Project without one. There is no claim, however, that USACE has provided any approvals.

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The Ninth Circuit's interpretation of Rapanos adopts the significant nexus test from Kennedy's concurrence in Rapanos as the controlling rule of law on the scope of CWA "navigable waters." Northern California River Watch v. City of Healdsburg, 496 F.3d 993 (9th Cir. 2007). Under Kennedy's test, wetlands will be found to be "navigable waters," "if the wetlands, either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical, and biological integrity of other waters more readily understood as 'navigable.'" Rapanos, supra, 547 U.S. at 780. Therefore, the Applicant should reevaluate the wetlands to see if they are jurisdictional under the test adopted in the Ninth Circuit.

HA-d5  
 (cont.)

Further, there is no indication that the Applicant requested or was given confirmation and approval by the USACE. Finally, PVPHA is informed and believes and thereon alleges that there is a body of water which may constitute a "wetland" in the top left quadrant of the Project site near the border to the left of Saddle View Road. To the extent there is a wetland at this location which has not been identified, the Draft EIR and Recirculated Portions of the Draft EIR are insufficient.

#### **The Project is Inconsistent with the General Plan**

The Project as described in the Draft EIR and Recirculated Portions of the Draft EIR is inconsistent with the General Plan of the City of Rolling Hills Estates. All cities are required to adopt a general plan for the physical development of their land. Gov. Code §65300. The general plan functions as a "constitution for all future developments," and the land use decisions must be consistent with the General Plan. See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 570.

Here, the City's General Plan states the following:

#### **Section 2 Land Use Elements – Land Use Goals and Policies:**

##### **Issue: Future Development**

With the City almost completely urbanized, opportunities for new development are limited to scattered undeveloped lots and several key landholdings. Future development should be targeted at enhancing of the environment and the elimination of incompatible uses. The City is also concerned that future development not compromise the existing character of the community.

**Goal 1**        Ensure that future development in the City is compatible with the existing character of the City and that this development will be sensitive to the local environment.

**Policy 1.1**    Development that does not preserve and enhance the quality of the local environment will be discouraged.

HA-d6

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**Issue: Residential Areas**

The City of Rolling Hills Estates is largely developed in residential land uses containing a variety of housing types at varied densities. The lower density residential character of the Peninsula has provided residents with a satisfying and desirable community. The quality of the living environment should be maintained through the development standards as provided for under the General Plan's Land Use Policy.

**Goal 2** Growth in the City shall be limited ,and the objective of future planning shall be directed towards preserving low density and the rural character of the City.

Section 2 further includes:

**Policy 5.2** Ensure that future development in the Quarry area is compatible with low density residential developments surrounding it. The following guidelines will be adhered to when considering future development of the Quarry:

HA-d6  
(cont.)

Chandler Trust property should be maintained as 1 unit/5 acres.

The certified compacted portion of the quarry should be designated as Very Low Density Residential (zoned RAE 1 house/acre) with an "H" Overlay.

The Project here is completely inconsistent with the General Plan as it seeks the construction of cluster "Mediterranean" housing which does not preserve the aesthetic character of the City or the desire to maintain lower density residential housing areas.

In specific relation to the removal of the Project from the Horse Overlay Zone, Section 6.3 of the General Plan acknowledges:

The majority of the City is located within an equestrian overlay zone, and interest in preserving the equestrian character of portions of the community remains strong. As a result, many of the recreational facilities in the community are directed towards equestrian users . . . The entire City is linked by a system of trails that are used by equestrians, hikers, and bicyclists. These facilities will be maintained and new trails developed over the life of this General Plan.

Section 2 - Land Use Elements includes:

**Policy 8.3** Where appropriate all residential neighborhoods should be connected by multi-use recreational trails.

HA-d7

Any open space that remains within the Project site will be for private and not public use, including the areas that are currently in the Horse Overlay Zone. This runs afoul of the Open

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Space and Recreation Element of the General Plan as well. Section 6.1 of the General Plan states:

The preservation of open space is necessary for the enjoyment of outdoor recreation, the protection of public safety, and the preservation of important natural resources. As a limited and valuable resource in the City, open space areas must be preserved in spite of development pressures for urban land uses. Likewise, parks and other public recreation areas require protection from development pressures.

HA-d7  
 (cont.)

It is clear that the City of Rolling Hills Estates' General Plan is written to preserve the rural nature of the community. Should the City of Rolling Hills Estates allow this development to proceed, it will lose approximately 225.5 acres of rural open space. The Project as proposed is inconsistent with various sections of the General Plan of the City and is clearly not in the best interest of the community as a whole. Instead, the Project benefits only a small group of private citizens to the detriment of the rest of the community. As such, the Draft EIR must fail as the impacts here are significant and unmitigable.

**The Project Does Not Contain an Adequate Greenhouse Gas Emissions and Global Warming Analysis**

The Draft EIR and Recirculated Portions of the Draft EIR do not adequately address global warming and greenhouse gas emissions ("GHG"). The following mitigation measures should be analyzed:

- i) Meet recognized green building and energy efficiency bench marks. For example, an ENERGY STAR-qualified building uses less energy, is less expensive to operate, and causes fewer greenhouse gas emission than comparable, conventional buildings. (see, [http://www.energystar.gov/index.cfm?c=business.bus\\_index](http://www.energystar.gov/index.cfm?c=business.bus_index).)
- ii) Install energy efficient lighting (e.g., light emitting diodes (LEDs)), heating and cooling systems, appliances, equipment, and control systems.
- iii) Use passive solar design, (e.g., orient buildings and landscape to maximize passive solar heating during cool seasons, minimize solar heat gain during hot seasons, and enhance natural ventilation). Design buildings to take advantage of sunlight.
- iv) Install light colored "cool" roofs and cool pavements.
- v) Reduce unnecessary outdoor lighting.
- vi) Meet "reach" goals for building energy efficiency and renewable energy use. A "zero net energy" building combines building energy efficiency and renewable energy generation so that, on an annual basis, any purchases of electricity or natural gas are offset by clean, renewable energy generation, either on-site or nearby. Both the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC) have stated that residential buildings should be zero net energy by 2020, and commercial buildings by 2030. See CEC, 2009 Integrated Energy Policy Report (Dec. 2009) at p. 226, available at <http://www.energy.ca.gov/2009publications/CEC-100-2009-003/CEC-100-2009-003-CMF.PDF> ; CPUC, Long Term Energy Efficiency Strategic Plan (Sept. 2008), available at <http://www.cpuc.ca.gov/PUC/energy/Energy+Efficiency/eesp/>

HA-d8

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- vii) Install solar systems and solar hot water heaters. Install solar panels on unused roof and ground space and over carports and parking areas. Where solar systems cannot feasibly be incorporated into the project at the outset, build "solar ready" structures.
- viii) Include energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use.

HA-d8  
 (cont.)

This section of the Draft EIR must be revised to incorporate realistic assumptions concerning the GHG emissions from vehicle trips related to the waste that would be disposed elsewhere if the Chandler Landfill were closed. In addition, it needs to further analyze mitigation measures because this Project will certainly have a significant environmental impact with GHG emissions.

**Groundwater**

Dr. Well's comments to the initial Draft EIR were not sufficiently taken into consideration in the Recirculated Portions of the Draft EIR. In particular, while the Recirculated Portions of the Draft EIR contemplate an infiltration system to deal with the depletion of groundwater, there have been no measures to address subsurface contamination as raised by Dr. Well. The property contains a waste landfill, abandoned oil wells, and oil field sumps. As proposed, the Applicant will simply build homes and other structures on top of the subsurface contamination rather than removing or remediating it. As advised by Dr. Wells, it would be prudent to conduct a more thorough subsurface investigation to identify the nature and extent of the subsurface contamination along with the potential necessity of soil and/or groundwater remediation.

HA-d9

**Cultural Resources**

Policy 5.2 of the General Plan provides that Cultural Overlay should be designated on the property to protect any cultural resources that may be present on the site. 3.8.5 of the Rolling Hills General Plan Overlay Designations provides:

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

HA-d10

The Draft EIR fails to adequately address cultural artifacts and resources. A large prehistoric deposit has been located adjacent to the Chandler Ranch/Rolling Hills Project area. The deposit, CA-LAN-3863, has a wide variety of Native-American artifacts dating back to 3,000 B.C. This could very well include human remains. Given the proximity of CA-LAN-276 to CA-LAN-3863, it is entirely possible that artifacts for these two sites are continuous with one another. If so, impact to the archaeological record must be considered as a whole as the destruction of the CA-LAN-276 could directly diminish the integrity of CA-LAN-3863.

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While the Recirculated Portions of the Draft EIR do recognize this deposit, we contend that greater care must be taken with respect to the Project site as detailed in Carl P. Lipo's letter regarding the insufficiency of the "mitigation" measures proposed.

HA-d10  
(cont.)

**Density, Cluster Housing and Aesthetics**

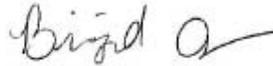
The Applicant is seeking approval of Residential Planned Development (RPD) zoning designation for the housing portion of development. The project area will be changed from its current zoning of Very Low Density Residential (max of 1 dwelling unit per acre) and Low Density Residential (2 dwelling units per acre). This change will allow for cluster housing. The increase in open space by clustering the homes will be used as a golf course and will be private. This is not the type of open space that is beneficial to the community. In addition, the proposed housing is not within the aesthetics of the community. The Applicant seeks to build "Mediterranean" type housing while the current aesthetic is ranch style. In essence, the Project Applicant has made no efforts whatsoever to design the project to fit in with the aesthetics of the community.

HA-d11

This proposal is totally inconsistent with the General Plan sections outlined above, and as such, it should have been considered in the Recirculated Portions of the Draft EIR.

HA-d12

Sincerely,



Brigid Joyce, Esq.  
CAUFIELD & JAMES, LLP

cc: Palos Verdes Peninsula Horsemen's Association

## RESPONSES

**HA-d1:** The transmittal is noted. No response is required.

**HA-d2:** The commenter provides opening remarks. No response is required.

**HA-d3:** The commenter's position regarding the proposed removal of the site from the City's Horse Overlay Zone is noted. The applicant as applied for a zone change to remove the Horse Overlay Designation from the project site (except lot 114), which is a discretionary decision to be decided in a public forum by the Rolling Hills Estates City Council. See also Topical Response 1 and response to comment HA-a3.

See response to comment HA-a5 in regards to Mitigation Measure LU-1.

**HA-d4:** The commenter introduces several alleged inadequacies of the Draft EIR, which are detailed in later paragraphs of the comment letter. Corresponding responses are provided below. See responses to comments HA-b1 through HA-b6 in regards to the comments submitted by James T. Wells.

**HA-d5:** See response to comment HA-7. None of the drainage and/or water features on the project site pass either the significant nexus test or the surface connection test, as none of the drainage and/or water features onsite are hydrologically connected to "navigable waters". The drainage/water features onsite are within the Chandler Quarry Pit watershed, which is isolated from all other water bodies, navigable or otherwise. As such, the assertion that wetlands subject to the jurisdiction of the Army Corps of Engineers (ACOE) may be present on the site is simply not correct.

The lead agency is unaware of the alleged body of water noted by the commenter to potentially exist "in the top left quadrant of the Project site near the border to the left of Saddle View Road." In response to this vague description, the lead agency reviewed aerial photography and conducted a site visit, neither of which revealed evidence of a body of water in this location.

**HA-d6:** See Topical Responses 2 and 4, and the discussion of Impacts LU-1 and LU-2 on pages 3.8-17 and 3.8-18.

**HA-d7:** See Topical Response 1. See the discussion of Impact REC-3 for an analysis of the change in open space that would result from the proposed project. The commenter fails to acknowledge that the project site is not currently public open space. With the project, 76% of the project site would be maintained as private open space.

**HA-d8:** Mitigation Measure AQ-26 of the Recirculated Portions of the Draft EIR requires the project to utilize green building techniques, with Mitigation Measure AQ-27 providing a financial incentive for the project to implement such green building practices. To identify the green building practices that are potentially available to project proponent, and in response to this comment, Mitigation Measure AQ-26 has been revised as follows:

**MM AQ-26:** To the satisfaction of the ~~Director of Planning~~ Director, prior to the issuance of a building permit for the clubhouse or the first

residential unit, the project proponent shall identify additional green building techniques, ~~such as cool/green roofs and tankless water heaters~~, to be utilized for each of the proposed structures. To the satisfaction of the ~~Director of Planning~~ Director, the project proponent shall also quantify the reduction in greenhouse gas (GHG) pollutant emissions that would be achieved by the identified green building techniques. Potential green building techniques that shall be considered by the project proponent include but are not limited to:

- Specification/use of ENERGY-STAR qualified building materials and appliances;
- Specification/use of energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems;
- Use of passive solar design to minimize the need for artificial heating and cooling of indoor spaces;
- Use of daylighting architectural practices to take advantage of sunlight;
- Specify/install light colored cool roofs, green roofs, and/or cool pavement materials;
- Use of on-site renewable energy and/or grid-source green power; and
- Include energy storage to optimize on-site renewable energy generation systems and to avoid peak energy use.

**HA-d9:** See responses to comments HA-b1 through HA-b6 in regards to the comments submitted by James T. Wells.

**HA-d10:** See the discussion of Impact CULT-2 on pages 3.4-13 through 3.4-15 of the Recirculated Portions of the Draft EIR. CA-LAN-3863 was identified subsequent to the project archaeologist's (McKenna et al.) research and this site is outside the boundaries of the proposed project area. Regardless, the potential for such an additional site to exist in the project area was identified in the original Draft EIR and its supporting documentation; and the Recirculated Portions of the Draft EIR document specifically identified CA-LAN-3863. The fact that the site was identified by surface evidence adds credence to the potential for shallow deposits in the area, along with the reports of buried deposits.

No formal archaeological investigations have been completed at CA-LAN-3863; thus suggestions of age are premature. Likewise, the commenter's suggestion that there may be human remains at this site are premature. McKenna et al. reviewed the site form prepared for CA-LAN-3863 and determined that there is currently no evidence of human remains and the extent of the surface scatter is actually relatively sparse. Recent activities at the site, including the removal of artifacts and

the construction of rock rings, have already resulted in adverse impacts to CA-LAN-3863 that should not have occurred and are contrary to attempts to protect these resources. Further, continued horseback riding will also likely adversely affect CA-LAN-3863. Other evidence of prehistoric occupation(s) is highly likely to be identified in this area, as noted in McKenna's research. The entire Palos Verdes area is considered sensitive for significant resources. The approaches to recording, testing, and/or protecting these resources can vary from one archaeologist to another, but the goal is to adequately protect, preserve, or otherwise record the resources before they are destroyed by a proposed project or natural attrition.

In regards to site CA-LAN-276, the cultural resource technical studies clearly state that the area mapped as CA-LAN-276 was extensively tested and no evidence of the site was found. It was suggested that the site was mis-mapped (not by McKenna et al., but by the previous recorders) or already destroyed. With the identification of CA-LAN-3863, McKenna et al. suggests CA-LAN-3863 and CA-LAN-276 may, in fact, be the same site, give the proximity, and if that is the case, the protection of CA-LAN-3863 would lessen adverse impacts. The Recirculated Portions of the Draft EIR document does reference CA-LAN-3863 and does address Dr. Lipo's concerns, as deemed appropriate. See also the responses to Dr. Lipo's comments (comments CL-a1 through CL-a9 and CL-b1 through CL-b10).

The lead agency and the project archaeologist maintain that the resources have been adequately addressed – at the level needed for the EIR – and the identification of CA-LAN-3863 does not change the conclusions presented in the technical documents.

**HA-d11:** See response to comment HA-d7 and Topical Response 4.

**HA-d12:** The commenter provides closing remarks. Opinions are noted.

LETTER FROM: SIERRA CLUB, PALOS VERDES-SOUTH BAY GROUP, ANGELES CHAPTER,  
DAVID WIGGINS, CONSERVATION CHAIR AND KENT SCHWITKIS, EXECUTIVE COMMITTEE  
CHAIR



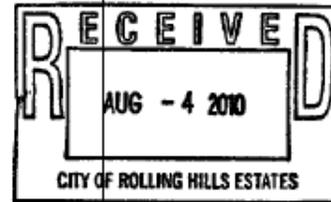
**SIERRA CLUB**  
FOUNDED 1892

Palos Verdes - South Bay Group / Angeles Chapter

*Via Hand Delivery*

August 3, 2010

Niki Cutler, AICP  
Principal Planner  
City of Rolling Hills Estates  
4045 Palos Verdes Drive North  
Rolling Hills Estates, California 90274



Re: Chandler Ranch/Rolling Hills Country Club Project  
Planning Application No. 29/07

Dear Ms. Cutler:

We are writing on behalf of the Sierra Club with comments on the April 2009 Draft Environmental Impact Report for the Proposed Chandler Ranch/Rolling Hills Country Club Project ("Draft EIR"), State Clearinghouse Number 2008011027. It is our understanding that portions of the Draft EIR are being re-circulated and therefore wish to provide comments to the report.

SC-1

The Sierra Club is a non-profit tax exempt 501(c)(3) corporation. It has over 1.3 million members and supporters, and is the oldest and largest grassroots environmental organization in the United States.

The draft EIR prepared by the Applicant has failed to properly address a number of environmental and other impacts that will occur with respect to this project.

**1. Global warming analysis**

The baseline Greenhouse Gas (GHG) emissions in the EIR are incorrect, as they assume that since the Chandler Landfill will be closed, emissions from off-site vehicle trips will be reduced to zero.

SC-2

However, if the Chandler Landfill becomes unavailable for waste disposal, its customers will then have to dump their waste elsewhere, likely further away, increasing off-site vehicle miles traveled. The increase will be directly attributable to the project, and must be included in the analysis of the environmental effects. The Draft EIR fails to provide the proper analysis of these increases because it

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improperly assumes that GHG emission increases from the project are not significant. This error leads to incorrect conclusions related to the “no project” alternative. And, the Draft EIR provides for no mitigation of these effects and fails to adequately address cumulative impacts from increased GHG emissions.

In addition, we would like the EIR to analyze the following mitigation measures:

- i) Meet recognized green building and energy efficiency bench marks. For example, an ENERGY STAR-qualified building uses less energy, is less expensive to operate, and causes fewer greenhouse gas emission than comparable, conventional buildings. (see, [http://www.energystar.gov/index.cfm?c=business.bus\\_index](http://www.energystar.gov/index.cfm?c=business.bus_index).)
- ii) Install energy efficient lighting (e.g., light emitting diodes (LEDs)), heating and cooling systems, appliances, equipment, and control systems.
- iii) Use passive solar design, e.g., orient buildings and landscape to maximize passive solar heating during cool seasons, minimize solar heat gain during hot seasons, and enhance natural ventilation. Design buildings to take advantage of sunlight.
- iv) Install light colored “cool” roofs and cool pavements.
- v) Reduce unnecessary outdoor lighting.
- vi) Meet “reach” goals for building energy efficiency and renewable energy use. A “zero net energy” building combines building energy efficiency and renewable energy generation so that, on an annual basis, any purchases of electricity or natural gas are offset by clean, renewable energy generation, either on-site or nearby. Both the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC) have stated that residential buildings should be zero net energy by 2020, and commercial buildings by 2030. See CEC, 2009 Integrated Energy Policy Report (Dec. 2009) at p. 226, available at <http://www.energy.ca.gov/2009publications/CEC-100-2009-003/CEC-100-2009-003-CMF.PDF> ; CPUC, Long Term Energy Efficiency Strategic Plan (Sept. 2008), available at <http://www.cpuc.ca.gov/PUC/energy/Energy+Efficiency/eesp/>
- vii) Install solar systems and solar hot water heaters. Install solar panels on unused roof and ground space and over carports and parking areas. Where solar systems cannot feasibly be incorporated into the project at the outset, build “solar ready” structures.

SC-2  
(cont.)

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**viii) Include energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use.**

This section of the Draft EIR must be revised to incorporate realistic assumptions concerning the GHG emissions from vehicle trips related to the waste that would be disposed elsewhere if the Chandler Landfill were closed. In addition, it needs to analyze mitigation measures because this project will certainly have a significant environmental impact with greenhouse gas emissions.

SC-2  
(cont.)

**2. Cultural Resources**

The EIR fails to adequately address cultural artifacts and resources. A large prehistoric deposit has been located adjacent to the Chandler Ranch/Rolling Hills Project area. The deposit, CA-LAN-3863, has a wide variety of Native-American artifacts dating back to 3,000 B.C. We understand that the deposit might include human remains. Given the proximity of CA-LAN-276 to CA-LAN-3863, it is entirely possible that artifacts for these two sites are continuous with one another. If so, impact to the archaeological record must be considered *as a whole* as the destruction of the CA-LAN-276 could directly diminish the integrity of CA-LAN-3863.

SC-3

At the time investigations took place with respect to the Draft EIR, CA-LAN-3863 had not been identified as a prehistoric deposit. Now that the deposit is known, the EIR must be reconsidered and revised in light of this new and critical information. We encourage you to follow the comments provided by Carl Lipo in his March 2, 2010 letter to you.

**3. Density, Cluster Housing and Aesthetics**

The Applicant is seeking approval of Residential Planned Development (RPD) zoning designation for the housing portion of development. The project area will be changed from its current zoning of Very Low Density Residential (max of 1 dwelling unit per acre) and Low Density Residential (2 dwelling units per acre). This change will allow for cluster housing. The increase in open space by clustering the homes will be used as a golf course and will be private. This is not the type of open space that is beneficial to the community.

SC-4

In addition, the proposed housing is not within the aesthetics of the community. The Applicant seeks to build "Mediterranean" type housing while the current

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aesthetic is ranch style. In essence, the project Applicant has made no efforts whatsoever to design the project to fit in with the aesthetics of the community.

Indeed the intent on building cluster housing has a direct impact on the Applicant's desire to remove the project from the Horse Overlay as described below.

SC-4  
(cont.)

**4. Changes to General Plan and Designated Trail**

The Horse Overlay District is intended to permit the keeping of horses in the preservation of one of the primary recreational activities of the city—the stabling and riding of horses. (See Municipal Code section 17.36). The Applicant has requested a general plan amendment removing the project from the Horse Overlay. Horse keeping and public trail access go hand in hand.

Removing the project from the Horse Overlay District creates a “significant land use impact,” and is being requested so that the Applicant may build more expensive houses and a larger *private* golf course to be enjoyed by only a few members of the community. The Applicant states that “... it may not be practical to establish equestrian uses and facilities within the residential portion of the project . . .” basically admitting that the number of houses that the Applicant wants to build is the reason the proposed golf course and equestrian facilities are incompatible with one another.

SC-5

The Applicant states that provisions should be made to accommodate equestrian uses through the dedication of a trail within the project site that links with other trails in the community. Despite this statement, however, the Applicant wants the City to approve the project without *any* guarantee that the impacts from the proposed change in land use will be mitigated. The Draft EIR fails to commit the Applicant to any mitigation whatsoever.

Policy 8.3 of the City's General Plan recommends that, where appropriate, all residential neighborhoods be connected by multiuse trails. (Mitigation Measure LU-1). Under Mitigation Measure LU-1, however, “[t]he exact location and alignment of such a trail would be subject to review to address safety concerns of equestrians *and be designed in a way so as not to impede the primary (golf course) recreational use of the project site.*” (Emphasis added).

The Applicant must be required to include a plausible mitigation measure in the EIR that will protect this historic and primary recreational activity of the City.

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**5. Water Quality**

The Initial Study found that project might adversely affect ground water quantity and quality.

The report provided acknowledges that the annual volume of water that percolates into the groundwater is unknown (Draft EIR at 3.7-12). There is no way to determine how the Applicant will mitigate an impact of unknown magnitude. Indeed, the associated mitigation measure (MM HYD-9) provides no basis whatsoever for assessing whether the depletion of groundwater resources will be mitigated should the project go forward.

We are also concerned with any impacts to Lake Machado which cannot handle the type of runoff associated with this project.

SC-6

**6. Impact Biological Resources.**

The Draft EIR relies on a report prepared in November 2007 by AMEC Earth & Environmental Inc. ("AMEC") with respect to the impact on biological resources. First, a new study should be completed, as the AMEC study took place two and a half years ago. The report is not current as to what biological species exist at the site and at different times of year (as some species migrate) and it should be completed in a sufficient manner to determine this.

Next, the draft EIR notes "a few small remnant patches of Coastal Sage Scrub present along the steep sided margins and bluffs of some of the Chandler Quarry's mining pits." The Applicant appears to contend that as whatever naturally occurring Coastal Sage Scrub that once existed has been destroyed, it is not a concern.

However, according to the World Wildlife Foundation, approximately 85% of the Coastal Sage Scrub has been lost, mostly to agricultural development and urban expansion. The project will destroy all of the remaining Coastal Sage Scrub on the site. Also, Coastal Sage Scrub is the natural habitat of the California Gnatcatcher, a federally-threatened species. Removing the Coastal Sage Scrub will adversely affect the habitat of the Gnatcatcher.

SC-7

P.O Box 2464 • Palos Verdes Peninsula, California 90274



Sincerely,



**David Wiggins**  
**Conservation Chair**  
**Palos Verdes-South Bay Group**  
**Sierra Club, Angeles Chapter**



**Kent Schwitkis**  
**Executive Committee Chair**  
**Palos Verdes-South Bay Group**  
**Sierra Club, Angeles Chapter**

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## RESPONSES

**SC-1:** The commenter provides opening remarks and alleges inadequacies of the Draft EIR, which are detailed in later paragraphs of the comment letter. Corresponding responses are provided below.

**SC-2:** The commenter incorrectly states that the DEIR assumes that closure of the Chandler facility will reduce emissions from off-site vehicle trips to zero. The Recirculated Portions of the DEIR assumes that off-site trips associated with the disposal of inert materials would occur elsewhere if the proposed project is implemented and the Chandler facility is closed. The commenter's assertion that closure of the Chandler facility would result in an increase in off-site vehicle miles traveled is speculative and not based on any supporting evidence. The actual distance off-site vehicles would travel to dispose of inert materials if the Chandler facility is closed is too speculative to evaluate, as it would be based on multiple unknown variables, including the individual preferences of numerous waste haulers, contractors, and property owners; the locations of countless material sources and corresponding landfills and other placement sites (e.g., construction site fills); and the tipping fees charged by various landfills.

The commenter also incorrectly states that the EIR deems the project's GHG emissions are not significant. Rather, the discussion of Impact AQ-8 in the Recirculated Portions of the DEIR (beginning on page 3.2-43) concludes that the project's GHG emissions represent a potentially significant cumulative impact. Mitigation Measures AQ-25 through AQ-27 are specifically included to reduce this impact to a less than significant level.

See also response to comment HA-d8.

**SC-3:** See response to comment HA-d10, the discussion of Impact CULT-2 on pages 3.4-13 through 3.4-15 of the Recirculated Portions of the Draft EIR, and the responses to Dr. Lipo's comments (comments CL-a1 through CL-a9 and CL-b1 through CL-b10).

**SC-4:** See responses to comments HA-d7 and HA-d11 and Topical Response 4.

**SC-5:** See Topical Responses 2 and 4, and the discussion of Impacts LU-1 and LU-2 on pages 3.8-17 and 3.8-18. See also response to comment HA-a5 in regards to Mitigation Measure LU-1.

**SC-6:** See the discussion of Impact HYD-2 on pages 3.7-36 and 3.7-37 of the Recirculated Portions of the Draft EIR for an analysis of the project's potential impact on groundwater resources. In summary, the proposed infiltration system would maintain the potential groundwater recharge capabilities of the existing site.

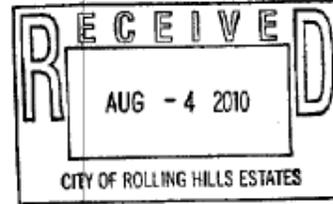
See the discussion of Impact HYD-1 on pages 3.7-28 through 3.7-36 of the Recirculated Portions of the Draft EIR for an analysis of the project's potential impact on surface water resources, including Lake Machado. In summary, the proposed project would not exceed the capacity of the downstream drainage system and would decrease the amount of pollution in storm water flows leaving the site.

**SC-7:** See response to comment HA-a6. See also the discussions of Impacts BIO-1 and BIO-2a on pages 3.3-24 through 3.3-27 of the Recirculated Portions of the Draft EIR for an analysis on the

project's potential to impact the California Coastal Gnatcatcher and the project's potential impact on coastal sage scrub habitat.

LETTER FROM: JERRY AND KATHLEEN GLIKSMAN

To: Niki Cutler - Principal Planner - City of Rolling Hills Estates  
Re: Chandler Development EIR - Recirculated Portions  
August 3, 2010



We would like to address several points in the recirculated EIR. First, we absolutely believe the City should put the Chandler Development on hold until a thorough, comprehensive study can be completed with regard to the archeological evidence of a large, prehistoric settlement on the site. The findings made could well be of vast importance to the history of the Peninsula and the Los Angeles Basin. The artifacts and possible gravesites would also be of prime importance to current tribal members and their ancestry. Considering the size of the site and the small amount of land left to develop on the Peninsula, this could well be the last chance for information of this type to ever be unearthed, particularly in such volume. We feel this opportunity should not be ignored or downplayed.

JKG-1

Second, of the alternatives offered we feel strongly, as longtime residents of Rolling Hills Estates, that Alternative 2 should be the choice of projects - if one is approved. It is the only option offered that ensures that the City will not abandon its ideals by approving the development. Our concerns with the development are for the density of the housing, the elimination of the horse overlay zone and the abandonment of the circle trail around the City. All our concerns would be able to be addressed if this were the chosen Alternative and it has the bonus of having the least effect on traffic of all but the "no project" alternative. We found that if you wade through the entire report, Alternative 2 is also the environmentally superior alternative.

JKG-2

Since the proposed style of architecture is mentioned in the report, we assume that we may comment on that also. We have never seen our City's goal of "rural residential" equated to rural Italian residential. Please demand changes in the architectural style.

JKG-3

*Kathleen Glikzman*  
*Jerry Glikzman*

Jerry and Kathleen Glikzman  
87 Dapplegray Lane RHE  
(310)325-9315

**RESPONSES**

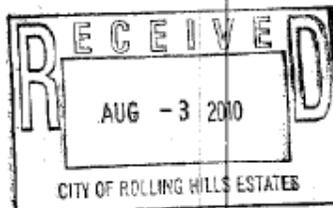
**JKG-1:** The commenter's opinions and concerns regarding cultural resources are duly noted. See Section 3.4 of the Recirculated Portions of the Draft EIR and the responses to Dr. Lipo's comments (comments CL-a1 through CL-a9 and CL-b1 through CL-b10).

**JKG-2:** The commenter's opinions and preference for Alternative 2 are duly noted.

**JKG-3:** See Topical Response 4.

## LETTER FROM: CRAIG HOLSTINE, ZACH HOLSTINE, AND MARSHA REILLY

Niki Cutler, AICP  
Principal Planner  
Rolling Hills Estates City Hall  
4045 Palos Verdes Drive North  
Rolling Hills Estates, CA 90274



**Re: Chandler Ranch / Rolling Hills Country Club Project**

I am writing to comment about the Draft Environmental Impact Report (DEIR) for the Chandler Ranch/Rolling Hills Country Club Project (Project). I want more investigation into the archeological sites before construction starts. The development might destroy significant archeological sites that are important to the knowledge about humankind in California.

I learned on the internet that a newly discovered Native American archeological site is right next to the Project and might be part of a large village inside the Project. If an archeology professor, Carl Lipo, says that largely undisturbed prehistoric sites like these are rare and could give us new information about prehistoric people, we need to check this out before bulldozing for construction.

Even though the developer agreed to look for cultural materials and human remains before and during construction, the information we could lose is so important we need to take additional steps before the bulldozers start. I understand that one of the recorded sites in the Project showed that human remains were found 8 to 15 feet underground. It looks like the developer only dug three feet below the surface based on pages 3.4-13 and 14 of the DEIR.

Archeologists say that more than 300,000 native peoples lived in Southern California before Europeans arrived. Because most of the native people died from diseases brought by the Europeans and subsequent efforts to stamp out native culture, we know very little about early American humans. Most of our chances to learn about these people have been destroyed by all the development and construction over the past century in Los Angeles.

A nearby site, Malaga Cove, has provided most of the information we have about the cultural sequence of human occupation in all of Southern California. Unfortunately, the information was gathered in the 1930's when our knowledge about how to document and preserve facts was not what it is today. There are conflicting views in the scientific world about how to interpret the information we have and whether it was properly identified. The site was lost to construction in 1955 making it impossible to use modern techniques to clear up the controversy. You can learn more about the Malaga Cove site by going to [www.vinsurance.com/projects/calan138/jan138/work/default.aspx](http://www.vinsurance.com/projects/calan138/jan138/work/default.aspx).

HR-1



## RESPONSES

**HR-1:** The commenters identify their concerns for the protection of cultural resources, which is duly noted. However, in regard to the comments about Malaga Cove, this letter repeats some misinformation and perpetuates a misunderstanding of archaeological testing methodology. Malaga Cove has been impacted, but significant archaeological resources have been protected at the Malaga Cove site and archaeologists generally agree that the site has not been destroyed. Additionally, the commenters' reference to "8 to 15 feet underground" is also not taken in context. That reference was made in the 1920s, when the entire area reflected differing topography. See also the responses to Dr. Lipo's comments (comments CL-a1 through CL-a9 and CL-b1 through CL-b10).

**LETTER FROM: CARL LIPO**

From: Carl Lipo [mailto:clipo@csulb.edu]  
Sent: Monday, August 02, 2010 1:47 PM  
To: Niki Cutler  
Subject: Comments on Re-circulated EIR for Rolling Hills/Chandler Ranch Project

Hi Niki,

Attached please find my comments on the re-circulated EIR for the Rolling Hills/Chandler Ranch Project. As I understand it, the comment period extends to August 4th. Overall, the changes are good but I am a bit concerned about the lack of detail and documentation of the assessment process that will take place for preconstruction testing project. Ive provided comments in the attached document. Please let me know if you have any questions or need any additional information.

CL-b1

Cheers,

Carl



CALIFORNIA STATE UNIVERSITY, LONG BEACH

DEPARTMENT OF ANTHROPOLOGY

Date: August 2, 2010

To: Niki Cutler, Principal Planner  
City of Rolling Hills Estates

Cc: Members of the City Council  
City of Rolling Hills Estates

From: Carl Lipo, Associate Professor  
Department of Anthropology  
California State University Long Beach

Re: Chandler Ranch/ Rolling Hills Country Club Project – Re-circulated EIR  
Statement

Thank you for the opportunity that you have created for community members to provide input for the Chandler Ranch/Rolling Hills Country Club Project. I definitely appreciate the recognition that additional attention is necessary for appropriate mitigation of the cultural resources that are part of the project area. Although previous investigations have not been successful in locating buried archaeological deposits, the historically documented buried material (including human remains) and the recently reported large prehistoric deposit on the Chandler Ranch property indicate that the project activity has a significant chance of encountering cultural resources and thus negatively impacting or even destroying intact archaeological deposits. Given the importance of prehistoric remains to our understanding of the history of the region and rarity of intact archaeological deposits in the intensively developed Los Angeles basin, it is vital that all possible precautions be taken before and during the project development process.

CL-b2

The primary change that has been made to the mitigation plan as outlined in the re-circulated cultural resources section of the EIR (Section 3.04) is the addition of a "pre-grading testing program" (section 3.4.6, MM CULT-1). As stated in the EIR, this program will be based on:

- a review of the "information contained in this EIR,"
- other available cultural resource information about the site and surrounding area,
- historical aerial photography,
- historic mapping,
- "include additional trenching."

CL-b3

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If I understand the statement in the re-circulated EIR correctly, this information will be used to develop the investigation techniques/survey methodology for the “focused pre-grading testing program.” This program will be reviewed and approved by the City of Rolling Hills Estates. While, the intent of the changes in the recirculated EIR is to insist on the gathering of additional information prior to construction, the listed measures are not detailed enough to ensure that adequate protection and investigation will be accomplished. Below I list my concerns regarding the Mitigation Measures as outlined in Section 3.4.6:

- (1) Overall, MM-CULT-1 lacks detail and the criteria for approval is unstated. Given that the previous work should have *already* incorporated these areas of research prior to their field studies, how will the City of Rolling Hills be certain that sufficient and appropriate efforts have been taken? On what basis will the plan and the results be judged? More detail should be added to outline the steps the City of Rolling Hills will take to evaluate the pre-construction testing and to identify the individuals and procedures involved in this review. Additionally, any sampling plan should be circulated among multiple experts for comment rather than the “single vendor” approach used to date.
- (2) While trenching is mentioned as being a minimal requirement, no other techniques are explored or discussed in MM-CULT-1. For example, small-hole coring (via hydraulic coring machines) might provide a better aerial coverage at deeper depths than simple linear trenches. Other possibilities include seismic sensing, magnetometry, resistivity, ground penetrating radar and conductivity. Each of these techniques can be adopted to examine the potential for near surface and deeply buried deposits, albeit with a trade-off in resolution. Best of all, they are non-destructive and permit large-area coverage. Such techniques should be evaluated for inclusion in a pre-construction testing preferably integrated into a “top-down” sampling strategy that makes use of multiple and integrated data generation. Such a strategy would begin with satellite imaging, aerial remote sensing, near surface remote sensing, coring and would eventually include trenching with each step informing the tactics necessary for the next.
  - a. It should be pointed out that the original archaeological consultants made note of the possibility that their original work was not accurately positioned. They state in an update to the state archaeological record for CA-LAN-276 that “it is also possible that the site location was mis-mapped and the actual site is present in another area.” Given that the location of the trenches were made (in the CA-LAN-276 site record update):
    - i. To only 1 meter depth -- while the remains were reported to be 8-15 feet (3 to 5 meters).
    - ii. “to avoid significant damage to the Golf Course fairway” – rather than systematic exploration of the likely paleo-landscape for buried deposits.
    - iii. based on current slopes that are a function of the golf courses and “not the natural contours for the area.”
  - b. Obviously, future work should be conducted to best evaluate the area for buried deposits as informed by an accurate reconstruction of the historic and prehistoric landscape and all appropriate techniques (not just trenching) should be put into use to make this possible.
  - c. Testing should seek to locate other aspects of the original descriptions such as the “white clay on top of original white sand covered with 8-15 of black gumbo”

CL-b3  
(cont.)

CL-b4

CL-b5

- (3) One of the primary issues that will likely be raised after pre-construction tests have been completed is whether these tests were extensive enough and if they went deep enough to detect extant deposits. In order to mitigate this situation, I recommend that the MM-CULT-1:

- a. Details about the land leveling and grading activities planned in the project should be made available to the City and the groups responsible for developing and evaluating a pre-construct testing plan. A map of the areas in which land-leveling/excavation will take place with approximate depths will ensure that any subsurface testing is conducted deep enough to minimize the risk of intact deposits being disturbed during construction.
- b. The pre-construction project must include whatever techniques are necessary to reach the depths expected for construction and for a comprehensive spatial coverage to be included. These techniques might include borehole testing, long-amplitude GPR, seismic and other means for gaining knowledge about deeply buried landscapes.

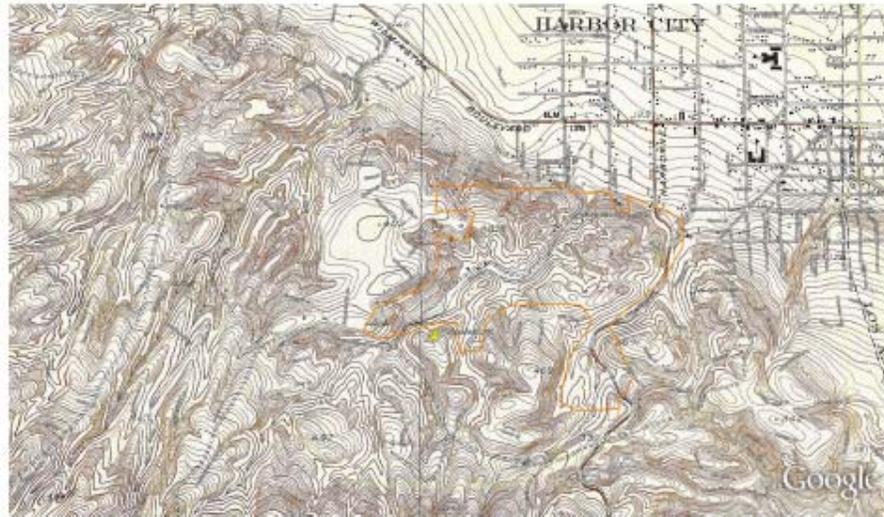
CL-b6

- (4) It appears that previous studies did not include exhaustive (or any) use of historical imagery and maps to help locate areas for sub-surface testing. There are many such sources of imagery in southern California with major collections held at UCLA, UCSB as well as various city, state, regional and federal agencies. Examples include historic 15' and 7.5' USGS quadrangles, as well as local city property records. Any such maps and/or imagery dating to before the construction of the golf course could potentially have informed the initial researchers on the location of the historically-documented buried deposit. For example, aerial photographs stored at UCSB include flights over the project area and that document the pre-golf course landscape:

- a. 1927: [http://collections.alexandria.ucsb.edu/ap/indexes/c113/c-113\\_1.jpg](http://collections.alexandria.ucsb.edu/ap/indexes/c113/c-113_1.jpg)
- b. 1928: [http://collections.alexandria.ucsb.edu/ap/indexes/c300/c-300\\_m.jpg](http://collections.alexandria.ucsb.edu/ap/indexes/c300/c-300_m.jpg)
- c. 1963: <http://collections.alexandria.ucsb.edu/ap/indexes/pai230v1/pai-230v-1.jpg>
- d. 1967: [http://collections.alexandria.ucsb.edu/ap/indexes/pai274v12/pai-274v-12\\_1.jpg](http://collections.alexandria.ucsb.edu/ap/indexes/pai274v12/pai-274v-12_1.jpg)
- e. 1967: [http://collections.alexandria.ucsb.edu/ap/indexes/pai274v12/pai-274v-12\\_2.jpg](http://collections.alexandria.ucsb.edu/ap/indexes/pai274v12/pai-274v-12_2.jpg)
- f. 1928: [http://www.alexandria.ucsb.edu/6min\\_los\\_angeles\\_county/](http://www.alexandria.ucsb.edu/6min_los_angeles_county/) (6' Los Angeles county topographic maps). In specific, the 1928 6' quadrangle for San Pedro should be studied as it puts the "flat hill" subs

CL-b7

The detailed study of these and other sources of aerial images and maps should provide invaluable information as to potential locations of now-buried deposits. One obvious focus of research should be documents related to Chandler Ranch – perhaps held by the Palos Verde Land Conservancy, a group that oversees the Chandler Ranch property just south of the project area. Given the importance of correlating the historically noted location of buried deposits with the modern landscape, it is vital that emphasis be placed on the use of historic maps and aerial photographs.



1928 6' Topographic Map of Project Area. Note the existing of land features no longer visible in present day. Compare with modern topography below. Note locations of buildings likely related to the "Chandler Ranch" and several locations for the "bench-like terrace" as describe by the 1960 site record for LAN-276.



Modern topography of Project area (From Google Maps). The area outlined in yellow is the project area.



An example of analysis possible with historic data. Based on 1928 topographic map and current terrain, areas that appear to be intact and potentially having extant deposits are shown in red. The use of additional historic maps and aerial photographs will certainly contribute to a better, more targeted focus for pre-construction testing.

- (5) MM-CULT-1 makes a puzzling claim that “Using a current and standard approach to trenching, the program can provide up to a 3% sample of the area tested - thereby protecting up to 97% of any resources that might be present.” This is a false claim simply because it is not clear what, if anything, the 3% is a fraction of. Since we have no knowledge about buried deposits, it is not possible to determine the *a priori* extent of the cultural deposit. Fundamentally, it was this false notion that was the basis upon which the original cultural resource study is inadequate: without surface expression, no amount of trenching will result in a “sample” of the deposit. Additionally, the determination of representativeness of a sample relative to the entire population requires some knowledge of the distribution of the sample. If an archaeological deposit were homogenously distributed in an area, then any subsample of that space could provide insight into the rest of the area. However, we have no reason to believe that the buried deposit(s) are homogenously distributed across any sub area of the project area. As a result, the 3% sample to represent the remaining 97% is a wishful fiction that provides no assurance at all that extant deposits will be detected and protected. In order to address this deficiency, inexpensive and non-invasive remote sensing techniques (as described earlier) can be used to generate information about the potential landscape to have buried ancient surfaces that contain prehistoric deposits. These techniques should be employed to provide information about subsequent subsurface sampling.
- (6) To a significant extent no amount of “testing” will completely rule out the potential for unexpected buried deposits. Monitoring is ordinarily employed to “mitigate” this possibility though once remains are found it is often too late to preserve them. Thus, the most effective way of evaluating subsurface deposits is to develop a plan in which

CL-b8

CL-b9

archaeological studies (in areas identified through remote sensing) are conducted as part of the construction process. This simply means working with construction for "controlled excavation" and land-leveling to reveal subsurface deposits in small increments so that any cultural resources can be mapped and collected before further layers are removed by earth moving equipment. Plowing of surfaces has been shown to produce excellent information about sub-surfaces while preserving spatial information. In this way, construction could continue while maximizing data generation of any extant cultural resources. The effectiveness and efficiency of this approach requires a good understanding of the landscape history and the potential for buried ancient surfaces that might contain cultural resources (as described elsewhere).

CL-b9  
(cont.)

Overall, it is my professional judgment that the portions of the re-circulated EIR related to the mitigation of cultural resources needs to be expanded in order to provide more detail and guidance. Thus, I recommend that the details of the cultural resource impact and mitigation plan be revisited. At your convenience, I would be happy to discuss these issues with you and your staff.

CL-b10

Sincerely,



Carl P. Lipo  
Department of Anthropology  
California State University Long Beach  
[clipo@csulb.edu](mailto:clipo@csulb.edu)  
562-985-2393

## RESPONSES

**CL-b1:** The transmittal is noted. No response is required.

**CL-b2:** The commenter provides opening remarks. Opinions and statements are duly noted. No response is required.

**CL-b3:** MM CULT-1 was amended to provide additional detail. See response to comment CL-b8, below. However, approaches to archaeological investigations differ considerably from one professional to another and the mitigation measure provides for flexibility in the approach to addressing the project area prior to any demolition and/or construction-related activities. MM CULT-1 requires that the investigations and monitoring be conducted by a Registered Professional Archaeologist (RPA) or a trained monitor working under the direct supervision of an RPA. The required involvement of an RPA ensures that investigations onsite follow an appropriate standard of performance.

**CL-b4:** The commenter's suggestions for possible additional investigation techniques to be considered for future investigation onsite are duly noted. See response to comment CL-a3 for the applicability and appropriateness of such techniques. See also response to comment CL-b3 regarding allowing for professional flexibility in the approach to investigation. Again, the exact nature of the approach to the pre-project investigations is not needed at this time, but can be defined through consultation with professional archaeologists and the various Native American representatives as the time for approvals grows nearer.

**CL-b5:** The commenter misunderstood the comments in the McKenna report. McKenna et al. was not suggesting the testing was conducted in the wrong location or that the crew was at the wrong location. UTM coordinates were provided through site records and data obtained from the South Central Coastal Information Center. These locations were relocated through the use of a GPS system and those locations (larger than originally mapped) were tested. When no archaeological deposits were found, it was suggested the UTM coordinates on the site forms were wrong or the site was already destroyed.

Again, the relative depth of the testing was done to ascertain whether there was evidence of the site. When True recorded the sites, he based his original evidence on surface finds. While doing additional studies, he noted deep deposits (8-15 feet below surface). Few notes were available for comparison, but not all sites yielded such depth of deposits. With the changes in ground elevations, his references are relative and cannot be used to address the current studies without accounting for the significant changes in the local topography. McKenna et al. stands by the depth of the testing conducted during the more recent investigations.

References to avoiding unnecessary impacts to the fairway were with respect to the placing of backdirt on boards and limiting unnecessary activities. The investigation accurately tested the reported site locations and adequately sampled the areas with minimal disturbances, as McKenna et al. attempt to do in all circumstances, not just golf courses.

The future testing is not limited to trenching and the additional testing and monitoring would certainly help in identifying any cultural deposits that may still be present within the project area. Again, MM CULT-1 provides for some level of professional flexibility (while still ensuring the

appropriate level of investigation is conducted) to allow the selected archeologist to utilize the most appropriate methods in his/her view.

**CL-b6:** In implementing MM CULT-1, additional approaches can certainly be considered for future testing or investigations and, if shown to be beneficial, boring and/or GPR may be instituted as part of the program. Once the relative depth of the project is defined, these approaches can be considered. However, as noted in response to comment CL-a3, core samples and remote sensing techniques do not seem appropriate in this case.

**CL-b7:** The commenter incorrectly presumes that the McKenna studies did not utilize historical imagery and mapping. To the contrary, Ms. McKenna was certified as a historic archaeologist by the Society of Professional Archaeologists (SOPA) and served on the Board of S.O.P.A. for two terms. When preparing a technical report, decisions are made to address the research as deemed appropriate by the author(s). Historic maps were reviewed. McKenna et al. conducted oral interviews with knowledgeable individuals that had personal knowledge of the ground alterations within the golf course, reviewed aerial photographs provided by the applicant, and noted the extent of the alterations in the technical report. The commenter suggests that review of the aerial photographs would have resulted in a better identification of site locations. However, if UTM coordinates or “dots” on maps are in the wrong place, superimposing them on aerial photographs would provide no useful data. Of course, any additional data for analysis is useful, but the extent of research has to be defined.

The figures provided on pages 4 and 5 of the comment letter illustrate why historical mapping/aerial photography provides only limited information in this case. The figure provided on page 5 identifies locations in the general project area where current elevations are similar to historic (1928) elevations. The areas identified consist of a residential tract to the west of the project site, portions of the Chandler preserve, the dead horse canyon area, locations on the golf course, and even locations in the quarry pit. The residential tract and, clearly, the quarry have been subject to grading activities that just happen to currently have a similar surface elevation to their historic topography. Likewise, McKenna’s conversations with the operators of the Chandler facility and the golf course revealed that the entire golf course was sculpted and does not represent the original topography. Such background research conducted by McKenna revealed more valuable information than the review of historical mapping/aerial photography. That being said, McKenna did review historical mapping/aerial photography, and the information gathered from that review contributed to their analysis.

**CL-b8:** The text of the Recirculated Portions of the Draft EIR erroneously indicated that the recommended testing methodology would protect 97% of the resource. The intent of the discussion was to state that a 3% testing program would provide a significant amount of visual profiling while protecting or avoiding impacts to 97% of the area (not 97% of the resource). MM CULT-1 is revised as follows to correct the wording:

**MM CULT-1:** A full-time archaeological monitor(s) and Native American/Gabrieliño-Tongva representative(s) shall be present onsite during the demolition and grading phases of project construction, and during other construction activities that disturb soils, such as trenching for pipes and foundations. The archaeological monitor(s) must be a Registered Professional

Archaeologist (RPA) or a trained monitor working under the direct supervision of an RPA. The monitor(s) must oversee all excavations and have the ability to recognize, record, and/or recover isolated finds during the monitoring program and have the authority to halt any activities adversely impacting potentially significant cultural resources. The monitor(s) must maintain daily notes on the operations and isolated finds and maintain a detailed photographic record of the ground altering activities.

~~In addition to monitoring during grading, the archaeological monitor(s) shall conduct a focused, pre grading testing program (minimally trenching), which would ideally occur after golf play has been suspended. The monitor(s) shall review the information contained in this EIR, other available cultural resource information about the site and surrounding area (e.g., archaeological records forms), historic aerial photography, and other historic mapping, and develop the investigation techniques/survey methodology in consideration of such available information. The investigation techniques/survey methodology shall be subject to the review and approval of the City of Rolling Hills Estates and, minimally, the testing program shall include additional trenching. Using a current and standard approach to trenching, the program can provide up to a 3% sample of the area tested thereby protecting up to 97% of any resources that might be present. If resources are identified, they shall be assessed (Phase II) prior to the mass grading program.~~

In addition to the archaeological monitoring, the consulting archaeologist will conduct a focused, pre-grading testing program (i.e., minimally, a trenching program) that would be undertaken, preferably, after the golf course activities are suspended.

The archaeological consultant shall review all information contained in this EIR, other available cultural resource information regarding the project site and general area, historic aerial photographs, historic maps, and the records maintained by the Golf Course pertaining to the development of the course and, specifically, changes made to the natural contours of the property. The trenching program shall be designed to obtain a minimum of a 3% sample of the subsurface in areas identified as sensitive for buried resources. Based on the results of this testing program, any identified resource(s) shall be evaluated to determine if the resource would add significant data to the current understanding of the prehistoric use of the area.

If any discovered resource(s) would add significant data to the current understanding of the prehistoric use of the area, a Phase III (data recovery) program shall be implemented. Said Phase III

analysis shall, at a minimum, consist of a sampling no less than 10% of the area identified as the resource (as defined through the Phase II study).

If any ~~the~~ resource(s) discovered during the monitoring or testing program is determined to be of Native American origin, the Native American/Gabrieliño-Tongva representative(s) onsite will be able to assist in the completion of the monitoring program. If any evidence of human remains is uncovered, the archaeological monitor shall have the authority to shut the project down, contact the Principal Investigator, who will contact the County Coroner and Native American Heritage Commission. If the remains are declared of Native American descent, the Most Likely Descendant (MLD) will be named by the Native American Heritage Commission and consultation pertaining to the disposition of the remains will be undertaken. Activities will not commence at the site of the remains until clearance is afforded by the Coroner, Commission, Archaeological Consultant, and MLD.

For further clarification, the 3% is actually a sample size based on a model of trenching that takes into account the width of the excavation bucket times the depth of a trench times the length of a trench. For example, a 20 meter trench excavated to one meter with a 0.66 meter wide bucket would provide a 3% sample of a 20 meter by 20 meter quad. If a site area is mapped and trenched with one trench for each 20 x 20 meter quad, the resulting sample size is 3% of the subsurface (to one meter in depth). Obviously, these numbers would change, depending on the nature of the site deposits.

**CL-b9:** Again, MM CULT-1 provides for some level of professional flexibility (while still ensuring the appropriate level of investigation is conducted) to allow the selected archeologist to utilize the most appropriate methods in his/her view. See the revised MM CULT-1 outlined in response to comment CL-b8 for the requirements for discovered archaeological resources.

**CL-b10:** The commenter makes closing remarks and expresses professional opinions, which are duly noted.

**Letter From:** Gary Johnson

From: Gary Johnson [mailto:gary.johnson@ffi-hq.com]  
Sent: Tuesday, August 03, 2010 5:05 PM  
To: Niki Cutler  
Subject: Proposed Chandler Ranch Development

Hi Niki.

Although Dr. Carl Lipo's letter covers most of my concerns regarding the proposed Chandler Ranch development, I wanted to send you a brief note myself.

After discovering and recording the Thunderhawk Hill site, and gaining access to archaeological records, it became apparent to me that the "hill" and the surrounding area, including the present golf course, were part of one large prehistoric occupation site.

Thunderhawk Hill, CA-Lan-3863, is on Conservancy property and is obviously not threatened, but we are all in danger of losing potentially important and significant information about our ancient past if actions are not taken to study other areas of this site in the best and most thorough ways possible.

I'd be happy to talk with you about any issues or questions you may have.

All the best, Gary Johnson

GJ-1

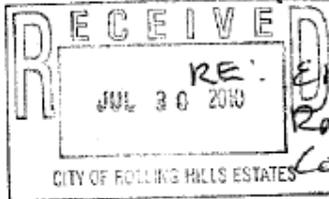
**RESPONSES**

**GJ-1:** The commenter's remarks, opinions, and concerns are duly noted. No response required.

LETTER FROM: LANNA PIAN

cc: Nil Cutler, AICP, Prince & Hanner,  
City of Rolling Hills Estates

26130 Narbonne Avenue #136  
Lomita, CA 90717  
July 29, 2010



EIR for Chandler Ranch/Rolling Hills Country Club Project

Dear City of Lomita and City Council:

As a resident of Lomita, I received the attached notice from the City of Rolling Hills Estates, regarding the Chandler Ranch/Rolling Hills Country Club Project. I have lived across the street from the proposed project site for the last 30 years. Our condominium complex of 38 units, Vista Lomita III HOA at 26130 Narbonne Avenue, is across the street from the Lomita Sheriff's Station.

LP-1

I am concerned about the impact of construction of this project not only about the noise and air quality (dirt & diesel/gasoline fumes) this project will generate during the 3 years of project construction, but also the following long-term impacts beyond the 3-year construction period:

LP-2

1. Increased traffic on Narbonne Ave south of PCH and the increased congestion at the PCH/Narbonne Avenue intersection in Lomita: The EIR lists the PCH/Narbonne Ave intersection as one of 14 intersections around the project area that will be negatively impacted. What, if any, traffic control restrictions within the City of Lomita and/or street pavement maintenance funding has the City of Lomita looked into or asked the project developers for? Can we restrict the number of diesel trucks or hours of large diesel trucks using Narbonne Ave by either banning through traffic of diesel trucks on south Narbonne Ave during certain hours (e.g. no commercial trucks before 7 AM and after 5 PM). I noticed that on Crenshaw Blvd in Rolling Hills Estates, they ban large trucks between Silver Spur and Palos Verdes Dr. North—partly due to the runaway truck hazard and fatal car accidents. Currently, there are large boulders lining the north bound lane of PV Drive East/Narbonne Ave "curve" where cars have flipped over going up and down Narbonne Ave in back of our condominium building & the MWD station/easement?. On two past occasions, vehicles have crashed into our masonry/wood perimeter fence & tree when they failed to negotiate the "curve". A more substantial traffic safety barrier may be needed at the curve—guard rails or more & larger boulders to stop any runaways or flipping vehicles. There needs to be improved safety, warning signage before or at the "curve"—"Warning—merging driveway traffic—reduce speed—through traffic keep in left lane"—etc. Who is going to pay for the additional maintenance expense on Lomita streets due to construction traffic and increased long-term traffic? 114 new homes with generate more vehicle trips locally in the long run.

LP-3

LP-4

LP-5

LP-6

2. Residents & pedestrian safety on Narbonne Ave. between project area to PCH intersection: This is a very long block with no controlled, safe pedestrian crossings until you get to the traffic light at PCH. With the increased traffic both short-term and long-term, unless there are some safety provisions made, there are bound to be more accidents and injuries. As it is now, just

LP-7

getting out of our driveway at our condominium complex can be dangerous because the uncontrolled traffic is speeding down the hill north of us to Pacific Coast Highway during commuting hours. I often see kids and others trying to cross Narbonne in the middle of that long block. There needs to be a plan to reduce the speed of traffic and to restrict the amount of commercial through traffic in residential neighborhoods. Ideally, I would like to see all commercial trucks, except local deliveries to residents within the block be banned on Narbonne Ave between the City border and PCH.

LP-7  
(cont.)

Since the health & safety of Lomita residents & the condition of Lomita streets will be impacted by both the short- term and long- term construction and traffic implications of the Chandler Ranch Project in the City of Rolling Hills Estates/Torrance, I hope the City of Lomita is at the table when Project Mitigation Measures are proposed and funded. It is easier to plan to prevent or to minimize negative impacts than to later try to take corrective action after the " horse is out of the barn"!

LP-8

I hope the City of Lomita is monitoring both the positive and the negative impacts the Chandler Ranch Project will have on Lomita residents and the potentially the City budget of Lomita.

Sincerely,



Lanna Pian, Lomita resident

cc: Vista Lomita III HOA, Topnotch Property Management Co., City of Rolling Hills Estates

## RESPONSES

**LP-1:** The commenter provides opening remarks. No response required.

**LP-2:** The commenter's concern for noise and air quality impacts are duly noted.

**LP-3:** As noted in the Draft EIR, the project will be responsible for providing a second northbound left turn lane on Narbonne Avenue at Pacific Coast Highway, which will offset the project's traffic impact on the intersection and on Narbonne Avenue south of Pacific Coast Highway. It should also be noted that 12, not 14 intersections were studied, and that the project is responsible for mitigation measures that will off-set the project's impact at eight of the intersections. The net increase/decrease in project traffic at the four other intersections will be minimal and is not likely to be noticed.

Cities are ultimately responsible for the maintenance of their public streets, and cannot charge a particular user for street maintenance, no matter how many vehicles they may add to traffic, as long as the vehicles are street-legal.

**LP-4:** The City of Rolling Hills Estates requires that a construction management plan be prepared for the project that will address the proper truck haul routes to be used during project construction. The plan will be coordinated with the City of Lomita. As required by law, the haul route will follow the most direct route to the closest legal truck route, with due consideration for steep grades. The hours of operation and frequency of truck trips will also be part of the plan.

Regarding the long-term impacts, the proposed project would generate far fewer trucks on Narbonne Avenue than the existing Chandler facility does. While cities have the authority to determine whether or not a particular street is a designated truck route, the project's responsibility and authority are limited to the construction management plan.

**LP-5:** The commenter notes existing safety concerns and suggests potential improvements for the City of Lomita to consider. Such concerns and suggested improvements are duly noted by the lead agency (City of Rolling Hills Estates) and have been forwarded to the City of Lomita. Correcting existing conditions is not the responsibility of the project. Nonetheless, the proposed project is expected to result in improved safety conditions due to the elimination of Chandler facility-related heavy truck trips on Palos Verdes Drive East/Narbonne Avenue.

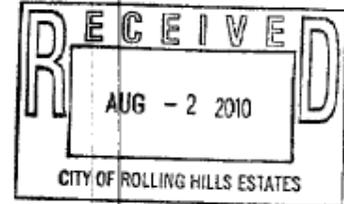
**LP-6:** See the response to comment LP-3. It should also be noted that the Draft EIR and corresponding traffic study accounted for all future trips the 114 new homes and golf facility are anticipated to generate, both regionally and locally, and in the short-term and the long-term.

**LP-7:** See response to comment LP-5 regarding safety concerns. See also response to comment LP-4 regarding the reduction in truck trips that would result from the proposed project.

**LP-8:** The commenter provides closing remarks. Requests and concerns are duly noted. No response required.

## LETTER FROM: DIANNE AND DONAVAN WHITE

Niki Cutler, AICP  
Principal Planner  
Rolling Hills Estates City Hall  
4045 Palos Verdes Drive North  
Rolling Hills Estates, CA 90274



**Re: Chandler Ranch / Rolling Hills Country Club Project**

I am writing to comment about the Draft Environmental Impact Report (DEIR) for the Chandler Ranch/Rolling Hills Country Club Project (Project). I want more investigation into the archeological sites before construction starts. The development might destroy significant archeological sites that are important to the knowledge about humankind in California.

I learned on the internet that a newly discovered Native American archeological site is right next to the Project and might be part of a large village inside the Project. If an archeology professor, Carl Lipo, says that largely undisturbed prehistoric sites like these are rare and could give us new information about prehistoric people, we need to check this out before bulldozing for construction.

Even though the developer agreed to look for cultural materials and human remains before and during construction, the information we could lose is so important we need to take additional steps before the bulldozers start. I understand that one of the recorded sites in the Project showed that human remains were found 8 to 15 feet underground. It looks like the developer only dug three feet below the surface based on pages 3.4-13 and 14 of the DEIR.

Archeologists say that more than 300,000 native peoples lived in Southern California before Europeans arrived. Because most of the native people died from diseases brought by the Europeans and subsequent efforts to stamp out native culture, we know very little about early American humans. Most of our chances to learn about these people have been destroyed by all the development and construction over the past century in Los Angeles.

A nearby site, Malaga Cove, has provided most of the information we have about the cultural sequence of human occupation in all of Southern California. Unfortunately, the information was gathered in the 1930's when our knowledge about how to document and preserve facts was not what it is today. There are conflicting views in the scientific world about how to interpret the information we have and whether it was properly identified. The site was lost to construction in 1955 making it impossible to use modern techniques to clear up the controversy. You can learn more about the Malaga Cove site by going to [www.vinsurance.com/projects/calan138/jan138/work/default.aspx](http://www.vinsurance.com/projects/calan138/jan138/work/default.aspx).

DW-1



**RESPONSES**

**DW-1:** See response to comment HR-1.

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