

9.0 RESPONSES TO COMMENTS

9.1 PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES THAT COMMENTED ON THE DRAFT EIR

The public review period for the Draft EIR for the Chandler Ranch/Rolling Hills Country Club Project commenced on May 1, 2009 and ended on June 30, 2009. Table 9.1 lists the persons, organizations, and public agencies that provided comments to the City of Rolling Hills Estates on the Draft EIR.

Table 9.1 Commenters on the Draft EIR		
Agency, Organization, and/or Person	Date Received	Date of Letter
Agencies and Organizations		
Bridlewood Circle Home Owners Association Russo, Mike	6/29/2009	6/25/2009
California Department of Fish and Game Chirdon, Matt	7/6/2009	7/6/2009
California Department of Fish and Game Chirdon, Matt	6/30/2009	6/30/2009
Caltrans, District 7 Alvarez, Elmer	6/25/2009	6/23/2009
City of Lomita Sugano, Gary	6/17/2009	6/16/2009
City of Rancho Palos Verdes Fox, Kit	6/24/2009	6/22/2009
City of Rolling Hills Estates Equestrian Committee Clark, Andy	6/30/2009	6/30/2009
County Sanitation Districts of Los Angeles County Frazen, Ruth	5/12/2009	5/13/2009
Dapplegray Lane Property Owners Association Retz, Kirk	6/30/2009	6/29/2009
Metropolitan Water District of Southern California Shane, Delaine	6/11/2009	6/11/2009
Native American Heritage Commission Singleton, Dave	5/28/2009	6/1/2009
Palos Verdes Peninsula Horsemen's Association Allen, Dale and Wells, James T., PhD, PG	6/29/2009	6/29/2009

Table 9.1
Commenters on the Draft EIR

Agency, Organization, and/or Person	Date Received	Date of Letter
Palos Verdes Peninsula Horsemen's Association Otten, Vic and Allen, Dale	6/30/2009	6/30/2009
Portuguese Bend Riding Club Feldman, Laura and Wolf, Lisa	6/30/2009	6/30/2009
Individuals		
Abel, Mirta	6/25/2009	6/25/2009
Arai, Stacey	6/30/2009	6/30/2009
Beachler Family	6/29/2009	no date
Beck, Lori	6/27/2009	6/27/2009
Brown, Monica	6/30/2009	6/30/2009
Deming, Steve	6/30/2009	6/30/2009
Fairchild, Kimberly	6/30/2009	6/30/2009
Fox, William	6/30/2009	6/30/2009
Gardner, Cathy & Dennis	6/30/2009	6/30/2009
Garman, Susan	6/26/2009	6/26/2009
Gerisch, Virginia	6/30/2009	6/27/2009
Gliksman, Jerry	6/30/2009	6/29/2009
Gliksman, Kathleen	6/30/2009	6/29/2009
Grech, Rachel	6/25/2009	6/25/2009
Hallstein, Shirley Lindberg	6/30/2009	no date
Hannon, Jackie	6/30/2009	6/30/2009
Harnishfeger, Bruce	6/30/2009	6/30/2009
Holmes, Liz	6/25/2009	6/25/2009
Houle, Gil and Doreen	6/29/2009	6/29/2009
Hughes, Jane	6/30/2009	6/30/2009
Jay, Darlene	6/26/2009	6/26/2009
Kappes, Sally	6/26/2009	6/26/2009
Kennedy, Don	6/30/2009	6/30/2009
Kortens, Teri	6/30/2009	6/30/2009

Table 9.1
Commenters on the Draft EIR

Agency, Organization, and/or Person	Date Received	Date of Letter
Kozachenko, Lori	6/26/2009	6/26/2009
Kroon, Carolina	6/29/2009	6/29/2009
LaRae, Donna	7/1/2009	7/1/2009
Lebental, Carole	6/25/2009	6/25/2009
Leonard, Patrice & Larsen, Robert	6/25/2009	6/25/2009
Litchfield, Joe & Jenny	6/30/2009	6/30/2009
Ludwig, Carol	6/25/2009	6/25/2009
Madden, Donna	6/30/2009	6/30/2009
Margrave, Frank	6/25/2009	6/25/2009
McGuire, Peter	6/25/2009	6/25/2009
Moody, J. Richard	6/29/2009	6/26/2009
Mooradian, Michael	6/25/2009	6/25/2009
Olney, Jane	7/13/2009	no date
O'Neil, Charlene	6/30/2009	6/30/2009
Poulin, A.J.	6/30/2009	6/30/2009
Ramstead, Julie	6/25/2009	6/25/2009
Regan, Deborah	6/27/2009	6/27/2009
Richards, Teri	6/25/2009	6/25/2009
Ryan, Madeline	6/28/2009	6/28/2009
Santiago, Jessica & Enrique	6/25/2009	6/25/2009
Saunders, Randy	6/26/2009	6/26/2009
Savitt, Cindy	6/30/2009	6/30/2009
Sawyer, Janet	7/7/2009	no date
Scott, Audrey	6/27/2009	6/27/2009
Sivert, Sandy	6/30/2009	6/30/2009
Spak, Jan	6/30/2009	6/30/2009
Strobel, Ed	6/30/2009	6/30/2009
Ulve, Wendy	6/26/2009	6/26/2009
Wieland, Melissa	6/30/2009	6/30/2009
Yarber, Sharon	6/25/2009	6/25/2009

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Commenters on the Draft EIR

Agency, Organization, and/or Person	Date Received	Date of Letter
Yule, Cindy	6/30/2009	6/30/2009
Yule, John	6/30/2009	6/30/2009

9.2 COMMENTS AND RESPONSES

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

9.2.1 TOPICAL COMMENTS AND RESPONSES

Comments regarding the following topics were submitted by multiple parties:

1. Horse Overlay Zone and Equestrian Trail
2. Compatibility of Golf and Equestrian Uses
3. Semi-Rural Character of the Community
4. Architectural Character/Neighborhood Compatibility

Responses to these topical comments are provided below.

TOPICAL RESPONSE 1: HORSE OVERLAY ZONE AND EQUESTRIAN TRAIL

The EIR acknowledges that the applicant's request to remove the project site from the Horse Overlay Zone creates a significant land use impact in that the property has continuously been designated for equestrian uses. See Impact LU-2 on pg 3.8-18 of the DEIR. The project proponent has indicated that it is not practical or feasible to establish equestrian uses and facilities within the residential portion of the project (the proposed residential lots are clustered and are not large enough to realistically permit the stabling of horses). Nevertheless, the EIR recommends 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 (MM LU-1).

The provision of a trail, such as that described in the EIR, would encourage equestrian uses in proximity to the proposed residential/golf course country club uses. Although the Horse Overlay District Designation would be removed from the project site, the actual trail would be dedicated and improved for equestrian uses and would be equally functional to equestrians with or without the Horse Overlay Zone Designation remaining over the entire project site.

While the spur/view trail required by MM LU-1 would not be functionally equivalent to the entire "Proposed Trail" identified on Exhibit 6-1 of the City's General Plan, the spur/view trail would

reduce the project's impacts on the "Proposed Trail" to a less than significant level. See the discussion of Impact REC-1 beginning on page 3.13-7 of the DEIR.

TOPICAL RESPONSE 2: COMPATIBILITY OF GOLF AND EQUESTRIAN USES

Several commenters incorrectly claim that the DEIR states that golf and equestrian uses are not compatible. The discussion of Impact LU-2 (page 3.8.18 of the DEIR) explains that while the applicant has expressed capability concerns for the two uses, "golf courses and related recreational uses are not necessarily incompatible with equestrian uses". This section of the DEIR further recognizes that "there are many examples in Los Angeles County of equestrian uses located in close proximity to golf courses." As noted above in Topical Response 1, the proposed removal of the majority of the site from the Horse Overlay Zone district (Impact LU-2) is a potentially significant land use impact of the project that requires mitigation. Thus, the EIR recommends 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 (MM LU-1).

TOPICAL RESPONSE 3: SEMI-RURAL CHARACTER OF THE COMMUNITY

The discussion of Impact AES-2, which begins on page 3.1-28 of the DEIR, analyzes the project's potential impacts on the aesthetic character of the community. The proposed project differs from some other residential developments in Rolling Hills Estates inasmuch as it does not allow horse keeping, but is rather a more traditional, luxury residential development. Similar residential development does exist in the City of Rolling Hills Estates, with an example being the adjacent development along Club View Lane, which predominately does not provide for equestrian uses. In addition, given the site's location at the northern boundary of the City of Rolling Hills Estates and adjacent to residential development in Torrance and Lomita, the majority of the surrounding neighborhoods are traditional residential development of a similar aesthetic character.

While the proposed residential lots are clustered to maximize open space/golf course land, the proposed lots are larger than typical residential lots in new developments in Los Angeles County. The proposed residential lots range in size from 8,601 ft² to 24,428 ft², with the average lot being 12,902 ft². These lot sizes are not as large as some residential lots in Rolling Hills Estates, but are not inconsistent with many residential lot sizes in the City.

It is important to note that CEQA requires a project to be analyzed against the existing conditions. Specifically, State CEQA Guidelines § 15125(a) requires that the project be evaluated against "the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced." Currently, the site exists as a quarry pit that is being utilized as an inert landfill. The conversion of this site to a golf course/residential development would not be considered a negative impact on aesthetic character.

TOPICAL RESPONSE 4: ARCHITECTURAL CHARACTER/NEIGHBORHOOD COMPATIBILITY

While some of the residential architecture in the vicinity of the project is ranch-style, other newer residences reflect different architectural styles, including Italian (Mediterranean) and Spanish California Ranch (DEIR, p. 3.1-29). The Club View Lane neighborhood, adjacent to the proposed project, contains numerous examples of Mediterranean design. Because these were constructed with City

permission, it is reasonable to conclude that they were deemed to comply with neighborhood compatibility standards. This neighborhood is the closest Rolling Hills Estates neighborhood to the proposed project and accordingly would be important in determining compatibility. Because the proposed structures are also Mediterranean, they would be objectively compatible with the existing Mediterranean Club View neighborhood residences. However, as the DEIR notes, compatibility remains a subjective judgment (DEIR, p. 3.1-19). The City Planning Commission ultimately decides whether a proposal meets the City's Neighborhood Compatibility Ordinance, and would use the information contained in this EIR to make that determination. Mitigation Measure AES-6 requires the Commission to determine whether compatibility requires that ranch style homes be incorporated into the project design.

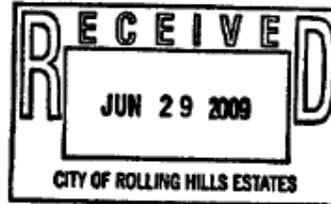
In regards to red tile roofing, the DEIR notes in both photographs and narrative that red (terra-cotta) tile roofing exists in the surrounding neighborhoods, notably on most of the residences in the Club View neighborhood. This suggests that terra-cotta tile is permitted for use in proximity to the project site.

Finally, it should be noted that the project site lies on the border between the City of Rolling Hills Estates and the City's of Torrance and Lomita and not within portions of Rolling Hills Estates where Ranch style is prominent.

9.2.2 COMMENT LETTERS AND RESPONSES

All comments on the Draft EIR submitted were 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 9.1.

LETTER FROM: BRIDLEWOOD CIRCLE HOMEOWNER'S ASSOCIATION, MIKE RUSSO,
PRESIDENT



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

25 June 2009

Subject: Chandler Ranch/Rolling Hills Country Club Project DEIR dated April 2009

Dear Ms. Cutler:

Thank you for the opportunity to contribute to this effort. As one of the closest neighbors to this development, the Bridlewood Circle Homeowners' Association supports the property improvement and conversion to residential and golf course usage and believes that the DEIR successfully addressed most of the issues and our concerns. However, we do have a few comments that we believe would enhance the project's overall neighborhood compatibility.

Our comments are delineated in the order of the issues identified in the section of the Executive Summary entitled "Areas of Controversy and Issues to be Resolved" (Page ES-53). Various entities and stakeholders who responded to the Project's Notice of Preparation (NOP) and Scoping Meetings raised these points and issues. We would appreciate consideration and further discussion on the points stated in attachment A.

BC-1

If you need any more information or desire clarification, please do not hesitate to contact us.

A handwritten signature in black ink that reads "Mike Russo".

Sincerely,
Mike Russo
President, Bridlewood Circle Home Owner's Association

Attachment A

Comments on Chandler Ranch/ Rolling Hills Country Club Project (Planning Application 29-07) Draft Environmental Impact Report (dated April 2009)
Submitted by the Bridlewood Circle Home Owners Association

1. Land Use and Recreation – removal of horse overlay designation

A. One of the land use entitlements the project seeks is to remove the horse overlay designation from the project site. We understand the need for this change to meet the Project's development objectives. We are in agreement with the planned Residential Planned Development (RPD) zoning designation that preserves large open space and common space areas. We believe the equestrian trails proposed by Mitigation Measure MM-LU-1 would be a reasonable accommodation to preserve the rural characteristics of the City of RHE and provide personal enjoyment of neighboring horse owners, and benefit hikers and future homeowners of the project as well. We further believe that this trail should be constructed and declared to be a Riding and Hiking Trail so that the project trail would reflect all the RHE GP objectives for recreational trails.

BC-2

2. Aesthetics – lighting impacts

A. The Willdan lighting analysis indicated that there would be no impact to neighboring communities including Bridlewood. Since there are limitations to computerized modeling, we would like to reserve the rights to make minor adjustment to the proposed lighting arrangement in the future.

BC-3

B. We understand the need to utilize computerized modeling techniques for evaluating light and noise impact to nearby neighborhood. However, it is well known that results from computerized analysis are closely linked to the assumptions, the quality of the data, and the computer models used. We would like to obtain information that pertains to assumptions, data quality and computer model validation for the analyses used in the DEIR.

BC-4

3. Noise Impact – golf course maintenance equipment and clubhouse events.

A. Willdan prepared a noise study that employed computerized simulation to evaluate the impact of construction and golf course maintenance noises originated from the Project to the nearby residential communities. This study concluded that it is not practical for golf course maintenance noise to comply with the City's noise standards during early morning hours (6AM – 7AM). Mitigation Measure NOI 3 proposes that the maintenance activity of any golf course areas within 225' of residential units be conducted no earlier than 8 AM on weekdays and 9AM on Saturday and holidays. We would like to suggest that this operational workaround for the golf course maintenance noise issue include identifying greens that are in close proximity to residential units as well as a distance of 225'. It would simplify operational control if the identified greens (by number) were scheduled for maintenance after 8 AM. Maintenance noise from Green #3 of the current design would impact the Bridlewood community.

BC-5

B. Mitigation Measures 5, 6, and 7 addressed noise originating from the clubhouse during social events by proposing that 1) outdoor dining, music, and activities shall not be permitted between 10 PM and 7AM; 2) all exterior windows and doors at the clubhouse shall be kept closed between 10 PM and 7AM; and 3) the outside public address system shall be set at the minimum level necessary for acceptable communications. The fact that doors and windows are closed does not give any qualitative or quantitative assurance with regard to noise transmission. Keeping the amplified voice and music set at the "minimum level necessary" suffers from the same drawback. More specificity in the area of soundproofing, e.g., characteristics of the glass panels or an actual observable system in operation, would be helpful.

BC-6

C. In Section 3.10.7 of the DEIR, several rationales were offered to explain the acceptability of certain noises that exceed the City's allowable levels. It proposes to trade the landfill and concrete batch plant noise impact with those that would come from future golf course activities. The golf course noise is deemed by the DEIR to be of a character that is more acceptable; golf course maintenance starts at 8AM is a plus because it is later than that of the landfill and concrete batch plant. Based on

BC-7

2 /

this reasoning, the DEIR stated that the annoyance potential of the noise from the project is expected to be significantly less than that from the landfill. We have trouble understanding and agreeing with these subjective assessments. Please note that noises from the landfill and concrete batch plant operations are highly sporadic but noises from golf course and club events are constant and consistent. The golf course and country club operation calls for starting at daybreak (golfers) to after 10PM (clubhouse windows close at 10 PM). Once the project is completed, the noise levels may be lower than those now associated with the batch plant and landfill operation, but this comparison is not relevant to the evaluation of the project based upon set standards in the City's Municipal Codes.

BC-7
(cont.)

D. Any additional noise data would be helpful to be included in the noise evaluation. In 2001 (around that time), either Chandler or the City of RHE took noise measurements (1 week duration) from a residence (4 Bridlewood Circle) located in the Bridlewood community. We were informed that measurements obtained by the consulting firm for that location did not exceed City limits. Sound level measurements obtained from that study would be helpful in making comparisons.

BC-8

4. Traffic Analysis and Pedestrian safety along Palos Verdes Drive East (PVDE)

A. The PVDE/Bridlewood Circle intersection was not included in the traffic impact analysis. We would like to have a traffic assessment performed for this intersection to better understand the increased traffic and waiting time involved for Bridlewood residents to enter and exit the traffic stream at various times of the day. For example, it has been our experience that right hand turns into Bridlewood from PVDE travelling northbound are dangerous because the vehicles behind travelling downhill tend to be fast moving. With the additional trips from the project, this situation would worsen. Page 2.0-17 states that dedicated left- and right-turn pockets into Bridlewood Circle, as well as medians, would be constructed. We would like to be clear that this means in both directions-

BC-9

B. Mitigation Measure MM-TRF-3 stated "The project proponent shall be 100% responsible for the following improvement at the intersection of PV Drive East/"A" Street: to assist drivers in making a left turn when exiting the site, a ~~two-way-left-turn lane~~ shall be striped on PV Drive East between "A" Street and Bridlewood Circle, providing a small refuge before merging into the northbound lane." We are not clear on the functionality of this "two-way-left-turn lane" and its benefit (or detriment) to the Bridlewood residents (attempting a left turn into PVDE heading south).

BC-10

C. The issue of pedestrian safety along Palos Verdes Drive East/Narbonne appears not to have been addressed. Please advise status.

BC-11

D. We are unclear on the status of altering the S curves on PVDE/Narbonne, and would expect that an evaluation performed for traffic entering the road from either side would be helpful in determining traffic safety.

BC-12

5. Drought Resistant Landscaping Goal

A. In the face of continuing drought conditions and in light of the new water conservation measures taken by the City, as well as the City's strong support of drought-tolerant landscaping, we encourage such efforts.

BC-13

6. Air Quality During Construction

A. Air pollution consisting of particulate matter is expected to exceed acceptable levels even after mitigation measures are taken (page 3.2-29). Mitigation to limit air particulates and other elements includes watering down the ground and street. Bridlewood Circle will bear the brunt of prevailing wind-borne particulates and would like to have an agreement in place so that we could arrange for additional sweeping and/or watering down of PV Drive East, and also including Bridlewood Circle street and right-of-way landscaping, if needed.

BC-14

3 M.

RESPONSES

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

BC-2: The commenter expresses opinions regarding the project and specific project components, including one opinion regarding the project's environmental analysis. In regards to the project's environmental analysis, the commenter expresses the Bridlewood Circle Homeowner's Association's (HOA) opinion that "the equestrian trails proposed by Mitigation Measure MM-LU-1 would be a reasonable accommodation to preserve the rural characteristics of the City of RHE and provide personal enjoyment of neighboring horse owners, and benefit hikers and future homeowners of the project as well." The opinions expressed are duly noted. No response is required.

BC-3: The commenter's request regarding future adjustments to the project's lighting arrangement is duly noted.

BC-4: Please see the project's Environmental Noise Study contained in Appendix H of this EIR for a detailed description of the assumptions used in the noise calculations. In summary, Wieland Acoustics utilized the following:

- The instrumentation used to obtain the existing noise measurements consisted of integrating sound level meters (Models 712, 820, 824, and 870) and acoustical calibrators (Models CAL200 and CAL250) manufactured by Larson Davis Laboratories.
- To estimate traffic/street noise, the highway traffic noise prediction model developed by the Federal Highway Administration (as described in report FHWA-RD-77-108) was utilized along with the traffic volumes estimated in the project's Traffic Impact Analysis (as contained in Appendix J of this EIR). See also the assumptions identified in Appendix II of the Project's Environmental Noise Study (Appendix H of this EIR);
- To estimate construction noise, the construction noise equipment levels identified in the Federal Highway Administration's Roadway Construction Noise Model (February 2, 2006) were utilized, along with the assumptions identified in Table 3.10.14 of the DEIR; and
- To estimate the noise generated by the project's operation activities (e.g., maintenance, club house events, etc.), the SoundPLAN (Version 6.5) model was used along with the information and assumptions outlined in Tables 3.10.17 and 3.10.18 of the DEIR.

In response to the commenter's request, the following assumptions were used in the photometric analysis:

- Lighting projections were calculated with Visual – Professional Edition 2.06 three dimensional modeling software as manufactured by Acuity Brands Lighting;
- All photometric data for the proposed fixtures was originated from Illumination Engineering Society of North America testing data;

- All lamp lumen data was derived from manufacturer catalog cut-sheets and the mean lumen data was utilized for each lamp, which estimates the average lumens over the life of the lamp; and
- A 10% light loss factor was used to estimate the effects of dirt depreciation, ballast factor, etc.

BC-5: The commenter suggests methods for implementing the golf course maintenance restrictions required by Mitigation Measure NOI-3. Mitigation Measure NOI-3 requires the Rolling Hills Country Club to develop a golf course maintenance plan and schedule, which would be subject to the City's review and approval. The suggestion is duly noted and will be taken into consideration in the City's review of the golf course maintenance schedule.

BC-6: With standard dual pane windows closed and all doors closed, the exterior noise level from activities inside the clubhouse will be reduced by at least 20 to 25 dB. This is more than sufficient to mitigate this noise source to below the thresholds of significance. It is possible that the noise may be audible at times at some residences, but the levels will comply with the local noise standards. With regard to the public address system at the clubhouse, a quantitative mitigation measure was not considered necessary because of the large distances between the clubhouse and the nearest residences. Nonetheless, the Mitigation Measure NOI-7 has been revised as follows:

MM NOI-7: Outside public address systems shall have their volumes set at the minimum level necessary for acceptable communications and shall minimally comply with the noise level standards specified in Section 8.32.050 of the City of Rolling Hills Estates Municipal Code.

BC-7: Section 3.10.7 reiterates that noise generated by maintenance of the proposed golf course would remain significant even after implementation of the recommended mitigation measures. As noted in the comment, this Section also identifies that golf course maintenance noise will be offset to some degree by several factors. In regards to these factors, the commenter disagrees that the elimination of noises from the Chandler's facility (i.e., landfill and concrete batch plant operations) will reduce the annoyance potential of noise to the surrounding receptors. To clarify the offsetting factors and since it is agreed that noise annoyance is subjective, the third and fourth bullet points in the discussion of offsetting factors included in Section 3.10.7 have been revised as follows:

- For those existing residences that will be newly exposed to golf course maintenance noise as a result of eliminating the landfill and concrete batch plant, it is noted that the project noise may be of a character that is more acceptable to a residential community (i.e., lawn mowers rather than truck movements and concrete batch plant operations). It should be noted that noise character is subjective and noise that is acceptable to one receptor may not be acceptable to another.
- For those existing residences that will be newly exposed to golf course maintenance noise as a result of eliminating the landfill and concrete batch plant, it is noted that the golf course maintenance noise will start later in the day than the noise at the landfill and batch plant (i.e., 8:00 a.m. in the vicinity

of residential uses rather than 6:00 a.m.). This is expected to significantly reduce the annoyance potential of the noise. However, it should be noted that golf course maintenance noise would be a regular occurrence, whereas landfill and concrete batch plant activity may be sporadic.

Since the EIR identifies golf course maintenance noise as a significant and unmitigable impact of the proposed project, even after considering the offsetting factors identified in Section 3.10.7, the conclusions of the Draft EIR remain unchanged.

BC-8: The commenter requests the results of noise measurements previously commissioned by the City of Rolling Hills Estates. Davy & Associates conducted noise measurements in the Bridlewood Circle neighborhood in November 1999. The results of these noise measurements are included herein after response to comment BC-14.

BC-9: Existing traffic volumes on Bridlewood were too low to warrant an intersection capacity/level of service analysis. Access to Bridlewood from Palos Verdes Drive East was evaluated and addressed, including a northbound right turn lane from Palos Verdes Drive East and a two-way left turn pocket between Bridlewood and the project entrance to provide a refuge area for making a left turn from Bridlewood onto southbound Palos Verdes Drive East.

BC-10: The proposed two-way left turn lane between PV Drive East and “A” Street would provide a place of refuge for those making left turns from Bridlewood Circle onto southbound Palos Verdes Drive East. It would allow them to cross the northbound lane into the two-way left turn lane and then merge into the southbound lane in a separate movement, as traffic allows.

BC-11: Overall pedestrian safety is addressed in the City’s General Plan, with wide shoulders instead of sidewalks, and this would be maintained with the project. The pedestrian configurations of Palos Verdes Drive East would not change. The existing pedestrian paths along Palos Verdes Drive East would remain. The re-design of the golf course would result in fewer golf course-related crossings and improved pedestrian safety in general. In particular, the proposed project would eliminate the RHCC’s overflow parking lot on the west side of Palos Verdes Drive East. The project-related improvements for vehicle safety on Palos Verdes Drive East would also enhance pedestrian safety.

BC-12: The project’s detailed street improvement plans prepared for Palos Verdes Drive East is required to comply with all Federal, State and City guidelines for vertical and horizontal curves.

BC-13: The commenter expresses the Bridlewood Circle HOA’s encouragement of water conservation measures and drought-tolerant landscaping, which is duly noted. Mitigation Measure BIO-4 requires the landscape plans for open space and slopes to use only region-specific native plants.

BC-14: The Bridlewood Circle HOA requests “to have an agreement in place so that [the HOA] could arrange for additional sweeping and/or watering down of PV Drive East, and also including Bridlewood Circle street and right-of-way landscaping, if needed.” Such an agreement would be between the HOA and the applicant/contractor and is not required to mitigate a significant environmental impact. As such, the requested agreement is not within the purview of this EIR. The request is, nonetheless, duly noted.

Exhibit 9.1 Memo of Chandler Noise Monitoring, Davy & Associates, November 10, 1999

Davy
& Associates, Inc.
Consultants in Acoustics

2527 Manhattan Beach Blvd., Suite 212 • Redondo Beach, CA 90278-1604 • Tel: 310-643-5161 • Fax: 310-643-5354 • Email: DavyAssoc@aol.com

PROJECT MEMORANDUM

TO: DOUG PRICHARD
FROM: BRUCE DAVY
PROJECT: CHANDLER SITE
DATE: NOVEMBER 10, 1999
JN: 99013
MEMO NO: P99013-5
SUBJECT: CHANDLER NOISE MONITORING

1. In accordance with your request, we recorded noise levels in the rear yard of 4 Bridlewood Circle between the hours of 5:45 am and 8:00 am on November 9, 1999. Noise measurements were made with a Larson Davis Model 820 sound level meter mounted on a tripod with the receiving microphone approximately 5 feet above grade in the rear yard of 4 Bridlewood Circle. This location is directly opposite the Chandler entrance. A-weighting was utilized and a windscreen was utilized to minimize the effects of wind-generated noise.
2. A log of events at the Chandler site and on Palos Verdes Drive East was maintained during the monitoring period. A copy of the log of events between 6 am and 7 am is listed in Table 1 and a log of events between 7 am and 8 am is listed in Table 2. Additionally, a second log was maintained of all events on Palos Verdes Drive East. This log included times, type of vehicle, and whether they went into or left the Chandler site.

Exhibit 9.1 Memo of Chandler Noise Monitoring, Davy & Associates, November 10, 1999 (cont.)

**P99013-5
Chandler Plant**

**November 10, 1999
Page Two**

3. **At 5:55 a.m., mechanical noise became audible from the Plant at approximately 47 dBA when there were no cars or trucks on Palos Verdes Drive East. Noise levels from trucks entering and leaving the Chandler site ranged from the low 50 dBA range to 70 dBA. Most of these noise levels were relatively short term noise levels.**
4. **At 6:23 am, a buzzing noise coming from the site was clearly audible. This buzzing noise was in the 54-55 dBA range. From 6:23 am to approximately 6:51 am, this buzzing noise stayed fairly constant. At 6:51, the noise decreased in level and was less than the ambient. At 6:56 a.m., the noise was no longer audible. The same mechanical buzzing noise came back on at 7:49 a.m.**
5. **The buzzing noise started at 6:23 am and lasted until 6:51 a.m. for a total of 28 minutes. Between the hours of 6:00 am and 7:00 am, the Rolling Hills Estates Noise Ordinance allows noise levels of 50 dBA for 20 minutes out of an hour and noise levels of 55 dBA for 10 minutes out of an hour. Noise levels of 60 dBA are allowed for 1 minute per hour. Based on this, the mechanical buzzing noise from the Chandler site exceeded the 20 minute standard contained in the City's Noise Ordinance.**
6. **There were no sweeper trucks operating at the Chandler site during the monitoring.**
7. **The steel tire cleaner mat that had been located inside the entrance gate was no longer there. Noise from this cleaner mat was not audible.**

**Distribution: Doug Prichard
David Wahba**

Exhibit 9.1 Memo of Chandler Noise Monitoring, Davy & Associates, November 10, 1999 (cont.)

Table 1

*Log of Events at Chandler Site
from 5:45 a.m. to 7 a.m.
on November 9, 1999 at 4 Bridlewood Circle*

<u>TIME</u>	<u>SOURCE</u>	<u>DIRECTION</u>	<u>NOISE LEVEL</u>
5:51	Truck		51 dBA
5:54	Truck		49
5:55	Plant Mech. Noise Started		47
5:57	HT Leaves Chandler		53 - 61
5:58	HT Enters Chandler		56
5:59	MT Enters Chandler		49
5:59	HT	SB	62
6:01	HT	SB	64
6:01	HT Leaves Chandler		56
6:02	HT	SB	64
6:03	HT	NB	57
6:06	HT Enters Chandler	NB	56
6:07	BFI	SB	56
6:08	HT	NB	58
6:09	HT	NB	59
6:09	BFI		67
6:10	HT	SB	64
6:11	idling Truck at Plant		51
6:16	HT	SB	60
6:17	Truck Leaves Chandler	NB	54 - 63
6:18	HT Leaves Chandler	NB	56 - 70
6:20	HT Leaves Chandler	NB	56 - 62
6:23	Plant Tone - Mech. Noise		54 - 55
6:28	Truck at Chandler		61
6:34	Truck at Chandler		61
6:34	HT	NB	64
6:35	HT Enters Chandler	SB	60
6:36	Banging Noise		61
6:38	HT Leaves Chandler	NB	62 - 64
6:40	HT at Chandler		59
6:42	HT Leaves Chandler	SB	58 - 61
6:42	HT	SB	63
6:44	Back-Up Alarm		55
6:44	HT at Chandler		60
6:50	HT Leaves Chandler	NB	60 - 64
6:51	HT at Chandler		62
6:52	Banging		62
6:55	HT at Chandler	SB	62
6:56	HT Leaves Chandler	NB	62 - 66
6:56	HT Leaves Chandler	NB	62 - 64
6:58	HT Leaves Chandler	SB	57 - 59
6:59	HT	NB	58

HT: Heavy Truck
MT: Medium Truck

Exhibit 9.1 Memo of Chandler Noise Monitoring, Davy & Associates, November 10, 1999 (cont.)**Table 2**

*Log of Events at Chandler Site
from 7 a.m. to 8 a.m.
on November 9, 1999 at 4 Bridlewood Circle*

TIME	SOURCE	DIRECTION	NOISE LEVEL
7:06	HT at Chandler		57 - 60
7:10	No Traffic; Ambient		50 - 51
7:14	HT Enters Chandler	SB	65 - 67
7:14	HT Leaves Chandler	NB	62 - 65
7:20	HT at Chandler		58
7:20	HT	SB	62
7:20	HT Leaves Chandler	NB	58 - 66
7:22	HT Enters Chandler	SB	58
7:22	HT	NB	65
7:23	HT at Chandler		60
7:26	HT Leaves Chandler	NB	60 - 62
7:30	HT Leaves Chandler	NB	60 - 65
7:31	HT Leaves Chandler	SB	60 - 65
7:32	HT Leaves Chandler	NB	60 - 65
7:33	HT	NB	60
7:35	HT Enters Chandler	NB	58 - 64
7:43	HT	SB	63 - 64
7:44	HT Leaves Chandler	NB	61 - 65
7:45	HT Enters Chandler	NB	61 - 64
7:48	Helicopter	SE	61
7:49	Mech noise tone		54
7:51	HT Enters Chandler	NB	56 - 60
7:54	HT Enters Chandler	NB	59 - 62
7:56	HT Leaves Chandler	NB	62 - 67

HT: Heavy Truck
MT: Medium Truck

**LETTER FROM: CALIFORNIA DEPARTMENT OF FISH AND GAME, EDMUND J. PERL,
REGIONAL MANAGER SOUTH COAST REGION AND MATT CHIRDON, ENVIRONMENTAL
SCIENTIST**

-----Original Message-----

From: Matthew Chirdon [<mailto:MChirdon@dfg.ca.gov>]
Sent: Tuesday, June 30, 2009 3:54 PM
To: David Wahba; Niki Cutler
Cc: Terri Dickerson; jbellas@willdan.com
Subject: Chandler Ranch/Rolling Hills Country Club Project
SCH#2008011027

Ms. Cutler:

The Department of Fish and Game (Department) will be commenting on the abovementioned DEIR. The closing date for comments is 6/30/2009. However, do to staff shortages, vacation, and the holiday week our review process has been delayed. The Department is attempting to provide comments to the City by close of business today. However, in the event the Department is unable to provide comments by close of business we request that our comments still be considered. We anticipate that we would be able to deliver comments by the week commencing July 6 and ending July 10. Thank you for this consideration your confirmation of this inquiry is requested.

Regards,

Matt Chirdon
Environmental Scientist
Region 5
PO Box 998
Oceanside, CA 92049-0998
(Office) (760) 757-3734
(Fax) (760) 757-3734



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
 South Coast Region
 4948 Viewridge Avenue
 San Diego, CA 92123
 (858) 467-4201
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor
DONALD KOCH, Director



July 6, 2009

Niki Culter
 City of Rolling Hills Estates
 4045 Palos Verdes Drive North
 Rolling Hills Estates, CA 90274
 Phone #: (310) 377-4577
 Fax #: (310) 377-4468

**Subject: Comments on the Draft Environmental Impact Report for the Chandler Ranch
 Rolling Hills Country Club Project SCH 2008011027, Los Angeles County**

Ms. Culter:

The Department of Fish and Game (Department) has reviewed the Draft Environmental Impact Report (DEIR) for the Chandler Ranch Rolling Hills Country Club Project received on May 4, 2009. The comments provided in this letter represent our concerns regarding the proposed project's potential impacts on biological resources.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA Sections 15385 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species pursuant to the California Endangered Species Act (Fish and Game Code Section 2060 et seq.), and to streams and lakes (Fish and Game Code Section 1600 et seq.), and other sections of the Fish and Game Code.

The project site consists of the existing Rolling Hills Country Club, Chandler's Palos Verdes Sand and Gravel facility (Chandler's), and adjacent vacant land. The 228-acre site is irregularly shaped and is located along the east and west sides Palos Verdes (PV) Drive East between Pacific Coast Highway and PV Drive North in the Cities of Rolling Hills Estates and Torrance, Los Angeles County, California. The Country Club and Chandler's facility are respectively located at 26311 and 27000 PV Drive East in the City of Rolling Hills Estates (City).

Located on the southwest border of the project and adjacent to existing golf course is the Linden H. Chandler Nature Preserve. South of the intersection of Palos Verdes Drive East and Palos Verdes Drive North is a 36-acre northeast-southwest trending canyon known as George F Canyon, designated as City open space.

The proposed project consists of redeveloping the existing Chandler's facility and the adjacent Rolling Hills Country Club with the following: Construction of 114 single-family homes within a new residential community; reconfigure the 18-hole golf course; construct a new clubhouse structure and complex; and dedicate 3.8 acres of restored land to natural open space.

Vegetation communities present on site are described in the DEIR as disturbed/Chandler Quarry (120 acres), disturbed/golf course (102 acres), freshwater ponds (1.6 acres), coastal sage scrub (1.5 acres), and freshwater emergent vegetation (0.4 acres). The proposed project

CDFG-2

Conserving California's Wildlife Since 1870

Niki Culter
July 6, 2009
Page 2 of 4

would involve removal of all the 1.5 acres of coastal sage scrub and temporary construction impacts of freshwater emergent marsh.

The Department offers the following comments and recommendations to assist the City in avoiding or minimizing potential impacts on biological resources:

Comments:

1. The DEIR concludes in Appendix C that one National Hydrography Dataset (NHD) stream is present within the Project area, and not connected to any navigable waters; therefore, they are not federal or state jurisdictional waters or wetlands and do not require permitting. The Department cannot concur with this assessment because the DEIR provides reasonable evidence for the source of the surface water flows conveyed through the golf course. The DEIR on page 3.3-3 states "*Bent Springs Canyon and its unnamed tributary flow onto the site from the southwest and ultimately drain into the existing quarry pit onsite. Before percolating into the quarry, the flows of Bent Springs Canyon occasionally pond in a retention facility within the quarry area.*" Additionally, figure 3.3.1 depicts the source of surface water flows originating offsite and subsequently conveyed through the proposed project area.

Therefore natural flows are being conveyed through the golf course in maintained channels. The channels may be jurisdictional to the Department. The Department requests that project proponent submit a lake and streambed alteration agreement (LSAA) notification package to the Department for review and determination of whether Department jurisdiction would be affected. An LSAA notification form may be obtained by writing to the Department at the above address, calling (858) 636-3160, or accessing the Department's web site at <http://www.dfg.ca.gov/habcon/1600/>.

2. The DEIR indicates a low potential for impacts to animals which are state Species of Special Concern (SSC): Coastal California Gnatcatcher (*Poliopitila californica californica*); San Diego desert woodrat (*Neotoma lepida intermedia*); Coast (San Diego) horned lizard (*Phrynosoma coronatum blainvillii* population); Pocketed free-tailed bat (*Nyctinomops femorosacus*); and to California Native Plant Society (CNPS) list 1B.1..2 rare plants: South Coast saltscale (*Atriplex pacifica*); Davidson's saltscale (*Atriplex serenana* var. *dauidsonii*); Santa Catalina Island desert-thorn (*Lycium brevipes* var. *hasseri*); Brand's phacelia (*Phacelia stellata*).

The DEIR incorporates the requirement that preconstruction surveys be performed no greater than one year prior to earth disturbing activities for both animals and plants (see MM-BIO-1, -2, & -3). However, the DEIR does not disclose an explanation why feasible studies could not have been performed before release of DEIR. Presently, the DEIR discloses no substantive explanation to justify the incomplete description of the project's environmental baseline, and doesn't consider feasible mitigation to avoid or substantially lessen significant environmental effects. A Lead Agency may not defer its obligation to formulate effective mitigation measures.

Presently the DEIR provides inadequate discussion of environmental baseline by deferring studies to the future and the City has not legally committed to a reasonable standard to ensure significant impacts are mitigated, as required by CEQA guidelines § 21081.6. The Final Environmental Impact Report (FEIR) should include biological surveys for species with a potential to occur, establish a clear and articulate mitigation

CDFG-2
(cont.)

CDFG-3

CDFG-4

RESPONSES

Niki Culter
 July 6, 2009
 Page 3 of 4

standard, disclose options or locations to compensate for potential direct and indirect impacts, and commit to mitigation measures to enforce and ensure direct and indirect impacts to specific natural resources are lessened below a level of significance.

CDFG-4
 (cont.)

3. Mitigation measure "BIO-2" states "...a qualified biologist shall be present during construction activities to ensure the protection of special-status plant species. If special-status plant species are found on the project site, California's Native Plant Protection Act requires notification of the CDFG at least 10 days in advance of any site disturbance. This shall provide for the salvaging of special-status plants that would otherwise be destroyed. If presence of the special-status plant species is assumed and mitigated, it is possible that this requirement would be waived. This would need to be determined during negotiation with the City of Rolling Hills Estates and their USFWS and/or CDFG contacts." The proposed incorporation of the 10-day salvage notice to the Department for direct impacts to rare plants is not appropriate and not in accordance with California's Native Plant Protection Act statute §§ 1900-1913. Potential impacts to rare plants are most appropriately mitigated by avoiding potential impacts, altering the project to minimize potential impacts, and when avoidance and minimization are infeasible incorporating a clear standard of how direct and indirect impacts would be mitigated.

CDFG-5

4. DEIR mitigation measure BIO-5 states "Any grubbing and/or removal of vegetation during the bird nesting season (i.e., between March 1-August 31) will require a nesting survey by a qualified biologist at least one (1) week prior to the activity and weekly thereafter". The Department offers the following recommendations:

- a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).

- b. If avoidance of the breeding bird season is not feasible, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect protected native birds occurring in the habitat that is to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a subsequent attempts at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking

CDFG-6

Niki Culter
July 6, 2009
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the protected area 300 feet (or 500 feet) from the nest. Project biologist should be given the legal authority to halt or modify construction as appropriate. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

CDFG-6
(cont.)

Alternatives

- 5. The FEIR should consider an Alternative that minimizes the isolation and fragmentation of open space on site. Presently, the project proposes to locate open space along the northwestern boundary and create smaller fragments that would be surrounded by numerous edge effects. When development is located adjacent to open space there are reasonably foreseeable impacts, or edge effects, including but not limited to irrigation of landscape vegetation, fire department-required vegetation thinning buffers, Argentine ant range expansion from increased irrigation, artificial night lighting, herbicides and pesticide use, and domestic pet predation of wildlife. All these impacts exact a toll on the local fauna and flora in natural areas abutting and/or in the vicinity of expanded housing. The FEIR should consider an alternative that reconfigures the existing golf course and proposed housing to allow for project open space around Linden H. Chandler Nature Center.

CDFG-7

The Department appreciates the opportunity to comment on the referenced DEIR. Questions regarding this letter and further coordination on these issues should be directed to Mr. Matt Chirdon (760) 757-3734.

CDFG-8

Sincerely,



Edmund J. Part
Regional Manager
South Coast Region

cc: Helen Birss, Los Alamitos, CDFG
State Clearinghouse, Sacramento
Matt Chirdon, Oceanside, CDFG

CDFG-1: Request is duly noted.

CDFG-2: The commenter provides opening remarks. No response is required.

CDFG-3: The “stream” referred to by the commenter is Bent Springs Canyon, which was identified as a “blue-line” stream on the Torrance, CA 7.5 Minute Topographic Quadrangle prepared by the USGS in 1964 and photorevised in 1981. Since mapped by USGS, this watercourse has been highly disturbed/modified. Development has occurred in the project vicinity and grading has occurred onsite to create portions of the golf course and for quarry operations. As a result of these past on- and off-site activities, the watercourse now exists only as a largely man-made golf course drainage ditch.

Nonetheless, pursuant to this comment, the project applicant prepared and submitted a “Notification of Lake or Streambed Alteration” (NLSA) application to the CDFG in accordance with Section 1602 of the Fish and Game Code. The results of the NLSA process are detailed in Section 3.3 of the Recirculated Portions of the Draft EIR document and all NLSA-related documents are included in Appendix C-2 of this EIR.

In summary, the NLSA application was submitted to the CDFG on September 15, 2009 along with a *Jurisdictional Delineation of the Bent Springs Canyon Feature within the Proposed Chandler Ranch/Rolling Hills Country Club Project Site* (ECORP, 2009). The CDFG submitted a letter to the applicant on October 22, 2009 stating that the NLSA application was deemed complete and, subsequently, conducted a site visit on November 17, 2009. On December 21, 2009, the CDFG submitted a letter to the applicant stating that the CDFG did not meet the statutory timelines identified in Section 1603 of the Fish and Game Code, and thus, the project may be undertaken without a Lake or Streambed Alteration Agreement. Mitigation Measures BIO-5 and BIO-6 were included in the Recirculated Portions of the Draft EIR document to ensure the project proceeds in a manner that is consistent with the NLSA application that was deemed complete by the CDFG.

CDFG-4: The commenter correctly notes that the DEIR concludes there is a “low” potential for certain special-status species to exist onsite (five wildlife species and four plant species). However, the commenter is incorrect in his assertions that the discussion of the environmental baseline is inadequate and that mitigation has been improperly deferred. The DEIR fully describes the existing conditions of the site, including describing and mapping the site’s vegetative communities and habitat, identifying the plant and animal species known or expected to occur onsite, and describing the potential for special-status species to occur onsite. The DEIR concludes that only one formally listed (i.e., threatened or endangered) species has the potential to exist onsite, the coastal California gnatcatcher (federally threatened), which was determined to have only a low potential to occur onsite due to the minimal amount of coastal sage scrub habitat onsite and the limited value of that habitat. Mitigation Measure BIO-1 is included in the DEIR to ensure the proposed project would not significantly impact this species. Mitigation Measure BIO-1 is fully enforceable and includes performance standards that must be met and ensure the project would not significantly impact the coastal California gnatcatcher.

Mitigation Measure BIO-3 is included to ensure the project would not significantly impact the other four special-status wildlife species that have a low potential to exist onsite. These species consist of two ground-dwelling species (coast horned lizard and the San Diego desert woodrat) and two aerial species (monarch butterfly and the pocket free-tailed bat). The only habitat type onsite that could

support either of the ground-dwelling species is coastal sage scrub. The monarch butterfly, which is not identified by either the USFWS or the CDFG as a sensitive species, has a low potential to overwinter or roost in the eucalyptus trees onsite, and the pocket free-tailed bat has a low potential to exist in the cliff faces and crevices of the Chandler quarry pit. Given the status of these species and their low potential to occur onsite, exhaustive presence/absence surveys during the project's planning stage are unwarranted. Furthermore, the information gathered from such surveys would be largely inconclusive about the potential for project construction to impact the species, as project construction is not expected to occur in the same year as the project's planning stage and the wildlife present on a site often varies from year to year. Thus, rather than conducting presence/absence surveys during the planning stage, Mitigation Measure BIO-3 requires a biologist to conduct pre-construction surveys and to be present during construction to identify and protect any individuals of these four species, should any happen to exist onsite at that time.

Mitigation Measure BIO-2 takes a similar approach to protect special-status plants. Four special-status plants were determined to have a low potential to occur onsite – south coast saltscale, Davidson's saltscale, Santa Catalina Island desert-thorn and Brand's phacelia. Similar to the approach taken to protect special-status wildlife, Mitigation Measure BIO-2 requires a rare plant survey to be conducted within a year of construction and a biologist to be present onsite during construction to protect and/or salvage any special-status plants, should any happen to exist onsite at that time.

In conclusion, the baseline described in the DEIR meets the requirements of CEQA, as it provides adequate information to develop an "understanding of the significant effects of the proposed project and its alternatives" (State CEQA Guidelines § 15125); and the mitigation measures recommended in the DEIR satisfy CEQA requirements as they are fully enforceable and include performance standards that must be met and ensure the project would not significantly impact special-status species.

CDFG-5: The second portion of Mitigation Measure BIO-2 refers to Section 1913(c) of the Native Plant Protection Act (CDFG Code § 1913(c)). This section states:

1913. ... (c) Notwithstanding the provisions of subdivisions (a) and (b) of this section, where the owner of land has been notified by the department pursuant to Section 1903.5 that a rare or endangered native plant is growing on such land, the owner shall notify the department at least 10 days in advance of changing the land use to allow for salvage of such plant. The failure by the department to salvage such plant within 10 days of notification shall entitle the owner of the land to proceed without regard to this chapter. Submission of a timber harvesting plan pursuant to the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code) shall constitute notice under this section. Converting from one type of agricultural use, as defined in Section 51201 of the Government Code, to another type of agricultural use shall not constitute a change in land use.

Mitigation Measure BIO-2 incorporates this requirement into the project as a fail-safe, should any special-status species be discovered onsite during the required preconstruction plant survey. See also response to comment CDFG-4, which explains that only four special-status plants were determined to have any potential to occur onsite, all of which have only a low potential to occur onsite.

CDFG-6: The CDFG provides recommendations for Mitigation Measure BIO-5, which is intended to mitigate the project’s potential impacts on nesting birds during construction. To incorporate the CDFG’s recommendations, Mitigation Measure BIO-5 has been revised as follows:

MM BIO-5: Clearing, grubbing, ~~and/or~~ removal of vegetation, and/or removal of structures and substrates shall be conducted outside the bird-nesting season (i.e., between September 1-February 28). ~~Any grubbing and/or removal of vegetation such activities conducted during the bird nesting season (i.e., between March 1-August 31) will require a nesting survey by a qualified biologist at least one (1) week beginning 30 days prior to the activity and weekly thereafter, with the last survey conducted no more than 3 days prior to the initiation of clearance construction work.~~ If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the minimum requirements of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until a qualified biologist confirms that all fledglings have left the nest, which would likely not occur until the end of the nesting season, and that there is no evidence of subsequent attempts at nesting. The project proponent shall record the results of the avoidance/protection efforts undertaken to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

CDFG-7: The Linden H. Chandler Nature Preserve is currently adjacent to the existing RHCC golf course and, with the proposed project, golf course holes would remain adjacent to the Preserve. As such, no new or additional “edge effects” on the Preserve are expected.

The proposed natural open space included in the project would not be isolated or fragmented. Rather, this proposed natural open space would be adjacent to Alta Loma Park, which is primarily open space. In turn, Alta Loma Park is adjacent to the western portion of the golf course, which connects to the Linden H. Chandler Nature Preserve. Thus, it is reasonably conceivable that wildlife could move between the proposed natural open space and the Chandler Nature Preserve.

Since none of the effects noted by the commenter would constitute potentially significant environmental impacts pursuant to CEQA, analysis of an alternative that locates the project’s natural open space adjacent to the Chandler Nature Preserve is not required.

CDFG-8: The commenter provides closing remarks. No response is required.

LETTER FROM: CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), ELMER ALVAREZ, IGR/CEQA BRANCH CHIEF

<p>STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY</p> <p>DEPARTMENT OF TRANSPORTATION DISTRICT 7, REGIONAL PLANNING IGR/CEQA BRANCH 100 MAIN STREET, MS # 16 LOS ANGELES, CA 90012-3606 PHONE: (213) 897-6696 FAX: (213) 897-1337</p>	<p style="text-align: right;">ARNOLD SCHWARZENEGGER, Governor</p> <div style="text-align: right;">  <i>Flex your power! Be energy efficient!</i> </div> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 150px;"> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center;">JUN 25 2009</p> <p style="text-align: center; font-size: 0.8em;">CITY OF ROLLING HILLS ESTATES</p> </div> <p style="margin-left: 100px;">IGR/CEQA No. 090503AL, DEIR Chandler Ranch/Rolling Hills Country Club Project Vic. LA-01 / PM 13.82 SCH # 2008011027</p>
<p>June 23, 2009</p> <p>Ms. Niki Cutler, Senior Planner City of Rolling Hills Estates 4045 Palos Verdes Drive North Rolling Hills Estates, CA 90274</p> <p>Dear Ms. Cutler:</p> <p>Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The development would include 114 new single-family houses, relocation of Country Club lands and activities, and open space / park dedication.</p> <p>The proposed project is expected to result in a net increase of 1,486 daily vehicle trips, including 66 trips during the AM peak hour and 220 trips during the PM peak hour. We concur with the Traffic Study Report prepared in April 2009 that the proposed project generated traffic will impact two intersections under state jurisdiction. According to Table 6 and Table 7 (Intersection Analysis Summary) of the report, the intersection of Pacific Coast Highway (PCH) at Crenshaw Boulevard and Pacific Coast Highway at Narbonne Avenue are impacted during pm peak hour when proposed project generated traffic are added to 2013 and 2025 baseline.</p> <p>The Traffic Study Report proposed mitigation measures for state impacted intersections as follow:</p> <p><u>Pacific Coast Highway/Crenshaw Boulevard</u>: <i>Install right-turn overlap phasing for the northbound right turn movement on Crenshaw Boulevard to allow vehicles turning right onto eastbound Pacific Coast Highway. To eliminate conflicts, also install "No U-Turn" signs for the westbound left turn movement on Pacific Coast Highway.</i></p> <p>Note that Northbound (NB) Crenshaw motorists are able to make right turn on red when the Eastbound (EB)/Westbound (WB) PCH left turn movements is green.</p> <p>We recommend that the southeast corner to be widened easterly for approximately 165' to construct additional eastbound PCH thru lane. The City of Torrance and Caltrans are considering the widening of the westerly portion of PCH to three thru lanes to eliminate the existing choke point at this segment of PCH.</p>	
<p><i>"Caltrans improves mobility across California"</i></p>	

Pacific Coast Highway/Narbonne Avenue: Stripe in a second northbound left turn lane on Narbonne Avenue. The intersection is slightly offset, but appears to be feasible, based on a preliminary analysis.

CT-3

We recommend that parking to be restricted at all time at this segment of PCH.

Table 6 and Table 7 of the report shows that both state intersections are directly impacted by proposed project generated traffic and other future projects in the area. Therefore, we request implementation of the above recommended mitigation measures to be a condition for the approval of this project and the improvements to be constructed prior proposed project opening.

CT-4

We would like to remind you that any work to be performed within the State Right-of-way will need an Encroachment Permit from the California Department of Transportation.

CT-5

Storm water run-off is a sensitive issue for Los Angeles county. Please be mindful that projects need to be designed to discharge clean run-off water. Additionally storm water run-off is not permitted to discharge onto State highway facilities.

CT-6

Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods. In addition, a truck/traffic construction management plan is needed for this project. Thank you for the opportunity to have reviewed this project.

CT-7

If you have any questions, please feel free to contact me at (213) 897-6696 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 090503AL.

CT-8

Sincerely,

ELMER ALVAREZ
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

RESPONSES

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

CT-2: We acknowledge that motorists northbound on Crenshaw do not require right-turn overlap phasing to legally make a northbound right turn on red from Crenshaw onto eastbound PCH, however, the overlap phasing would make the operation more efficient, with a greater number of vehicles turning right on red, thereby mitigating the project's impact on the intersection.

The issue of widening PCH is a matter between Caltrans and the City of Torrance. The improvement recommended by the commenter is outside of the project's scope and there is not a nexus between bringing the project's impact to a less than significant level and the suggested improvement. The project does not contribute to the existing choke point and is not responsible for mitigating it.

CT-3: Currently, parking is prohibited on PCH in the vicinity of Narbonne Avenue during the peak hours. The proposed parking restriction would improve off-peak traffic operations, but would not affect the peak hour operations that were analyzed. Parking is already restricted during the peak hours, which is when the impact would occur. There is no nexus for requiring this recommendation.

CT-4: The commenter requests that the project's mitigation measures become conditions for project approval, which is duly noted. It should also be noted that it is the City's standard practice to require mitigation measures as conditions of approval, which is a requirement of CEQA.

CT-5: The reminder that work to be performed within Caltrans' right-of-way requires an Encroachment Permit is noted.

CT-6: Comment noted. See Section 3.7 of the EIR for an analysis of the project's stormwater impacts.

CT-7: The reminder that the use of oversized-transport vehicles on State highways requires a Caltrans' transportation permit is noted, as are the recommendations regarding equipment transport times and construction management planning.

CT-8: The commenter provides closing remarks. No response is required.

LETTER FROM: CITY OF LOMITA, GARY SUGANO, COMMUNITY DEVELOPMENT DIRECTOR

CITY COUNCIL

KEN BLACKWOOD
SUSAN Y. DEVER
MARGARET ESTRADA
DON SUMINAGA
BARRY WAITE

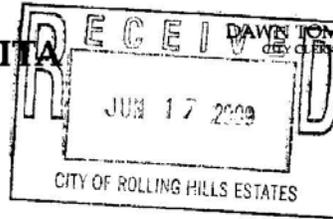


CITY OF LOMITA

ADMINISTRATION

TOM A. ODOM
CITY MANAGER

DAWN TOMITA
CITY CLERK



June 16, 2009

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

Subject: Comments on the Draft Environmental Impact Report (DEIR) for the Chandler Ranch/Rolling Hills Estates Country Club Project (State Clearinghouse No. 2008011027)

Dear Ms. Cutler:

The following comments are submitted by the City of Lomita on the Draft Environmental Impact Report (DEIR) prepared by the City of Rolling Hills Estates for the proposed Chandler Ranch/Rolling Hills Estates Country Club Project.

LO-1

Transportation and Circulation (MM TRAF-2 @ Narbonne Avenue/Pacific Coast Highway)

While we agree that the project would have a direct impact on traffic at the above mentioned intersection the signalized intersection of Pacific Coast Highway/Narbonne Avenue is under Caltrans jurisdiction. We would also recommend that the City of Rolling Hills Estates staff consult with Caltrans to determine whether they would support adding an additional northbound left turn lane on Narbonne Avenue. If they do not support the additional left turn lane it could leave the proposed mitigation measure infeasible. We would also ask that you conduct a brief analysis confirming that there is adequate right-of-way within the curb-to-curb street width to provide for an additional northbound left turn lane.

LO-2

Air Quality

We ask that you diligently enforce mitigation measures MM AQ-1 through MM AQ-13 to minimize potential fugitive dust and vehicle emission impacts on the City of Lomita.

LO-3

Road Closures/Project Construction

Should the project be approved and constructed, the City of Lomita would ask that the developer be required to provide us with updates on construction-related activity that could impact Narbonne Avenue (e.g., high volume of large truck trips for grading and any street closures) so that we may keep our residents informed.

LO-4

CITY HALL OFFICES • P.O. BOX 339 • 24300 NARBONNE AVENUE, LOMITA, CALIFORNIA 90717
(310) 325-7110 • FAX (310) 325-4024 • www.lomita.com/cityhall



City of Rolling Hills Estates – Chandler Ranch/RHE County Club DEIR
Page 2

Golf Course Activities (Noise and Hazards)

To ensure that noise impacts from golf course activities do not impact Lomita residents along the north project boundary, we would ask that you provide a noise analysis along this area of the proposed golf course. Based on the proposed site plan, this would include holes 1-3 and 17-18. We recognize that existing topography would minimize any of these types of impacts along portions of the northern project boundary but believe that some discussion to that effect should be included in the DEIR.

LO-5

What type of fencing is proposed along the north project boundary? Is there any potential for errant tee shots to go beyond the north project boundary into the City of Lomita at these hole/tee box locations?

LO-6

General Comment

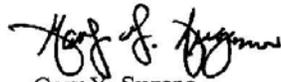
The footer on page 3.14-11 and 12 says the City of Westlake Village instead of the City of Rolling Hills Estates.

LO-7

If you have any questions, you may contact me at (310) 325-7110, extension 121.

LO-8

Sincerely,



Gary Y. Sugano
Community Development Director
City of Lomita

\\athcna\community development\planning\gary\2009\chandler ranch project (rolling hills estates)\letter_rhe_deir_0609.doc

RESPONSES

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

LO-2: Caltrans staff has indicated Caltrans' support for the proposed additional northbound left turn lane on Narbonne Avenue at Pacific Coast Highway in their DEIR comment letter (see comment CT-2). In addition, the feasibility of the suggested improvement was further reviewed. A concept striping plan based on field measurements confirmed that it would be feasible to restripe Narbonne Avenue at Pacific Coast Highway to provide a second northbound left turn lane on Narbonne Avenue. Please see the response to comment JG-13 and the corresponding Figure 9.1 for further details.

LO-3: The commenter's request that Mitigation Measures AQ-1 through AQ-13 be diligently enforced is duly noted.

LO-4: The commenter's request that the developer provide the City of Lomita with updates of construction-related activity that could impact Narbonne Avenue will be made a condition of project approval.

LO-5: The discussion of Impact NOI-3 on pages 3.10-25 through 3.10-33 of the Draft EIR includes an analysis of noise impacts from golf course activities on Lomita residents. In particular, see:

- The last paragraph on page 3.10-27 (continuing onto page 3.10-28) and the following paragraph on page 3.10-28, which states that after mitigation daytime noise levels at residential properties surrounding the golf course would temporarily and periodically be about 65 dBA, which exceeds the 60 dBA threshold of significance;
- Figures 3.10.5 through 3.10.7, which identify the anticipated future noise levels on the project site and the surrounding land uses (including the remedial uses in Lomita); and
- Table 3.10.19, which identifies the project's anticipated increase in noise levels at surrounding locations (Location #1 is located along Pennsylvania Drive in Lomita).

LO-6: No fencing is proposed along the project's northern boundary. The proposed golf course has been designed to prevent stray golf balls from affecting nearby properties. The design uses a combination of hole orientation/play direction and topography to prevent the need for netting or fencing to stop stray golf balls. The first bullet on page ES-56 of the Draft EIR notes that this concern was raised during the Scoping Meeting and in response to the NOP, and states the project's design approach to protecting nearby properties.

LO-7: The footer error on pages 3.14-11 and 3.14-12 of the Draft EIR is the result of hidden text in the word processing program. The error has been corrected.

LO-8: The commenter provides closing remarks. No response is required.

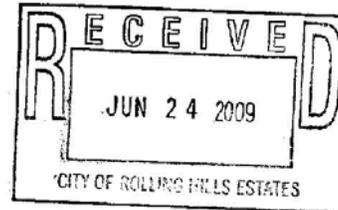
LETTER FROM: CITY OF RANCHO PALOS VERDES, KIT FOX, AICP, ASSOCIATE PLANNER



PLANNING, BUILDING, & CODE ENFORCEMENT

22 June 2009

Niki Cutler, Principal Planner
 City of Rolling Hills Estates
 4045 Palos Verdes Dr. N.
 Rolling Hills Estates, CA 90274



SUBJECT: Comments in Response to the Notice of Completion/Notice of Availability (NOC/NOA) for the Draft Environmental Impact Report (DEIR) for the Chandler Ranch/Rolling Hills Country Club Project (PA-29-07)

^{MKI}
 Dear ~~Ms. Cutler~~:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the Draft Environmental Impact Report (DEIR) for the above-mentioned project. We have reviewed the DEIR and offer the following comments:

RPV-1

1. The discussion of Land Use and Planning impacts (Section 3.08) notes that the proposed project conflicts with current land use and zoning designations, which result in significant environmental impacts. In particular, the project proposes to eliminate the current Horse Overlay designation for nearly the entire project site, leaving only one (1) of the proposed one hundred fourteen (114) residential lots available for private equestrian use. As you will recall, several attendees at the scoping meeting expressed concern about the loss of potential future horsekeeping properties with the removal of the Horse Overlay. This is a concern that is shared by many residents within our own Equestrian Overlay (Q) districts, one of which is located along Palos Verdes Drive East to the south of the project site. The equestrian areas of the Palos Verdes Peninsula are key components of the semi-rural lifestyle enjoyed by all Peninsula residents, and we are concerned that the degradation of equestrian areas within any one city may have "spillover" effects upon similar areas of the other cities on the Peninsula. We appreciate that you have identified the imposition of a requirement to provide an equestrian trail as a part of this project—apparently over the developer's objections—as a mitigation measure to reduce the inconsistency of the proposal with the City of Rolling Hills Estates' General Plan and zoning regulations. Nevertheless, we urge you to carefully consider the intent of the framers of the Rolling Hills Estates General Plan—who clearly envisioned equestrian use and access on the Chandler Quarry site—before allowing such potential future use to be lost forever as a result of the proposed project.

RPV-2

2. The discussion of Transportation and Circulation impacts (Section 3.14) identifies significant environmental impacts related to this project. Even without the proposed project, most of the dozen intersections studied would be operating at unacceptable levels of service (LOS) by 2025. The proposed project is forecast to make significant contributions to these unacceptable LOS conditions at eight (8) intersections, thereby

RPV-3

30940 HAWTHORNE BLVD. / RANCHO PALOS VERDES, CA 90275 5301
 PLANNING/CODE ENFORCEMENT (310) 544-5228 / BUILDING (310) 285-7800 / DEPT. FAX (310) 544-5293 / E-MAIL PLANNING@RPV.COM

Niki Cutler
22 June 2009
Page 2

warranting the imposition of mitigation measures in the form of construction of or "fair share" contributions to future right-of-way improvements. Surprisingly (to the City of Rancho Palos Verdes, at least), impacts at Palos Verdes Drive North/Palos Verdes Drive East and Palos Verdes Drive North/Western Avenue were not identified as warranting mitigation. These are intersections through which much of the traffic on and off the Peninsula passes in order to reach the Harbor (I-110) Freeway. Based upon the current project design, all project traffic would access Palos Verdes Drive East at a single point. Palos Verdes Drive East is a narrow and winding major thoroughfare that serves the *Mirafesta* area of the City of Rancho Palos Verdes. Even small increases in traffic on Palos Verdes Drive East have significant adverse impacts upon residents in this area of the City, both in daily driving and in the event of an emergency. We respectfully suggest that your consultant reconsider the need to mitigate the project's traffic impacts at the intersections of Palos Verdes Drive North/Palos Verdes Drive East and Palos Verdes Drive North/Western Avenue.

RPV-3
 (cont.)

3. The discussion of Alternatives (Section 4.0) identifies Alternative 2 as the Environmentally Superior Alternative to the proposed project. This alternative achieves consistency with the residential density envisioned under the existing land use and zoning for the project site; retains the Horse Overlay designation so as to preserve future horsekeeping opportunities; provides an opportunity for affordable housing; provides for the modernization and expansion of the Rolling Hills Country Club facilities; eliminates the negative environmental effects associated with the continued operation of the Chandler Quarry landfill; and reduces traffic impacts (compared to the proposed project) since fewer homes would be built. As such, the City of Rancho Palos Verdes supports the consideration of Alternative 2 rather than the proposed project.

RPV-4

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

RPV-5

Sincerely,



Kit Fox, AICP
 Associate Planner

cc: Mayor Clark and City Council
 Carolyn Lehr, City Manager
 Joel Rojas, Director of Planning, Building and Code Enforcement

M:\Border Issues\Chandler Ranch-Rolling Hills Country Club Project\20090622_DEIRComments.doc

RESPONSES

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

RPV-2: The commenter expresses the City of Rancho Palos Verdes' concerns for the removal of land from Rolling Hills Estates' Horse Overlay. These concerns are duly noted. See also Topical Response 1.

RPV-3: It should be noted that the current uses on the project site contribute trips to the surrounding intersections and that the project is anticipated to contribute a net total of 13 trips during the AM peak hour and 118 trips during the PM peak hour to the intersection of Palos Verdes Drive North/Palos Verdes Drive East (see Figure 3.14.13). These represent increases of 0.3% and 2.5% during the AM and PM peak hours, respectively, for 2025 conditions. At the intersection of Palos Verdes Drive North/Western Avenue, the increases are projected to be 0 net trips for a 0% increase during the AM peak hour and 11 net trips for a 0.2% increase during the PM peak hour, respectively, for 2025 conditions.

The determination of significant impacts requiring mitigation was based on appropriate City and County standards and the project's impact would be well below the significant impact levels required for mitigation. During the AM peak hour, the project would cause no change in the ICU at the intersection of Palos Verdes Drive North/Palos Verdes Drive East and would actually cause a reduction in the ICU at the intersection of Palos Verdes Drive North/Western Avenue. It should also be noted that the project incorporates extensive improvements on Palos Verdes Drive East at the project intersection to provide adequate queuing distance and stopping sight distance. The project will also reduce the number of intersections on Palos Verdes Drive East by reducing the number of project driveways from the current three to just one, thereby reducing the points of conflict and lowering the accident potential.

RPV-4: The City of Rancho Palos Verdes' support for Alternative 2 is noted.

RPV-5: The commenter provides closing remarks. No response is required.

**LETTER FROM: CITY OF ROLLING HILLS ESTATES EQUESTRIAN COMMITTEE, ANDY CLARK,
COMMUNITY SERVICES DIRECTOR**

MEMORANDUM

DATE: June 30, 3009
TO: Niki Cutler, Principal Planner
FROM: Andy Clark, Community Services Director
SUBJECT: EQUESTRIAN COMMITTEE ACTION ITEM:
CHANDLER RANCH/ROLLING HILLS COUNTRY CLUB PROJECT

The Rolling Hills Estates Equestrian Committee took the following action at the June 29, 2009 Equestrian Committee meeting.

In response to the Chandler Ranch/Rolling Hills Country Club Project’s Draft Environmental Impact Report, the Committee unanimously agreed that:

- 1. **The proposed project does not provide the number of trails as proposed in the City’s General Plan; and**
- 2. **The proposed project’s zoning should not be changed from its current zoning in the Horse Overlay Zone.**

EC-1

RESPONSES

EC-1: The commenter expresses the action taken by the City of Rolling Hills Estates Equestrian Committee. The Committee's comments are duly noted. See also Topical Response 1.

LETTER FROM: COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY, RUTH I. FRAZEN, CUSTOMER SERVICE SPECIALIST, FACILITIES PLANNING DEPARTMENT



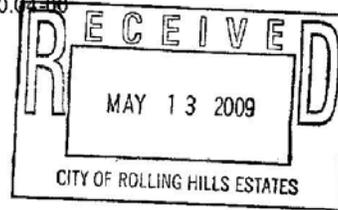
COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

May 12, 2009

File No: 05-00.01-00



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

Dear Ms. Cutler:

Chandler Ranch/Rolling Hills Country Club Project, Planning Application No. 29-07

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report for the subject project on May 4, 2009. We offer the following comments and updated information regarding sewerage service: SD-1

- 1. The proposed development is located within the jurisdictional boundaries of District No. 5, not the South Bay Cities Sanitation District.
2. The Joint Outfall System currently treats approximately 430 million gallons per day (mgd).
3. The Joint Water Pollution Control Plant currently processes an average flow of approximately 291 mgd. SD-2
4. The expected average wastewater flow from the project site is 35,781 gallons per day.
5. All other information concerning Districts' facilities and sewerage service contained in the document is current.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717. SD-3

Very truly yours,

Stephen R. Maguin

Ruth I. Frazen
Ruth I. Frazen
Customer Service Specialist
Facilities Planning Department

RIF:rf

Doc #: 1266353.1



RESPONSES

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

SD-2: The commenter provides information about the Sanitation Districts' facilities. Section 3.15 Utilities and Service Systems (pages 3.15-2 and 3.15-7 of the Draft EIR) have been updated accordingly.

SD-3: The commenter provides closing remarks. No response is required.

LETTER FROM: DAPPLEGRAY LANE PROPERTY OWNERS ASSOCIATION, KIRK J. RETZ



DAPPLEGRAY LANE PROPERTY OWNERS ASSOCIATION

BOX 2202, ROLLING HILLS ESTATES, CALIFORNIA 90274

June 29, 2009



Niki Cutler, AICP
Principal Planner
City of Rolling Hills Estates

Dear Ms. Cutler,

We have had an opportunity to read the Draft EIR for the Chandler Ranch/Rolling Hills Country Club Project and, on behalf of the Dapplegray Property Owners Association, would like to register our comments. While we attempt to address all of our concerns, the draft is several hundred pages and would take a similar number of pages to fully express our concerns. That being said, we will attempt to identify general categories of issues. In the most abbreviated form, the EIR as drafted does not adequately address the congestion of our streets and schools, the drastic change in the proportion of the city homeowners that would be able to maintain horses and other rural animals or the detrimental impact it would have on first responders to gain access during an emergency.

DL-1

First, we are strongly opposed to the project in its current form. As drafted, it will substantially change the nature of our city and drastically reduce the opportunity to maintain the rural atmosphere that originally enticed many of us to choose to make Rolling Hills Estates our home. Currently, there are 2964 homes in our city. Pursuant to the EIR, 622 new housing units are currently proposed including the 114 in the new Chandler Ranch location. If the EIR is approved as drafted, it will significantly reduce the horse overlay zone while, at the same time, increasing the number of homes that will never be able to house such fine creatures. How many cities in Southern California have a place to tie a horse at city hall should someone decide to ride a horse to a meeting?

DL-2

We noticed that an examination of the report authors reveals that none of the consultants are from the South Bay much less the Peninsula. Instead, they are from cities such as Irvine, City of Industry, San Diego, Anaheim, Newport Beach and Ventura. None of those cities are of the same size or complexion as our city. Although we assume they are qualified, they do not have the experience of living in our community therefore depriving them of the first hand knowledge of what we experience on a daily basis.

DL-3

Next, the EIR states that the project will have no significant impact on the school system. Indeed, it anticipates that only 38 children will be added to the system. Any person who has lived in our neighborhood knows that the majority of people who move in have children: Usually two to three per household. It is not credible to assume that 114 homes will only produce an additional 38 children. Further, when the additional 508 housing units that the city have already approved or are otherwise considering are taken into account, the numbers are even less credible.

DL-4

Another consequence of the added burden on our school system is the parking. Already, we experience parents parking on Dapplegray all the way back to Buckskin. Sometimes the cars are two deep. Parents wait on our street for their children to walk from school. The impact is that homeowners cannot access their properties. Emergency equipment cannot freely access our community. Horses cannot walk down the street. This problem is even greater for the parents who live in the Lanes because of the lack of sidewalks. We love the rural nature and feel that comes with the lack of sidewalks but with so many parents jockeying for position to look for their children, it creates a tremendous safety hazard. The addition of so many new homes will only exacerbate the problem.

DL-5

We are also severely disappointed by the proposed loss of the trail around the entire city. The EIR indicates that golf courses and horses do not mix. Perhaps the authors have never been to Pebble Beach. One of the finest golf courses in the nation has horse trails throughout the course. Several of our members have ridden horses through Pebble Beach enjoying the beautiful, rustic scenery. Indeed, the Rolling Hills Country Club has existed with horses along side the golf course for over 40 years. This appears to be another example of how the authors of the EIR do not understand the dynamics of our city.

DL-6

In addition to the increase in traffic during school hours, we are concerned about the impact the addition of so many homes will have on traffic on Palos Verdes Drive North and Palos Verdes Drive East. Although designated as scenic corridors, the pressures of so many additional vehicles will clog access to home owners, emergency vehicles and horses.

DL-7

Another concern is that reducing the horse overlay zone will lead to the reduction of the ability to maintain animals. Already, we hear complaints about the noise of the peacocks from people who move into our neighborhood and do not know what to expect. We have neighbors with goats, donkeys, geese and roosters. All of these animals make noises that people from Irvine and Newport Beach most likely do not understand. Removing such a large area from the horse overlay zone will bring in more people who do not understand the principals that our city was founded on. The theme of recent 50 year city celebration was "Country Living with Style" and, until recently, the equestrian lifestyle was noted on our city website. We are not sure why this was removed but it is yet another example of how the city seems to be moving away from its rural roots.

DL-8

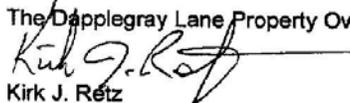
Another problem with the EIR is the Mediterranean style houses. Such houses are not compatible with the majority of the homes in our area. The height of the homes and the club house is also significantly higher than the current city codes allow. One mantra that appears to be repeated throughout the EIR is that the city codes and zoning must be changed to allow for a project of this magnitude. As stated initially, this letter does not address all of our specific concerns but attempts to highlight the main categories. We are not opposed to a new development or enlarging the golf course. We are opposed to the scope of the project identified in the EIR.

DL-9

DL-10

Sincerely,

The Dapplegray Lane Property Owners Association


Kirk J. Retz

RESPONSES

DL-1: 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.

DL-2: The commenter expresses the Dapplegray Lane Property Owners Association's (DLPLO's) opposition to the project in its current form. The commenter expresses the DLPLO's opinion that the project will adversely affect the rural atmosphere of Rolling Hills Estates due to the proposed reduction in the Horse Overlay designation. The DLPLO's opposition and opinions are duly noted.

DL-3: Observations and opinions are noted.

DL-4: The commenter suggests that each household in Rolling Hills Estates usually has “two to three” children and, thus, the Draft EIR underestimates the amount of students that would be generated by the project. In response, the Draft EIR utilized the Palos Verdes Peninsula Unified School District's (PVPUSD's) student generation rate of 0.3318 students per household to estimate that the proposed project (114 residential units) would increase enrollment at the School District by a total of 38 students. While the commenter is correct that additional students would be generated by cumulative projects, both the project's individual and cumulative impacts are mitigated by Mitigation Measure PS-18. It is important to note that the presumption of State law is that the payment of school impact fees in an amount established by the school district would address school capacity impacts. Specifically, as specified by Section 65995(h) of the Government Code, the payment of the school impact fee “in the amount specified in Section 65995 and, if applicable, any amounts specified in Section 65995.5 or 65995.7 are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities.” Thus, by law, the payment of the school impact fee is deemed to be full mitigation for any impacts of new residential development on schools. The project will, therefore, not result in any significant school impacts.

DL-5: The commenter discusses an existing informal student pick-up area on Dapplegray Lane, which causes neighborhood impacts. The commenter speculates that the proposed project would exacerbate this situation by increasing the enrollment of the local schools. As noted above in response to comment DL-4, the proposed project is expected to increase PVPUSD's enrollment by 38 students. Those 38 students would be distributed among three schools – Palos Verdes Peninsula High School, Dapplegray Elementary, and Ridgecrest Intermediate. Of these schools, only Dapplegray Elementary is within walking distance of Dapplegray Lane (approximately 0.5 miles). As such, only a portion of the project-generated 38 students would be enrolled in a school in the vicinity of Dapplegray Lane. The existing situation described by the commenter is not an environmental impact pursuant to CEQA. Furthermore, the allegation that the proposed project would exacerbate the situation is remote and speculative.

DL-6: The commenter expresses concern for the loss of the “Proposed Trail” identified in the City's General Plan and states the opinion that golf courses and horses are compatible. The commenter's concerns and opinions are noted. See also Topical Responses 1 and 2.

DL-7: The project's potential traffic impacts on PV Drive North and PV Drive East were adequately analyzed in Section 3.14 *Transportation and Circulation* of the Draft EIR. The commenter's concerns and opinions regarding traffic impacts on these roadways are noted.

DL-8: The commenter expresses concern that future residents of the proposed homes will complain about animal keeping in the City, which will lead to future restrictions on animal keeping. The commenter's concern is not related to CEQA and no response is required.

In regards to the comment regarding the City's website, the appearance and content of the City's website is altered intermittently. Revisions to the website had recently been made for the City's 50th anniversary celebration. The current homepage of the City's website references the City as follows:

Welcome to the City of Rolling Hills Estates! Located on the beautiful Palos Verdes Peninsula in Southwest Los Angeles County, California, the City of Rolling Hills Estates was incorporated on September 18, 1957 in order to preserve its rural environment and equestrian lifestyle, as characterized by rolling hills, vast open spaces and three-rail white fences. With a population of approximately 8,000, the City encompasses 4.18 square miles and more than 25 miles of scenic bridle trails. Residents of Rolling Hills Estates enjoy a temperate climate cooled by westerly sea breezes, creating idyllic weather conditions.

DL-9: The neighborhood compatibility issue is addressed under Topical Response 4. With respect to the proposed building heights, the proposed single-family residences' heights are less than 35 feet, and comply with City height restrictions in the RPD zone (DEIR, p. 3.1-29). However, as the DEIR notes, the proposed clubhouse exceeds the C-R zone's height limits by six to 21 feet (DEIR p. 3.1-28). The DEIR lists this exceedance as a significant but mitigable impact. Mitigation Measure AES-1 requires that the applicant revise the clubhouse plans to reduce the overall building height to conform to C-R zone height limits. Alternatively, if the City Council agrees to change the C-R zone regulations as the applicant has requested, the clubhouse height would conform to the new height limit and not generate a significant impact (impacts resulting from the land use designations and zoning are discussed in Section 3.8 *Land Use*).

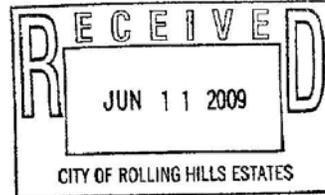
DL-10: The commenter expresses that DLPLO's opinions regarding the project, which are duly noted.

LETTER FROM: METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, DELAINE W.



MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office



June 5, 2009

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

Dear Ms. Cutler:

Notice of Preparation of a
Draft Environmental Impact Report for the Chandler Ranch/Rolling Hills Country Club Project

Thank you for submitting the Chandler Ranch/Rolling Hills Country Club Project for review and comment. The Metropolitan Water District of Southern California (Metropolitan) is comprised of 26 cities and water agencies charged with providing a reliable supply of high quality drinking water to 18 million people in six counties in Southern California. Metropolitan reviews the consistency of local plans, projects, and programs for effects to Metropolitan's projects, programs, activities, and planning efforts. Information provided by these reviews is intended to encourage local agencies and project sponsors to take actions that aid and sustain Metropolitan's water policies and programs, including conservation, recycling, and reclamation.

MWD-1

We reviewed the notice environmental document and determined the proposed Project is not regionally significant to Metropolitan. Metropolitan does not own or operate any facilities or maintain real estate entitlements within the footprint of the proposed Project; however, we are concerned with water conservation and encourage projects to include water conservation measures. Metropolitan supports mitigation measures such as using water efficient fixtures, drought-tolerant landscaping, and reclaimed water to offset any increase in water use associated with the proposed project.

MWD-2

Should there be a change in the scope of the Project, we would appreciate the opportunity to review and comment at that time. If we can be of further assistance, please contact Mrs. Rebecca De Leon at (213) 217-6337.

MWD-3

Very truly yours,

Delaine W. Shane
Delaine W. Shane
Manager, Environmental Planning Team

RDL
(Public Folders\EPT\2008 Letters\22-SEP-08A.doc)

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

SHANE, MANAGER, ENVIRONMENTAL PLANNING TEAM

RESPONSES

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

MWD-2: The Metropolitan Water District's (MWD's) encouragement of water conservation measures is duly noted.

MWD-3: The commenter provides closing remarks. No response is required.

LETTER FROM: NATIVE AMERICAN HERITAGE COMMISSION, DAVE SINGLETON, PROGRAM ANALYST

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 663-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: da_nahc@pacbell.net

May 28, 2009



Ms. Niki Cutler, AICP, Principal Planner
CITY OF ROLLING HILLS ESTATES
4045 Pelos Verdes Drive North
Rolling Hills Estes, CA 90274

Re: SCH#2009011027: CEQA Notice of Completion: draft Environmental Impact Report (DEIR) for the Chandler Ranch/Rolling Hills Country Club Project; located in the City of Rolling Hills Estates, Los Angeles County, California

Dear Ms. Cutler:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines. Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- √ The Native American Heritage Commission (NAHC) performed:
 - A Sacred Lands File (SLF) search of the project 'area of potential effect (APE) was conducted'. The results: No known Native American Cultural Resources were identified within one-half mile of the 'area of potential effect' (APE). The NAHC urges caution with any ground-breaking activity. The NAHC SLF is not exhaustive and local tribal contacts should be consulted from the attached list and there are Native American cultural resources in close proximity.
 - The NAHC advises the use of Native American Monitors, also, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC, FURTHER, recommends that contact be made with Native American Contacts on the attached list to get their input on potential IMPACT of the project (APE) on cultural resources. In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s) or Native American individuals or elders.
 - √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

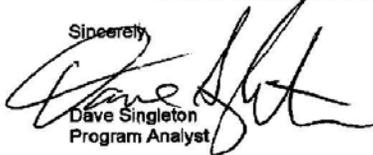
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- Again, a culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- √ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - * CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.
- √ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.
- √ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

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(cont.)

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts
Los Angeles County
May 28, 2009

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th Street, Rm. 403
Los Angeles CA 90020
(213) 351-5324
(213) 386-3995 FAX

Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
P.O. Box 86908
Los Angeles , CA 90086
samdunlap@earthlink.net
(909) 262-9351 - cell

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C
Long Beach CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
P.O. Box 490
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-925-7989 - fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
tattnlaw@gmail.com
310-570-6567

Gabrielino-Tongva Tribe
Felicia Sheerman, Chairperson
501 Santa Monica Blvd, # 500
Santa Monica , CA 90401
(310) 587-2203
(310) 428-7720 - cell
(310) 587-2281
fsheerman1@GabrielinoTribe.

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693
San Gabriel CA 91778
(828) 286-1262 -FAX
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

Gabrielino-Tongva Tribe
Bernie Acuna
501 Santa Monica Blvd, # 500
Santa Monica , CA 90401
(310) 587-2203
(310) 428-7720 - cell
(310) 587-2281

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code, and the federal NEPA ((42 USC 4321-43351) and Sections 106 and 4(f) of NHPA (16 USC 470(f) et seq.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008011027; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Chandler Ranch/Rolling Hills Country Club Project; City of Rolling Hills Estates; Los Angeles County, California.

RESPONSES

NAHC-1: The Native American Heritage Commission (NAHC or Commission) comment letter provides general procedures for analyzing and mitigating potential impacts on Native American resources. The Commission sent a similar letter in response to the project's Notice of Preparation (NOP), which is included in Appendix A and referred to on page ES-57 of this EIR. As such, the cultural resources investigation and coordination with Native American tribes that was undertaken for the proposed project was conducted in accordance with the procedures recommended by the NAHC. Section 3.4 of the DEIR, and in particular Impact CULT-2, discusses the project's potential impacts on archaeological and Native American resources. Section 3.2 of the DEIR is based on Phase I and Phase II Cultural Resources Investigations of the site prepared by McKenna et al., which are included in Appendix D of this document. The Phase I and Phase II studies prepared by McKenna et al. comply with the methodology outlined in the Commission's letter; and Mitigation Measure CULT-1 complies with the mitigation techniques outlined in the Commission's letter. With the incorporation of Mitigation Measure CULT-1, the project would not significantly impact any archaeological or Native American resources.