City of Los Angeles
Department of City Planning • Environmental Analysis Section
City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012

FINAL ENVIRONMENTAL IMPACT REPORT

WILMINGTON-HARBOR CITY COMMUNITY PLAN AREA

This document, together with the Draft EIR and its appendices, comprise the Final EIR as required under the California Environmental Quality Act

Ponte Vista Project

Case Number: ENV-2005-4516-EIR
State Clearinghouse Number: 2010101082

Project Location: 26900 South Western Avenue, Los Angeles, California, 90732

Council District: 15

Project Description:

The Project proposes a Specific Plan (proposed density is approximately 13.5 units per acre), General Plan Amendment, Zone Change, and Vesting Tentative Tract Map for the subdivision, construction, and operation of an 830-unit residential development. The Project's residential units would be comprised of single-family, townhome, flat, and apartment units ranging in size from 600 to approximately 2,800 square feet, within buildings constructed over and/or adjacent to residential parking garages. Up to 218 of the 830 units may be rental units. The Project would also provide an access road from Western Avenue to the off-site, private Mary Star of the Sea High School. The Project Site is approximately 61.5 acres. The Project would incorporate internal open space and recreational areas, including a community clubhouse and pool/recreation area and approximately 7.1 acres of park area. Additional recreational amenities would be distributed throughout the site. The Project would involve the demolition and removal of all existing improvements on the Site, which include 245 vacant residential units, a 2,161-square foot community center, and a 3,454-square foot retail convenience facility which were constructed in approximately 1962 by the U.S. Navy for the purpose of housing and accommodating personnel stationed at the Long Beach Naval Shipyard. The Site (formerly known as "San Pedro Housing") was closed in the late 1990s.

APPLICANT:	**PREPARED BY:**	**ON BEHALF OF:**
SFI Bridgeview, LLC	CAJA Environmental Services	The City of Los Angeles Department of City Planning Environmental Analysis Section

June 2013

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I. INTRODUCTION

A. PURPOSE

Before approving a project, the California Environmental Quality Act (CEQA) requires the lead agency to prepare and certify a Final Environmental Impact Report (Final EIR). The contents of a Final EIR are specified in Section 15132 of the *CEQA Statute and Guidelines*, as follows:

> *The Final EIR shall consist of:*
>
> *(a) The Draft EIR or a revision of the Draft.*
>
> *(b) Comments and recommendations received on the Revised Draft EIR either verbatim or in summary.*
>
> *(c) A list of persons, organizations, and public agencies commenting on the Revised Draft EIR.*
>
> *(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.*
>
> *(e) Any other information added by the Lead Agency.*

The evaluation and response to public comments is an important part of the CEQA process as it allows the following: (1) the opportunity to review and comment on the methods of analysis contained within the Draft EIR; (2) the ability to detect any omissions which may have occurred during preparation of the Draft EIR; (3) the ability to check for accuracy of the analysis contained within the Draft EIR; (4) the ability to share expertise; and (5) the ability to discover public concerns.

B. PROCESS

As defined by Section 15050 of the CEQA Guidelines, the City of Los Angeles Planning Department is the Lead Agency for the Project. A Notice of Preparation (NOP) was prepared and circulated on October 26, 2010 through November 29, 2010 for the required 30-day review period.

The public review period for the Draft EIR for the Ponte Vista Project was November 8, 2012 to January 7, 2013, for a 61-day review period.

Comments on the Draft EIR were received during the comment period, and those comments are set forth and are responded to in this Final EIR.

The Draft EIR and this Final EIR will be submitted to the Planning Commission and City Council for requested certification and action on the Project.

C. ORGANIZATION OF THE FINAL EIR

Together with the Draft EIR and its appendices, this document constitutes the Final EIR for the Project and includes the following sections:

Section I. Introduction: This section provides an introduction to the Final EIR.

Section II. List of Commenters: This section includes a list of the persons and agencies that submitted comments on the Draft EIR.

Section III. Responses to Comments: This section includes responses to each of the comments submitted by persons and agencies listed in Section II.

Section IV. Corrections and Additions to the Draft EIR: This section provides corrections and additions to the Draft EIR, based on comments received during and after the public review period and based on staff-initiated text changes.

Section V. Mitigation Monitoring and Reporting Program: This section includes all of the mitigation measures identified to reduce or avoid environmental impacts of the project and notes the monitoring phase, the enforcement phase, and the applicable department or agency responsible for ensuring that each mitigation measure is implemented.

Appendices: The appendices to this document include copies of all the comments received on the Draft EIR and additional information cited to support the responses to comments.

D. CHANGE IN PROPOSED PROJECT

Subsequent to the conclusion of the public review period for the Draft EIR, the Project Applicant (SFI Bridgeview, LLC) formally requested the City to replace the original Proposed Project description (1,135 units) with a reduced density (830 units) site plan that was evaluated as "Alternative C" in the Draft EIR. Because this reduced density proposal was evaluated in the Draft EIR, the responses to comments contained in this document primarily address the 830-unit project proposal, rather than the 1,135-unit plan that was presented as the Proposed Project in the Draft EIR.

In addition, the Project Applicant is no longer requesting approval of a Development Agreement from the City for the Project. A secondary pedestrian/emergency vehicular access lane has also been added to the Project along the site's southern boundary adjacent to the Seaport Village development.

Further discussion of these changes is presented in Section IV, Corrections and Additions to the Draft EIR.

E. REVIEW AND CERTIFICATION OF THE FINAL EIR

Consistent with State law (Public Resources Code 21092.5), responses to agency comments will be forwarded to each commenting agency at least 10 days prior to the public hearing. At the same time, responses will be distributed to all commenters who provided an address.

The Final EIR is available for public review at the following locations:

Erin Strelich
City of Los Angeles
Department of City Planning
200 Spring Street, Room 750
Los Angeles, CA 90012
Telephone: (213) 978-1351
E-Mail: erin.strelich@lacity.org

Central Library
630 W. 5th Street
Los Angeles, CA 90071

San Pedro Regional Branch Library
931 S. Gaffey Street
San Pedro, CA 90731

Harbor City-Harbor Gateway Branch Library
24000 S. Western Avenue
Harbor City, CA 90710

Wilmington Branch Library
1300 N. Avalon Boulevard
Wilmington, CA 90744

Lomita Public Library (County of Los Angeles)
24200 Narbonne Avenue
Lomita, CA 90717

Miraleste Library (City of Rancho Palos Verdes)
29089 Palos Verdes Drive East
Rancho Palos Verdes, CA 90275

The Final EIR is also available online at the Department of City Planning's website [http://planning.lacity.org/ (click on "Environmental" and then "Final EIR")]. The Final EIR can be

purchased on CD-ROM for $7.50 per copy. Contact Erin Strelich of the City of Los Angeles at erin.strelich@lacity.org or by phone at (213) 978-1351 to purchase one.

II. LIST OF COMMENTERS

The City of Los Angeles Department of City Planning received a total of 187 comment letters on the Draft EIR. Each comment letter has been assigned a corresponding number, and distinct comments within each comment letter are also numbered. For example, comment letter "A1" is from the State Clearinghouse and Office of Planning and Research. The comments in this letter are numbered "A1-1", etc.

The agencies, organizations and persons listed below provided written comments on the Draft EIR to the City of Los Angeles during and after the formal public review period, which was from November 8, 2012 to January 7, 2013. Copies of the comments are included in Appendix A to this document.

Public Agencies and Neighborhood Councils

A1. State Clearinghouse and Office of Planning and Research (Scott Morgan) on January 8, 2013

A2. City of Los Angeles, Bureau of Sanitation (Ali Poosti) on December 10, 2012

A3. California Department of Fish and Game (Daniel Blankenship #1) on December 11, 2012

A4. California Department of Fish and Game (Daniel Blankenship #2) on November 27, 2012

A5. City of Lomita (Margaret Estrada, Mayor) on December 19, 2012

A6. South Bay Parkland Conservancy on December 31, 2012

A7. Metropolitan Transportation Authority (Scott Hartwell) on December 28, 2012

A8. City of Rancho Palos Verdes (Kit Fox) on January 7, 2013

A9. California Department of Transportation (Dianna Watson, Caltrans District 7) on January 7, 2013

A10. County Sanitation Districts of Los Angeles County (Adriana Raza) on January 7, 2013

A11. U.S. Department of the Navy (Captain M.H. Hardy) on January 4, 2013

A12. South Coast Air Quality Management District (Cheryl Marshall) on January 4, 2013

A13. U.S. Department of Defense, Defense Logistics Agency (David Rodriguez) on January 4, 2013

A14. Native American Heritage Commission (Dave Singleton) on November 21, 2012

A15. City of Los Angeles, Northwest San Pedro Neighborhood Council (Diana Nave) on January 7, 2013

A16. City of Rolling Hills Estates (David Wahba) on January 3, 2013

Private Individuals, Homeowners Associations, and Private Organizations

B1. Yeager, Elizabeth on December 4, 2012

B2. Yeager, Walter on December 4, 2012

B3. Frka, Mike and Lisa (#1) on December 4, 2012

B4. Marks, William (#1) on December 4, 2012

B5. Lund, Harold on November 12, 2012

B6. Urwin, Jim on November 14, 2012

B7. Nave, Pat on January 7, 2013

B8. De Luca, Mike on December 17, 2012

B9. Sandell, April on December 19, 2012

B10. Thorsen, Rob on December 20, 2012

B11. Smith, James on December 18, 2012

B12. Kurata, Irene on December 29, 2012

B13. Gossett, Linda on January 1, 2013

B14. Robertson, Larry on January 1, 2013

B15. Vaughn, Erin on January 2, 2013

B16. Bero, Bryan on January 2, 2013

B17. Penicks (no full name given) on January 2, 2013

B18. Franklin, Jan on January 2, 2013

B19. Huber, Sharon on January 2, 2013

B20. McKim, Gale and Judy on January 2, 2013

B21. Nelson, Dean on January 2, 2013

B22. Van Lue, Nick and Jan on January 2, 2013

B23. Murphy, Raye on January 2, 2013

B24. Mattingly, Michael (#1) on January 2, 2013

B25. Howard, Lucy on January 2, 2013

B26. Macauley, Craig, on January 2, 2013

B27. Muraro, Rose on January 2, 2013

B28. Divona, Frank on January 2, 2013

B29. Lanning, Joe on January 2, 2013

B30. Dileva, Ralph (#1) on January 2, 2013

B31. Sover, John and Suzanne on January 3, 2013

B32. Munoz, Martha on January 2, 2013

B33. Huskins, Robert and Marjorie on January 2, 2013

B34. Nunez, Jay on January 2, 2013

B35. Frka, Mike and Lisa (#2) on January 2, 2013

B36. Marcia, Suzanne on January 2, 2013

B37. Hester, Mary on January 2, 2013

B38. Gonzalez, Steven on January 2, 2013

B39. Stagnaro, Chris on January 2, 2013

B40. Stallman, William on January 2, 2013

B41. Ferree, Adrianne on January 2, 2013

B42. Muaina, Evon on January 2, 2013

B43. Wilson, Greg on January 3, 2013

B44. Mosich, Joyette on January 3, 2013

B45. Koehler, Jeff on January 3, 2013

B46. DiBernardo, Mike on January 3, 2013

B47. Marks, William and JoJean (#2) on January 3, 2013

B48. Carnegis, Elaine and George on January 3, 2013

B49. Grant, Mike and Julie on January 3, 2013

B50. Rutter, Connie on January 3, 2013

B51. Bonaventura, John on January 3, 2013

B52. Winkler, John on January 3, 2013

B53. Stinson, John on January 3, 2013

B54. Horton, Bruce on January 3, 2013

B55. Stinson, Debbie Sue on January 3, 2013

B56. Magee, Steve on January 3, 2013

B57. Carter, Sasha on January 3, 2013

B58. Lindsey, Janis on January 3, 2013

B59. Eckmier, Stuart on January 3, 2013

B60. Carter, Curtis and Frances on January 3, 2013

B61. Henderson, John on January 3, 2013

B62. Lancaster, Brad on January 3, 2013

B63. Mizuhashi, Masaki on January 3, 2013

B64. Spinelli, Bill on January 3, 2013

B65. Dileva, Ralph (#2) on January 3, 2013

B66. Brandelli, Donna on January 3, 2013

B67. Pearson, Holly on January 3, 2013

B68. Campbell, Eliana on January 3, 2013

B69. Brigden, N.K. on January 3, 2013

B70. Gregory, Connie on January 4, 2013

B71. Fly, Jonathan on January 4, 2013

B72. Kohler, Kim on January 4, 2013

B73. Arzoumanian, Douglas and Laura on January 4, 2013

B74. Wagoner, Richard on January 4, 2013

B75. Mendoza, Eddie and Christine on January 4, 2013

B76. Bogdanovich, Yvonne on January 4, 2013

B77. Gaines, Jerry on January 4, 2013

B78. Harbor City/Harbor Gateway Chamber of Commerce (Joeann Valle) on January 4, 2013

B79. Wells, Mark on January 4, 2013

B80. Mattingly, Michael (#2) on January 4, 2013

B81. Kinsey, Robert on January 5, 2013

B82. Kaufman, Sheri on January 5, 2013

B83. Bauer, Norma on January 5, 2013

B84. San Pedro Peninsula Homeowners' Coalition (John Miller) on January 5, 2013

B85. Chartrand, Patrick and Barbro on January 5, 2013

B86. Dickson, Donald on January 5, 2013

B87. Hart, Chuck on January 7, 2013

B88. Sumich, Donna on January 5, 2013

B89. Grayson, Ashley on January 5, 2013

B90. Yablonovitz, Jeff on January 5, 2013

B91. Hur, John and Tina on January 5, 2013

B92. Litzel, Jim on January 5, 2013

B93. Contreras, Julie on January 5, 2013

B94. Cornell, Glenn on January 2, 2013

B95. Begovich, Mark on January 6, 2013

B96. Harriman, David on January 6, 2013

B97. Noon, Gail on January 6, 2013

B98. Scanlon, Matthew on January 6, 2013

B99. Burger, Jeff on January 6, 2013

B100. Siegman, Craig on January 6, 2013

B101. Carrolle, Victoria and John on January 6, 2013

B102. Siegman, Anne Marie on January 6, 2013

B103. Hulett, Lupe on January 6, 2013

B104. Early, Jane on January 6, 2013

B105. Zuliani, Barbara on January 6, 2013

B106. Fuller Family on January 6, 2013

B107. Brunner, Richard on January 6, 2013

B108. Stockett, Marge on January 6, 2013

B109. Grajeda, Lupe on January 6, 2013

B110. Dooley, Diane on January 6, 2013

B111. Lauro, Janet on January 6, 2013

B112. Jones, Helen on January 6, 2013

B113. Grgas, Marijan on January 6, 2013

B114. Ritzke, Jeanne and Raymond on January 6, 2013

B115. Moore, Cecelia on January 6, 2013

B116. Spinelli, Margaret on January 6, 2013

B117. Coloma, Deborah on January 6, 2013

B118. Thorsen, Lucie on January 6, 2013

B119. Pizzini, Helene and Quentin on January 6, 2013

B120. McOsker, Connie on January 6, 2013

B121. Akins, Patricia on January 7, 2013

B122. Kivett, George on January 7, 2013

B123. Misetich, Anthony (Rancho Palos Verdes City Councilman) on January 6, 2013

B124. Paul, Marcia on January 7, 2013

B125. R Neighborhoods R1 (Nancy Castiglione) on January 7, 2013

B126. Nave, Diana on November 10, 2012

B127. Welstead, Jim on January 7, 2013

B128. Marshall, John on January 7, 2013

B129. Herbert, Ruth on January 7, 2013

B130. Mendoza, Irene on January 7, 2013

B131. Mendoza, Ephraim on January 4, 2013

B132. Epperhart, Douglas on January 7, 2013

B133. Cantu, Cathy on January 7, 2013

B134. O'Donnell, Beverly and Jim on January 7, 2013

B135. Yoshimoto, Joy on January 7, 2013

B136. Greene, David on January 7, 2013

B137. Dray, Winnifred on January 7, 2013

B138. Sierra Club, Palos Verdes-South Bay Regional Group (Alfred Sattler) on January 7, 2013

B139. Allman, Scott on January 7, 2013

B140. Verner, Winnie on January 7, 2013

B141. Norton, John on January 7, 2013

B142. Sattler, Barbara and Alfred on January 7, 2013

B143. Bradley, Sandra on January 7, 2013

B144. Viramontes, Rachel on January 7, 2013

B145. Rivera, David on January 7, 2013

B146. Houske, M. on January 7, 2013

B147. Dillard, Joyce on January 7, 2013

B148. Shea, Terri on January 7, 2013

B149. Dominguez, Louis and Suzanne on January 7, 2013

B150. Moen, Kathi on January 7, 2013

B151. Morgan, Brent on January 7, 2013

B152. Holmes, Vivian on January 7, 2013

B153. San Pedro Peninsula Homeowners United, Inc. (Chuck Hart) (#1) on January 5, 2013

B154. Campbell, Brian (Rancho Palos Verdes City Councilman) on January 7, 2013

B155. Terzoli, Paola on January 7, 2013

B156. Schoen, Tim and Sara on January 7, 2013

B157. Abrahams, Dale on January 7, 2013

B158. Pawlak, Bill and Marge on January 8, 2013

B159. San Pedro Peninsula Homeowners United, Inc. (Chuck Hart) (#2) on January 3, 2013

B160. Kurata, Yoshiko on December 30, 2012

B161. Welsh, Richard on January 6, 2013

B162. Khaleeli, Bizhan on January 7, 2013

B163. Burchett, Bob on January 6, 2013

B164. Harmatz, Mitch on January 7, 2013

B165. Kumamoto, Kris on January 7, 2013

B166. Schaaf-Gunter, Janet on January 5, 2013

B167. Rolling Hills Riviera Homeowners' Association (Jeanne Lacombe) on December 30, 2012

B168. Mah, Evelyn on January 4, 2013

B169. Lacombe, Jeanne on December 30, 2012

B170. Cornell, Taylor on January 3, 2013

B171. Maya, John on January 17, 2013

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III. RESPONSES TO COMMENTS
A. TOPICAL RESPONSES

During the comment period, the Lead Agency received a number of comments that make common claims and raise similar environmental issues. The Final EIR responds to all comments that were received during the comment period. The topical responses below (Topical Responses) provide a response to common themes presented in the comment letters, and thereby reduce the redundancy of responding to each common comment individually with the same response. Accordingly, the individual responses to each comment submitted will occasionally reference back to these Topical Responses.

This Final EIR presents the following Topical Responses:

1. Draft EIR Review Period Extension Request

Several comments on the Draft EIR requested an extension of the comment period. In accordance with the CEQA provisions, cited and discussed below, a 61-day public review period for the Draft EIR began on November 8, 2012, and ended on January 7, 2013. With respect to the public review period for a Draft EIR under CEQA, the California Public Resources Code, Section 21091(a) states:

> *The public review period for a draft environmental impact report may not be less than 30 days. If the draft environmental impact report is submitted to the State Clearinghouse for review, the review period shall be at least 45 days, and the lead agency shall provide a sufficient number of copies of the document to the State Clearinghouse for review and comment by state agencies.*

In addition, Section 15105(a) of the State CEQA Guidelines states:

> *The public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances. When a draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 45 days, unless a shorter period, not less than 30 days, is approved by the State Clearinghouse.*

Finally, Section 15203 of the State CEQA Guidelines, addresses "Adequate Time for Review and Comment" and states:

> *The Lead Agency shall provide adequate time for other public agencies and members of the public to review and comment on a draft EIR or Negative Declaration that it has prepared.*

It also provides that:

> *Public agencies may establish time periods for review in their implementing procedures and shall notify the public and reviewing agencies of the time for receipt of comments on EIRs. These time periods shall be consistent with applicable statutes, the State CEQA Guidelines, and applicable Clearinghouse review periods.*

Just prior to the public review period for the Draft EIR, a Notice of Availability of the Draft EIR was sent to owners and occupants within a 500-foot radius of the Project Site, as well as interested parties, persons that attended the scoping meeting for the Project, persons that commented on the Notice of Preparation of the Draft EIR, and those who requested notification. The Notice of Availability was also published in the *Los Angeles Times* and the *South Bay Daily Breeze* on November 8, 2012. At the beginning of the public review period, CD copies of the Draft EIR were provided to local neighborhood organizations and numerous public agencies. As of November 8, 2012, the Draft EIR was also made available for public review at five local libraries, at the City of Los Angeles Department of City Planning, Council Offices (both City Hall and the field offices), and the City Clerk's Office. The Draft EIR was also available for review on the City's website. Copies of the Draft EIR were also submitted to the State Clearinghouse.

Although CEQA allows for extensions to the standard 45-day comment period, CEQA does not require them, and they occur at the discretion of the Lead Agency. Because the minimum mandatory 45-day public comment period would have ended just before the Christmas and New Year's holiday period, the City extended the comment period by 16 additional days to January 7, 2013 to allow additional time for public review. As described above, the Draft EIR has been made available for widespread review and has been easily accessible by the public, including via the Internet. Moreover, the City received 187 comment letters, which indicates that a substantial number of public agencies and members of the public were able to review and comment on the Draft EIR within the statutory timeframe. The City has also recently limited review times of other Draft EIRs for significant projects, so the City is acting consistently with its current policy and practice. Thus, the City, as Lead Agency, has determined that the 61-day public comment period was consistent with both the letter and intent of CEQA.

In addition, Section I, Introduction/Summary, of the Draft EIR provides a comprehensive summary of the Draft EIR that includes a description of the Project, a summary of the environmental impacts and mitigation measures for each environmental issue evaluated within the Draft EIR, and an overview of the alternatives to the Project that were evaluated. Although the statutory review time for the Draft EIR has closed, the public will have several opportunities to provide comments regarding the Project during the upcoming public hearing process. Based on the above, the City of Los Angeles fully complied with the CEQA statutory time requirements for public review and notification of the Draft EIR for the Project.

Nevertheless, the comments requesting an extension of the comment period are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

2. Traffic Analysis

Several comments raise concerns regarding the traffic that would be generated by the Project and the assumptions that were employed in the traffic analysis in Section IV.N (Transportation and Traffic) of the Draft EIR. This Topical Response responds to many of these comments, while additional responses to certain comments are contained in the letter-by-letter responses that follow.

Traffic Study Methodology

The traffic analysis in Section IV.N (Transportation and Traffic) of the Draft EIR is based on the Traffic Study included as Appendix IV.N-1 to the Draft EIR, which was prepared under the supervision of the City of Los Angeles Department of Transportation (LADOT), in accordance with LADOT's adopted policies, procedures, and standards as outlined in the LADOT *Traffic Study Policies and Procedures Manual*. In connection with the preparation of environmental impact reports by the City of Los Angeles, LADOT is responsible for the identification of potential traffic impacts of the project and recommended traffic mitigation measures. The analysis and findings of the Traffic Study contained in the Draft EIR, including the identification of potentially significant traffic impacts associated with the Project and the corresponding measures to mitigate the impacts to less than significant levels, were also affirmed in the LADOT letter dated April 10, 2012 and included as Appendix IV.N-1 to the Draft EIR.

The Traffic Study provides a comprehensive analysis of the potential traffic impacts associated with the Project. As noted in Section 15151, Standards for Adequacy of an EIR in the CEQA Guidelines:

> *"An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."*

Study Intersections

The Traffic Study uses several methods of evaluating potential traffic and transportation impacts in accordance with LADOT's *Policies and Procedures Manual*. The principal method is to evaluate traffic impacts based on a review of intersection performance. LADOT's methodology focuses on intersections because they are the points in the City's street network where congestion is most likely to occur and, therefore, are where the additional traffic generated by the project would have its greatest potential to cause adverse effects.

Following consultation with LADOT, and based on input received during the public scoping process, 56 area intersections were designated for study (Draft EIR, pp. IV.N-2 to IV.N-4). The study intersections cover a wide geographic region and include intersections located in the City of Los Angeles, the City of Rancho Palos Verdes, the City of Lomita and other nearby communities. A map of the study intersections is included as Figure IV.N-1 on page IV.N-5 of the Draft EIR.

Each of the 56 study intersections was examined using the traffic analysis procedures and significant impact thresholds adopted by the City of Los Angeles. In addition, although not required by LADOT

policy or CEQA, for those intersections located outside the City of Los Angeles, the Traffic Study supplements the City's analysis with analysis based on the procedures and methods used by the city in which the intersection is located. For example, intersections in the City of Rancho Palos Verdes were examined using the traffic impact analysis methods of both the City of Los Angeles and Rancho Palos Verdes.

Traffic Counts

In the traffic engineering practice, intersections are evaluated over a peak one-hour period of traffic volume. Typically, these peak periods of traffic occur during the weekday morning and/or afternoon commuter periods, and also correspond with times of the year when schools are in session. Observational data collected by the Institute of Transportation Engineers (ITE) for residential uses indicate that the Project will likely generate its highest amount of traffic onto the local street system during these weekday morning and afternoon peak hours. Also, data collected to establish baseline conditions shows that existing traffic experiences weekday morning and afternoon peak periods. Thus, the highest periods of traffic generation by the Project, in combination with peak levels of background traffic on the local street system, results in the weekday morning and afternoon peak hours as the time periods with the greatest potential for significant Project-level and cumulative traffic impacts of the Project to occur. Therefore, these weekday peak periods are appropriately analyzed in the Traffic Study.

To identify the morning and evening "peak" hour for each intersection, traffic counts were taken at the 56 study intersections during the weekday morning and afternoon commuter peak hours (7:00 to 10:00 AM and 3:00 to 6:00 PM). Also, based on feedback from local community groups, additional traffic counts were conducted during the 2:00-3:00 PM hour at the 12 study intersections located near schools to determine if the peak hour may occur earlier in the day as a result of student departure activities. Finally, additional counts were taken at intersections along Western Avenue during a Saturday midday peak period (11:00 AM to 2:00 PM). The peak one-hour period (e.g., 7:30-8:30 AM) was determined for each study intersection for weekday AM and PM periods, as well as Saturday midday. Traffic counts were generally conducted in September and October 2010 while local schools were in session.

Section 15125 of the CEQA Guidelines states, in relevant part:

> *"An EIR must include a description of 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, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."*

CEQA Guidelines Section 15126.2 also provides that:

> *"An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced."*

The notice of preparation for the Project was published in October 2010 and the traffic counts for the Traffic Study occurred primarily in September and October 2010 (depending upon the individual intersection). Thus, the traffic count data was collected for the appropriate baseline period in accordance with CEQA's Guidelines.

Modifications of Existing Conditions

Some comments have asserted that the traffic counts used in the Traffic Study were conducted during a period of relatively reduced levels of economic activity (locally and regionally), speculatively concluding that this resulted in lower traffic volumes that are not representative of "normal" conditions. The comments suggest that the traffic counts should be adjusted or redone. Such changes to the traffic count data, or new traffic counts, are not required or advisable based on the following:

- Modifying the existing traffic counts would conflict with Section 15125(a) of the CEQA Guidelines, which require that the effects of the Project be measured against conditions as they exist at the time the Notice of Preparation is published. Modifying the traffic counts or conducting new counts would represent a potential misrepresentation of the existing environment at the time the Notice of Preparation was published in October 2010.

- Hypothetically, if an adjustment were to be made to the 2010 traffic counts, it would be highly speculative to define a "normal" condition. It is possible, for example, that the traffic data collected in 2010 reflect a new "normal" condition, and that traffic conditions in the immediate years prior were atypical.

- The traffic study utilizes a highly conservative method to forecast future pre-Project traffic volumes at the study intersections. The method uses both an annual ambient traffic growth factor, plus estimates of traffic potentially attributable to cumulative development projects, and likely results in a substantial overstatement of future traffic volumes at the study intersections. As the traffic study analyzes Project-related impacts against both the 2010 baseline and the derived future background condition, any perceived "abnormalities" in the 2010 traffic baseline are addressed through the use of the highly conservative future pre-Project forecast.

Trip Generation Rate

The Traffic Study's forecast of Project traffic is based on rates recommended in the *Trip Generation* manual published by the Institute of Transportation Engineers (ITE). The ITE developed these trip rates based on traffic counts conducted at existing development sites throughout the country (e.g., existing condominium complexes, existing apartment complexes, etc.). ITE reviews the information submitted and determines the appropriate land use category to assign the data.

As noted in Table IV.J-10 in the Draft EIR, the following ITE trip generation rates were employed in the Traffic Study: ITE Land Use Code 210 (Single-Family Detached Housing) for the detached housing units, ITE Land Use Code 230 (Residential Condominium/Townhouse) for the for sale attached housing units, ITE Land Use Code 220 (Apartments) for the rental units, and ITE Land Use Code 412 (County Park) for the public park component. As explained below, the trip generation rates provide an appropriate and conservative forecast of the trips to be generated by the Project.

The ITE trip rates are derived from actual studies of existing developments within the land use category. Additionally, ITE requires data submissions of sites to be freestanding in nature. That is, as stated on page 17 in the ITE's *Trip Generation Handbook*, the sites evaluated for potential inclusion in the *Trip Generation* manual should have limited access to public transit services, as well as walk-in trips from adjacent parcels. The data received by ITE are plotted and summarized in the Trip Generation manual by both a weighted average and a fitted curve regression equation. The purpose of the fitted curve regression equation is to capture the trip generation characteristic of most land uses such that as the size of the development increases, the effective trip rate declines (e.g., a 500,000 square foot office building generates fewer trips per square foot as compared to a 50,000 square foot office building). For the Traffic Study, the weighted average trip rates were conservatively utilized for forecasting trips to be generated by the Project's residential components even though use of the regression equation would have resulted in an estimate of fewer trips generated by the Project.

Chapter 3 of the *Trip Generation Handbook, Second Edition* provides guidance in regards to the selection of the appropriate methodology for estimating trip generation for a particular land use. The order of preferred methodology is provided on page 9 of the *Trip Generation Handbook* and is listed below:

- Use the provided regression equation when provided for the land use if the independent variable (in the case of the Project, the number of residential units) is within the range of data, and the data plot has at least 20 points (or R-squared value is greater than or equal to 0.75).

- Use the weighted average rate if no regression equation is provided and there are at least three data points and the independent variable is within the range of data.

- Collect local data if the conditions above are not satisfied.

Review of the ITE *Trip Generation* manual for the three land use categories consulted in preparing the Project trip generation forecast – Single-Family Detached Housing (ITE Land Use Code 210), Apartment (ITE Land Use Code 220) and Residential Condominium/Townhouse (ITE Land Use Code 230) -- indicates that all criteria for using the regression equation apply. That is, regression equations are provided, the independent variable is within the range of the data set, and there are at least 20 data points. However, the Traffic Study conservatively utilizes the weighted average rate instead of the regression equation provided in the *Trip Generation* manual. Had the regression equations provided in the *Trip Generation* manual been utilized, the resulting calculation of trip generation associated with the Project would have been lower than the forecast provided in the Traffic Study. For example, using the regression equations, the forecast number of daily trips generated by the residential component of the Project would be 7,015, as compared to the forecast of 7,462 daily trips provided in the Traffic Study. Thus, the methodology used in the Traffic Study is highly conservative. Contrary to some comments on the Draft EIR, ITE does not recommend the use of the "higher end" of the midpoint (or weighted average).

Some comments argue that an individual residential unit must generate higher daily trips. However, the ITE data represents an aggregation of the overall vehicular trip generation characteristics occurring at a residential development. The ITE rates are not intended to estimate trip generation on a unit-by-unit basis. Thus, on any given day the trip generation characteristics vary considerably among different households. For example, one household may be a working couple with school-aged children. Another household may be an individual that works from home. One household may conduct its errands on the way to and from work. Another household may make separate trips. The ITE rates aggregate all of these, and other, behaviors. Similarly, on a peak hour basis, the trip generation characteristics will vary widely between units. For example, one neighbor may arrive home from work at 4:00 PM, a second neighbor may arrive home from work at 5:30 PM, while a third neighbor may arrive home from work at 7:00 PM. While each of these neighbors believes that they are driving home in "rush hour" traffic, in fact only one of the three neighbors is part of the actual *peak hour* of traffic evaluated in the Traffic Study. Thus, by evaluating traffic impacts for the one-hour period of highest traffic at the study intersections (e.g., for the 5:30 PM commuter), the corresponding traffic impacts and mitigation (if required) are sufficiently evaluated in the Traffic Study for the periods of slightly less traffic (e.g., for the 4:00 PM and 7:00 PM commuters). Each of these variations in daily and peak hour trip generation behavior is accounted for in the ITE trip rates for the overall residential development. More importantly, the ITE trip rates are based on empirical data obtained through actual traffic counts, and not theory or speculation.

Although the Project Site is directly served by a number of bus lines (see Table IV.N-8, Existing Transit Routes in Project Vicinity, and Figure IV.N-6, Existing Transit Routes in the Draft EIR) and commercial, educational, and recreational uses are located within walking distances of the Project, in order to provide a conservative assessment of the potential traffic impacts associated with the Project, no reductions or discounts were made to the Traffic Study's Project trip generation forecast (which is based on the ITE trip rates assuming nearly all trips by private vehicle) to provide credit for these public transit or walking trips that are likely to replace some trips that would otherwise be made by a private vehicle.

It has been suggested that "local data" should be collected related to the trip generation characteristics of other residential developments. However, collection of additional data is not necessary due to the extremely high statistical correlation of the data in ITE Land Use Codes 210, 220 and 230. This high statistical correlation suggests that any additional data points would fall within close proximity to the best-fit line.

In summary, sufficient data points are readily available in the *Trip Generation* manual to conclude that the weighted average trip rates provide an adequately conservative forecast of trips associated with the Project. Further, based on the high correlation of data collected, it is reasonable to conclude that additional data points would not yield any meaningfully new information regarding the trip generation characteristics of residential projects.

Project Trip Assignment

The peak hour trips forecast to be generated by the Project were assigned to the 56 study intersections in conjunction with the assessment of potential impacts at each location. The relative percentage of Project-related trips by turning movement at each study intersection is provided in the Draft EIR on Figure IV.N-8. As described in the Traffic Study, the assignment is estimated based on the anticipated origins and destinations of Project-related trips, and therefore the corresponding routes (streets and intersections) used in traveling to and from the site. The distribution pattern reflected on Figure IV.N-8 was developed, in part, based on a review of existing travel patterns at the study intersections.

In review of Figure IV.N-8, it is noted that a relatively higher percentage of Project-related trips are forecast to travel to and from the site via Western Avenue north of the site as compared to the segment of Western Avenue south of the site. Specifically, as measured at the Western Avenue/Green Hills Drive and Western Avenue/Avenida Aprenda intersections (i.e., the two vehicular access points proposed to serve the Project Site), approximately 67% of Project-related trips are forecast to arrive at the site via southbound Western Avenue and 72% of Project-related trips are forecast to depart the site via northbound Western Avenue.

The relatively higher percentage of forecast Project-related turning movement percentages arriving and departing via Western Avenue north of the site was forecast based on the generally greater number of employment centers located north of the Project Site. In addition, the relative assignment of Project-related trips at the site access points was made, in part, based on a review of existing turning movement volumes at the Western Avenue/Peninsula Verde Drive and Western Avenue/Fitness Drive intersections, which are immediately north and south of the Project Site, respectively. These intersections are similar to the Project and its proposed access points because the existing residential units served by these streets only have vehicular access to Western Avenue. Thus, the relative geographic distribution (i.e., trips using Western Avenue north and south of these intersections) should be reasonably similar to the travel patterns seen at the Project Site following construction and occupancy of the proposed residential units. The existing turning movement volumes at the Western Avenue/Peninsula Verde Drive and Western

Avenue/Fitness Drive intersections are shown on Figure IV.N-3 for the AM peak hour, and Figure IV.N-4 for the PM peak hour.

Note that Figure IV.N-3 in the Draft EIR is incorrect and is being replaced in the Final EIR by the correct graphic, which was included in Appendix IV.N-1 to the Draft EIR as Figure 5-1 (see Section IV, Corrections and Additions to the Draft EIR). However, this revision does not change the conclusions of the Draft EIR.

Table III-1 below provides a summary of the turning movement volumes using Western Avenue north of the Peninsula Verde Drive and Fitness Drive intersections. As noted in the Project trip generation forecast provided in Table IV.N-10 of the Draft EIR, the majority of Project-related trips will be outbound during the AM peak hour (e.g., motorists leaving their homes and driving to work) and inbound during the PM peak hour. (e.g., motorists returning home after work). Thus, the data in the table below focus to outbound trips leaving Peninsula Verde Drive and Fitness Drive via northbound Western Avenue during the AM peak hour, as well as inbound trips entering Peninsula Verde Drive and Fitness Drive via southbound Western Avenue during the PM peak hour.

Table III-1
Existing Turning Movement Volumes
Western Avenue at Peninsula Verde Drive and Fitness Drive

Intersection	Existing Northbound Trips Out - AM Peak Hour			Existing Southbound Trips In – PM Peak Hour		
	NB Out	Total Out	% NB Out	SB In	Total In	% SB In
Western Avenue/ Peninsula Verde Drive	16	23	70%	15	25	60%
Western Avenue/ Fitness Drive	85	112	76%	50	78	64%
Total	**101**	**135**	**75%**	**65**	**103**	**63%**

As shown in Table III-1, approximately 75% of outbound trips leaving Peninsula Verde Drive and Fitness Drive travel northbound on Western Avenue during the AM peak hour (i.e., as compared to 72% used in the Traffic Study) and 63% of inbound trips arriving at Peninsula Verde Drive and Fitness Drive travel southbound on Western Avenue during the PM peak hour (i.e., as compared to 67% used in the Traffic Study). While traffic volumes (and turning movements) vary on a day-to-day basis, the data presented above indicates that the trip distribution percentages assigned in the Traffic Study represent a reasonable expectation of the relative proportion of Project-related trips using Western Avenue north of the Project site.

Future Pre-Project Conditions

At the time the Project is completed and occupied, additional traffic may be added to the street network from sources such as other projects and job growth. To account for this possibility, in addition to an analysis of traffic impacts on the baseline established by the NOP, the Traffic Study also estimates future pre-project traffic conditions in accordance with LADOT policies and procedures to provide a future baseline against which the Project's traffic impacts can be assessed. The Traffic Study uses 2017, the year the Project is expected to be built out, as the future baseline date.

To forecast year 2017 pre-Project conditions, the Traffic Study utilizes two separate, though overlapping, techniques in accordance with LADOT practices and policy. First, the Traffic Study assumes that traffic will grow by a factor of 1% each year until 2017 when the Project is completed. The use of the 1% annual growth factor is highly conservative when compared to the computer traffic modeling efforts prepared by Metro for sub-regions of Los Angeles County, including the South Bay/Harbor area, which forecasts an equivalent annual traffic growth rate of only 0.335%. As discussed in the Draft EIR at page IV.N-87, while the 1% factor is intended to account for all reasonably foreseeable traffic growth, in addition to the 1% annual growth factor, the Traffic Study also assumes the build-out of all identified cumulative development projects proposed in the City of Los Angeles and in other nearby communities in the vicinity of the Ponte Vista site. As a result of the scoping process conducted at the time the NOP was circulated for the Project in the fall of 2010, 154 cumulative projects were considered in the Traffic Study (see Table III-2 in the Draft EIR for a list of these cumulative projects).

Various comments identify individual projects that the comments assert were not, or in fact were not, included as cumulative projects in the Draft EIR. As discussed in Section III.C of the Draft EIR (at page III-22), the CEQA Guidelines indicate that lead agencies may use two alternative means of identifying the universe of past, present, and probable future projects in assessing the significance of cumulative impacts:

- *A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or*

- *A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.*

Because projects are constantly being proposed, abandoned, and modified, CEQA also encourages the use of a cut-off date for identifying cumulative projects for analysis in a Draft EIR. CEQA Guidelines §15126.2 states that "[i]n assessing the impact of a proposed project on the environment, the Lead Agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation [NOP] is published[.]" (see also *San Franciscans for Reasonable Growth v. City and County of San Francisco*, 151 Cal. App. 3d 61, 75 n.14 (Cal. Ct. App. 1984) ["Projects are constantly being fed into the environmental review process. The

problem of where to draw the line on 'projects under review' that must be included in the cumulative impact analysis of a particular project could be solved by the use of a reasonable cutoff date which could be set for every project according to a standard procedure."]).

In accordance with the CEQA Guidelines, the Draft EIR identified cumulative projects that were probable and foreseeable, using the Project's NOP as a cut-off. The NOP for the Project was circulated between October 26, 2010 and November 29, 2010.

To obtain a list of cumulative projects, the preparers of the Draft EIR compiled information publicly available from the City of Los Angeles Departments of Planning and Transportation, City of Rancho Palos Verdes, City of Rolling Hills Estates, City of Carson, City of Long Beach, City of Torrance, City of Lomita, and the County of Los Angeles. Cumulative projects were also identified through public comments received during the NOP and scoping process for the Draft EIR. All projects identified through this manner were included in Table III-2 of the Draft EIR, except where specifically noted and discussed in the Draft EIR. Thus, the Draft EIR presented a comprehensive list of cumulative development projects at the time of the NOP based on the best information from responsible jurisdictions.

With respect to potential traffic, as well as air quality and noise effects, the analysis of the Draft EIR went beyond the minimum requirements of Section 15130 of the CEQA Guidelines to prepare a highly conservative cumulative impact scenario, as discussed in the Draft EIR at page IV.N-87. Specifically, to forecast future pre-Project conditions, the Draft EIR assumed that traffic will grow by a factor of 1% each year until 2017 when the Project is completed. In addition, although the 1% annual growth factor is intended to account for all traffic growth from development and other sources, the Draft EIR also assumed the build-out of all identified cumulative development projects proposed in Los Angeles and other nearby communities. Thus, the Draft EIR's cumulative traffic, air quality, and noise analyses conservatively characterize future pre-Project conditions, against which the Project's potential impacts are assessed.

Individual responses addressing each project newly identified during the Draft EIR comment period are provided in individual responses to comments. Some projects that commenters asserted were overlooked were verified to have been included in the Draft EIR. Others were proposed or modified after the NOP period cut-off date. A small number of projects had been proposed at the time of the NOP period cut-off date, but the agencies having jurisdiction failed to identify them to the EIR preparers or in comments during the NOP scoping period. These particular projects are not large and would not affect the results of the analysis. One of the reasons for using the conservative growth factor discussed above is to capture the growth in traffic from projects such as these in the overall analysis.

Finally, in accordance with LADOT practice and policy, the Traffic Study assumes that the cumulative projects will not be accompanied by any traffic mitigation measures. In actuality, however, most major projects are accompanied by traffic mitigation because of the requirements of CEQA and City CEQA traffic impact significance thresholds. The intention of this methodology is to provide a conservative scenario against which to assess potential traffic impacts and identify mitigation measures. As discussed

in the Traffic Study and Draft EIR, this methodology is likely to significantly overstate future traffic conditions in the vicinity of the Project, and provides a highly conservative basis for analyzing Project traffic impacts.

After carefully reviewing the comments received, the City concludes that the cumulative projects list and cumulative impact approach utilized in the Draft EIR is adequate for CEQA purposes. As discussed earlier, the traffic, air quality, and noise cumulative analyses of the Draft EIR were prepared so as to provide a highly conservative analysis of the potential cumulative effects of the Project and cumulative projects. CEQA does not require that every potential cumulative project be considered in an EIR if consideration is also given to planned or expected growth in an area. As noted in Section 15151, Standards for Adequacy of an EIR, in the CEQA Guidelines:

> *"An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."*

Traffic Mitigation

The Traffic Study outlines recommended measures to mitigate the potentially significant traffic impacts associated with the Project at 20 affected intersections to less than significant levels. The LADOT letter of April 10, 2012, included in Appendix IV.N-1 to the Draft EIR, affirms the findings of the Traffic Study relative to the potentially significant traffic impacts and corresponding mitigation measures. At several intersections, the Project's traffic mitigation measures will result in an improvement over existing conditions with respect to intersection performance.

As discussed in the Draft EIR at page IV.N-160, the Project will be constructed in stages to account for market absorption. Therefore, as the build-out of the Project is anticipated to occur over an approximate five-year period, Project traffic mitigation will also be sequenced such that the improvements would be constructed prior to the occurrence of a potential traffic impact due to a particular level of Project occupancy. All measures involving improvement to the area roadway network must be funded and completed prior to overall Project completion and occupancy.

LADOT Bike Lane Installation

Subsequent to the conclusion of the Draft EIR public review period, LADOT, acting to implement portions of the *Los Angeles Bicycle Plan*, installed bike lanes on Westmont Drive and Capitol Drive in the

San Pedro area. Concerns have been raised with the City with respect to the potential for these new bike lanes to affect the data, analysis, and findings contained in Project Traffic Study.

In April 2013, bike lanes were installed by LADOT on the segments of Westmont Drive and Capitol Drive between Western Avenue on the west and Gaffey Street to the east. Generally, the bike lanes were created through the removal of one through travel lane in each direction of Westmont Drive and Capitol Drive (i.e., reducing the number of through travel lanes in each direction from two to one). These improvements were previously identified for Westmont Drive and Capitol Drive in the City's 2010 Bicycle Plan.[1] LADOT reviewed the project to install bike lanes on Westmont Drive and Capitol Drive and determined that implementation of the bike lanes would not adversely affect vehicular, bicycle or pedestrian traffic flow.

The following intersections along Westmont Drive and Capitol Drive were evaluated in the Project Traffic Study:

- No. 20: Western Avenue/Westmont Drive
- No. 23: Western Avenue/Capitol Drive
- No. 37: Gaffey Street/Westmont Drive
- No. 38: Gaffey Street/Capitol Drive

The existing lane configurations at these study intersections are provided in the Traffic Study on Figure 4-1 and in the Draft EIR on Figure IV.N-2. A recent field review of these intersections confirmed that the current lane configurations have not been altered as a result of the bike lane implementation project. Thus, the intersection Level of Service (LOS) calculations provided in the Draft EIR for the study intersections along Westmont Drive and Capitol Drive do not require revision as a result of the bike lane project.

The Project Traffic Study recommended mitigation measures that will result in minor changes to travel lane configurations at three of the four intersections listed above. The future lane configurations are generally shown on Figure 13-1 of the Traffic Study and Figure IV.N-31 of the Draft EIR. It has been determined that the recommended mitigation measures at the study intersections along Westmont Drive and Capitol Drive can be implemented even with consideration of the recent bike lane installations. Thus, no changes to the mitigation measures recommended in the Traffic Study and Draft EIR are required as a result of the bike lane project.

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[1] *2010 Bicycle Plan, City of Los Angeles, Adopted March 1, 2011.*

It has been reported anecdotally (e.g., in local newspaper articles) that the installation of the bike lanes on Westmont Drive and Capitol Drive has slowed the movement of vehicular traffic, primarily due to the removal of one of the travel lanes in each direction. While this may be correct, this change does not affect the data, analysis, and findings of the Project Traffic Study for the following reasons:

- While the movement of vehicular traffic may have slowed on Westmont Drive and Capitol Drive due to the removal of through travel lanes, motorists still have the potential to experience, on a relative basis, greater delay at the signalized intersections at Western Avenue and Gaffey Street. It is for this reason that the Traffic Study evaluates the potential traffic impacts of the Project at signalized intersections, and not on the mid-block street segments connecting these intersections. Therefore, it is appropriate that the Traffic Study evaluates the relative effects of traffic generated by the Project on Westmont Drive and Capitol Drive based on its relative impacts at the signalized intersections at Western Avenue and Gaffey Street.

- There is no reason to suspect that traffic volumes using Westmont Drive and Capitol Drive have changed substantially since the implementation of the bike lanes as there are no direct alternative east-west travel routes in the vicinity connecting Western Avenue and Gaffey Street. Thus, the intersection traffic volume data utilized in the Project Traffic Study remain valid.

- Within the Traffic Study, a relatively nominal amount of Project-related traffic is assigned to the segment of Westmont Drive between Western Avenue and Gaffey Street (i.e., 11 percent of Project-related traffic was assumed to use this segment of Westmont Drive). No Project-related traffic was assumed to use the segment of Capitol Drive between Western Avenue and Gaffey Street.

In summary, based on a review of the recent installation of bike lanes on Westmont Drive and Capitol Drive, it is concluded that these bike lanes do not affect the data, analysis and findings presented in the Project Traffic Study and Draft EIR.

3. Impacts of the Environment on the Proposed Project

CEQA does not require and is not intended to require an EIR to analyze or mitigate the impacts of the existing environment on a project. In this case, for example, the level of risk presented by nearby industrial facilities (e.g., the Navy Defense Fuel Support Point, ConocoPhillips refinery, and Rancho LPG facility) as a result of toxic air contaminant emissions and potential fire/spill hazards, represents an existing environmental condition that the Proposed Project would not alter or worsen. Although the Project would bring additional people near this existing environmental condition, the existing level of risk presented by industrial facilities in the Project vicinity is not an impact of the Project on the environment, and the Project would not affect the emissions from these facilities in any way. Instead, it is considered an impact of the environment, that is, the conditions that currently exist as a result of emissions from existing facilities, on the Project. There are many other state and federal laws that regulate toxic air emissions as well as the operation of potentially hazardous industrial facilities, but the purpose of CEQA

is to evaluate and mitigate impacts of a project on the environment. As numerous courts have affirmed, the purpose of CEQA is "not to protect proposed projects from the existing environment" (*Baird v. County of Contra Cost*a (1995) 32 Cal.App.4th 1464; Pub. Res. Code Sections 21061, 21083(b), and 21060.5.) "[C]ourts have recognized that CEQA is not a weapon to be deployed against all possible development ills." (*South Orange County Wastewater Authority v. City of Dana Point* (2011) 196 Cal. App. 4th 1604, 1614.) It has a limited role. "The Legislature did not enact CEQA to protect people from the environment." (*Id*. at 1617-1618.) "We agree with [SOCWA v. County of Orange], that the Guidelines [15126.2]... is not an example of an environmental effect caused by development, but instead is an example of an effect on the project caused by the environment. Contrary to Guidelines section 15126.2, subdivision (a), we hold that an EIR need not identify or analyze such effects.... Although the Guidelines ordinarily are entitled to great weight, a Guidelines provision that is unauthorized under CEQA is invalid." (*Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal.App.4th 455, 474.)]

The Draft EIR, in order to fully disclose existing environmental conditions in the vicinity of the Project Site, evaluated, in a reasonable amount of detail, the level of risk that could be posed to future Project residents from the continued, unchanged operation of three nearby industrial facilities as well as the Ports of Los Angeles and Long Beach. However, CEQA does not obligate EIRs to include such analyses, as the characteristics they consider do not represent impacts of the Project on the environment. Many of the comments received on the Draft EIR, as well, address the effect on the Project that would or could be caused by the existing environment, including comment Letters A-11 from the U.S. Navy and A-13 from the Defense Logistics Agency pertaining to the DFSP facility. Although complete responses to the comments in these letters are provided in this Final EIR, many of these comments do not raise CEQA issues. Avoidance of spills and fires at the nearby industrial facilities, as well as compliance with applicable laws and regulations governing toxic air emissions, is a responsibility of the owners/operators of each facility, not the Project Applicant.

4. Rancho LPG Holdings

Several comments have raised concerns regarding the Rancho LPG Holdings storage facility, located approximately 0.7 mile to the east of the Project Site, adjacent to Gaffey Street. There has been a substantial amount of debate within the San Pedro/Harbor City/Rancho Palos Verdes community over the past several years concerning the Rancho LPG facility with respect to the risk it may represent as a result of product releases and/or catastrophic explosions and fires. This debate has occurred independently of any discussion concerning the Proposed Project at the Ponte Vista site. Generally, the comments pertaining to Rancho LPG that were submitted on the Draft EIR for the Ponte Vista Project have addressed two principal issues: (1) the potential risk presented to future Project residents by the Rancho LPG facility and (2) general concerns about the Rancho LPG facility, including the inadequacy of Rancho LPG's Risk Management Plan (RMP) and on-site safety apparatus (and, by extension, the inadequacy of the Draft EIR's analysis of the risk posed by the Rancho LPG facility to future Project residents given its

reliance upon the RMP). This topical response will address each of these issues and will provide a recent history of the community debate over the Rancho LPG facility as it relates to the Ponte Vista Project.

As discussed above in Topical Response 3, CEQA does not require that impacts of existing development upon a proposed project be considered in an EIR. This point is germane to this discussion because the Rancho LPG storage facility has been in existence since the early 1970s and is located across the street from existing residences that are themselves closer to the Rancho LPG facility than the proposed Ponte Vista Project would be. The Project would not have any direct impact upon the Rancho LPG facility and would not result in the alteration of its operation. Indirect impacts of the Proposed Project that may affect the Rancho LPG facility are limited to traffic on the roadways adjacent to the Rancho LPG facility. The Project's traffic impacts are described in Section IV.N (Transportation and Traffic) of the Draft EIR, which presents mitigation measures that would reduce each of the Project's significant impacts with respect to traffic to a less than significant level.

The Project would, however, place new residents within 0.7 to one mile of the storage tanks and containment basin at the Rancho LPG facility. Under the Applicant's preferred development plan for the Ponte Vista site (evaluated as Alternative C in the Draft EIR), an estimated 2,222 persons would eventually reside at the Project Site upon Project completion and full occupancy. It should be noted that the Project Site has previously been utilized for residential purposes and that previous residents at the site were also exposed to the same level of risk presented by the Rancho LPG facility as future Project residents would be.

Although CEQA does not require that an EIR consider the impact of the existing environment on a project, the Draft EIR did include an analysis of these types of issues in the interest of informing the public as well as providing a context for the discussion of land use compatibility. Specific to the Rancho LPG facility, Section IV.H (Hazards and Hazardous Materials) of the Draft EIR presents an analysis of the potential for toxic air contaminants emitted from the facility to present a significant cancer risk at the Project Site (see Draft EIR at page IV.H-25) as well as an analysis of the potential for the facility to present a significant risk of injury and/or property damage to the Project as a result from accidental releases of hazardous materials (including fires and explosions; see Draft EIR at page IV.H-36). This topical response addresses the second of these two analyses – that of an accidental release from the Rancho LPG facility – as it is the topic of the majority of comments received on the Draft EIR in relation to Rancho LPG. Comments specific to the issue of the health risk presented by toxic air emissions from Rancho LPG are addressed individually (see Section III.B of this Final EIR).

Risk of Upset Analysis

The Draft EIR's analysis of the risk of accidental hazardous material releases (generically referred to as "risk of upset") from the Rancho LPG facility states the following (from page IV.H-36 of the Draft EIR):

> According to the RMP filed with City of Los Angeles Fire Department, the Rancho LPG (formerly Amerigas) facility may store up to 120 million pounds of butane and 640

> thousand pounds of propane.[2] Under the RMP's offsite consequence analysis, a worst-case release of butane would spill into an on-site containment pit and could result in a vapor cloud explosion with an impact zone of 0.5 miles. A more likely alternative scenario for release of propane identified by the facility could result in a vapor cloud fire with an impact zone of 0.1 miles. There would be some quantifiable risk of upset from other activities such as product delivery by rail or truck. However, any such event would likely result in much smaller release amounts with a lower likelihood of vapor cloud explosion than quantified in the RMP, and thus, a much lower radius of impact than described in the RMP. Based on the worst-case RMP scenario and with the more likely releases having a much smaller radius impact than 0.5 miles, there would be ***no impact*** to the Project Site.

Multiple commenters on the Draft EIR have taken issue with this analysis due to its reliance upon the contents, assumptions, and methodology of the RMP for the Rancho LPG facility. Although some of these issues are addressed through the individual responses in Section III.B, a general explanation of the adequacy of the approach used for the Draft EIR is appropriate here as well.

Industrial facilities such as Rancho LPG are required to prepare Risk Management Plans (RMPs) that address potential hazards resulting from their operations and how they will be minimized or managed. RMPs are required by the federal Accidental Release Prevention Program (Title 40, Code of Federal Regulations, Part 68), which implements Section 112 (r)(7) of the Clean Air Act Amendments of 1990. California has similar requirements that are codified in the California Health and Safety Code (H&SC), Division 20, Chapter 6.95, Article 2 (commencing with Section 25531). The California program is known as the California Accidental Release Prevention (CalARP). The goal of the RMP, as required by the federal and CalARP programs, is to prevent accidental releases of substances that can cause serious harm to the public and the environment from short-term exposures and to mitigate the severity of releases that do occur.

Both the federal and CalARP programs require that facilities subject to the programs conduct an offsite consequence analysis (OCA) to provide information to the government and the public about the potential consequences of an accidental chemical release. Per 40 CFR, Part 68, §68.22-33 (federal program) and 29 CCR, Title 19, §2750 (California program), the OCA is required to consist of two elements:

> 1. Worst-Case Release Scenario – release of the largest quantity of a regulated substance from a single vessel or process line failure that results in the greatest distance to an endpoint.

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[2] *Rancho LPG Holdings Risk Management Program filed with City of Los Angeles Fire Department, February 6, 2009.*

2. Alternative Release Scenario – release that is more likely to occur than the worst-case scenario and that reaches an endpoint off-site. This is considered to be the more reasonably foreseeable scenario.

The distance to the endpoint is the distance the flammable gas will travel before dissipating to the point that risk of combustion will no longer occur.

The scenarios are developed using a Process Hazards Analysis. A Process Hazard Analysis (PHA) is done as part of the RMP process and is codified in 40 CFR, Part 68, Section 68.67 and in 29 CCR, Title 19, Section 2760.2. The PHA focuses on equipment, instrumentation, utilities, human actions (routine and non routine), and external factors that might impact the process. These considerations assist in determining the hazards and potential failure points or failure modes in a process. The chief objective of the PHA process is to provide a safety review of engineering design efforts. PHA information is usually proprietary and updates are required at least once every five years or whenever there is a major change in the process.

The main components of a typical PHA process identify the following:

- Hazards associated with the process and regulated substances
- Opportunities for equipment malfunction or human error that could result in a release
- External events that could impact the process and result in a release
- Safeguards that will control the hazards or prevent the malfunction or error
- Steps to detect or monitor releases
- All process safety information and ensure that it is up-to-date

The Rancho LPG facility stores butane and propane gases and is required to prepare and maintain RMP documents. The RMP documents developed by Rancho LPG evaluated flammables, which include both butane and propane. The Rancho LPG RMP was most recently updated in February 2011, although the version utilized in the Draft EIR analysis is dated February 2009 and was the most recent iteration available at the time the analysis was conducted. The analyses of these potential release events in the RMP are not material- or product-specific, and apply to all fuels that are transported to and from the facility, including liquefied petroleum gas and butane.

The release scenario presented in the Rancho LPG RMP is a worst-case scenario, as defined by EPA's *Risk Management Program Guidance for Offsite Consequence Analysis* (OCA, April 2009). A worst-case scenario is defined as "the release of the largest quantity of a regulated substance from a vessel or process line failure, and the release that results in the greatest distance to the endpoint for the regulated toxic or flammable substance." For butane and propane, the endpoint is 1 psi overpressure for a vapor

cloud explosion. The worst-case release is defined without regard to cause and potential human or mechanical intervention. However, passive mitigation such as containment berms can be considered.

In its review of the RMP for application to the evaluation of risk of upset impact at the Ponte Vista Project Site for the Draft EIR, BlueScape Environmental concluded that Rancho LPG correctly followed the EPA regulatory guidance for release of refrigerated butane into a containment area (OCA, Section 5). The RMP analysis assumed that the entire contents of a full tank would empty into a containment basin over 10 minutes, with 10% of that quantity available for a vapor explosion. The maximum amount of refrigerated butane stored in either of two large tanks is 57 million pounds (lbs). Of that, 570,000 lbs. of refrigerated liquid butane was assumed to be released per minute for 10 minutes, with 57,000 lbs/min available to evaporate and for a vapor cloud explosion. From OCA Reference Table 13, even if all 570,000 lbs. were instantaneously available for a vapor cloud, the distance to 1 psi overpressure would be just over 0.6 miles. Measured from the edge of the containment areas for the refrigerated butane storage tanks, the Proposed Project would lie more than 0.7 miles distant, beyond the 0.5-mile worst-case scenario radius. Therefore, this worst-case scenario explosion, and explosions under other scenarios with lesser release quantities, were determined would not impact the Project Site at the significance level of 1 psi overpressure. Thus, the Draft EIR concluded that this scenario would have no impact upon future Project residents.

The Rancho LPG RMP also defines an alternative, or more likely, release scenario as a release that would occur when a truck pulls away after loading with a hose attached, with 14 lbs./min butane vapor released over a period of 10 minutes. The 140 lb. release leads to a 0.02-mile distance to overpressure of 1 psi, again, much closer to the facility than the Ponte Vista Project Site. The alternative release scenario considers such mitigation as manual or automated shutoff procedures. This alternative case and other similar scenarios are much more realistic of the types of releases that might occur at the Rancho LPG facility, including leaks from valves, valve failures, pipe breaks, and other scenarios. In addition, these scenarios account for the agency-required safety procedures that Rancho LPG must have in place to minimize the risk of these releases. The worst-case scenarios of total butane or propane storage tank failure lead to the furthest impacts to endpoint, but are also extremely unlikely to occur. Releases such as leaks and spills from product delivery by truck or rail are much more likely than the worst-case scenario, but exhibit significantly less chemical released over a longer period. Thus, the Draft EIR properly included that the Rancho LPG facility would have no impact on the Project under either the Worst-Case Release Scenario or the Alternative Release Scenario presented in the RMP.

Commenters have presented numerous objections to the methodology and conclusions presented in Rancho LPG's RMP. However, the RMP is filed with the Los Angeles City Fire Department (LAFD), the delegated agency for managing compliance with federal and state regulations governing butane and propane storage. The LAFD is charged with reviewing and approving the RMP document, completing inspections, and enforcing compliance. Given this, it was properly concluded that the RMP represents the most informed and reliable assessment of the potential product release scenarios at Rancho LPG and, thus, provide the best basis for an analysis of the facility's potential to affect the Project Site.

General Concerns About Rancho LPG

Many commenters on the Draft EIR have raised general objections to and concerns regarding the Rancho LPG facility, above and beyond the potential for accidental releases of hazardous materials to impact the Project Site specifically. These comments are understood as being presented within the context of an ongoing community debate over the Rancho LPG facility, a debate that pre-dates the advent of a redevelopment proposal for the Ponte Vista Project Site. It is clearly not within either the ability or the mandate of the EIR for the Proposed Project to address or resolve each of the concerns that has been expressed regarding Rancho LPG, nor would it be appropriate to attempt to do so. However, because the Draft EIR does contain a brief discussion of the recent community debate over Rancho LPG as context for the more direct analysis of Rancho LPG's potential to impact the Project, some general background and discussion of recent developments is warranted.

Its original owner, Petrolane, constructed the Rancho LPG facility beginning in 1973. An EIR for the project was certified by the City of Los Angeles in 1973 and the facility was granted all applicable permits from the relevant regulatory agencies prior to construction and initial operation. Although the Rancho LPG facility is not located within a designated surface fault rupture zone, the storage tanks were constructed with an adequate safety factor for the maximum credible seismic event associated at the time with the Palos Verdes Fault and have been subjected to routine evaluation to ensure that they meet current building standards, will not fail due to seismic hazard, and provide reasonable assurance that a loss of containment will not result in an offsite consequence of danger to the public.[3] With respect to the most recent seismic evaluation of the Rancho LPG tanks, the CalARP seismic assessment (mandated every five years) for the facility was audited in 2011 with no violations reported.[4]

Additionally, Rancho LPG has engaged in a program of continual inspection and maintenance to ensure that all vessels, tanks, piping, and infrastructure are maintained in accordance with applicable regulations. The two large refrigerated butane tanks at the facility were internally and externally inspected in 2009 and 2012, with no major defects found. No major incidents, accidents, or releases have occurred in the Rancho LPG facility's 40 years of operation.[5]

In 2010, the Northwest San Pedro Neighborhood Council commissioned a Quantitative Risk Analysis of the Rancho LPG facility, prepared by Cornerstone Technologies, Inc. As discussed in the Draft EIR (at page IV.H-36), this analysis estimated larger zones of impact of up to 1.7 miles for a pool fire, 4.0 miles for a vapor cloud explosion, and 6.8 miles for a BLEVE than the RMP.[6] The Draft EIR goes on to state:

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[3] *Ron Conrow, Western District Manager, Plains/Rancho LPG Holdings, LLC, Written Correspondence to Michael LoGrande, Director, Department of City Planning, City of Los Angeles, December 21, 2012, p. 8.*

[4] *Ibid.*

[5] *Ibid, p. 9.*

[6] *Cornerstone Technologies, Quantitative Risk Analysis for Amerigas Butane Storage Facility, September 2010.*

> Importantly, however, the Cornerstone Technologies conclusions are based on conditions that are extremely unlikely to occur. First, a large magnitude earthquake from the Palos Verdes fault zone (up to 7.3 magnitude) is only expected to occur once every 400-900 years. Also, the probability that this earthquake would be centered at the Rancho LPG facility is moderate, since the fault zone extends for a distance of approximately 100 kilometers. Further, the tanks are designed with seismic safety features that reduce the risk of rupture in the event of an earthquake. In addition, it is highly unlikely that the vapor cloud would distribute and ignite before reaching its maximum radius, particularly with weather conditions in the harbor typically generating consistent yet variable wind speeds that would disperse the butane vapor more rapidly to prohibit dense, overpressure conditions upon ignition. Further, Cornerstone Technologies did not consider the presence of on-site passive mitigation at the Rancho LPG facility and the analysis does not incorporate the effects of those safety features.[7] Therefore, the scenarios modeled by Cornerstone Technologies are considered unrepresentative, and therefore comprise remote and speculative characterizations of the foreseeable risks associated with the facility.

According to Rancho LPG, Cornerstone Technologies' study was prepared without any visit to the facility and in the absence of important facility-specific data and information, including consideration of designed facility safety measures and, thus, included unrealistic, physically impossible, and technically invalid scenarios.[8]

To respond to the Cornerstone report, Rancho LPG hired Quest Consultants, Inc. to perform a thorough technical review of the Cornerstone analysis and to prepare a comprehensive Quantitative Risk Analysis of the Rancho LPG facility. The Quest report disputed the conclusions reached by Cornerstone Technologies and concluded that simplistic, conservative assumptions and use of the RMP Comp Model led Cornerstone to substantially overestimate the distance to 1 psi overpressure. Additionally, Quest concluded that no "cataclysmic domino effect" could occur as a result of any incident at Rancho LPG.[9]

In 2011, the U.S. EPA hired an independent third-party consultant, Professor Daniel Crowl at Michigan Technological University, to perform a risk assessment and evaluation with respect to potential damage from a worst-case release of butane and/or propane from the Rancho LPG facility. In addition, Professor Crowl evaluated both the Cornerstone and Quest reports and concluded that the Quest report presented an accurate assessment of the true risks associated with the Rancho LPG facility.[10] This third-party assessment is discussed in the Draft EIR at page IV.H-39. Subsequently, as is also discussed in the Draft

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[7] *Correspondence from Rancho LPG Holdings to NW San Pedro Neighborhood Council on October 27, 2010.*

[8] *Letter from Ron Conrow, p. 11.*

[9] *Ibid.*

[10] *Correspondence from Daniel A. Crowl, Professor, Michigan Technological University to Ms. Mary Wesling, EPCRA/RMP Enforcement Coordinator, U.S. EPA Region IX on April 11, 2011.*

EIR, the City Attorney responded to local concerns regarding potential risk of upset at Rancho LPG, indicating that (1) operations at Rancho LPG are consistent with applicable regulations and requirements and that no violations were found during two inspections of the facility in 2011; (2) there has been no demonstration of facts leading to a claim of harm or damage caused as a result of Rancho LPG's activities; (3) no legal basis exists via which the City can enjoin permitted business activities or operations at Rancho LPG; and (4) that Rancho LPG's current operations were adequately addressed in previous CEQA documentation and analysis.[11]

On June 27, 2012, the Public Safety Committee of the Los Angeles City Council held a meeting to discuss the safety of the Rancho LPG facility and others (*Safety Regulations and Precautions at Liquefied Petroleum Gas (LPG) Facilities*, February 19, 2013). The Committee meeting was attended by several agencies charged with overseeing compliance with safety regulations applicable to Rancho LPG. The report from this meeting reiterated the advantage of Rancho LPG storing butane as a liquid under pressure; that upon release into a containment area, only a small amount could become involved in a vapor cloud explosion. The containment area reduces the surface area for liquid butane to become vapor.

As far as oversight, the Committee requested that the Chief Legislative Analyst prepare a report on safety regulations and precautions at LPG facilities. This report was released in February 2013 and states that LAFD conducts routine inspections of tanks, fire suppression systems, fire hydrants, gas/liquid monitoring, inventory of process and stored substances, emergency planning, and security. In addition, the Department of Building and Safety (LADBS) performs annual inspections pursuant to the Municipal Code and state law. Relative to potential safety improvements, the report identifies two initiatives in consultation with LAFD and LADBS: one focusing on conducting an emergency exercise to further enhance the preparedness efforts of City first responders and to better engage community stakeholders and a second to explore the specific levels of coordination between City and non-City inspection agencies to determine the feasibility and benefits of automatic cross-notification of inspections.[12]

On March 14, 2013, the U.S. EPA issued a Notice of Potential Enforcement Action to Rancho LPG for violations of the Clean Air Act resulting from inspections it conducted of the facility in 2010 and 2011. The allegations cited in the notice include:[13]

- Failure to include the rail storage area in Rancho LPG's Risk Management Plan;
- Failure to adequately evaluate potential seismic stress on the support structure for the emergency flare;

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[11] *Correspondence from Carmen A. Trutanich, Los Angeles City Attorney, to Anthony G. Patchett, Esq. on September 22, 2011.*

[12] *Report of the Chief Legislative Analyst, Safety Regulations and Precautions at LPG Facilities, February 19, 2013.*

[13] *Correspondence from Daniel A. Meer, Assistant Director, Superfund Division, U.S. Environmental Protection Agency, Region IX to Tony Puckett, Rancho LPG Holdings, LLC; March 14, 2013.*

- Failure to appropriately address the consequences of a loss of the city water system for fire suppression in the event of an earthquake;
- Failure to internally inspect Tank 1 in accordance with required timetables;
- Failure to develop and adopt an adequate emergency response program; and
- Failure to ensure that the drainage pipe at the base of the containment basin and the valve located near Gaffey Street are included in the mechanical integrity program.

Rancho LPG has prepared a formal response to this notice and has submitted it to the EPA, which is currently reviewing the information and intends to meet with Rancho LPG in midsummer 2013 to discuss its response.[14] However, it should be noted that none of the potential violations cited in the EPA notice directly pertain to the analysis in the Draft EIR of Rancho LPG's potential to impact the Proposed Project under one of the two modeled release scenarios discussed previously.

5. Emergency Evacuation and Response

Several comments raise concerns regarding the potential effect of the Project on emergency response and evacuation efforts in the event of a major emergency, either natural or manmade, in the San Pedro area; a situation that requires response beyond routinely occurring periodic police, fire, and ambulance response events. This Topical Response is intended to provide additional information in response to these comments, while additional responses to certain comments are contained in the letter-by-letter responses that follow.

As is discussed in the Draft EIR (see pages IV.H-39 through -43), the Safety Element of the General Plan is the governing policy document of the City of Los Angeles pertaining to response to disaster events. As part of the General Plan, the Safety Element anticipates housing growth in the City of Los Angeles. As discussed in the Draft EIR, the current Proposed Project (Draft EIR Alternative C) would provide about 67 percent of the additional housing units forecast for the Wilmington-Harbor City Community Plan areas from 2010-2017 and about 30 percent of forecast 2010-2027 housing growth. It is thus consistent with the Safety Element's growth assumptions, and would not interfere with implementation of the Safety Element.

Contrary to the assumptions of several comments, the City maintains and continuously updates and upgrades its emergency response plans and resources. After every significant emergency, City personnel evaluate the effectiveness of response, ways to improve response, and how to reduce potential loss of life, injury, and property damage in future similar events. Natural disasters within the City, as well as

[14] *E-mail correspondence from Mary Wesling, USEPA Region 9 with CAJA Environmental Services, LLC; June 17, 2013.*

disasters in other parts of the world, have added to existing knowledge about disaster preparedness. See the Draft EIR (at page IV.H-39) for a discussion of the responsibilities of the City's Emergency Operations Organization's (EOO) Transportation Division.

Individual division emergency plans are maintained by the EOO's Airports Division, Animal Regulation Division, Building and Safety Division, Fire Suppression and Rescue Division, General Services Division, Harbor Division, Information Technology Agency, Personnel and Recruitment Division, Police Division, Public Welfare and Shelter Division, Public Works Division, Recovery and Reconstruction, Transportation Division, and Utilities Division. The Emergency Response Master Plan also contains individual protocols and procedures (entitled "Annexes") to deal with particular types of emergencies, including civil disturbances, earthquakes, hazardous materials releases, major aircraft accidents, major fires, non-declared emergencies, and storms.

Interagency agreements, both formal and informal, enable the closest available unit to respond to an emergency incident. Inter-jurisdictional assistance to assure public safety, protection and other assistance services today generally are in the form of "mutual aid" agreements (see Draft EIR at page IV.H-40). Mutual aid and other agreements provide for voluntary cooperative efforts and for provision or receipt of services and aid to or from other agencies or jurisdictions when local capabilities are exceeded by an emergency event. Through mutual aid agreements, the EOO and individual City agencies coordinate emergency response planning with adjacent cities, the County of Los Angeles, the State, federal agencies and other public and private organizations, such as the Los Angeles Unified School District and the American Red Cross. In addition, they share information so as to improve hazard mitigation efforts and coordinate resources for disaster response and recovery.

As discussed in the Draft EIR (at page IV.H-40), the EOO Harbor Division's emergency preparedness plan addresses various contingencies, including the potential that, in the event of a major disaster, the possibility exists that the Harbor would be geographically severed from the City making it impossible for other divisions to move equipment and personnel into the area. For this purpose, the Harbor Division maintains interagency cooperation agreements with the Port of Long Beach, U.S. Navy and the U.S. Coast Guard. The Harbor Department also maintains current lists of Harbor Department construction equipment, vehicles, vessels and radio equipment, and also a list of equipment in the area operated by private industry. In general, the San Pedro/Harbor area is considered to have the most advanced, well-developed set of emergency response and emergency evacuation procedures in the City of Los Angeles, as well as in the greater Los Angeles region.[15]

The City is constantly planning and working to respond to emergency contingencies in the best manner possible. The response to any given emergency depends on the particular emergency event that has occurred, the timing and location of the emergency event, and the scope of the emergency event. Given

[15] *Joan McNamara, Commanding Officer-Harbor Area, Los Angeles Police Department; personal communication, April 18, 2007.*

the numerous permutations of possible events and circumstances, discussion of a hypothetical event is beyond the scope of this EIR.

In accordance with the Safety Element and Emergency Response Manual, in a state of emergency, the EOO assumes command and control and responds with maximum feasible speed. The EOO informs the public as to the steps that should be taken to protect themselves, and directs responding resources. As persons become aware of the state of emergency, ordinary public activities, such as persons engaged in shopping or work, are temporarily suspended. Public cooperation is assumed and public agencies assume control of public streets and facilities that are necessary to allow efficient emergency response, and where relevant, evacuation activities.

While emergency preparedness is intended to be flexible to respond to unknown contingencies, the Safety Element designates disaster routes, which for planning purposes are intended to function as primary thoroughfares for movement of emergency response traffic and access to critical facilities.[16] Immediate emergency debris clearance and road/bridge repairs for short-term emergency operations will be emphasized along these routes. The selected disaster routes also provide a plan for inter-jurisdictional road reconstruction and rebuilding following a major disaster.

As is discussed in the Draft EIR (at page IV.H-40), within the vicinity of the Project Site, the Safety Element does not designate Western Avenue as a disaster route. The north-south disaster routes include: Western Avenue south of West Summerland Avenue, Gaffey Street, Pacific Avenue, and Harbor Boulevard. East-west disaster routes include 25th Street, 9th Street, West Summerland Avenue east of Western Avenue, Palos Verdes Drive North, Anaheim Street, Pacific Coast Highway, and Lomita Boulevard. Interstate 110 is the major north-south freeway route in the vicinity. The Harbor Area and San Pedro are also adjacent to surrounding cities and their disaster routes. Western Avenue would not be used as an evacuation route in the event of an incident occurring at the Port of Los Angeles because it is located too far to the west.[17]

Various comments posit a situation in which mass evacuation of the entire San Pedro/Harbor area would be necessary. As is discussed in the Draft EIR, this is a remote and speculative scenario. Foreseeable emergency situations such as explosions or hazardous material releases that would require evacuation as the best possible response are likely to be far more localized in terms of size and seriousness of the event, the geographic diversity and size of the surrounding area, the length of event, and influence of climactic conditions. As discussed on page IV.H-41 of the Draft EIR, a mass evacuation would be the response of last resort because a mass evacuation removes evacuees from their most ready shelter and supplies (their homes) and subjects them to the risks of travel in an emergency situation. Localized evacuations would be preferred, and would be for as short as a duration as possible. Specific evacuation methods have been

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[16] *City of Los Angeles, General Plan Safety Element; Exhibit H (Critical Facilities and Lifeline Systems).*

[17] *Dave Malin, Harbor Department Emergency Preparedness Coordinator II, personal communication, March 15, 2007.*

developed for evacuations and inter-agency communication and coordination protocols, as well as public communication methods and protocols, have been identified so that evacuation procedures are implemented effectively and consistently among local agencies.[18]

As is stated in the Draft EIR, in the event of a localized emergency, normal traffic patterns would cease as the public becomes aware of the situation and as emergency personnel take control of streets. Traffic patterns along routes in the Project vicinity would be controlled. The availability of centrally controlled automated traffic signals, towards which the Project will contribute, would significantly improve emergency response preparedness in the area. For localized emergencies to which evacuation is the required response, the public would be instructed in accordance with a localized evacuation plan. Traffic would be carefully managed and emergency personnel would have the ability to direct traffic to flow in only one direction. For example, using the base traffic lane capacity assumed in the traffic analysis of 1,500 vehicles per lane per hour, Western Avenue could accommodate approximately 3,000 vehicles per hour in a two-way street scenario (i.e., two lanes northbound leaving San Pedro), and up to 6,000 vehicles per hour in a one-way street scenario (i.e., four lanes northbound leaving San Pedro).

Comments were submitted regarding the ability of the Los Angeles Fire Department (LAFD) and the Los Angeles Police Department (LAPD) to respond to emergency calls within the traffic study area of the Project, considering that several of the study intersections currently operate at poor levels of service (LOS). Although the Project would add traffic to the study area, the required mitigation measures set forth in Section IV.N (Transportation and Traffic) of the Draft EIR would reduce all of the Project's traffic impacts to less than significant levels. The Project's traffic would not cause traffic flow to "freeze," not allowing any vehicles, emergency or otherwise, to move through the study area. Traffic congestion is commonplace in the City of Los Angeles, and the LAFD and LAPD are familiar with the tactics needed to maneuver through traffic congestion during an emergency response, with the use of sirens, lights, traffic signals, and use of alternate routes during peak traffic hours. The LAFD and LAPD would continue to implement these tactics during the operation of the Project.

As stated previously, and on page IV.H-41 of the Draft EIR, for most emergency situations, emergency preparedness and shelter-in-place is the preferred approach to be implemented. In these situations, the emergency response plans focus on public awareness, education and communication methods and protocols designed to provide accurate, timely, and consistent information to the public. In addition, the plans include inter-agency communication and coordination protocols for shelter-in-place emergency situations.[19] In hazardous materials releases and other emergencies, the danger is most often avoided or minimized by staying in place and indoors. In the event of a major catastrophe, damage, confusion and hazards may be widespread, making it difficult, and potentially more perilous, to travel. Sheltering-in-

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[18] *Joan McNamara, Commanding Officer-Harbor Area, Los Angeles Police Department; personal communication, April 18, 2007.*

[19] *Ibid.*

place also enables emergency response personnel to gain control and stability more quickly and thoroughly by reducing panicked activity and interference in emergency response activities.[20]

As a Project Design Feature, the Project would prepare and implement an emergency response plan for approval by the Los Angeles Fire Department (see pages IV.H-21 and IV.M-9 of the Draft EIR). The emergency response plan will include but not be limited to the following: mapping emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. In developing the emergency response plan, the Project Applicant will consult with neighboring land uses, including but not limited to the U.S. Navy Defense Fuel Support Point (DFSP), the ConocoPhillips Refinery, Rancho LPG, the Port of Los Angeles, and Mary Star of the Sea High School. The Project will also include an additional emergency access point along its southern boundary adjacent to the Seaport Village development.

This emergency response plan will help implement the City's emergency response plan policies (described earlier in this Topical Response). Project access and design is already planned to conform to the requirements of LADOT, which has reviewed and approved preliminarily proposed Project circulation and access routes, as well as the requirements of the Fire Department. In addition, the Project would fund physical traffic capacity improvements to address Project and cumulative growth and would provide an access to Western Avenue for Mary Star of the Sea High School. Implementation of the Project's traffic mitigation measures would result in improved performance conditions at several of the intersections in comparison to existing conditions, even with the addition of Project traffic. Also, as stated on p. IV.N-9 of the Draft EIR, signalized intersections near the Project Site have traffic control improvements (ATSAC/ATCS and other similar computer-operated systems) that will assist in the centralized control and operation of traffic signals, resulting in more rapid and effective emergency response. Except in the event of a localized emergency of continuing duration, the reasonably foreseeable scenario is that Project residents and their immediate neighbors would be instructed to abide by the same measures as other area residents, avoid unnecessary travel, and remain inside their homes.[21]

As noted in the Draft EIR, the Project's emergency response plan will address the occupancy, number, location, and design of the structures approved for the Project at the conclusion of the entitlement process. It will require mapping of emergency exits, evacuation routes for vehicles and pedestrians within and from the Project Site, and location of nearest hospitals and fire departments. The Applicant must also consult with neighboring land uses, including but not limited to the DFSP and the Conoco-Phillips Refinery. The plan must be completed and approved based on final building plans before building permits for the Project's structures are issued. Once completed and approved by the Fire Department, this required plan would be integrated with the regional emergency response plans described above by the LAPD and LAFD and the other agencies responsible for emergency response measures. These

[20] *Ibid.*
[21] *Ibid.*

requirements provide a mechanism for developing an integrated emergency response plan for the Project and the surrounding community.

Emergency response plans for the San Pedro/Harbor area are being continually reviewed and updated in response to changing land uses and population characteristics within the target area. Because land use and population patterns are dynamic, this updating of emergency response plans is an ongoing process led by the LAPD with involvement from the other agencies involved in implementing the plans, from the LAFD to the California Highway Patrol. Whenever new development occurs, emergency response plans are evaluated and, if necessary, revised to reflect the new development.[22] The Project Site is not currently identified in any existing emergency response plan as a physical evacuee location or other location of public congregation or equipment/personnel mobilization. In light of the foregoing discussion, the Project would have no impact with respect to interference with the provisions of adopted emergency response plans.

With respect to non-state-of-emergency situations, as discussed in the Draft EIR at page IV.M-12, the Project impacts related to emergency access also would be less than significant. Emergency access to the Project Site (police, fire, and ambulance) would be provided via the two ingress/egress points off Western Avenue that would also provide general site access as well as via the additional emergency access lane connecting to the Seaport Village development at the Site's southern boundary. In addition, a reciprocal emergency access arrangement exists between Mary Star of the Sea High School and the Project that would allow for emergency access from Mary Star and Taper Avenue to Western Avenue. Project-specific impacts with respect to emergency response distance (police, fire and ambulance) would be less than significant (see Draft EIR, p. IV.M-11).

Several comments assert that the Project would have a significant impact by resulting in increased response times to fire, police, and emergency medical service calls within the area. Although no evidence has been presented to support such an assertion, the obligation to provide adequate fire and emergency medical services is the responsibility of the City (Cal. Const., art. XIII, Section 35, subd. (a)(2) ["The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.]). In addition, the potential "need for additional fire protection services is not an *environmental* impact that CEQA requires a project proponent to mitigate. Section 15382 of the CEQA guidelines defines 'significant effect on the environment' as 'a substantial, or potentially substantial, adverse change in any of the physical conditions of the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of aesthetic or historic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.'" [*City of Hayward v Board of Trustees of the California State University,* First Dist. Court of Appeal, Case No. A131412

[22] *Ibid.*

(May 2012) (Review pending)]. As is also stated in *City of Hayward*, "the potential dangers associated with delayed response times do not mandate a finding of significance under section 15065, subdivision (a)(4) of the Guidelines…" [*City of Hayward v Board of Trustees of the California State University*, First Dist. Court of Appeal, Case No. A131412 (May 2012) (Review pending)]. Thus, even if the Project were shown to have resulted in delayed response times for relevant public services, such effects are not considered to be environmental impacts under CEQA.

6. Alternatives to the Proposed Project

Several commenters have raised concerns over the range of alternatives to the Proposed Project that was evaluated in Section VI of the Draft EIR. Primary issues raised by commenters are (1) Alternative B (No Project Alternative/Existing Zoning – Single-Family Homes) does not account for the existing Open Space zoning on a portion of the Project Site and (2) the Draft EIR did not include a mixed-use alternative that would combine residential with neighborhood-serving commercial/retail and limited office space uses. These two issues are addressed in this topical response. Other specific comments pertaining to the alternatives evaluated in the Draft EIR as well as other suggested possible alternatives are addressed under the individual responses to comments in Section III.B.

Reasonable Range of Feasible Alternatives

As is discussed beginning on page VI-1 of the Draft EIR, the CEQA Guidelines require that EIRs include the identification and evaluation of a reasonable range of alternatives that are designed to reduce the significant environmental impacts of a project, while still satisfying the project objectives. Specifically, Section 15126.6(a) of the CEQA Guidelines states:

> *Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. An EIR is not required to consider alternatives which are infeasible. The Lead Agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.*

Additionally, Section 15126.6(c) of the CEQA Guidelines states:

> *Selection of a range of reasonable alternatives. The range of potential alternatives to the Proposed Project shall include those that could feasibly accomplish most of the basic*

> *objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the Lead Agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.*

Two points are particularly relevant to the suggestions made by commenters on the Draft EIR: alternatives to a project must be potentially feasible and must feasibly accomplish most of the basic objectives of a project.

The objectives of the Proposed Project are presented on page VI-3 of the Draft EIR and are as follows:

1. To remove the abandoned improvements currently present on the site, in accordance with the contractual conditions of sale required by the U.S. Navy.
2. To provide new housing on unutilized land that will meaningfully contribute to meeting the projected 2017 and 2027 housing need in the Wilmington-Harbor City Community Plan area, as projected by the City's General Plan Framework and Southern California Association of Governments, without requiring the demolition of existing market-rate or rent-controlled housing stock.
3. To provide new housing that meets the housing needs of a broad spectrum of persons who desire to live in the San Pedro community.
4. To provide a residential project with substantial common amenities, landscaping, and open space for the use of its residents.
5. To provide a project that will invigorate the local economy, employment, and business opportunities through project construction, and through the expenditures of its future residents.
6. To mitigate potential significant environmental impacts, to the extent feasible.
7. To develop a project that fiscally benefits the City of Los Angeles.
8. To provide a project that ensures high-quality development and maintenance through the creation and adoption of a specific plan that will set land use, architectural, landscaping, streetscaping, and lighting standards.

As the Draft EIR states, based on market conditions and demands, the Project Applicant determined that residential development would best meet the objectives for the Project. The Applicant also determined

that all potential alternatives should involve private development projects that might be financially feasible to develop and market. All existing improvements must be removed from the Project Site pursuant to the contract under which the site was first transferred to private ownership. Further, the site, which was not graded or filled in accordance with current standards, must be comprehensively reengineered as part of any development.

The other CEQA-mandated consideration in establishing the range of alternatives to the Proposed Project to be evaluated in the Draft EIR is the extent to which the potential alternatives can either avoid or substantially lessen the significant environmental impacts of the Proposed Project. As discussed throughout Section IV of the Draft EIR, all of the Project's significant impacts can be mitigated to a less than significant level through the implementation of the proposed mitigation measures with the exception of impacts with respect to operational air emissions, construction-related noise and vibration, and operational exterior noise within the Project itself (not at any off-site locations). Although alternatives that were not evaluated in the Draft EIR may exist that would reduce some of the Project's other significant impacts (e.g., operational traffic), the fact that the identified Project mitigation measures would reduce these impacts to a less than significant level made it less critical to consider such alternatives, particularly if they were determined to either be infeasible to develop or incapable of attaining most of the defined project objectives listed above.

Thus, the ultimate selection of the range of alternatives to be evaluated in the Draft EIR was made based on their feasibility to develop, their ability to achieve most of the project objectives, and their ability to either avoid or substantially lessen the significant impacts of the Project that could not be mitigated to a less than significant level. Nonetheless, the Draft EIR does present a discussion of additional alternatives that were considered, but rejected from full evaluation (at page VI-5). These possible alternatives included a development plan similar to that contained in the 1999 Base Reuse Plan for the site, a mixed-use residential/commercial alternative, a fully commercial alternative, and an alternative site plan containing a dedicated senior-housing component. The rationale for not evaluating any of these other alternatives is discussed in Section VI of the Draft EIR.

Corrections to Draft EIR Alternative B

As was noted previously, multiple comments on the Draft EIR have stated that an alternative that would develop the Project Site under its existing zoning and General Plan designations was not evaluated and that the alternative in the Draft EIR (Alternative B) that purports to do exactly this, in fact, does not. With respect to this issue, the commenters are correct. Alternative B, discussed at pages I-10 and VI-10 of the Draft EIR, would redevelop the Project Site with 385 single-family homes but would not retain the site's existing zoning and General Plan land use designations, as the Draft EIR states. With respect to this latter point, the Draft EIR is in error and has been revised as described below.

As is described in Section IV.J (Land Use) of the Draft EIR, the Project Site is currently zoned for R-1 (single-family residential) development with the exception of 9.3 acres along the property's northern boundary, which is zoned Open Space. The General Plan land use designations of the site track with the zoning. Thus, it would not be possible to develop 385 single-family homes on the site unless the zoning and land use designations of the property were changed to eliminate the 9.3 acres of Open Space. As a result, implementation of Alternative B would require that a Zone Change and General Plan Amendment be approved for the Project.

In order to correct this error in the Draft EIR, the following revisions have been made to Section I (Introduction/Summary) at page I-10 under the "Alternatives" section heading (see also Section IV, Corrections and Additions to the Draft EIR):

> In order to provide informed decision-making in accordance with Section 15126.6 of the CEQA Guidelines, this Draft EIR considers a range of alternatives to the Project. The Draft EIR analyzes the following alternatives: (A) No Project Alternative/No Development; (B) ~~No Project Alternative/~~Single-Family Homes; (C) Staff Recommendation/Reduced Density; and (D) Revised Site Plan. Each alternative is described in full in Section VI, Alternatives to the Project, of this Draft EIR.
>
> **Alternative B: ~~No Project Alternative/~~Single-Family Homes**
>
> Alternative B presumes that the Project Site would be redeveloped ~~according to existing zoning and General Plan designation allowed uses and densities~~ in order to maximize the number of single-family residences at the site. Taking site planning considerations into account, including the required seismic setback, approximately 385 single-family homes could be developed on the Project Site under the ~~site's existing~~ R1 zoning and Low Residential General Plan designation. Such a site plan would require that the existing 9.3 acres of Open Space zoning and land use designation on the Project Site be eliminated. Alternative B would not include a 2.8-acre public park or an access road to Mary Star of the Sea High School from Western Avenue.

The following revisions have also been made to Section VI (Alternatives to the Proposed Project), first at the bottom of page VI-4 (see also Section IV, Corrections and Additions to the Draft EIR):

> Alternative B: ~~No Project Alternative/Existing Zoning (~~Single-Family Homes~~)~~

Also at page VI-10 (see also Section IV, Corrections and Additions to the Draft EIR):

> **Alternative B: ~~No Project Alternative/Existing Zoning (~~Single-Family Homes~~)~~**
>
> Under Alternative B, the Project would not be developed on the Project Site. However, the Project Site would not remain in its current condition. Under the conditions of the ownership

transfer from the U.S. Department of Defense to the previous owner, all existing improvements on the Project Site must be removed. Accordingly, the existing vacant former Navy housing complex and associated roadways and other infrastructure would be demolished and all debris removed from the Project Site under this alternative. Under the current land use designation in the *Wilmington-Harbor City Community Plan*, a majority of the Project Site is designated for Low Density Residential (4 to 9 dwelling units per acre) land uses. The Planning and Zoning Code (Los Angeles Municipal Code [LAMC], Chapter 1), zones all but 9.3 acres of the Project Site R1-1XL (One-Family Zone, Extra Limited Height District No. 1). Single-family dwellings, among other specified land uses, are permitted within the R1 zone. The Extra Limited Height District No. 1 limits the height of buildings to two stories or 30 feet. The remaining 9.3 acres of the site is zoned and designated Open Space.

If a Zone Change and General Plan Amendment were approved to remove the 9.3 acres of Open Space zoning from the Project Site, the land use and zoning designations of the Project Site would permit up to 429 single-family homes. In addition, if a single-family project were to include below-market (moderate, low, and very-low income units), a potential density bonus of 35 percent under the City's existing rules and regulations, or 579 single-family units, might be developed on the Project Site. Because of the significant site acquisition and site preparation costs related to the Project, the Applicant indicates that it is unlikely that a single-family project with below-market units would be developed.

Under City of Los Angeles zoning criteria, R1 zoning requires that each lot have a minimum area of 5,000 square feet, a minimum width of 50 feet, front yards of not less than 20 percent of the depth of the lot, and rear yards of not less than 15 feet, with resulting dwelling unit densities of approximately six units per acre (taking streets into account). Due to high land prices in infill locations within the City of Los Angeles, fewer and fewer new subdivisions are being developed in accordance with R1 zoning. Instead, homebuilders seeking to develop single-family homes in infill locations routinely propose homes on smaller lots at significantly higher densities.

In addition, the requirement to incorporate a seismic setback zone across the site, described in Section IV.F, Geology and Soils, would eliminate approximately 44 potential lots from a single-family residential site plan, reducing the total number of potential home lots from 429 to 385.

While infill housing in areas like the Project Site is not typically being developed in accordance with traditional R1 zoning criteria, ~~for the purpose of complying with Section 15126.6(e)(2) of the CEQA Guidelines,~~ this alternatives analysis assumes that, under Alternative B, the Project Site would be developed as a single-family home project in accordance with R1 zoning with approximately 385 single-family homes and that a Zone Change and General Plan Amendment would be approved to remove the current Open Space zoning/land use designation from the northerly 9.3 acres of the site. A conceptual site plan for Alternative B is shown in Figure VI-1.

The number of homes in Alternative B is below the maximum density that could be developed ~~without a General Plan amendment or rezoning~~ under the R1 zoning in order to provide a street and lot plan consistent with a move-up/high-end home plan as well as to, as described above, incorporate the required seismic setback zone. ~~The development would be designed to be consistent with all existing planning and zoning requirements.~~

All of the homes under Alternative B would be developed for sale at market rates. Due to the same significant site acquisition and site preparation costs discussed previously, the Project Applicant indicates that it would be necessary to develop the Project Site with the maximum reasonable number of move-up/high-end single-family homes at the highest supportable prices in the market area (Los Angeles/Wilmington-Harbor City/San Pedro) that could be achieved. The Project Applicant estimates that such homes would range between 2,000 and 3,000 square feet and would need to sell for an average price of $1 million. Given the current housing market and state of the local and regional economy, there is uncertainty that such prices could be realized. However, retaining the existing 9.3 acres of zoned Open Space on the site under Alternative B would eliminate approximately 81 additional single-family home lots from the site plan, which would likely make the alternative development economically infeasible to develop. For this reason, Alternative B proposes to eliminate the 9.3 acres of Open Space zoning from the Project Site.

The title of Figure VI-1 has been revised to read as follows (see also Section IV, Corrections and Additions to the Draft EIR):

Conceptual Site Plan – Alternative B (~~No Project Alternative~~/Single-Family Homes)

The following revisions have been made to the text on page VI-13 of the Draft EIR under the "Public Park/Open Space" subheading (see also Section IV, Corrections and Additions to the Draft EIR):

No public park would be developed. The existing 9.3 acres of zoned Open Space on-site would be eliminated through a Zone Change and General Plan Amendment process in order to allow for development of a sufficient number of single-family homes to render the site plan economically feasible. Although community open space and private park area would be located along the seismic setback zone crossing the center of the Site, the total amount of open space associated with Alternative B would be less than that associated with the Proposed Project due to the elimination of the public park component and existing zoned Open Space.

The following revisions have been made to the text on pages VI-70 and VI-71 of the Draft EIR under the "Impacts of Alternative B" subheading (see also Section IV, Corrections and Additions to the Draft EIR):

~~Contrary to the Proposed Project,~~ Alternative B would ~~be developed consistent with existing planning and zoning designations for the Project Site~~ require a Zone Change and a General Plan Amendment to re-designate the existing 9.3 acres of Open Space on-site to R1-1XL and Low

Density Residential to match the remainder of the site's existing zoning and land use designation. Lots for the 385 single-family homes would be created through the processing and recordation of a tentative tract map. Alternative B would contribute fewer additional housing units to meet area housing needs than the Project. In addition, it is expected that the sales price of homes developed pursuant to Alternative B would average approximately $1,000,000. Thus, Alternative B would provide housing for only the most affluent segment of the housing market, rather than for a broad range of potential buyers and renters. Although it would contribute additional single-family housing, Alternative B would not implement recommended air quality and regional planning strategies to increase the density of infill housing so as to reduce urban sprawl impacts on natural resources, reduce air quality emissions due to VMT for commuting purposes, and to reduce regional congestion through VMT reduction. Alternative B would fail to promote further attainment of many City and regional planning objectives and would be either inconsistent or less consistent than the Proposed Project with several of the policies contained in the General Plan, particularly those relating to the provision of a range of housing opportunities and the promotion of higher densities in locations proximate to centers of employment and transit. Alternative B would not set aside and dedicate a 2.8-acre public park as proposed by the Project. In addition, the access road across the southern portion of the Project Site connecting Western Avenue to the Mary Star of the Sea High School campus would not be provided under this alternative, creating a potential land use incompatibility with the school that did not previously exist by forcing school traffic to pass through an existing single-family residential neighborhood (Taper Avenue). In summary, impacts would be less than significant but, on balance, slightly greater than those associated with the Proposed Project.

The following revisions have been made to the text on pages VI-103 of the Draft EIR under the "Impacts of Alternative B" subheading (see also Section IV, Corrections and Additions to the Draft EIR):

Alternative B represents development under ~~the existing R-1 entitlement for the Project Site~~ R1-1XL zoning and a Low Medium Residential land use designation. ~~Under this entitlement~~ With approval of these entitlements, a total of 385 single-family homes could be constructed on the Project Site. The vehicular access associated with Alternative B is assumed to be consistent with the access scheme currently planned for the Proposed Project.

The heading of Table VI-19 beginning on page VI-133 of the Draft EIR has been revised as follows (see also Section IV, Corrections and Additions to the Draft EIR):

Alternative B: ~~No Project Alternative/Existing Zoning (~~Single-Family Homes~~)~~

The following revisions have been made to the text on pages VI-146 and VI-147 of the Draft EIR under the "Alternative B" subheading (see also Section IV, Corrections and Additions to the Draft EIR):

Alternative B would redevelop the Project Site with approximately 385 single-family homes, consistent with ~~existing zoning regulations governing the site~~ R1-1XL zoning and the Low

Medium Residential land use designation. As discussed at the start of this section, ~~because~~ Alternative B would ~~not~~ require a General Plan Amendment ~~or~~ and Zone Change to eliminate the existing Open Space zoning and land use designation from the northerly 9.3 acres of the site in order to be implemented~~, it is also considered to represent a "No Project" alternative, even though it would result in redevelopment of the site~~.

Existing Zoning Alternative Site Plan

In addition to pointing out the errors in the Draft EIR with respect to Alternative B (discussed above), several commenters have also requested that an evaluation of an alternative site plan that is fully consistent with the Project Site's existing zoning and General Plan land use designations be added to the Draft EIR. Commenters have also requested that such an alternative site plan include the same public access roadway to Mary Star of the Sea High School that is proposed under the Project and under Alternatives C and D in the Draft EIR. Commenters have also requested that this alternative site plan contain full-sized single-family home lots consistent with R1 zoning (5,000 square feet or 50 feet by 100 feet). Under these design constraints, a conceptual site plan was developed that would result in development of 169 single-family homes at the Project Site. This plan would also incorporate the required seismic setback zone across the center of the site and would include two recreation centers as well as landscaped common area. The northernmost 9.3 acres of the Project Site would remain as open space, consistent with the current zoning and land use designation of this portion of the property. This area could be developed to some extent with park and recreation facilities for the use of the general public, although its configuration and topography would likely limit its suitability for dedication to the City as a neighborhood park. A conceptual site plan for this "Existing Zoning" alternative was developed and is shown in Figure III.A-1.

As discussed at the start of this topical response, under CEQA, alternatives to a project that are evaluated in a Draft EIR must be feasible to develop and must achieve a majority of the project's objectives. They should also be capable of either avoiding or substantially reducing the project's unmitigated significant impacts.

PRODUCT TYPE	# OF UNITS (DU)
ONE-FAMILY DWELLING, R-1 ZONING	169 (50' WIDE, 5,000 SF LOT AREA MIN.)
TOTAL	169

Source: Robert Hidey Architects, 02/27/2013.

CAJA Environmental Services, LLC

Figure III.A-1
Existing Zoning Alternative
Conceptual Site Plan

Comparison to Project Objectives

With respect to being able to achieve most of the Project's objectives, the 169 single-family home "Existing Zoning" alternative site plan would achieve seven of the Project objectives, although some would be achieved to a substantially lesser extent than with the Proposed Project. The "Existing Zoning" alternative site plan would remove the existing buildings on the Project Site; provide new housing on unutilized land that would contribute to meeting the projected 2017 housing need in the area; provide a project that would invigorate the local economy; mitigate its environmental impacts to the extent feasible; provide substantial common open space along the site's northern boundary as well as two recreation centers for the use of residents, and provide a high-quality development. The "Existing Zoning" site plan would not provide new housing to meet the housing needs of a broad spectrum of persons desiring to live in the San Pedro community due to the economic imperative to develop high-end, large-lot single-family homes having a price well above the median for the region. While development of this "Existing Zoning" site plan would fiscally benefit the City, it would likely do so to a significantly lesser degree than the Proposed Project due to the reduced number of homes, even though the tax assessments would most likely be greater on a per unit average basis. Similarly, the "Existing Zoning" alternative site plan would not contribute to meeting the anticipated need for housing in the San Pedro area to the same degree as the Proposed Project due to the reduced number of homes that would be developed and the prices they would likely command.

Comparison to Project Impacts

The "Existing Zoning" alternative site plan would generally result in fewer impacts than the original Proposed Project or Alternatives B, C, and D in the Draft EIR (note that Alternative C, the reduced density alternative, is now the Applicant's preferred project), primarily due to the fewer number of homes that would be developed at the site. Impacts that would result from development of the "Existing Zoning" alternative site plan are summarized as follows:

- Aesthetics: The "Existing Zoning" site plan would have similar impacts with respect to visual character and views as the Proposed Project, although the development on the site itself would be of a lower scale and height. The existing visual character of the site would largely be retained, albeit with greater density and replacing abandoned structures with a well-maintained residential development. The northern slope of the property would not be developed but would instead be preserved as open space, thus lessening the overall developed footprint on-site in comparison to the Proposed Project or Alternatives B, C, and D. Building heights on the Project Site would be lower, which would reduce the prominence of the homes on the site as compared to the taller multi-family residential buildings of the Project when viewed from off-site locations. Overall impacts on views and visual character under this alternative would be less than significant and less than with the Proposed Project. Light and glare impacts would be reduced in comparison to the Proposed Project due to the elimination of the public park and open space lighting as well as

the lower building heights of the single-family homes. Similar to the Project, no shade/shadow impacts would occur.

- Air Quality: Compared to the Project, the "Existing Zoning" site plan would involve the construction of a smaller development and thus the duration and total construction-related air quality emissions would be reduced. However, it is assumed that the maximum daily emissions for the demolition, site preparation, grading and building construction phases would be similar to the Project. Furthermore, it is expected that the same mitigation measures included for the Project would also be required and implemented. As such, and similar to the Project, regional and localized construction emissions would be reduced to less than significant levels with the implementation of Mitigation Measures AQ-1 through AQ-3. The "Existing Zoning" site plan is expected to generate 1,638 trips during a typical weekday, representing an approximate 72 percent reduction compared to the Project. Motor vehicle trips are the primary source of daily operational emissions. Because the "Existing Zoning" alternative would generate fewer vehicle trips than the Project, it would also generate fewer average daily emissions. Modeled operational emissions associated with the "Existing Zoning" site plan (2017 Buildout) would not exceed the established SCAQMD threshold levels for any criteria pollutant. Thus, the "Existing Zoning" site plan would eliminate the Project's (2017 Buildout) ROG and NO_x significant and unavoidable impacts. Additionally, localized CO impacts would also be reduced compared to the Project. Because the Project's localized CO impacts at studied intersections under all scenarios resulted in less than significant impacts, it can be deduced that the "Existing Zoning" alternative would also result in less than significant CO impacts because it would involve substantially fewer vehicle trips. As such, localized CO impacts would be considered less than significant and reduced when compared to the Project.

- Biological Resources: The "Existing Zoning" alternative would avoid the Project's less than significant impacts to the degraded CSS habitat on the previously graded northern slope of the property by removing this part of the site from the development footprint. However, this slope would not be revegetated and replaced with more extensive and higher functioning CSS habitat as would be the case with the Project. Thus, although impacts to CSS habitat and the CAGN and PVB would be less than significant, the Project's beneficial impact would not be realized. Potential impacts on nesting birds would be similar to the Project. Similarly, potential impacts to roosting bats would be similar to those associated with the Project. Similar to the Project, the existing drainage channel crossing the southern portion of the site would be replaced and covered. Due to the need to fully develop the property to maximize the number of single-family homes, no opportunity to re-create riparian habitat along the channel would exist. Impacts would be significant before mitigation and similar to those of the Proposed Project. As with the Project, no substantial impediment to wildlife movement or gene flow could occur and the impact would be less than significant and equivalent to the Project. Most of the 330 trees on the Project Site would be removed, with the exception of those within the northerly 9.3 acres of the site. However, due to site plan constraints, a substantially fewer number of new trees would be planted

(approximately 428 net new trees) as compared to the Proposed Project. Nonetheless, impacts to trees, including protected trees, would be less than significant, and slightly less than with the Proposed Project. As with the Project, the "Existing Zoning" alternative would not conflict with any local policies or ordinances protecting biological resources, such as tree preservation policies or ordinances. Thus, no impact would occur.

- Cultural Resources: Potential archeological and paleontological resources impacts associated with the "Existing Zoning" alternative site plan would be largely the same as the Proposed Project and would be potentially significant. Therefore, the Compliance Measure and mitigation similar to Mitigation Measures CULT-1 through CULT-9 would be required in order to reduce potential impacts to a less than significant level. Any potential impacts along the northerly 9.3 acres would be avoided.

- Geology and Soils: The "Existing Zoning" site plan incorporates the required seismic setback zone through the central portion of the Project Site and would thus be in compliance with applicable City engineering requirements and would be similar to Alternative C, the current Proposed Project. Otherwise, potential geology and soils impacts would be virtually the same as the Proposed Project, although impacts along the northern slope of the site would largely be avoided. Measures similar to the Compliance Measures for the Project would reduce these impacts, although they would be less than significant.

- Greenhouse Gas Emissions: Compared to the Project, the "Existing Zoning" alternative site plan would involve the construction of a smaller development and thus the duration and total construction-related GHG emissions would be reduced. Furthermore, it is expected that the same mitigation measures included for the Project would also be required and implemented to reduce construction-related GHG emissions to the maximum extent feasible. The "Existing Zoning" alternative is expected to generate 1,638 trips during a typical weekday, representing an approximate 72 percent reduction compared to the Project. Motor vehicle trips are the primary source of daily operational GHG emissions. Because fewer vehicle trips would be generated than the Project, fewer average daily GHG emissions would be generated. Furthermore, as a substantially smaller development would be constructed, fewer operational GHG emissions would be generated from on-site sources and energy consumption. Specifically, it is estimated that the operation of the "Existing Zoning" alternative would generate approximately 3,496 CO_2e MTY assuming the same general sustainability measures outlined in MM AQ-4 for the Project would be implemented under this alternative. This represents an approximate 70 percent reduction compared to the Project. Similar to the Project, the "Existing Zoning" alternative would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California and the City of Los Angeles. As such, it would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Thus, GHG impacts would be considered less than significant and reduced compared to the Project.

- Hazards and Hazardous Materials: As with the Project, the "Existing Zoning" alternative site plan would entail demolition of all existing structures and improvements, excavation and grading, and construction of new buildings, improvements, utilities, and landscaping. Implementation of Mitigation Measure HAZ-1 would therefore be required to ensure that petroleum-impacted soils are characterized during Project excavation and grading activities and are either remediated on-site or, if necessary, transported to an appropriate facility for disposal, thus reducing the impact to a less than significant level, equivalent to the Project. Similarly, implementation of Mitigation Measures HAZ-2 and HAZ-3 would be required to insure that ACMs and LBP in the existing on-site structures are properly abated and that potential risks from ACMs and LBP are reduced to a less than significant level, equivalent to the Project. DPM emissions generated during construction would be reduced in duration compared to the Project due to the anticipated shorter construction period; however, estimated daily emissions would be comparable to those of the Project and would be less than significant. The types of hazardous materials associated with routine, day-to-day operation would be expected to be comparable to those associated with the Project. Nonetheless, the transport, use, and disposal of these materials would not be expected to pose a significant hazard to the public or the environment and impacts would be less than significant. The risk of upset potential associated with separation distances between the site and the ConocoPhillips Refinery, DFSP, and Rancho LPG facilities would be virtually the same as with the Project, and therefore less than significant. The human health risk associated with emissions from these off-site facilities would also be identical to the Project, and therefore less than significant. Because fewer residents would be present at the site (approximately 458 persons, or a 79 percent reduction compared to the Project), any emergency response plan for the site would need to consider and manage a fewer number of residents. In summary, overall impacts related to hazards and hazardous materials would be less than significant with mitigation and less than the Project.

- Hydrology and Water Quality: Unlike the Project, the "Existing Zoning" alternative would not redevelop the entire site, but would leave the northernmost 9.3 acres as under existing, undeveloped conditions. Under future conditions, general drainage patterns on the site would remain substantially the same as under existing conditions, although the existing open drainage channel crossing the southern portion of the site would be undergrounded and covered in approximately its existing location, as with the current Proposed Project (Draft EIR Alternative C). As with the Project, a new internal storm drainage system would be installed within the residential on-site street system and would connect to the County/City storm drainage facility at the southern edge of the property. The amount of stormwater runoff generated at the site would be slightly less than that associated with the Project due to the avoidance of any impervious surface area in the northerly 9.3 acres. Thus, this alternative would not have an adverse impact with respect to storm drain capacity and no mitigation measures would be required. Similarly, the development would have a less than significant impact on storm drainage infrastructure and flooding resulting from the alteration of existing drainage patterns and the increase in overall site imperviousness. Impacts would be less than significant and slightly less than the Proposed

Project. Impacts associated with the amount of runoff contributed to the Harbor and the movement of surface water would be less than significant and slightly less than the Proposed Project. Impacts associated with flooding, including the very slight risk of flooding resulting from the complete, instantaneous failure of the Palos Verdes Reservoir, would be less than significant and less than with the Project due to the fewer number of future residents to be located on the site. Water quality impacts would be less than significant and similar to those of the Project.

- Land Use and Planning: Contrary to the Proposed Project, the "Existing Zoning" alternative would be developed consistent with existing planning and zoning designations for the Project Site. Lots for the 169 single-family homes would be created through the processing and recordation of a tentative tract map. This alternative would contribute fewer additional housing units to meet area housing needs than the Project. In addition, in order for this alternative to avoid a financial loss for the Applicant, a top line sales price of $1.57 million for homes developed under the existing zoning would need to be achieved.[23] Thus, the "Existing Zoning" alternative would provide housing for only the most affluent segment of the housing market, rather than for a broad range of potential buyers and renters. Although it would contribute additional single-family housing, this alternative would not implement recommended air quality and regional planning strategies to increase the density of infill housing so as to reduce urban sprawl impacts on natural resources, reduce air quality emissions due to VMT for commuting purposes, and to reduce regional congestion through VMT reduction. The "Existing Zoning" alternative would fail to promote further attainment of many City and regional planning objectives and would be either inconsistent or less consistent than the Proposed Project with several of the policies contained in the General Plan, particularly those relating to the provision of a range of housing opportunities. In summary, impacts would be less than significant but, on balance, slightly greater than those associated with the Proposed Project.

- Noise: Given the size and location of the site, the requirement to demolish existing improvements, and the need to re-engineer and grade existing soils, redevelopment of the site under virtually any development scenario would result in significant temporary construction noise and vibration (human annoyance) impacts to the identified sensitive receptors. Similar to the Project, it is expected that the "Existing Zoning" alternative would include mitigation comparable to the Project's Mitigation Measure's NO-1 through NO-11 aimed at reducing construction related noise and vibration to the maximum extent feasible. Nevertheless, construction-related noise and vibration impacts would be significant although reduced compared to the Project due to the shorter anticipated construction period. Stationary noise impacts associated with HVAC systems would be less than significant and reduced compared to the Project. Because the

[23] *The Concord Group, "Economic Feasibility Analysis Relative to the Development of the Ponte Vista Property, San Pedro, CA", Final Report, June 18, 2013, p. 2.*

"Existing Zoning" alternative would result in fewer daily vehicle trips than the Project, off-site roadway noise impacts would also be less than significant and reduced compared to the Project. As with the Proposed Project, this alternative would result in generally unacceptable exterior noise levels for the proposed residential and open space uses fronting Western Avenue on the Project Site. Compared to the Project, fewer residences would be placed in the generally unacceptable ambient noise level areas. This significant and unavoidable impact would be essentially equivalent to the Project, although fewer residences would be impacted.

- Population and Housing: As with the Proposed Project, no construction-related housing impacts would be anticipated under the "Existing Zoning" alternative. The direct impact would be 169 single-family detached housing units. Including indirect/induced households, the total households/housing unit impact at the Subregion level would be 252 households/housing units. Within the Wilmington-Harbor City Community Plan area, the "Existing Zoning" alternative would represent about 14 percent of 2010-2017 household growth; and about six percent of 2010-2027 household growth. Therefore, like the Project, this alternative would not induce substantial housing growth, because it would meet a portion of forecasted housing need rather than exceed the housing growth forecast for the City of Los Angeles Subregion. The housing impact would be less than significant and less than the Proposed Project. The "Existing Zoning" alternative would achieve some of the Project's housing objectives, although to a substantially lesser extent than with the Proposed Project, as discussed previously. The "Existing Zoning" alternative would accommodate a population of 458 and would generate Subregion-level indirect/induced population impact of 159 persons for a total Project population impact of 617 persons. This alternative's direct plus indirect/induced population would represent about 21 percent of 2010-2017 population growth; and about nine percent of 2010-2027 population growth within the Wilmington-Harbor City Community Plan Area. Therefore, like the Project, this alternative would not induce substantial population growth, because it would accommodate a portion of forecasted population rather than exceed the population growth forecast for the City of Los Angeles Subregion and Wilmington-Harbor City Community Plan area. Therefore, the population impact would be less than significant and less than the Proposed Project.

- Public Services – Fire Protection: Fire protection service demands would generally be less than for the Project due to the fewer number of residences to be constructed at the site. The proposed plot plan for would be subject to LAFD review for compliance with applicable Los Angeles Fire Code, California Fire Code, City of Los Angeles Building Code, and National Fire Protection Association standards, thereby ensuring that this alternative would not create a fire hazard. For the above reasons, impacts related to fire services and emergency access would be less than significant and less than the Project.

- Public Services – Police Protection: Police protection service demands would be generally less than for the Project due to the fewer number of residences to be constructed at the site. Therefore, impacts to LAPD services and response times would be somewhat less than under the

Proposed Project, given the reduced amount of overall development and, as with the Project's impacts, would be less than significant.

- Public Services – Schools: The "Existing Zoning" alternative site plan would generate approximately 29 elementary school students, 13 middle school students, and 17 high school students at any one time. As compared to the Project, this alternative would generate 77 fewer elementary school students, 39 fewer middle school students, and 47 fewer high school students, which would generally create less of a demand for school services than the Project. Single-family homes typically generate a greater number of students on a per/home basis than do multi-family and rental dwelling units. With the addition of these students to existing school enrollments utilized in the Draft EIR, Taper Elementary School would operate under capacity by 195 students, Dodson Middle School would operate under capacity by 377 students, and Narbonne High School would operate under capacity by 210 students. Similar to the Proposed Project, new development under this alternative would be required to pay School Fees as a Compliance Measure. These fees would be used to construct facilities, which according to LAUSD, are necessary to serve overall student enrollment growth district-wide associated with new development, and are deemed to mitigate CEQA school impacts by State law. Therefore, impacts to LAUSD services would be less than significant and less than under the Proposed Project, given the reduced amount of overall development.

- Public Services – Parks and Recreation: The "Existing Zoning" alternative would include 9.3 acres of undeveloped, common open space area along the site's northern boundary. This area could be developed with publicly accessible recreational facilities to some extent, although the configuration of this area and its comparatively steeply sloping topography would likely render it unsuitable for use as a dedicated neighborhood park. Nonetheless, this area would provide additional public open space on the Project Site and would represent a significant increase compared to what would be available under the Proposed Project. In addition, this alternative would include two recreation centers for the use of residents, as well as additional landscaped open space and common areas scattered throughout the Site. The "Existing Zoning" alternative would represent a substantial increase in the amount of public open space available when compared to the Proposed Project. This open space area, coupled with the proposed recreation centers on-site, would provide more than enough acreage to satisfy the parkland goals for the population generated by development of this alternative. Thus, impacts on parks and recreation would be less than significant and less than those of the Proposed Project.

- Public Services – Libraries: The "Existing Zoning" alternative would result in a smaller impact to library services than the Proposed Project, as it would accommodate fewer residents. Thus, impacts on library services would be less than significant and less than those of the Proposed Project.

- Transportation and Traffic: Development of the "Existing Zoning" alternative site plan would generate substantially less traffic at the Project Site following completion and full occupancy. Specifically, this alternative would be expected to generate 32 inbound and 95 outbound trips during the weekday AM peak hour, and 108 inbound and 64 outbound trips during the weekday PM peak hour. Over a 24-hour period, this alternative is forecast to generate a total of 1,638 trips during a typical weekday. Compared to the Project's forecast 5,788 weekday trips (Draft EIR Alternative C), the "Existing Zoning" alternative would generate 72 percent fewer daily total trips. The alternative would create significant traffic impacts at five of the study intersections, as compared to 16 under the Proposed Project (Draft EIR Alternative C). As with the Project, all of the significant impacts that would be produced could be mitigated to a less than significant level via the implementation of the traffic mitigations identified in the Draft EIR. Thus, traffic impacts would be less than significant with mitigation and substantially less than those of the Proposed Project.

- Utilities and Service Systems – Water: The "Existing Zoning" alternative site plan would result in an increase in water consumption within the LADWP's service jurisdiction due to the construction of 169 single-family homes and would generate a demand for approximately 43.57 AFY of water (approximately 38,870 gpd). This amounts to approximately 126 AFY less water than the Project. Because LADWP has determined that adequate water supplies would be available to serve the Project, it is reasonably inferred that the same would be true with respect to the reduced demand for water under this alternative. Thus, as with the Proposed Project, the alternative would result in a less than significant impact to water supplies, and less than the Project.

- Utilities and Service Systems – Wastewater: Wastewater would be generated at the Project Site by long-term operation of the single-family residential units. The "Existing Zoning" alternative would generate approximately 38,870 gpd of wastewater. This amounts to approximately 124,650 fewer gpd than the Project. Because sufficient wastewater treatment capacity at the TIWRP exists for the larger Project wastewater generation, it can therefore be reasonably concluded that sufficient treatment capacity for the reduced demand under this alternative would also be available. Therefore, impacts would be less than those under the Project and, as with the Project, would be less than significant. Similarly, given that the total amount of wastewater generated by this alternative would be less than the Project, impacts with regard to wastewater conveyance would be less than significant and less than the impacts under the Project.

- Utilities and Service Systems – Solid Waste: The amount of solid waste generated during demolition and site preparation would be approximately the same as that generated by the Proposed Project during the same stages of construction. Solid waste generated during home construction under the "Existing Zoning" alternative would be less than that associated with the construction of the Proposed Project due to the reduced total square footage to be developed. As such, and similar to the Project, the landfills would have adequate capacity to accommodate the

average daily construction waste generated over the multi-year construction period, and construction-related solid waste impacts would be less than significant. This alternative would generate approximately 1.03 tons (2,067 pounds) of solid waste per day during its operation, assuming a minimum 30 percent solid waste diversion rate (or 1.47 tons per day less than the Project). The remaining combined daily intake of the Sunshine Canyon Landfill and the Chiquita Canyon Landfill is 7,329 tons per day. As such, they would have adequate capacity to accommodate the daily operational waste generated by this alternative. Operational solid waste impacts would be less than significant and less than with the Proposed Project.

- Utilities and Service Systems – Energy: Similar to the Proposed Project, the "Existing Zoning" alternative would require a line extension from the existing off-site lines to the premises, on-site transformation facilities, and conduit and cable throughout the property to provide electricity to the Project Site. The alternative itself would not require new (off-site) energy supply facilities and distribution infrastructure. The conservatively estimated Alternative-related annual electricity consumption of 950,879 kWh/year would represent a reduction of approximately 3,519,116 kWh/year when compared to the Proposed Project. Therefore, it is anticipated that LADWP's existing and planned electricity capacity and electricity supplies would be sufficient to support the alternative's electricity consumption. Less demand for natural gas would be created by this alternative as compared to the Proposed Project. The alternative is forecast to increase natural gas consumption by approximately 1.13 million cubic feet per month, which would be approximately 2.26 million cubic feet per month less than the Proposed Project. Similar to the Proposed Project, impacts related to natural gas would be less than significant and less than those associated with the Proposed Project.

To summarize the impacts of the "Existing Zoning" alternative site plan in comparison to those of the Proposed Project (Alternative C in the Draft EIR), this alternative has the potential to reduce or avoid the following significant impacts:

- Regional operational air emissions
- Project-related traffic impacts at intersections within the Project area

The "Existing Zoning" alternative would not have the potential to reduce or avoid the Proposed Project's potential impacts involving regional and local construction-associated air emissions, potential impacts on nesting birds and/or roosting bats during construction, impacts to jurisdictional resources on-site, potential impacts to archaeological and/or paleontological resources, potential impacts relating to hydrocarbon-impacted soils, disturbance of asbestos-containing materials (ACMs) and lead-based paint (LBP) that are present in the existing abandoned structures on-site, construction-related noise and groundborne vibration, exterior noise at homes fronting Western Avenue, and potential traffic impacts associated with the installation of water service infrastructure. Other impacts associated with the Project,

although less than significant, would be substantially reduced under this alternative due to the fewer number of residences that would be developed on-site.

Feasibility

As discussed at the start of this topical response, under CEQA, alternatives to a project that are evaluated in a Draft EIR must be feasible to develop. With respect to the "Existing Zoning" alternative site plan that has been requested by numerous commenters on the Draft EIR, nothing would physically prevent the alternative from being developed at the Project Site. Therefore, the determination of its feasibility is limited to its ability to produce a positive return on investment to the Applicant. In order to evaluate the economic feasibility of the "Existing Zoning" alternative, a study was prepared by The Concord Group (attached as Appendix B) in June 2013. The study concludes that the "Existing Zoning" alternative (Alternative 1 in the Concord Group report) would be economically infeasible to develop due to the substantial level of fixed costs associated with infrastructure and land that remain largely the same irrespective of the total number of lots developed at the site.[24] The "Existing Zoning" alternative could only become economically feasible (e.g., avoid an economic loss for the Applicant) if it could achieve a top line home sale price of $1.57 million ($525 per square foot of home), a level that is currently unsupported in the market. The nearest new home project, Harbor Highlands, generates an average home price of $554,000 ($300 per square foot) for a small-lot detached home. Nearby resales in Rancho Palos Verdes, across Western Avenue from the Project Site, generate an average sale price of $721,000. In light of the comparables proximate to Ponte Vista, any development at the Project Site would not support home values in excess of $1 million.[25] Given the realities of the current residential real estate market, development of the "Existing Zoning" alternative at the Project Site would result in a loss of approximately $87 million.

Conclusions

CEQA requires that a Draft EIR identify an "environmentally superior alternative". Section VI.D of the Draft EIR contains this discussion and concludes that Alternative C (the reduced density alternative that now represents the Applicant's preferred project) is the environmentally superior alternative among the development alternatives that were evaluated. Although the "Existing Zoning" alternative discussed in this topical response was not included in the Draft EIR, it would, as discussed above, substantially reduce many of the Project's less than significant impacts and would avoid the Project's significant, unmitigated operational air quality impact and reduce the Project's significant but mitigated traffic impacts. Thus, an argument could be advanced that the "Existing Zoning" alternative could be the environmentally superior alternative. However, as noted previously, CEQA requires that the range of alternatives evaluated in a Draft EIR be feasible to develop. As has been shown above, the "Existing Zoning" alternative would not be economically feasible to develop at the Project Site.

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[24] *Ibid.*

[25] *Ibid.*

Because the "Existing Zoning" alternative is economically infeasible, therefore, it is not the environmentally superior alternative and will not be added to the EIR. Instead, the text on page VI-5 of the Draft EIR, under the heading "Alternatives Considered But Rejected From Further Consideration" has been revised as follows:

> Alternatives that clearly would not be financially feasible to develop and market (considering such factors as the cost of site acquisition and the costs to plan, permit, and develop the project), such as public parks, were not considered. Included among such alternatives is development of the Project Site under the existing zoning and General Plan land use designations, which would retain 9.3 acres of the site as undeveloped open space and develop the remainder with 169 5,000 square foot single-family home lots consistent with the R1-1XL zoning. Such an alternative has been determined to be economically infeasible to develop at the Project Site. However, an alternative that would develop the site exclusively with single-family homes is discussed and evaluated below as Alternative B.

Mixed Use Alternative Site Plan

Several commenters have also requested that an evaluation of a mixed-use residential/commercial alternative site plan be added to the Draft EIR. Commenters have also requested that such an alternative site plan include the same public access roadway to Mary Star of the Sea High School that is proposed under the Project and under Alternatives C and D in the Draft EIR. Commenters have also requested that this alternative site plan contain neighborhood-serving retail space, limited office space intended to serve future Project residents, a six-acre public neighborhood park, and space for development of a neighborhood branch library. Under these design constraints, a conceptual site plan was developed that consists of 477 residential units in a mix of housing product types ranging from single-family homes to townhomes and flats. A total of 181 single-family homes and 296 condominium units could be developed under this alternative. In addition, 5,000 square feet of office space, 20,000 square feet of retail/commercial space, and a site for a 20,000 square foot public library, as well as a 6-acre central neighborhood park, are included in this alternative. This alternative would provide public access across the site to Mary Star of the Sea High School from Western Avenue. This plan would also incorporate the required seismic setback zone across the center of the site and would include a central recreation center as well as landscaped common area. A conceptual site plan for this "Mixed Use" alternative was developed and is shown in Figure III.A-2.

As discussed at the start of this topical response, under CEQA, alternatives to a project that are evaluated in a Draft EIR must be feasible to develop and must achieve a majority of the project's objectives. They should also be capable of either avoiding or substantially reducing the project's unmitigated significant impacts.

PRODUCT TYPE	# OF UNITS (DU)
PRODUCT 1	62
PRODUCT 2	60
PRODUCT 3	59
PRODUCT 4	296
TOTAL	477
NON-RESIDENTIAL PRODUCT	
PRODUCT 7/8	MAIN RECREATION AREA (6,732 SF) SECONDARY RECREATION ARE (1,415 SF)
PRODUCT 9	OFFICE BUILDING (5,000 SF)
PRODUCT 10	RETAIL / COMMERCIAL (20,000 SF)
PRODUCT 11	LIBRARY BUILDING (20,000 SF)

NORTH

0 160 320

Scale (Feet)

Source: Robert Hidey Architects, 02/27/2013.

CAJA Environmental Services, LLC

Figure III.A-2
Mixed Use Alternative
Conceptual Site Plan

Comparison to Project Objectives

With respect to being able to achieve most of the Project's objectives, the "Mixed Use" alternative site plan would achieve each of the Project objectives, although some would be achieved to a substantially lesser extent than with the Proposed Project. The "Mixed Use" alternative site plan would remove the existing buildings on the Project Site; provide new housing on unutilized land that would contribute to meeting the projected 2017 housing need in the area; provide a project that would invigorate the local economy; mitigate its environmental impacts to the extent feasible; provide substantial common open space and park area as well as a recreation center for the use of residents; and provide a high-quality development. The "Mixed Use" site plan would provide new housing to meet the housing needs of a broad spectrum of persons desiring to live in the San Pedro community but to a lesser degree than the Project due to the fewer number of units and housing product types to be developed. While development of this "Mixed Use" site plan would fiscally benefit the City, it would likely do so to a significantly lesser degree than the Proposed Project due to the reduced number of homes. Similarly, the "Mixed Use" alternative site plan would not contribute to meeting the anticipated need for housing in the San Pedro area to the same degree as the Proposed Project due to the reduced number of homes that would be developed.

Comparison to Project Impacts

The "Mixed Use" alternative site plan would generally result in similar impacts as the Proposed Project, with the differences primarily due to the fewer number of homes that would be developed at the site and/or the addition of commercial/retail and public library and park uses. Impacts that would result from development of the "Mixed Use" alternative site plan are summarized as follows:

- Aesthetics: The "Mixed Use" site plan would have similar impacts with respect to visual character and views as the Proposed Project, although the development on the site itself would be of a lower scale and height. The existing visual character of the site would largely be retained, albeit with greater density and replacing abandoned structures with a well-maintained residential development. Building heights on the Project Site would be lower due to the replacement of the apartments along the site's southern border with two-story townhomes, which would reduce the prominence of the homes on the site as compared to the taller multi-family residential buildings of the Project when viewed from off-site locations. Overall impacts on views and visual character under this alternative would be less than significant and marginally less than with the Proposed Project. However, light and glare impacts would be somewhat increased in comparison to the Proposed Project due to outdoor lighting for the six-acre public park and exterior lighting at the library and commercial/retail and office buildings. The location of the park, however, would be separated from the existing off-site residences to the south, thus ameliorating the potential impact. In addition, mitigation would be applied to restrict lighting hours to protect adjacent on-

site residences, ensuring that the impact would be less than significant. Similar to the Project, no shade/shadow impacts would occur.

- Air Quality: Compared to the Project, the "Mixed Use" site plan would involve the construction of a smaller development and thus the duration and total construction-related air quality emissions would be reduced. However, it is assumed that the maximum daily emissions for the demolition, site preparation, grading and building construction phases would be similar to the Project. Furthermore, it is expected that the same mitigation measures included for the Project would also be required and implemented. As such, and similar to the Project, regional and localized construction emissions would be reduced to less than significant levels with the implementation of Mitigation Measures AQ-1 through AQ-3. The "Mixed Use" site plan is expected to generate 4,720 trips during a typical weekday, representing an approximate 18 percent reduction compared to the Project. Motor vehicle trips are the primary source of daily operational emissions. Because the "Mixed Use" alternative would generate fewer vehicle trips than the Project, it would also generate fewer average daily emissions. Modeled operational emissions associated with the "Mixed Use" site plan (2017 Buildout) would exceed the established SCAQMD threshold levels for NO_x during the summertime (smog season) and wintertime (non-smog season). Thus, the "Mixed Use" alternative would eliminate the Project's (2017 Buildout) ROG significant and unavoidable impact. Additionally, localized CO impacts would also be reduced compared to the Project. Because the Project's localized CO impacts at studied intersections under all scenarios resulted in less than significant impacts, it can be deduced that the "Mixed Use" alternative would also result in less than significant CO impacts because it would involve substantially fewer vehicle trips. As such, localized CO impacts would be considered less than significant and reduced when compared to the Project.

- Biological Resources: The "Mixed Use" alternative would result in virtually the same level of impact to biological resources as the Proposed Project. Impacts to the degraded CSS habitat and on the site's northerly slope would be less than significant and identical to those of the Project. As with the Project, this north slope area would be regraded, re-engineered, and revegetated with native species, including CSS species. Potential impacts on nesting birds would be similar to the Project. Similarly, potential impacts to roosting bats would be similar to those associated with the Project. Similar to the Project, the existing drainage channel crossing the southern portion of the site would be replaced and covered. Due to the need to fully develop the property, no opportunity to re-create riparian habitat along the channel would exist. Impacts would be significant before mitigation and similar to those of the Proposed Project. As with the Project, no substantial impediment to wildlife movement or gene flow could occur and the impact would be less than significant and equivalent to the Project. As with the Project, all of the 330 trees on the Project Site would be removed. However, due to site plan constraints, a substantially fewer number of new trees would be planted (approximately 1,207 net new trees) as compared to the Proposed Project. Nonetheless, impacts to trees, including protected trees, would be less than significant, and identical to those of the Proposed Project. As with the Project, the "Mixed Use"

alternative would not conflict with any local policies or ordinances protecting biological resources, such as tree preservation policies or ordinances. Thus, no impact would occur.

- Cultural Resources: Potential archeological and paleontological resources impacts associated with the "Mixed Use" alternative site plan would be identical to those of the Proposed Project and would be potentially significant. Therefore, the Compliance Measure and mitigation similar to Mitigation Measures CULT-1 through CULT-9 would be required in order to reduce potential impacts to a less than significant level.

- Geology and Soils: The "Mixed Use" site plan incorporates the required seismic setback zone through the central portion of the Project Site and would thus be in compliance with applicable City engineering requirements and would be similar to Alternative C, the current Proposed Project. Otherwise, potential geology and soils impacts would be virtually the same as the Proposed Project. Measures similar to the Compliance Measures for the Project would reduce these impacts, although they would be less than significant.

- Greenhouse Gas Emissions: Compared to the Project, the "Mixed Use" alternative site plan would involve the construction of a smaller development and thus the duration and total construction-related GHG emissions would be reduced. Furthermore, it is expected that the same mitigation measures included for the Project would also be required and implemented to reduce construction-related GHG emissions to the maximum extent feasible. The "Mixed Use" alternative is expected to generate 4,720 vehicle trips during a typical weekday, representing an approximate 18 percent reduction compared to the Project. Motor vehicle trips are the primary source of daily operational GHG emissions. Because fewer vehicle trips would be generated than the Project, fewer average daily GHG emissions would be generated. Furthermore, as a smaller development would be constructed, fewer operational GHG emissions would be generated from on-site sources and energy consumption. Specifically, it is estimated that the operation of the "Mixed Use" alternative would generate approximately 9,109 CO_2e MTY assuming the same general sustainability measures outlined in MM AQ-4 for the Project would be implemented under this alternative. This represents an approximate 21 percent reduction compared to the Project. Similar to the Project, the "Mixed Use" alternative would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California and the City of Los Angeles. As such, it would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Thus, GHG impacts would be considered less than significant and reduced compared to the Project.

- Hazards and Hazardous Materials: As with the Project, the "Mixed Use" alternative site plan would entail demolition of all existing structures and improvements, excavation and grading, and construction of new buildings, improvements, utilities, and landscaping. Implementation of Mitigation Measure HAZ-1 would therefore be required to ensure that petroleum-impacted soils are characterized during Project excavation and grading activities and are either remediated on-

site or, if necessary, transported to an appropriate facility for disposal, thus reducing the impact to a less than significant level, equivalent to the Project. Similarly, implementation of Mitigation Measures HAZ-2 and HAZ-3 would be required to insure that ACMs and LBP in the existing on-site structures are properly abated and that potential risks from ACMs and LBP are reduced to a less than significant level, equivalent to the Project. DPM emissions generated during construction would be reduced in duration compared to the Project due to the anticipated shorter construction period; however, estimated daily emissions would be comparable to those of the Project and would be less than significant. The types of hazardous materials associated with routine, day-to-day operation would be expected to be somewhat different than those associated with the Project due to the commercial/retail and office components of the site plan. Nonetheless, the transport, use, and disposal of these materials would not be expected to pose a significant hazard to the public or the environment and impacts would be less than significant. The risk of upset potential associated with separation distances between the site and the ConocoPhillips Refinery, DFSP, and Rancho LPG facilities would be virtually the same as with the Project, and therefore less than significant. The human health risk associated with emissions from these off-site facilities would also be identical to the Project, and therefore less than significant. Because fewer residents would be present at the site (approximately 1,766 persons, or a 21 percent reduction compared to the Project), any emergency response plan for the site would need to consider and manage a fewer number of residents. In summary, overall impacts related to hazards and hazardous materials would be less than significant with mitigation and less than the Project.

- Hydrology and Water Quality: As with the Project, the "Mixed Use" alternative would redevelop the entire site. Under future conditions, general drainage patterns on the site would remain substantially the same as under existing conditions, although the existing open drainage channel crossing the southern portion of the site would be undergrounded and covered in approximately its existing location, as with the current Proposed Project (Draft EIR Alternative C). As with the Project, a new internal storm drainage system would be installed within the residential on-site street system and would connect to the County/City storm drainage facility at the southern edge of the property. The amount of stormwater runoff generated at the site would be slightly less than that associated with the Project due to the greater amount of pervious surface area, primarily in the vicinity of the proposed six-acre public park. Thus, this alternative would not have an adverse impact with respect to storm drain capacity and no mitigation measures would be required. Similarly, the development would have a less than significant impact on storm drainage infrastructure and flooding resulting from the alteration of existing drainage patterns and the increase in overall site imperviousness. Impacts would be less than significant and slightly less than the Proposed Project. Impacts associated with the amount of runoff contributed to the Harbor and the movement of surface water would be less than significant and slightly less than the Proposed Project. Impacts associated with flooding, including the very slight risk of flooding resulting from the complete, instantaneous failure of the Palos Verdes Reservoir, would be less than significant and less than with the Project due to the fewer number of future residents to be

located on the site. Water quality impacts would be less than significant and similar to those of the Project.

- Land Use and Planning: As with the Proposed Project, the "Mixed Use" alternative would require a Zone Change and General Plan Amendment to create a new Specific Plan zone and land use designation for the Project Site. This alternative would contribute fewer additional housing units to meet area housing needs than the Project. Although it would contribute additional single- and multi-family housing, this alternative would not implement recommended air quality and regional planning strategies to increase the density of infill housing so as to reduce urban sprawl impacts on natural resources and to reduce regional congestion through VMT reduction to the same degree as the Proposed Project. On the other hand, the provision of Project- and neighborhood-serving retail/commercial space on-site as well as the availability of office space that could be utilized by future residents of the Project and surrounding neighborhood would help implement planning policies encouraging mixed use development in order to produce a consequent reduction in local VMT and vehicle trips. The "Mixed Use" alternative would be less consistent than the Proposed Project with several of the policies contained in the General Plan, particularly those relating to the provision of a range of housing opportunities. In summary, impacts would be less than significant and, on balance, approximately the same as those associated with the Proposed Project.

- Noise: Given the size and location of the site, the requirement to demolish existing improvements, and the need to re-engineer and grade existing soils, redevelopment of the site under virtually any development scenario would result in significant temporary construction noise and vibration (human annoyance) impacts to the identified sensitive receptors. Similar to the Project, it is expected that the "Mixed Use" alternative would include mitigation comparable to the Project's Mitigation Measure's NO-1 through NO-11 aimed at reducing construction related noise and vibration to the maximum extent feasible. Nevertheless, construction-related noise and vibration impacts would be significant although reduced compared to the Project due to the shorter anticipated construction period. Stationary noise impacts associated with HVAC systems would be less than significant and essentially equivalent to the Project. Because the "Mixed Use" alternative would result in fewer daily vehicle trips than the Project, off-site roadway noise impacts would also be less than significant and reduced compared to the Project. As with the Proposed Project, this alternative would result in generally unacceptable exterior noise levels for the proposed residential and open space uses fronting Western Avenue on the Project Site. Compared to the Project, fewer residences would be placed in the generally unacceptable ambient noise level areas. Thus, while the exterior noise level along Western Avenue remains essentially equivalent to the Project, the significant and unavoidable impact would be reduced because fewer residences would be impacted.

- Population and Housing: As with the Proposed Project, no construction-related housing impacts would be anticipated under the "Mixed Use" alternative. Within the Wilmington-Harbor City

Community Plan area, the "Mixed Use" alternative would represent about 40 percent of 2010-2017 household growth; and about 17 percent of 2010-2027 household growth. Therefore, like the Project, this alternative would not induce substantial housing growth, because it would meet a portion of forecasted housing need rather than exceed the housing growth forecast for the City of Los Angeles Subregion. The housing impact would be less than significant and less than the Proposed Project. The "Mixed Use" alternative would achieve some of the Project's housing objectives, although to a lesser extent than with the Proposed Project, as discussed previously. The "Mixed Use" alternative would generate a population growth of 1,766 persons and would generate Subregion-level indirect/induced population impact of 449 persons for a total Project population impact of 2,215 persons. This alternative's direct plus indirect/induced population would represent about 59 percent of 2010-2017 population growth; and about 25 percent of 2010-2027 population growth within the Wilmington-Harbor City Community Plan Area. Therefore, like the Project, this alternative would not induce substantial population growth, because it would accommodate a portion of forecasted population rather than exceed the population growth forecast for the City of Los Angeles Subregion and Wilmington-Harbor City Community Plan area. Therefore, the population impact would be less than significant and less than the Proposed Project.

- Public Services – Fire Protection: Fire protection service demands would be approximately the same as for the Project. Although fewer residences would be constructed, the provision of the library, office and commercial/retail space would also be expected to generate fire protection service demand. The proposed plot plan for would be subject to LAFD review for compliance with applicable Los Angeles Fire Code, California Fire Code, City of Los Angeles Building Code, and National Fire Protection Association standards, thereby ensuring that this alternative would not create a fire hazard. For the above reasons, impacts related to fire services and emergency access would be less than significant and essentially equivalent to the Project.

- Public Services – Police Protection: Police protection service demands would be approximately the same as for the Project. Although fewer residences would be constructed, the provision of the library, office and commercial/retail space would also be expected to generate police protection service demand. Therefore, impacts to LAPD services and response times would be essentially equivalent to those of the Proposed Project and, as with the Project's impacts, would be less than significant.

- Public Services – Schools: The "Mixed Use" alternative site plan would generate approximately 75 elementary school students, 40 middle school students, and 49 high school students at any one time. As compared to the Project, this alternative would generate 31 fewer elementary school students, 12 fewer middle school students, and 15 fewer high school students, which would generally create less of a demand for school services than the Project. With the addition of these students to existing school enrollments utilized in the Draft EIR, Taper Elementary School would operate under capacity by 149 students, Dodson Middle School would operate under capacity by

350 students, and Narbonne High School would operate under capacity by 178 students. Similar to the Proposed Project, new development under this alternative would be required to pay School Fees as a Compliance Measure. These fees would be used to construct facilities, which according to LAUSD, are necessary to serve overall student enrollment growth district-wide associated with new development, and are deemed to mitigate CEQA school impacts by State law. Therefore, impacts to LAUSD services would be less than significant and less than under the Proposed Project, given the reduced amount of overall development.

- Public Services – Parks and Recreation: The "Mixed Use" alternative would include a six-acre public neighborhood park in the west central portion of the site, adjacent to Western Avenue. In addition, the alternative would include main and secondary recreation centers for the use of Project residents. Landscaped common areas and other general open space areas would be integrated throughout the site plan. Thus, the total amount of park/open space area under the "Mixed Use" alternative would represent a significant increase compared to what would be available under the Proposed Project. The "Mixed Use" alternative would also represent a substantial increase in the amount of publicly accessible open space available on-site when compared to the Proposed Project. This open space area, coupled with the proposed recreation centers on-site, would provide more than enough acreage to satisfy the parkland goals for the population generated by development of this alternative. Thus, impacts on parks and recreation would be less than significant and less than those of the Proposed Project.

- Public Services – Libraries: The "Mixed Use" alternative would include the dedication of land area for construction of a 20,000 square foot neighborhood branch public library. The Los Angeles Public Library would need to construct the library, as the Applicant would merely donate the land for it. Nonetheless, such a library would not only be more than sufficient to meet the need for library services generated by the Project, but also would serve the broader San Pedro community. Irrespective of the potential on-site library, the "Mixed Use" alternative would result in a smaller impact to library services than the Proposed Project, as it would accommodate fewer residents. Thus, impacts on library services would be beneficial.

- Transportation and Traffic: Development of the "Mixed Use" alternative site plan would generate less traffic at the Project Site following completion and full occupancy. Specifically, this alternative would be expected to generate 79 inbound and 216 outbound trips during the weekday AM peak hour, and 286 inbound and 199 outbound trips during the weekday PM peak hour. Over a 24-hour period, this alternative is forecast to generate a total of 4,720 trips during a typical weekday. Compared to the Project's forecast 5,788 weekday trips (Draft EIR Alternative C), the "Mixed Use" alternative would generate 18 percent fewer daily total trips. The alternative would still create significant traffic impacts at 16 of the study intersections, the same number of intersections as under the Proposed Project (Draft EIR Alternative C). As with the Project, all of the significant impacts that would be produced could be mitigated to a less than significant level via the implementation of the traffic mitigations identified in the Draft EIR. Thus, traffic impacts

would be less than significant with mitigation and less than those of the Proposed Project due to the approximately 18% reduction in daily vehicle trips.

- Utilities and Service Systems – Water: The "Mixed Use" alternative site plan would result in an increase in water consumption within the LADWP's service jurisdiction due to the construction of 477 residential units and the associated mixed-use development and would generate a demand that would be slightly less than that of the Proposed Project due to the fewer number of residential units. This reduction would be partially offset by water demand associated with the office, retail/commercial, library, and public park uses under this alternative. Because LADWP has determined that adequate water supplies would be available to serve the Project, it is reasonably inferred that the same would be true with respect to the reduced demand for water under this alternative. Thus, as with the Proposed Project, the alternative would result in a less than significant impact to water supplies, and less than the Project.

- Utilities and Service Systems – Wastewater: The "Mixed Use" alternative would generate slightly less wastewater than the Proposed Project due to the fewer number of residential units. This reduction would be partially offset by wastewater generated from the office, retail/commercial, library, and public park uses under this alternative. Because sufficient wastewater treatment capacity at the TIWRP exists for the larger Project wastewater generation, it can therefore be reasonably concluded that sufficient treatment capacity for the reduced demand under this alternative would also be available. Therefore, impacts would be less than those under the Project and, as with the Project, would be less than significant. Similarly, given that the total amount of wastewater generated by this alternative would be less than the Project, impacts with regard to wastewater conveyance would be less than significant and less than the impacts under the Project.

- Utilities and Service Systems – Solid Waste: The amount of solid waste generated during demolition and site preparation would be approximately the same as that generated by the Proposed Project during the same stages of construction. Solid waste generated during home construction under the "Mixed Use" alternative would be somewhat less than that associated with the construction of the Proposed Project due to the reduced total square footage to be developed. As such, and similar to the Project, the landfills would have adequate capacity to accommodate the average daily construction waste generated over the multi-year construction period, and construction-related solid waste impacts would be less than significant. This alternative would generate slightly less solid waste during Project operation than the Proposed Project due to the fewer number of residential units. This reduction would be partially offset by solid waste generated from the office, retail/commercial, library, and public park uses under this alternative. As such, and as with the Project, area landfills would have adequate capacity to accommodate the daily operational waste generated by this alternative. Operational solid waste impacts would be less than significant and slightly less than with the Proposed Project.

- Utilities and Service Systems – Energy: Similar to the Proposed Project, the "Mixed Use" alternative would require a line extension from the existing off-site lines to the premises, on-site transformation facilities, and conduit and cable throughout the property. The alternative itself would not require new (off-site) energy supply facilities and distribution infrastructure. Electricity and natural gas consumption at the Project Site is anticipated to be essentially equivalent to that of the Proposed Project. Therefore, as with the Project, it is anticipated that LADWP's existing and planned electricity capacity and electricity supplies would be sufficient to support the alternative's electricity consumption. Similar to the Proposed Project, impacts related to natural gas would be less than significant.

To summarize the impacts of the "Mixed Use" alternative site plan in comparison to those of the Proposed Project (Alternative C in the Draft EIR), this alternative has the potential to reduce or avoid the following significant impacts:

- Regional operational air emissions
- Exterior noise at some Project residences
- Traffic (daily vehicle trips only)

The "Mixed Use" alternative would not have the potential to reduce or avoid the Proposed Project's potential impacts involving regional and local construction-associated air emissions, potential impacts on nesting birds and/or roosting bats during construction, impacts to jurisdictional resources on-site, potential impacts to archaeological and/or paleontological resources, potential impacts relating to hydrocarbon-impacted soils, disturbance of asbestos-containing materials (ACMs) and lead-based paint (LBP) that are present in the existing abandoned structures on-site, construction-related noise and groundborne vibration, significant traffic impacts at study intersections, and potential traffic impacts associated with the installation of water service infrastructure. Other impacts associated with the Project, although less than significant, would be either equivalent or reduced to some degree under this alternative due to the fewer number of residences that would be developed on-site.

Feasibility

As discussed at the start of this topical response, under CEQA, alternatives to a project that are evaluated in a Draft EIR must be feasible to develop. With respect to the "Mixed Use" alternative site plan that has been requested by numerous commenters on the Draft EIR, nothing would physically prevent the alternative from being developed at the Project Site. Therefore, the determination of its feasibility is limited to its ability to produce a positive return on investment to the Applicant. In order to evaluate the economic feasibility of the "Mixed Use" alternative, a study was prepared by The Concord Group (attached as Appendix B) in June 2013. The study concludes that the "Mixed Use" alternative (Alternative 2 in the Concord Group report) would be economically infeasible to develop due to the

substantial level of fixed costs associated with infrastructure and land that remain largely the same irrespective of the total number of lots developed at the site.[26] In addition, the "Mixed Use" alternative would donate acreage on-site to the Los Angeles Public Library for construction of a neighborhood branch library and, thus, would return no economic value to the Applicant. Recently reviewed vacancy reports for the area surrounding the Project Site indicate that 1,073,992 square feet of available (vacant) office space exists within a five-mile radius of the Site and that 166,675 square feet of available (vacant) retail space exists within a two-mile radius of the Site. These figures represent a relatively large amount of vacant office and retail space and would likely present challenges to developing economically viable commercial and retail uses at the Project Site. Given the realities of the current residential, office, and retail real estate market, it is estimated that development of the "Mixed Use" alternative at the Project Site would result in a loss of approximately $37 million.[27]

Conclusions

CEQA requires that a Draft EIR identify an "environmentally superior alternative". Section VI.D of the Draft EIR contains this discussion and concludes that Alternative C (the reduced density alternative that now represents the Applicant's preferred project) is the environmentally superior alternative among the development alternatives that were evaluated. Although the "Mixed Use" alternative discussed in this topical response was not included in the Draft EIR, it would, as discussed above, marginally reduce some of the Project's less than significant impacts and would reduce the Project's significant, unmitigated operational air quality impact. Thus, an argument could be advanced that the "Mixed Use" alternative could be the environmentally superior alternative. However, as noted previously, CEQA requires that the range of alternatives evaluated in a Draft EIR be feasible to develop. As has been shown above, the "Mixed Use" alternative would not be economically feasible to develop at the Project Site.

Because the "Mixed Use" alternative is economically infeasible, therefore, it is not the environmentally superior alternative and will not be added to the EIR.

[26] *Ibid.*
[27] *Ibid.*

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III. RESPONSES TO COMMENTS
B. INDIVIDUAL RESPONSES

The purpose of the public review of the Draft EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

CEQA Guidelines Section 15088(a) states:

> *The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the notice comment period and any extensions and may respond to late comments.*

The purpose of each response to a comment on the Draft EIR is to address the significant environmental issue(s) raised by each comment. This typically requires clarification of points contained in the Draft EIR. Section 15088(c) of the CEQA Guidelines describes the evaluation that CEQA requires in the response to comments. It states that:

> *The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.*

Section 15204(a) (Focus of Review) of the CEQA Guidelines helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Case law has held that the lead agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204.5(a) of the CEQA Guidelines clarifies this for reviewers and states:

> *In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by comments. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

The guideline encourages reviewers to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Given that an effect is not considered significant in the absence of substantial evidence, subsection (c) advises reviewers that comments should be accompanied by factual support. Section 15204(c) states:

> *Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

Written comments made during the public review of the Draft EIR intermixed points and opinions relevant to project approval/disapproval with points and opinions relevant to the environmental review. The responses acknowledge comments addressing points and opinions relevant to consideration for project approval, and discuss as necessary the points relevant to the environmental review. The response "comment noted" is often used in cases where the comment does not raise a substantive issue relevant to the review of the environmental analysis. Such points are usually statements of opinion or preference regarding a project's design or its presence as opposed to points within the purview of an EIR: environmental impact and mitigation. These points are relevant for consideration in the subsequent project approval process. In addition, the response "comment acknowledged" is generally used in cases where the comment is correct.

Note that there may be spelling and/or grammar errors in the comment letters. These are replicated here as they were delivered to the City.

PUBLIC AGENCY COMMENTS

LETTER NO. A1 - STATE CLEARINGHOUSE AND OFFICE OF PLANNING AND RESEARCH

Scott Morgan
Director, State Clearinghouse
State of California, Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
1400 Tenth Street P.O. Box 3044, Sacramento, California 95812-3044

Comment No. A1-1

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 7, 2013, and the comments from the responding agency(ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Response to Comment No. A1-1

This comment states that the State Clearinghouse submitted the Draft EIR to selected state agencies for review. The enclosed comment letter refers to the Native American Heritage Commission letter dated November 21, 2012. This letter and its response are included as Letter No. A14 (Native American Heritage Commission).

LETTER NO. A2 – CITY OF LOS ANGELES, BUREAU OF SANITATION

Ali Poosti, Division Manager
Wastewater Engineering Services Division
Bureau of Sanitation
City of Los Angeles

Comment No. A2-1

This is in response to your November 8, 2012 letter requesting a review of your proposed residential community project. The Bureau of Sanitation has conducted a preliminary evaluation of the potential impacts to the wastewater and stormwater systems for the proposed project.

WASTEWATER REQUIREMENT

The Bureau of Sanitation, Wastewater Engineering Services Division (WESD) is charged with the task of evaluating the local sewer conditions and to determine if available wastewater capacity exists for future developments. The evaluation will determine cumulative sewer impacts and guide the planning process for any future sewer improvements projects needed to provide future capacity as the City grows and develops.

Projected Wastewater Discharges for the Proposed Project:

Type Description	Average Daily Flow per Type Description (GPD/UNIT)	Proposed No. of Units	Average Daily Flow (GPD)
Proposed			
Residential: 2-BR	150 GPD/DU	689 DU	103,350
Residential: 3-BR	190 GPD/DU	229 DU	43,510
Residential: 3-SFD	230 GPD/DU	217 DU	49,910
		Total	196,770

Response to Comment No. A2-1

The comment presents estimated wastewater generation by the Proposed Project. The total amount of wastewater generation as estimated by the City's Bureau of Sanitation is less than that which was evaluated in the Project Sewer Study and Draft EIR (see Table O-3 in Section IV.O.2, Wastewater, of the Draft EIR) by approximately 9,000 gallons per day.

According to recent information received from the Sanitation Districts of Los Angeles County (LACSD), the majority of the Project Site lies within the limits of LACSD District No. 5, rather than, as was stated in the Draft EIR (Section IV.O.2, Wastewater) at page IV.O-19, within the service area of the City of Los Angeles' Bureau of Sanitation. Thus, the Project would have two ultimate sewer service connection options: (1) service by the City's Bureau of Sanitation, as discussed and evaluated in the Draft EIR; or (2) service by the LACSD. Under the first option, the Project would connect to the existing City sewer facility located in Taper Avenue, adjacent and to the east of the Project's eastern property boundary. This option was evaluated in the Draft EIR. As noted therein, the City has approved a Sewer Capacity Availability Request (SCAR), certifying that the City has adequate conveyance and treatment capacities to serve the Project. Under the second option, the Project would connect via a new sewer lateral to the existing LACSD facilities located across and adjacent to the site's southwest corner, within the Western Avenue right-of-way. The LACSD has stated that it has adequate treatment and conveyance capacities to serve the Project.[1]

The Project Applicant's preferred option is to deliver Project wastewater to the City Bureau of Sanitation's sewer system for conveyance and treatment. However, in order to connect to the City's sewer system, the Project Applicant must first pursue and perfect a de-annexation from the LACSD service area and, subsequently, annexation to the City Bureau of Sanitation service area. This process requires approval by the Local Agency Formation Commission (LAFCO) as well as by the two wastewater service agencies. Although the Project Applicant has initiated this process, it is not estimated to be completed until mid-2013. Although both the LACSD and City Bureau of Sanitation have opined that adequate conveyance and treatment capacity exists with which to serve the Proposed Project, in the event that the transfer of the Project Site out of the LACSD service area and into the City's service area is not approved, a supplemental analysis of wastewater conveyance and treatment by the LACSD has been added to the EIR (see Final EIR Section IV, Corrections and Additions to the Draft EIR). This analysis and associated revisions to the text of Section IV.O.2 (Wastewater) of the Draft EIR are presented below.

The text on page IV.O-22 of the Draft EIR under the heading "Current Project Site Wastewater Generation" has been revised as follows:

> The Project Site is currently developed with 245 residential units, a 2,161-square foot community center, and a 3,454-square foot retail convenience facility. All of the existing residences and buildings have been vacated and currently generate no wastewater. ~~Although the~~ The Project Site is ~~now~~ within the wastewater jurisdiction of the ~~City of Los Angeles Bureau of Sanitation, which is overseen by the Department of Public Works, historically it was served by the~~ Los Angeles County Sanitation Districts (LACSD) District No. 5.

[1] *Raza, Adriana, Customer Service Specialist, Facilities Planning Department, County Sanitation Districts of Los Angeles County, February 25, 2013. See Appendix C to the Final EIR.*

The LACSD are a confederation of independent special districts that provide wastewater and solid waste management for approximately 5.1 million people in Los Angeles County. The LACSD's 1,400 miles of main trunk sewers and 11 wastewater treatment plants convey and treat approximately 510 million gallons per day (mgd) of wastewater, 190 mgd of which are available for reuse.[2] The LACSD's service area covers approximately 800 square miles and encompasses 78 cities and unincorporated territory within the County. The areas ~~surrounding~~ adjacent to the Project Site on the west and south also falls ~~s~~ within LACSD's District No. 5, which generally includes the Cities of Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Torrance, Gardena, Lawndale, Hawthorne, and Inglewood.

~~Although the Project Site is located within the service area of the City of Los Angeles Bureau of Sanitation, the~~ The former Navy Housing uses at the ~~site~~ Project Site did not discharge wastewater to the City Bureau of Sanitation system. Rather, as described below, wastewater was sent to the County sewer infrastructure for conveyance to LACSD treatment facilities; specifically, the Joint Water Pollution Control Plant (JWPCP) operated by the LACSD and located in the City of Carson, approximately four miles from the Project Site.

The following text has been added to page IV.O-24 of the Draft EIR under the heading "Project Impacts":

As discussed above, the majority of the Project Site is located within the boundaries of LACSD District No. 5. A portion of the site is located within the sewer service area boundaries of the City's Bureau of Sanitation system. Thus, the Project would have two ultimate sewer service connection options: (1) service by the City's Bureau of Sanitation; or (2) service by the LACSD. Under the first option, the Project would connect to the existing City sewer facility located in Taper Avenue, adjacent and to the east of the Project's eastern property boundary. Under the second option, the Project would connect via a new sewer lateral to the existing LACSD facilities located across and adjacent to the site's southwest corner, within the Western Avenue right-of-way.

The Project Applicant's preferred option is to deliver all Project wastewater to the City Bureau of Sanitation's sewer system for conveyance and treatment. However, in order to connect to the City's sewer system, the Project Applicant must first pursue and perfect a de-annexation from the LACSD service area for the majority of the Project Site and, subsequently, annexation to the City Bureau of Sanitation service area. This process requires approval by the Local Agency Formation Commission (LAFCO) as well as by the two wastewater service agencies. Although the Project Applicant has initiated this process, it is not estimated to be completed until mid-2013. Although, as is discussed below, both the LACSD and City Bureau of Sanitation have opined that adequate conveyance and treatment capacity exists with which to serve the Proposed Project, in the event that the transfer of the majority of the Project Site out of the LACSD service area and

[2] *Sanitation Districts of Los Angeles County, General Information, website: http://www.lacsd.org/csdinfo.htm#Wastewater%20Management, June 2011.*

into the City's service area is not approved, analyses of Project wastewater conveyance and treatment by both the City Bureau of Sanitation and the LACSD are presented in this section.

The following revisions have been made to the discussion under the heading "Wastewater Conveyance" beginning on page IV.O-25 of the Draft EIR:

Proposed Sewer System

Preferred City Option

The Project Applicant's preferred proposed sewer design for the Project includes a sewer discharge connection to the existing City system at the LADPW's 8-inch gravity sewer main within the Taper Avenue right-of-way (Record Plan D-19444). Sewage effluent from the Project would be discharged into the existing 8-inch sewer main via a sewer line connection to the existing upstream terminus manhole (station number 17+25.41 per record plan D-19444). The preliminary design concept for the proposed on-site sewer system includes new sewer main infrastructure consisting of a new lift station/force main package, manholes, and 6-inch, 8-inch and 10-inch sewer piping elements. The final on-site sewer infrastructure layout and design will be a function of the sewer confluence point locations coupled with the specified pipe sloping and fall conditions.

The Project's on-site sewer system would discharge into a single connection point to the 8-inch sewer main at the end of Taper Avenue, approximately where the existing Mary Star of the Sea High School campus abuts the eastern edge of the Project Site. This location represents the current upstream end of this sewer main; no upstream sewage effluent would exist in the main at the point where the Project would connect to it. Maintenance of the on-site portion of the Project's wastewater collection and conveyance system would eventually be the responsibility of the future homeowners' association (HOA).

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, an alternate sewer system would be developed to serve the Project. Preliminary designs for the internal Project sewer system would include new on-site sewer main infrastructure consisting of a new on-site lift station/force main package, manholes, and 6-inch, 8-inch, and 10-inch sewer piping elements. Based upon the LACDPW methodology for calculating the wastewater conveyance requirements of existing and proposed land uses, the Project would produce a daily average sewer flow of 203,100 gpd and a peak daily flow of 507,750 gpd. When combined with the existing off-site wastewater flows from the apartment and condominium units located on the adjacent tracts (45060 and 34044-C) to the south of the site, the total wastewater conveyance delivered through the existing 8-inch sewer lateral crossing Western Avenue southwest of the site would be 215,841

gpd (average daily) and 539,603 gpd (peak daily).

Off-Site Conveyance Capacity

Preferred City Option

The LADPW analyzes the impacts of a proposed development on the surrounding existing sewer infrastructure through an applicant-driven process called a Sewer Capacity Availability Request (SCAR). Through this process, the Project Applicant requested that the City analyze its existing infrastructure and issue either an agreement or a denial to service the Proposed Project's sewage effluent. A SCAR was filed with the Bureau of Sanitation requesting the City's agreement to service the Project's sewage effluent as tabulated in Table IV.O-3 above. The City then analyzed the existing sewer system and determined that sufficient residual conveyance and treatment capacity exists in the sewer lines to which the Project is proposing to discharge. Specifically, the Project's estimated wastewater flow would constitute approximately 35 percent of the available capacity in the 8-inch Taper Avenue sewer main.

Consequently, the City issued a SCAR response in essence committing to serve the Project (see Appendix IV.O-2).[3] The City's sewer system has sufficient capacity to accommodate the total flow for the Project, therefore Project impacts with regard to wastewater conveyance would be ***less than significant***.

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, the County system would provide off-site conveyance of Project wastewater. The LACSD's WAPP facility would serve all sewers flowing from the existing LACDPW 8-inch sewer line crossing Western Avenue, including the Project's wastewater. In terms of off-site sewer conveyance, the existing LACDPW 8-inch sewer line in Western Avenue has a "50 percent full" design flow capacity of 0.63 cfs and a "75 percent full" design flow capacity of 1.15 cfs. The existing sewer peak flow generated from the existing off-site development to the south is 0.049 cfs. When the Project's wastewater is added to this existing off-site wastewater (peak flow), the total amount requiring conveyance would be 0.835 cfs. Given the 8-inch sewer pipe's existing size slope and material, the proposed total sewer flow of 0.835 cfs would utilize 59 percent of the full pipe capacity, which is 32 percent more than would be permitted under the "50 percent full" design flow capacity. This condition would yield a flow velocity of 3.9 feet per second, which is above the 3 feet per second standard utilized by LACDPW. Because the proposed flow depth/velocity would fall under LACDPW special case consideration, specific approval from LACDPW is required. This approval was sought and granted on July 20, 2011. Therefore, Project impacts with regard to

[3] *Approved SCAR, Bureau of Engineering, Department of Public Works, City of Los Angeles, May 24, 2012.*

wastewater conveyance would be ***less than significant***.

The following revisions have been made to the discussion under the heading "Wastewater Treatment" beginning on page IV.O-26 of the Draft EIR:

Preferred City Option

Wastewater from the Project Site would be subsequently conveyed to the Terminal Island Water Reclamation Plant (TIWRP), which has a remaining treatment capacity of approximately 14 mgd. The 205,950 gpd net increase in wastewater generation that would be created by the Project represents approximately 1.5 percent of the remaining capacity at the TIWRP. Therefore, TIWRP has enough remaining capacity to accommodate treatment of Project-generated wastewater. The Project's additional wastewater flows would not substantially or incrementally exceed the future scheduled capacity of any treatment plant by generating flows greater than those anticipated in the Integrated Resources Plan, Sewer System Management Plan, or General Plan. Impacts upon wastewater treatment capacity as a result of the Project would be ***less than significant***.

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, the County system would provide off-site treatment of Project wastewater. The Joint Water Pollution Control Plant (JWPCP) is operated by the LACSD and is located in the City of Carson, approximately four miles from the Project Site. The plant began operation in 1928 and has a permitted design treatment capacity of 400 million gallons per day (mgd) of wastewater with an approximated current average flow of 300 mgd.[4] The operation at JWPCP consists of screening, grit removal, primary sedimentation, pure oxygen activated sludge reactors, secondary clarification, and chlorination. The 205,950 gpd net increase in wastewater generation that would be created by the Project represents approximately 0.2 percent of the remaining capacity at the TIWRP. Therefore, TIWRP has enough remaining capacity to accommodate treatment of Project-generated wastewater. Impacts upon wastewater treatment capacity as a result of the Project would be ***less than significant***.

The following revisions have been made to the discussion under the heading "Construction Impacts" beginning on page IV.O-26 of the Draft EIR:

Preferred City Option

[4] *LACSD Joint Water Pollution Control Plant facility information; http://www.lacsd.org/about/wastewater_facilities/jwpcp/default.asp, accessed September 16, 2011.*

The required sewer connection and related infrastructure upgrades would not be expected to create a significant impact to the physical environment because: (1) existing service would not be disrupted; (2) replacement of the sewer lines would be within public and private rights-of-way; and (3) the existing infrastructure would be replaced with improved infrastructure in areas that have already been significantly disturbed. Furthermore, the Project Applicant would pay for needed upgrades. All of the proposed sewer improvements would occur on-site and away from existing traffic flows, with the lone exception of where the Project's new discharge connection would connect to an existing manhole located in Taper Avenue. Because the existing manhole is located at the end of a private local street (on the Mary Star of the Sea High School campus), the interim construction window of a few days to make the sewer connection would not create a disruption to the surrounding community. The proposed sewer connection to the upstream terminus end of the sewer line would not result in an interruption in service to any existing downstream properties serviced by the line. Therefore, Project impacts with regard to wastewater infrastructure installation/improvement would be ***less than significant***.

Alternative County Option

The required sewer connection and related infrastructure upgrades would not be expected to create a significant impact to the physical environment because: (1) existing service would not be disrupted; (2) replacement of the sewer lines would be within public and private rights-of-way; and (3) the existing infrastructure would be replaced with improved infrastructure in areas that have already been significantly disturbed. Furthermore, the Project Applicant would pay for needed upgrades. Where the Project's new force main would connect to the existing manhole No. 174 located along Western Avenue, impacts to traffic flows on Western Avenue are not expected to occur because the manhole is located in the unpaved parkway area along the east side of the street rather than within the street itself. Therefore, Project impacts with regard to wastewater infrastructure installation/improvement would be ***less than significant***.

The following subheading has been added under the heading "Cumulative Impacts" beginning on page IV.O-27 of the Draft EIR:

Preferred City Option

The following revisions have been made to the discussion under the heading "Cumulative Impacts" and just above Table IV.O-4 beginning on page IV.O-28 of the Draft EIR:

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, the County system would provide off-site collection, conveyance, and treatment of Project wastewater. Thus, in order to present the most conservative cumulative impact assessment, it has been assumed that all

of the 154 cumulative projects, along with the Project, would discharge to the LACSD's treatment facility at the JWPCP.

As shown in Table IV.O-4, development of the cumulative projects would increase the generation of wastewater in the Project area to approximately 1.83 mgd (average daily). Including the Project's wastewater generation to this total yields a cumulative wastewater generation of approximately 2.03 mgd (average daily). The JWPCP currently has capacity for an additional 122.5 mgd. Therefore, the JWPCP would have adequate capacity to treat cumulative wastewater flows from the Project and cumulative projects.

Furthermore, each of the individual cumulative projects would be subject to the LACDWP's determination of whether there is allotted sewer conveyance capacity available prior to the formal acceptance of plans and specifications by the construction permitting authorities within each jurisdiction where the cumulative projects are to be developed. Therefore, the cumulative impact of the cumulative and proposed projects on wastewater would be ***less than significant***.

Comment No. A2-2

SEWER AVAILABILITY

The sewer infrastructure in the vicinity of the proposed project includes the existing 8-inch line on Taper Ave. The sewage from the existing line continues into an 8-inch line on Sandwood Pl., 10-inch line on Westmont Dr, and 24-inch line on Gaffey St., before finally discharging into a 42-inch line on Pacific Ave. Figure 1 shows the details of the sewer system within the vicinity of the project.

Pipe Diameter (in)	Pipe Location	Current Gauging d/D (%)	50% Design Capacity
8	Taper Ave	*	458,645 GPD
8	Sandwood Pl.	15	261,468 GPD
10	Westmont Dr.	28	884,470
24	Gaffey St.	37	4.50 MGD
42	Pacific Ave.	39	33.07 GD

*No gauging available

Based on the estimated flows, it appears the sewer system might be able to accommodate the total flow for your proposed project. Further detailed gauging and evaluation will be needed as part of the permit

process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Terminal Island Treatment Plant, which has sufficient capacity for the project.

If you have any questions, please call Kwasi Berko of my staff at (323) 342-1562.

Response to Comment No. A2-2

Based on the existing flow depth data provided above, coupled with the City's SCAR response, the wastewater analysis in the Draft EIR (Section IV.O.2) determined that the existing sewer facility in Taper Avenue (including its downstream sewer facilities) has more than adequate sewer conveyance capacity to serve the Project, as discussed on pages IV.O-25 and IV.O-26 of the Draft EIR.

Comment No. A2-3

STORMWATER REQUIREMENTS

The Bureau of Sanitation, Watershed Protection Division (WPD) is charged with the task of ensuring the implementation of the Municipal Stormwater Permit requirements within the City of Los Angeles. We anticipate the following requirements would apply for this project:

POST-CONSTRUCTION MITIGATION REQUIREMENTS

The project requires implementation of stormwater mitigation measures. These requirements are based on the Standard Urban Stormwater Mitigation Plan (SUSMP) and the recently adopted Low Impact Development (LID) requirements. The projects that are subject to SUSMP/LID are required to incorporate measures to mitigate the impact of stormwater runoff. The requirements are outlined in the guidance manual titled "*Development Best Management Practices Handbook-Part 8: Planning Activities"*. Current regulations prioritize infiltration, capture/use, and then biofiltration as the preferred stormwater control measures. The relevant documents can be found at: www.lastormwater.org. It is advised that input regarding SUSMP requirements be received in the early phases of the project from WPD's plan-checking staff.

Response to Comment No. A2-3

The Project will fully comply with federal, state, and local regulations and ordinances related to stormwater management and pollution. The Project's permanent/operational improvements will include permanent stormwater treatment facilities and best management practices (BMPs). Project specific BMPs will include both structural (e.g., bio-swales, infiltration trenches/basins, clarifiers) and non-structural (e.g., inlet stenciling, maintenance plans, annual inspections) components and will otherwise fully comply with all applicable requirements set forth in the City's Stormwater Urban Mitigation Plan (SUSMP) and

Low Impact Development (LID) ordinance. A complete discussion of the Project's compliance with these requirements is provided in Section IV.I (Hydrology and Water Quality) of the Draft EIR. Specifically, compliance with these requirements is identified under the "Compliance Measures" and "Project Design Features" discussions on pages IV.I-26 and IV.I-27 of the Draft EIR.

Comment No. A2-4

GREEN STREETS

The City is developing a Green Street Initiative that will require projects to implement Green Street elements in the parkway areas between the roadway and sidewalk of the public right-of-away to capture and retain stormwater and urban runoff to mitigate the impact of stormwater runoff and other environmental concerns. The goals of the Green Street elements are to improve the water quality of stormwater runoff, recharge local ground water basins, improve air quality, reduce the heat island effect of street pavement, enhance pedestrian use of sidewalks, and encourage alternate means of transportation. The Green Street elements may include infiltration systems, biofiltration swales, and permeable pavements where stormwater can be easily directed from the streets into the parkways and can be implemented in conjunction with the SUSMP/LID requirements.

Response to Comment No. A2-4

As part of larger Stormwater Urban Mitigation Plan (SUSMP) for the Project, the proposed private street facilities will include "green street" elements such as linear bio-filtration features in the street parkway features and areas of permeable paver surface. While the Proposed Project street widths do have ample room for placing strategic green street elements, the extent of these kinds of water quality BMPs will be driven by the suitability of the site's localized surface water hydraulic design parameters (i.e., size of on-site localized tributary drainage areas and estimated flow rates/velocities) and suitable soil conditions. Examples of the stormwater BMPs anticipated to be included in the Project are provided in Section IV.I (Hydrology and Water Quality) of the Draft EIR at pages IV.I-39 through IV.I-52.

Comment No. A2-5

CONSTRUCTION REQUIREMENTS

The project is required to implement stormwater control measures during its construction phase. All projects are subject to a set of minimum control measures to lessen the impact of stormwater pollution. In addition for projects that involve construction during the rainy season that is between October 1 and April 15, a Wet Weather Erosion Control Plan is required to be prepared. Also projects that disturb more than one-acre of land are subject to the California General Construction Stormwater Permit. As part of this requirement a Notice of Intent (NOI) needs to be filed with the State of California and a Storm Water Pollution Prevention Plan (SWPPP) needs to be prepared. The SWPPP must be maintained on-site during the duration of construction.

If there are questions regarding the stormwater requirements, please call Kosta Kaporis at (213) 485-0586, or WPD's plan-checking counter at (213) 482-7066. WPD's plan-checking counter can also be visited at 201 N. Figueroa, 3rd Fl., Station 18.

Response to Comment No. A2-5

As is discussed in Section IV.I (Hydrology and Water Quality) of the Draft EIR (under "Compliance Measures" and "Project Design Features" at pages IV.I-26 and IV.I-27), the Project will fully comply with federal, state, and local regulations and ordinances related to stormwater pollution. Prior to the commencement of construction activities for the Project, a comprehensive SWPPP, including proper registration with the state's SMART system and Notice of Intent (NOI), will be developed and filed as per federal and state law. Preparation and adherence to a Project-specific Wet Weather Erosion Control Plan will also be implemented. See also Responses to Comments A2-3 and A2-4.

Comment No. A2-6

SOLID RESOURCE REQUIREMENTS

The City has a standard requirement that applies to all proposed residential developments of four or more units or where the addition of floor areas is 25 percent or more, and all other development projects where the addition of floor area is 30 percent or more. Such developments must set aside a recycling area or room for onsite recycling activities. For more details of this requirement, please contact Daniel Hackney of the Special Project Division at (213) 485-3684.

Response to Comment No. A2-6

The Project will include areas for on-site recycling activities as per the requirements of the City's Space Allocation Ordinance and AB 341. This requirement is identified in Section IV.O.3 (Solid Waste) of the Draft EIR under "Compliance Measures" (at page IV.O-48).

LETTER NO. A3 – STATE OF CALIFORNIA, DEPARTMENT OF FISH AND GAME (#1)

Daniel Blankenship, Staff Environmental Scientist
State of California
Department of Fish And Game
Santa Clarita, CA

Comment No. A3-1

Thank you for the opportunity to comment on the subject DEIR. The Department concurs with the biological mitigation measures proposed with the following comments.

1. The Department concurs that a streambed alteration agreement notification will be needed for this project. The mitigation necessary for that agreement may differ from the BIO-4 measure of 1:1 depending on the local conditions determined by the DFG staff during a future site visit.

2. The Department concurs with the use of native plant species for re-vegetation on this project and understand that there will be approximately 3,518 trees planted on the Project Site during project implementation.

Please feel free to contact me if you have any questions or if you need DFG staff consultation during project implementation.

Response to Comment No. A3-1

As is discussed in the Draft EIR (Section IV.D, Biological Resources), the native riparian habitat associated with the Project Site is limited in both a real extent, covering approximately 0.37 acre, and habitat quality, with the native habitat being intermixed with a substantial component of non-native species. Adjacent developments include residential, commercial and industrial properties that do not share any portion of the on-site riparian area. Given these factors, a 1:1 replacement is projected to be sufficient to ensure that there is no net loss of habitat function as a result of Project implementation. However, the Draft EIR acknowledges (at page IV.D-54) that the final replacement ratio will be determined during processing of the Streambed Alteration Agreement by the CDFG.

LETTER NO. A4 - STATE OF CALIFORNIA, DEPARTMENT OF FISH AND GAME (#2)

Daniel Blankenship, Staff Environmental Scientist
State of California
Department of Fish And Game
Santa Clarita, CA

Comment No. A4-1

Based on a review of the project referenced above, the Department of Fish and Game has determined that for the purposes of the assessment of CEQA filing fees (Fish and Game Code Section 711.4(c)) the project has the potential to affect fish and wildlife, or their habitat, and the project as described requires payment of a CEQA filing fee pursuant to the California Code of Regulations, Title 14, Section 753.5(d). At the time of filing of the Notice of Determination with the county clerk or Office of Planning and Research (State Clearinghouse), the appropriate CEQA filing fee will be due and payable. Please see the following website for a list of current fees: http://www.dfg.ca.gov/habcon/ceqa/ceqa changes.html

This determination is for the purpose of assessment of CEQA filing fees and is independent of a lead agency's conclusion or determination regarding a project's effect on the environment pursuant to CEQA Statute 21082.2 or CEQA Guidelines 15064. If you have any questions, please contact me at (661) 259-3750.

Response to Comment No. A4-1

This comment presents a requirement that the Project Applicant must pay the identified CEQA filing fee to the CDFW at the time the Notice of Determination for the Project is filed with the county clerk and State Clearinghouse and does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. A5 – CITY OF LOMITA

City of Lomita
Margaret Estrada
Mayor
24300 Narbonne Avenue
Lomita, CA 90717

Comment No. A5-1

To Whom It May Concern:

Thank you for the opportunity to provide comment on the aforementioned project. The Project proposes a Specific Plan (proposed density is approximately 18 units per acre), General Plan Amendment, Zone Change, and Vesting Tentative Tract Map for the subdivision, construction, and operation of a 1,135-unit residential development. The Project's residential units would be comprised of single-family, duplex, townhome, flat, and apartment units ranging in size from 600 to approximately 2,800 square feet, within buildings constructed over and/or adjacent to residential parking garages. Up to 392 of the 1,135 units may be rental units.

The Project would also provide an access road from Western Avenue to the off-site, private Mary Star of the Sea High School. The Project site is approximately 61.5 acres. The Project would incorporate large internal open space and recreational areas, including an approximately 2.8-acre park, 1.3-acre community clubhouse and pool/recreation area and an approximately 0.7- acre open space and trail network. Additional recreational amenities would be distributed throughout the site. The Project would involve the demolition and removal of all existing improvements on the site, which include 245 vacant residential units, a 2,161-square foot community center, and a 3,454-square foot retail convenience facility which were constructed in approximately 1962 by the U.S. Navy for the purpose of housing and accommodating personnel stationed at the Long Beach Naval Shipyard. The site (formerly known as "San Pedro Housing") was closed in the late 1990s.

Response to Comment No. A5-1

This comment is an introduction and summarizes the components of the originally proposed Project. It does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A5-2

R-1 Zoning Should be Maintained

The site should maintain and be developed under the existing R-1 zoning. The approval of a specific plan would allow densities over 20 units per acre which is more in line with medium-high density residential.

Density

Using the current project description the project's density was calculated utilizing the entire 61.5 acre site (18 units per gross acre). The net density is actually over 20 units per acre. We still question the basis for calculating the density in this manner since it will yield a lower gross acreage per unit over the entire site rather than on only the actual net residential acreage (i.e., the areas covered by open space and private streets are being allowed to count as residential land when determining the units per acre). This can mislead the public into thinking that the proposed density is lower than what it actually is. Many jurisdictions calculate permissible density based on the net residential acreage (not the entire site that includes streets and open space). Even at the lower density level, the proposed project and the various alternatives would still be requesting amendments to the general plan, zoning and a specific plan request to increase the permissible density above what is normally allowed under a single family residential zone. This level of density is not appropriate for the surrounding community and will have substantial environmental impacts (e.g., traffic, noise, aesthetics and air quality) that cannot be mitigated adequately.

Response to Comment No. A5-2

The comment correctly notes that the Project's density is described on the cover page of the Draft EIR as being approximately 18 units per acre and that this represents the Project's gross, rather than net, density. However, in Section II (Project Description) of the Draft EIR, a more detailed description of the Project is presented. On Figure II-10, Proposed Land Use Plan, in the Draft EIR, the net densities associated with each of the seven proposed parcels of the Project are presented. In the text of Section II (Project Description) on page II-19 of the Draft EIR, it is stated that the Project would consist of residential densities ranging from 11 to approximately 34 dwelling units per acre. These are net densities. Table II-1 on page II-2 of the Draft EIR was intended to also present these same density numbers. However, the table contains some errors and these errors have been corrected as follows (see Section IV, Corrections and Additions to the Draft EIR):

Table II-1 on page II-2 of the Draft EIR is revised as follows:

5, 6	Row Houses	5/6	0	262	262	~~22~~23/27	5.9	1,320	2.5	Alley Loaded
7	Apartments	7	392	0	392	~~24~~34	43.5	975	1.5	Walk-Up; Alley Loaded

Thus, the Draft EIR presented the range of net densities associated with each of the individual parcels proposed to be developed as part of the Project. The comment is correct in noting that the Project would require a General Plan Amendment and a Zone Change in order to allow the proposed densities at the Project Site. The environmental impacts associated with the proposed densities have been evaluated in this EIR in the respective sections associated with the environmental issue areas cited. Responses to specific comments on portions of the environmental analysis are provided below.

Comment No. A5-3

Construction-Related Vehicle Trips

Due to the number of residential units and the length of expected construction time, the City of Lomita has concern with the number of large construction vehicles entering and exiting the site particularly during grading and demolition activities. A number of these vehicles particularly the off-site load hauling vehicles may need to go through the City of Lomita to get to its final destination. For this reason, we request that the following 2 proposed mitigation measures be amended as follows:

> **N0-6** All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible. **Prior to the commencement of construction at the project site, a meeting shall be held with the surrounding cities (including the City of Lomita). The purpose of the meeting will be to designate truck routes for off-site load hauling vehicles and other construction-related vehicles.**
>
> **N0-7** Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to the immediate surrounding **cities,** off-site residential, school, and memorial park properties that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

Response to Comment No. A5-3

Pages IV.N-62 and IV.N-63 of the Draft EIR (see Section IV.N, Transportation/Traffic) discuss the activities due to construction of the Project and the corresponding potential traffic impacts. The analysis concluded that a less than significant impact to off-site intersections, including study intersections located in the City of Lomita, would occur as a result of construction of the Proposed Project. Thus, no traffic mitigation measures at specific intersections are required or recommended. Pages IV.N-85 and IV.N-86 of the Draft EIR describe in-street construction impacts and the coordination with LADOT to minimize temporary traffic impacts due to construction. As noted in the Draft EIR, no mitigation measures are

required or recommended. The comment suggests revisions to Mitigation Measures NO-6 and NO-7 in the Draft EIR addressing construction-related truck/hauling traffic. These mitigation measures have been revised in accordance with the comment's recommendations (see Section IV, Corrections and Additions to the Draft EIR).

Mitigation Measures NO-6 and NO-7 on page IV.K-33 of the Draft EIR have been revised as follows:

NO-6 All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible. Prior to the commencement of construction at the Project Site, a meeting shall be held with appropriate representatives of the Cities of Rancho Palos Verdes, Torrance, and Lomita. The purpose of the meeting will be to designate truck routes for off-site load hauling vehicles and other construction-related vehicles.

NO-7 Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to the immediate surrounding cities and off-site residential, school, and memorial park properties that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

Comment No. A5-4

Transportation and Traffic

The Transportation and Traffic section of the DEIR is based on the Traffic Impact Study, Ponte Vista at San Pedro, City of Los Angeles, California, March 2012 prepared by Linscott, Law & Greenspan Engineers (LL&G). As stated on page IV.N-61, the project at full build out would generate 7,382 vehicle trips per day.

The City believes that the reliance of existing condition traffic data in the DEIR from 2010 (more than 2 years old) may not accurately show the true impact of the project on traffic. The increase in the number of residential units will create a substantial impact on surrounding roadways including Western Avenue. The vehicle trips will also create a negative impact on other intersections within the City of Lomita along Pacific Coast Highway, Palos Verdes Drive North, Crenshaw Boulevard, Narbonne Avenue and Lomita Boulevard. A project with a lower density (7-10 units per acre as opposed to 20+ units per acre) would be more appropriate for the subject site.

Response to Comment No. A5-4

The comment references the traffic counts conducted at study intersections in 2010 as described on page IV.N-16 of the Draft EIR. See Topical Response 2 addressing the traffic count collection procedure and

its compliance with the *CEQA Guidelines* in terms of the date of the traffic counts. Table IV.N-4 of the Draft EIR provides a summary of weekday AM and PM and weekend midday traffic counts. Pages IV.N-2 through IV.N-11 describe that the potential traffic impacts of the Project are evaluated for three scenarios: Existing-With-Project 2010 Conditions, Near-Term Year 2012 With-Project Conditions, and Future Year 2017 With-Project Conditions. Also, use of the Existing-With-Project 2010 Conditions complies with the *Sunnyvale West Neighborhood Association v. City of Sunnyvale City Council* court decision requiring that the Project's impact be measured against conditions that existed at the time of the NOP issuance.

Table IV.N-1 of the Draft EIR provides a list of the study intersections, including study intersections in the City of Lomita. As stated in the Draft EIR on Page IV.N-38, each intersection was analyzed based on the methodology and thresholds of the City of Los Angeles. In addition, though not required for intersections that are outside of the City of Los Angeles, other intersections were analyzed using the respective methodology and thresholds utilized by the jurisdiction in which the intersection is located. Tables IV.N-12 through IV.N-21 of the Draft EIR provide analyses for three scenarios: Existing-With-Project 2010 Conditions, Near-Term Year 2012 With-Project Conditions, and Future Year 2017 With-Project Conditions. Tables IV.N-23 and IV.N-24 of the Draft EIR provide a summary using the City of Lomita methodology and thresholds of significance. As shown therein, one intersection within the City of Lomita would be significantly impacted by Project traffic (Western Avenue/Palos Verdes Drive North) under the 2017 With Project scenario.

Regarding the preference for a development with a lower density, Chapter VI (Alternatives to the Proposed Project) of the Draft EIR evaluated a range of alternatives from single-family residential to lower-density multi-family housing. Two additional alternative site plans are discussed in Topical Response 6 in this Final EIR (see Section III.A). The reduced density Alternative C in the Draft EIR is now the Applicant's preferred alternative. This alternative would result in reduced traffic impacts, as discussed in Section VI of the Draft EIR.

Comment No. A5-5

Intersection Analysis

The analysis of study intersections within the City of Lomita included the following intersections:

A. Arlington Avenue (Narbonne Avenue)/Lomita Boulevard (#8)

B. Narbonne Avenue/Pacific Coast Highway (#9)

C. Western Avenue/ Palos Verdes Drive North (#15)

D. Crenshaw Boulevard/Lomita Boulevard (#5) is adjacent to the City border.

Page IV.N-3 (and throughout the document) Map No. 9 should be corrected to read Narbonne Avenue/Lomita Boulevard. Arlington Avenue is located within the City of Torrance north of 240th Street. The City also believes that the intersection of 262nd Street and Western should have also been included as one of the study intersections.

Response to Comment No. A5-5

See Response to Comment A5-4 about the intersections within the City of Lomita evaluated in the Draft EIR. Note that the intersection of Crenshaw Boulevard/Lomita Boulevard is in the City of Torrance, not the City of Lomita. The comment refers to Map (Intersection) No. 9, but describes Map (Intersection) No. 8 with regards to the location of Arlington Avenue as being within the City of Torrance north of 240th Street, rather than in Lomita. References in the Draft EIR to the intersection of Arlington Avenue and Lomita Boulevard, including all Maps No. 8 in the Traffic Study, will be changed in the Final EIR to label the intersection as Narbonne Avenue/Lomita Boulevard instead of Arlington Avenue/Lomita Boulevard. Additionally, see Topical Response 2 addressing study intersections chosen in accordance with LADOT's *Policies and Procedures Manual* and traffic study methodology meeting the requirements of the *CEQA Guidelines*. Also, 262nd Street is a local street that passes through a neighborhood of single-family homes. There is no evidence to suggest that a meaningful percentage of Project-related traffic would utilize 262nd Street for regional or local travel. Thus, the analysis of the Western Avenue/262nd Street intersection in the Project Traffic Study and Draft EIR is not required.

The following references in the Draft EIR to the intersection of Arlington Avenue/Lomita Boulevard have been revised to read Narbonne Avenue/Lomita Boulevard (see Section IV, Corrections and Additions to the Draft EIR):

- Intersection No. 8 in Tables IV.N-1, IV.N-4, IV.N-6, IV.N-7, IV.N-11, IV.N-12, IV.N-13, IV.N-16, IV.N-17, IV.N-18, IV.N-19, IV.N-20, IV.N-21, IV.N-22, IV.N-23, IV.N-24, and IV.N-25 is revised as follows:

  ~~Arlington Avenue~~ Narbonne Avenue/Lomita Boulevard

- Intersection No. 8 on Figures IV.N-2, IV.N-3, IV.N-4, IV.N-8, IV.N-9, IV.N-10, IV.N-12, IV.N-13, IV.N-16, IV.N-17, IV.N-19, IV.N-20, IV.N-22, IV.N-23, IV.N-25, IV.N-26, IV.N-28, IV.N-29, and IV.N-31 is revised as follows:

  ~~Arlington Avenue~~ Narbonne Avenue/Lomita Boulevard

Comment No. A5-6

Table IV.N-6 provides the existing (2010) summary of the Vehicle Capacity (V/C) and Level of Service (LOS) analysis conducted on the City's 4 study intersections.

- The intersection of Crenshaw Bl./Lomita Bl. in the PM peak period currently operates at LOS E.

- The intersection of Narbonne Ave./Lomita Bl. in the PM peak period currently operates at LOS E.

- The intersection of Western Ave./Palos Verdes Drive North in the AM and PM peak period currently operates at LOS E and LOS D respectively.

The City's general concern is that many of these intersections already operate at below acceptable standards and any incremental increase from a 1,135-unit development will make existing conditions that much worse.

Of particular concern is the intersection of Western Ave./Palos Verdes Drive North, which under the 2017 analysis would operate at LOS F for both the AM and PM peak periods. Although the DEIR states that with the proposed mitigation measure (Trans-5) the impact to this intersection would be less than significant, there is no specific analysis in the Transportation/Traffic section that analyzes/confirms this.

Response to Comment No. A5-6

The comment correctly identifies the LOS for the stated time periods provided in Table IV.N-6 in the Draft EIR. See Response to Comment A5-5 regarding the location of the Crenshaw Boulevard/Lomita Boulevard intersection within the City of Torrance. Also, note that the Narbonne Avenue/Lomita Boulevard intersection refers to Draft EIR study Intersection No. 8. With regard to traffic impacts, Table IV.N-9 of the Draft EIR provides the LADOT impact significance thresholds and Page IV.N-41 of the Draft EIR describes the significance threshold for the City of Lomita used for evaluating potential traffic impacts due to the Project at intersections located within the City of Lomita. Table IV.N-21 of the Draft EIR indicates that the Western Avenue/Palos Verdes Drive North intersection is forecast to operate at LOS F in the AM and PM peak hours in the Future Cumulative With Project (2017) condition as noted in the comment. Page IV.N-161 of the Draft EIR provides Mitigation Measure TRANS-5, which would reduce the Project-related impact at the Western Avenue/Palos Verdes Drive North intersection to a less than significant level. Table 9-2 in the Traffic Study (included in the Draft EIR as Appendix IV.N-1) shows that, with implementation of Mitigation Measures TRANS-5, the Western Avenue/Palos Verdes Drive North intersection would operate at LOS D in the AM peak period and LOS E in the PM peak period under Future Cumulative With Project (2017) conditions.

Comment No. A5-7

The overall impact of this development on Pacific Coast Highway for some intersections adjacent to and outside of Lomita is problematic. In particular, the intersection of Crenshaw Bl./Pacific Coast Highway (in the p.m. peak period) and Western Avenue/Pacific Coast Highway (during all study period including Saturdays) will cause significant residual traffic increases to Pacific Coast Highway within Lomita that will negatively impact LOS.

Response to Comment No. A5-7

Table IV.N-37 of the Draft EIR shows that the forecast Project-related impacts at study intersections 6 (Crenshaw Boulevard/Pacific Coast Highway) and 13 (Western Avenue/Pacific Coast Highway) identified in the comment would be mitigated to less than significant levels based on implementation of the recommended mitigation measures. Thus, no significant residual traffic impacts on Pacific Coast Highway in the City of Lomita due to the Project are anticipated.

Comment No. A5-8

Many of the proposed transportation mitigation measures require improvements in jurisdictions of neighboring cities and Caltrans. Have these agencies been consulted? The City of Lomita has not received any communication from the developer, traffic consultant or environmental consultant on the feasibility of mitigation measure Trans-5 relative to restriping and other modifications proposed at PV Drive North and Western Avenue.

Response to Comment No. A5-8

Consultation with other jurisdictions regarding the acceptability of the proposed traffic mitigation measures at intersections within their control has not yet occurred. Typically, the City relies on the Draft EIR review and comment process to elicit input from other agencies concerning Project impacts and proposed mitigation. Section I, Introduction/Summary, of the Draft EIR provides information regarding the environmental review process, including required notification to affected agencies, including the City of Lomita. Detailed discussion with each of the affected jurisdictions will occur during the street improvement design process, at which time adjustments can be made to the proposed mitigation to address concerns expressed by each jurisdiction so long as the overall efficacy of the mitigation is maintained.

The mitigation measures listed in the Draft EIR beginning on page IV.N-160 are reasonable and feasible. The Traffic Study contained in Appendix IV.N-1 of the Draft EIR contains concept plans demonstrating the feasibility of the mitigation measures, including TRANS-5 (Western Avenue/Palos Verdes Drive North intersection). Also, Appendix IV.N-1 of the Draft EIR contains the LADOT memorandum dated April 10, 2012 approving the Traffic Study and recommended mitigation measures. In addition, Caltrans has submitted comments regarding the mitigation measures contained in the Draft EIR (see Letter No. A9). The comment does not state a specific concern regarding the TRANS-5 mitigation measure at the Western Avenue/Palos Verdes Drive North intersection.

Comment No. A5-9

Should the City of Los Angeles approve the project, the City of Lomita would prefer Alternative C which proposes 830 residential units at a density of 19.5 units per acre. This would be a reduction of 305 residential units from the proposed project.

If you have any questions, you may contact Gary Sugano, Assistant City Manager at (310) 325-7110, extension 121.

Response to Comment No. A5-9

In response to this and other similar comments received on the Draft EIR, the reduced density 830-unit Alternative C Project Alternative is now the preferred Project.

LETTER NO. A6 – SOUTH BAY PARKLAND CONSERVANCY

South Bay Parkland Conservancy Board of Directors
South Bay Parkland Conservancy
PO Box 7000-408
Redondo Beach, CA 90277

Comment No. A6-1

The South Bay Parkland Conservancy is dedicated to helping make the community a better place by encouraging and assisting with the acquisition of Parklands. Our organization was established in 2004 and we work with residents, local and state government and other like-minded organizations in our efforts to "Leaving a Legacy of Open Space".

The national average for parkland in the US is 12.9 acres per thousand residents (Trust for Public Land 2009) and the Federal recommendation level for parkland is set at 10 acres per thousand residents (Lancaster 1990). Los Angeles, including the South Bay, is "park poor". San Pedro has 3.7 park acres per thousand residents (Sustainable Cities Program, 2002). As you're aware, the open space inventory for the South Bay includes beaches and community centers.

The South Bay Parkland Conservancy views the LA City staff recommendation for the Ponte Vista Project as specified in the DEIR as a **major missed opportunity**. To summarize:

- The estimated population for this project site will be 2,923. Though the calculation is based on US Census figures, this population is likely conservative for the 1,135 residences being proposed.

- The open space will only be 5.65 acres.

- This plan provides for less than 2 acres of open space per thousand residents!

A new development project should not be allowed to move forward when it further deprives the South Bay of the health benefits of open space.

Response to Comment No. A6-1

As discussed in Section I, Introduction, of this Final EIR, in response to public and agency comments on the Draft EIR, the Proposed Project has been revised from that which was evaluated in the Draft EIR. The Proposed Project now consists of an 830-unit residential development rather than the 1,135-unit plan that was studied in the Draft EIR. The current Proposed Project was fully evaluated in the Draft EIR as Alternative C.

The currently Proposed Project would result in an estimated population of 2,222 persons at the Project Site, as described on page VI-83 of the Draft EIR. The comment is incorrect in stating that the Proposed Project would create 5.65 acres of open space at the Project Site. The originally Proposed Project (1,135 units) would provide a total of 20.6 acres of open space and recreational amenities, as presented in Table IV.M-11 of the Draft EIR. Of this total, 7.6 acres would consist of dedicated park area and outdoor recreational spaces, with the remainder consisting of landscaped common area and other general open space.

As presented in Table IV-10 of the Draft EIR, the current Proposed Project (830 units; Draft EIR Alternative C) would contain 20.5 total acres of open space and recreational amenities, including 8.1 acres of dedicated park area and outdoor recreational spaces. Although the majority of this open space and park area would be fully accessible only to future Project residents (pedestrian access would be provided to the general public), application of the comment's suggested ratio would yield an open space per Project resident ratio of 9.23 acres per thousand residents. This ratio would be just under the federal recommendation cited by the comment (it should be noted that the federal recommendation does not apply to the Project Site; rather, the City's guidelines with respect to parkland represent the germane metric). If the ratio calculation were limited to dedicated park and recreational amenity space, the resulting ratio of 3.4 acres per thousand residents would be only slightly less than the existing park area-to-resident ratio cited by the comment for the San Pedro area.

The Draft EIR (in Section IV.M.4, Parks and Recreation) acknowledges that the Proposed Project (both the original and the current Alternative C) would not fully attain the City's established park area acreage goals, but also states that the Project will be required to comply with both the City's Quimby Ordinance and Dwelling Unit Construction Tax (DUCT) payment requirements. If the park and recreational facilities proposed by the Project do not fully meet the requirements of these ordinances, the fees paid would make up the difference and would contribute to the acquisition of new and/or expansion of existing parkland in the City. Thus, the Draft EIR concluded that the Project would have a less than significant impact with respect to parks and recreation. This analytical approach is consistent with City CEQA guidelines and other applicable policies.

LETTER NO. A7 – METROPOLITAN TRANSPORTATION AUTHORITY (METRO)

METRO
Scott Hartwell
CEQA Review Coordinator, Long Range Planning
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952

Comment No. A7-1

The Los Angeles County Metropolitan Transportation Authority (LACMTA) is in receipt of the Draft Environmental Impact Report (DEIR) for the Ponte Vista Project. This letter conveys recommendations from MTA concerning a number of issues in relation to the proposed project.

Congestion Management Program Statutory Requirements

In accordance with the State of California Congestion Management Program (CMP) statute, the Traffic Impact Analysis (TIA) contained in the Ponte Vista Project Draft EIR identifies CMP Arterial Monitoring Station #58 (Western Avenue and Pacific Coast Highway) which would be significantly impacted by the proposed project. Per the CMP TIA Guidelines published in the "2010 Congestion Management Program for Los Angeles County", Appendix D, section D.9, the EIR should include the following in relation to CMP Arterial Monitoring Station #58:

1) Identification of Mitigation. Mitigation Measure TRANS-4 should include a clear indication of the following:

   - Cost estimates, indicating fair share costs to mitigate the impact of the proposed project. If the improvements from a proposed mitigation measure will exceed the impact of the project, the TIA must indicate the proportion of total mitigation costs which is attributable to the project. This fulfills the statutory requirement to exclude the costs of mitigating inter-regional trips;

   - Implementation responsibilities. Where the agency responsible for implementing mitigation is not the lead agency, the TIA must document consultation with the implementing agency regarding project impacts, mitigation feasibility and responsibility.

   Final selection of mitigation measures remains at the discretion of the lead agency. The TIA must, however, provide a summary of impacts and mitigation measures. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the mitigation monitoring requirements contained in CEQA.

Response to Comment No. A7-1

Page IV.N-154 of the Draft EIR concurs with the comment that the CMP Monitoring Station of Western Avenue/Pacific Coast Highway is impacted by the Project. Additionally, page IV.N-175 of the Draft EIR explains that with implementation of Mitigation Measure TRANS-4 as described on page IV.N-161 of the Draft EIR, Project impacts related to the CMP Monitoring Station would be less than significant. It is further noted on page IV.N-161 of the Draft EIR that the Project Applicant would construct/implement Mitigation Measure TRANS-4 rather than simply participate in a fair share funding of the improvement. As noted in the Mitigation Monitoring and Reporting Plan (see Section V of this Final EIR), implementation of Mitigation Measure TRANS-4 would be monitored by the LADOT. As a result, cost estimates indicating fair share costs to mitigate the impact of the Proposed Project are not needed because the Project Applicant will have 100% responsibility for implementing the improvement. The LADOT memorandum in Appendix IV.N-1 of the Draft EIR approves the Traffic Study and therefore concurs with the recommended mitigation. Furthermore, the Caltrans letter commenting on the Draft EIR (Letter No. A9) also agrees with the recommended mitigation.

Comment No. A7-2

Potential Impacts to Metro Bus Service

1) The Metro bus stop relocation proposed as part of Mitigation Measure TRANS-12 in the Draft EIR must include installation of a full bus pad in the street at the location of the new stop. Contact Pete Serdienis, Metro Stops & Zones Facilities Maintenance Manager regarding any questions and/or coordination efforts. Mr. Serdienis can be reached at 213-922-5190 or by email at SerdienisP@ metro.net;

2) Metro Bus Operations Control Special Events Coordinator should be contacted at 213-922-4632 regarding construction activities that may impact Metro bus lines. Other Municipal Bus Service Operators may also be impacted and therefore should be included in construction outreach efforts.

Response to Comment No. A7-2

Page IV.N-162 of the Draft EIR will be amended to note construction of the full bus pad in regard to the Mitigation Measure TRANS-12. Also, page IV.N-86 of the Draft EIR acknowledges that coordination with Metro and other transit providers regarding potential temporary relocation of bus stops along the Project frontage during construction of the Project will be required.

Sub-part (b) of Mitigation Measure TRANS-12 on page IV.N-162 (and in Table I-1 on page I-123) of the Draft EIR has been revised to read as follows (see also Section IV, Corrections and Additions to the Draft EIR):

b. Relocate the existing southbound near-side Metro bus stop on Gaffey Street to the far side of the intersection (i.e., south of the intersection) where a full bus pad is to be installed in the street;

Comment No. A7-3

MTA's Response to the Notice of Preparation

There is no indication in the Draft EIR or its appendices that the lead agency received MTA's response to the Notice of Preparation for the proposed project. The letter is dated November 10th, 2010 and is attached for you reference.

If you have any questions regarding these comments, please contact me at 213-922-2836 or by email at hartwells@metro.net. Please send the Final EIR to the following address:

MTA CEQA Review Coordination
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952
Attn: Scott Hartwell

Response to Comment No. A7-3

The comment notes that Metro provided a comment letter in response to the Notice of Preparation circulated for the Proposed Project in November 2010 but correctly states that this letter was not included or referenced in the Draft EIR. This was an inadvertent omission and has been corrected in this Final EIR. The comments raised in the November 2010 NOP Response from Metro were considered in the preparation of the Draft EIR.

Appendix I-2 of the Draft EIR has been revised to include the November 10, 2010 NOP response letter from Metro (see also Section IV, Corrections and Additions to this Draft EIR).

LETTER NO. A8 – CITY OF RANCHO PALOS VERDES

City of Rancho Palos Verdes
Kit Fox
Senior Administrative Analyst
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275-5391

Comment No. A8-1

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the Notice of Availability/Completion (NONC) for the above-mentioned project. The City respectfully offers the following comments on the content and analysis of the Draft EIR (DEIR) for the proposed project:

1) From the outset, the City of Rancho Palos Verdes would like to take this opportunity to remind the City of Los Angeles that the purpose of an EIR is to disclose and describe the environmental impacts of a

proposed project in a logical and concise manner so that decision makers are able to make fully informed decisions before taking action on the proposed project in question. In the case of this EIR, however, it is clear that the project proponent has no intention of building or seeking entitlements to build the so-called "proposed" project, but instead intends to pursue Alternative C, as described in Section VI of the DEIR. Nevertheless, thousands of pages of descriptions, diagrams, analyses and technical appendices are expended on the "proposed" project in the DEIR, while fewer than one hundred fifty (150) pages at the back of the DEIR are devoted to the analysis of all four (4) project alternatives combined. We appreciate that the project proponent's decision to abandon the "proposed" project in favor of 830-unit Alternative C or 1,135-unit Alternative D may have been in response to significant geotechnical issues that were identified on the site after the initial circulation of the Notice of Preparation (NOP) in October 2010. However, at that point, the project description should have been revised to address these changed circumstances and the NOP recirculated. Instead, we are now presented with a DEIR that includes a minutely-detailed analysis of a "proposed" project that the project proponent has no interest in pursuing, and superficial analyses of the "real" project proposal (i.e., Alternative C or D). Therefore, before we comment in more detail on the DEIR as presented, the City of Rancho Palos Verdes wishes to go on record as requesting that the DEIR be completely re-written with either Alternative C or Alternative D as the "proposed" project accompanied by appropriately re-written descriptions, diagrams, analyses and technical appendices and re-circulated for a new public review and comment period.

Response to Comment No. A8-1

The comment asserts that the Project Applicant has no intention of building the original 1,135-unit version of the Proposed Project that was evaluated in the Draft EIR. As is discussed in Section I, Introduction, of this Final EIR, the Project Applicant decided to replace the original version of the Proposed Project with the reduced density 830-unit version that was evaluated in the Draft EIR as Alternative C following the close of the public comment period on the Draft EIR and in response to the public comments received. Prior to that, the Project Applicant had indicated that the preferred Project was one that included 1,135 units, as discussed on page II-1 of the Draft EIR. As presented on Table VI-1 in the Draft EIR, the residential product types in both the original 1,135-unit plan and the reduced 830-unit plan are very similar, with the only significant difference being in the number of units proposed. The two site plans are largely the same, with the primary differences being the presence of the seismic setback across the central portion of the site and the elimination of the proposed public park. These differences between the two plans were evaluated in detail in Section VI (Alternatives to the Proposed Project) of the Draft EIR. In all other areas, the impacts of the smaller 830-unit Alternative C were reviewed and found to be either the same or less than those that would result from the larger 1,135-unit Proposed Project. Thus, there is no requirement or justification for completely revising and recirculating a new Draft EIR, as the comment suggests. All of the impacts associated with the current version of the Proposed Project (Alternative C in the Draft EIR) were fully evaluated and disclosed in the Draft EIR, with appropriate mitigation measures identified.

With respect to the "significant geotechnical issues" cited by the comment, as noted on page IV.F-5 of the Draft EIR, a splay of the Palos Verdes Fault was determined to cross the central portion of the Project Site during the geotechnical investigation work for the EIR. Due to the uncertainty over the nature of this fault splay and, in particular, its degree of activity, the Lead Agency conservatively treated the fault splay as potentially active, classified the resulting impact as significant, and imposed Mitigation Measure GEO-1 requiring the inclusion of a 50-foot wide structural seismic setback zone along the fault splay. In order to evaluate any additional level of environmental impact that might be associated with the implementation of this mitigation measure, Alternative D was added to the Draft EIR to study how the modified site plan could be developed while still retaining the original number of proposed residential units. According to the Project Applicant, the decision to reduce the overall Project from 1,135 to 830 units was made subsequent to and completely apart from the discovery of the fault splay. Regardless, the potential environmental impacts of the original 1,135-unit project, the 1,135-unit plan incorporating Mitigation Measure GEO-1, and the reduced density 830-unit current Proposed Project were each fully evaluated in the Draft EIR.

CEQA Section 21092.1 and CEQA Guidelines Section 15088.5 provide the triggers for recirculation, which fall into three general categories: (1) new or substantially more severe significant, unavoidable impacts; (2) new, feasible mitigation, considerably different from the Draft EIR, that a project proponent refuses to adopt; and (3) a Draft EIR so conclusory or otherwise inadequate that it precludes meaningful public comment. The designation of either Alternative C or D as the "proposed Project" is not sufficient to trigger a need to recirculate the Draft EIR since both alternatives were fully evaluated in the document and the public was afforded an opportunity to review and comment on these evaluations. Recirculation is the exception, rather than the rule. The purpose of public review and comment on Draft EIRs is "not to promote endless rounds of revision and recirculation." *Save Our Peninsula Assn. v. County of Monterey*, 87 Cal. App. 4th 99 (2001).

Comment No. A8-2

2) The City respectfully takes exception with some of the "important planning issues" purportedly addressed by the "proposed" project (pp. 1-8 to 1-9):

> a) The introduction states that the "site's size and relative physical isolation make it possible to avoid or reduce many of the typical 'adjacency' impacts that result from infill development." While the proposed project may be remote from the developed areas to the north and east by virtue of the adjacent Defense Fuel Support Point San Pedro, no comparable buffer is provided from the adjacent neighborhoods in San Pedro to the south or Rancho Palos Verdes to the west.

Response to Comment No. A8-2

The Draft EIR citation notes that the Project Site offers "relative physical isolation" with respect to surrounding residential land uses. The Project Site is buffered from development to the west by Western Avenue, a 94-foot-wide State Highway (including sidewalks) carrying 35,000 vehicles per day.

Additionally, Project buildings would be set back between 18-80 feet from Western Avenue along the site's western frontage, further separating the Project from single-family uses located in the City of Rancho Palos Verdes across Western Avenue. Although there is no existing buffer between the Project Site and existing residential buildings to the south, the Project would include a landscaped perimeter trail and open space system surrounding the entire site. The Project's residential buildings would also be set back up to 80 feet from the Project Site's southern property line with the aforementioned perimeter open space serving as a buffer between the developments. Additionally, densities would be modulated across the Project Site, with the highest densities occurring adjacent to, and consistent with, multi-family development immediately south of the Project Site. As acknowledged by the comment, the Defense Fuel Support Point provides significant buffering to the north and east. The Project Site is unique because typical infill development projects do not offer this amount of buffering. Because the site is relatively isolated, the impacts on surrounding residential uses will be diminished or avoided as compared to more typical infill projects.

Comment No. A8-3

> b) Furthermore, the introduction asserts that the increased residential density proposed is necessary to meet regional housing needs, and notes that the project site is located near "the Ports of Los Angeles and Long Beach, which are among the region's largest employers." However, as far as we can tell, the "proposed" project includes absolutely no provisions to ensure that any of the proposed housing units would be made affordable or accessible to Port or Port-related employees, other than by virtue of mere physical proximity.

Response to Comment No. A8-3

The environmental impact analysis of the Draft EIR does not make assumptions about particular locations where Project residents would in fact be employed. Rather, the Draft EIR states that the Project is consistent with City and regional planning policy objectives to add housing to locations with employment opportunities, and that the general vicinity of the Project, including the Ports of Los Angeles and Long Beach, is one of the region's major job centers. Current regional planning policies, including but not limited to air quality and transportation planning, are based on the assumption that if housing opportunities are located closer to employment centers, commuting distances (and vehicle miles traveled) will tend to be reduced and urban sprawl will tend to be discouraged. As discussed in the Draft EIR, while the South Bay area has been one of the region's most significant and growing employment centers, comparatively little new housing has been added to the Wilmington-Harbor City Community Plan area in the past several years. As discussed in the Draft EIR, by providing 1,135 new dwelling units (830 units in the currently Proposed Project) across a spectrum of prices and unit configurations on an infill site that is close to some of the region's major job centers, the Project provides opportunities for residents and local employees to avoid long-distance commutes to other locations and is consistent with widely accepted local and regional planning policies designed to encourage more efficient growth patterns.

Comment No. A8-4

3) The City appreciates that a much more comprehensive assessment of the aesthetic impacts of the "proposed" project was conducted in the current DEIR than was the case for the previous 2,300-unit proposal in 2007. This included the acknowledgement that adverse impacts upon views characterized by manmade features such as those that occur in and around Los Angeles Harbor are potentially significant. Views of the Harbor area - especially at night - are a prominent visual feature of Rancho Palos Verdes neighborhoods along Western Avenue, and the City of Rancho Palos Verdes frequently considers (and protects) city-light views of the harbor when considering development proposals. Unfortunately, the DEIR dismisses adverse impacts to views from private property in the City of Rancho Palos Verdes as less than significant. This includes views from Green Hills Memorial Park and from homes in the *Rolling Hills Riviera* neighborhood on the west side of Western Avenue. The City of Rancho Palos Verdes takes this opportunity to formally object to this assessment.

Response to Comment No. A8-4

The Draft EIR evaluates views from private property surrounding the Project Site beginning on page IV.B-7. Views from private vantage points, including those within the City of Rancho Palos Verdes on the west side of Western Avenue, are described for both the existing condition and the future with-Project condition. The likely impacts to these views are disclosed in the Draft EIR beginning on page IV.B-45. As is stated in the Draft EIR, neither the *CEQA Guidelines* nor the City's *CEQA Thresholds Guide* consider changes to private views to be significant impacts. Project impacts to views from both Green Hills Memorial Park and individual homes within the Rolling Hills Riviera neighborhood are described, and in the case of the former location, simulated in the Draft EIR (see Figure IV.B-17). It is not possible to individually assess the Project's impact to views from each private parcel surrounding the site, nor do City planning policies and ordinances explicitly protect views from privately owned properties. CEQA does not require analysis of impacts to specific people, only on the environment, and the Draft EIR properly focuses on public views, including those from potentially affected neighborhoods. Thus, the evaluation of the Project's impacts on views as presented in the Draft EIR was presented in accordance with the requirements of CEQA and City policy. The Draft EIR does not merely "dismiss" the impacts referenced in the comment. To the contrary, they are discussed in the document. Many of the available views are fleeting and would not be substantially obscured by the Project. Nonetheless, the comment's objection to this methodology is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A8-5

We also offer the following specific comments on Section IV.B (Aesthetics):

> a) There are repeated references in Section IV.B to homes on "Palondra Drive" in Rancho Palos Verdes. There is no such street in the City, and we are unsure what homes the DEIR is referring to.

Response to Comment No. A8-5

The references in the Draft EIR to Palondra Drive were made in error; the street being referred to is correctly known as Palmeras Place, which is a signed street located immediately adjacent and parallel to Western Avenue on its west side, connecting Redondela Drive to Avenida Aprenda. It is a short street that is separated from Western Avenue by a small landscaped median containing a bus stop. The street extends south of Avenida Aprenda for a short distance before it ends in a cul-de-sac. A total of four single-family homes within the City of Rancho Palos Verdes with direct driveway access from Palmeras Place currently have direct views of the southwestern corner of the Project Site.

The following revisions have been made to the Draft EIR to correct this error (see also Section IV, Corrections and Additions to the Draft EIR):

> On page IV.B-19 in Section IV.B (Aesthetics), replace all references to "Palondra Drive" in the fourth paragraph with "Palmeras Place".
>
> On page IV.B-20 in Section IV.B (Aesthetics), replace the reference to "Palondra Drive" in the last paragraph with "Palmeras Place".
>
> On page IV.B-48 in Section IV.B (Aesthetics), replace the reference to "Palondra Drive" in the first partial paragraph with "Palmeras Place".

Comment No. A8-6

> b) The description of private viewing areas in Rancho Palos Verdes (pp. IV.B-19 to IV.B-20) identifies two (2) neighborhoods on the west side of Western Avenue to the south of Green Hills Memorial Park that overlook the project site. In fact, there is only one (1) residential neighborhood in this area, which is known as *Rolling Hills Riviera*

Response to Comment No. A8-6

The description in the Draft EIR that is referred to by the comment is intended to communicate the fact that elevations within the neighborhood the comment refers to as the Rolling Hills Riviera relative to the Project Site are substantially different north of Avenida Aprenda. This is an important fact to consider in the assessment of both the existing viewshed and potential Project effects on views from these areas. The two areas may be part of the same neighborhood for the purposes of the City of Rancho Palos Verdes, but they will experience different effects on views of and over the Project Site as a result of the Proposed Project.

Nonetheless, the following clarifying revisions have been made to the fourth and fifth paragraphs on page IV.B-19 of the Draft EIR (see also Section IV, Corrections and Additions to the Draft EIR):

~~Two~~ A single-family residential ~~areas~~ neighborhood within the City of Rancho Palos Verdes known as Rolling Hills Riviera is ~~are~~ located on the west side of Western Avenue, across from the Project Site, and to the south of Green Hills Memorial Park. For purposes of this analysis, the Rolling Hills Riviera neighborhood can be divided into two parts based on their respective elevations relative to the Project Site. The first of these ~~neighborhoods~~ areas is located along Redondela Drive, ~~Palondra Drive~~, Palmeras Place, Tarrasa Drive, and Avenida Feliciano and is situated at a lower elevation than either Green Hills to the north or the adjacent ~~neighborhood~~ portion of the Rolling Hills Riviera neighborhood to the south. Views of and across the Project Site from this ~~neighborhood~~ area are limited due to the north-south orientation of most of the homes and the low elevation of the area. A few homes along the east side of Tarrasa Drive and ~~Palondra Drive~~ Palmeras Place border Western Avenue and thus would have partial direct views of the Site's western frontage. These views are blocked to some degree by the embankment along which Western Avenue ascends the slope to the north. Where the Project Site is visible, views largely consist of the chain-link fence along its Western Avenue frontage, scattered trees, and portions of the abandoned duplexes. A few homes along ~~Palondra Drive~~ Palmeras Place have limited views of the riparian vegetation on-site. No views across the Project Site to areas beyond are available from this ~~neighborhood~~ lower elevation portion of the Rolling Hills Riviera neighborhood.

The second ~~neighborhood~~ part of the Rolling Hills Riviera neighborhood to be considered is located west of Western Avenue and south of the Redondela/Feliciano ~~neighborhood~~ area discussed above. ~~This neighborhood is~~ Homes in this area are located on a sloping hillside along Avenida Aprenda and Pontevedra Drive and ~~is~~ are situated at a substantially higher elevation (between 200 and 375 feet above sea level) than the Project Site (approximately 180 feet above sea level). Although most of the homes in this ~~neighborhood~~ area are oriented north-south and therefore do not directly overlook the Project Site, the backyards of some homes along Pontevedra Drive and the lower portion of Avenida Aprenda have direct northeasterly views of and across the Project Site. These views include the riparian vegetation on-site as well as portions of the abandoned housing complex. To the north, the hillside along the Site's northern boundary with the DFSP is visible as a low ridgeline. Due to topography, no views north onto the DFSP itself are available from this area. Views to the east across the Project Site to the harbor area are not generally available from homes in this ~~neighborhood~~ area due to their principal north-south orientation as well as to the visual blockage provided by the Seaport Homes and Casa Verde Apartment complexes adjacent to the Site's southern boundary. A representative view from this portion of the Rolling Hills Riviera neighborhood is shown in Figure IV.B-12.

Comment No. A8-7

c) The "before-and-after" photographic simulations included in Section IV.B - which we find to be crude, at best - should be placed closer to one another in the DEIR so as to make it easier for

readers to compare the photos and draw their own conclusions. In the current DEIR, these "before-and-after" images are separated by two (2) dozen or more pages of text.

Response to Comment No. A8-7

The comment does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. However, the comment does suggest that the Draft EIR could be made more user-friendly by reordering the placement of the figures in Section IV.B, Aesthetics. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A8-8

4) We were surprised to learn (as, we suspect, was the project proponent) of the existence of a subsurface fault crossing the subject property, as described in Section IV.F (Geology & Soils). As mentioned above, we appreciate that this discovery drove changes in the site plans of the project alternatives so as to protect future residents, resulting in the designation of a 100-foot-wide seismic setback zone (Mitigation Measure GEO-1). However, we believe that the discovery of this issue should have resulted in complete reconsideration of the description of the "proposed" project and recirculation of the DEIR, as described above in Comment 1.

Response to Comment No. A8-8

See Response to Comment A8-1. It should also be noted that, because the fault splay was discovered during preparation of the Draft EIR, no new information in addition to that which was provided in the Draft EIR has been presented.

Comment No. A8-9

5) We have several comments with respect to the assessment of Hazards and Hazardous Materials in the DEIR (Section IV.H):

a) Section IV.H describes the health risk assessment (HRA) conducted in relation to toxic air contaminant (TAC) emissions from several industrial sources near the project site (i.e., DFSP, ConocoPhillips and the Port of Los Angeles). However, we were surprised to read that among the sites that were not included in the HRA was the Rancho LPG facility at North Gaffey Street and Westmont Drive (p. IV.H-25). This omission is of particular concern due to recent incidences of TAC emissions (i.e., leaks) at both ConocoPhillips (September 2012) and Rancho LPG (October 2012), both of which we understand are under investigation by the AQMD.

Response to Comment No. A8-9

The comment's reference to the Rancho LPG facility appears to be with respect to a health risk assessment (HRA) for routine, operational toxic air contaminant (TACs) emissions (see Draft EIR, page IV.H-5). As noted in the Draft EIR, the Rancho LPG facility was not included in the HRA conducted for the Ponte Vista Project Site due to the comparatively small quantity of its emissions relative to the nearby ConocoPhillips refinery (see Draft EIR, page IV.H-31). It was determined that including documented TAC emissions from the Rancho LPG facility in the HRA for the Project Site would not increase either the chronic or acute hazard indices for the site appreciably closer to the significance thresholds for cancer risk. For this reason, the Rancho LPG facility was excluded from the HRA.

The comment also references recent leaks at the ConocoPhillips and Rancho LPG facilities; leaks, it should be noted, that apparently occurred at approximately the same time the Draft EIR was being published for public review. These leaks, however, are not the same as the types of operational TAC emissions that are evaluated in HRAs and which were considered in the HRA conducted for the Project Site. Hazardous material spills and chemical releases from process upsets such as leaks or accidental spills are a different category of risk and are addressed in Section IV.H (Hazards and Hazardous Materials) of the Draft EIR at pages IV.H-15-16, 21, 25, 33, 36-39, 42, and IV.J-17. See also Topical Response 4 with respect to the Rancho LPG facility. Although the effects of these facilities were described in the Draft EIR for informational purposes, they represent impacts of the environment on the Project and are not, therefore, required for analysis and mitigation (see Topical Response 3).

Comment No. A8-10

> b) The analysis of off-site releases of hazardous materials notes that an independent risk-of-upset hazard analysis was performed in relation to the DFSP and ConocoPhillips, but not Rancho LPG. Given the high level of public concern about the Rancho LPG facility in recent years, we believe that it would have been most prudent to include all three (3) of these facilities in the independent risk-of-upset hazard analysis.

Response to Comment No. A8-10

The comment is incorrect in his statement that no risk of upset hazard analysis was presented in the Draft EIR with respect to the Rancho LPG facility. The analysis of potential releases of hazardous materials from the Rancho LPG facility is presented at pages IV.H-35 to -38 of the Draft EIR. See also Response to Comment A8-9 and Topical Responses 3 and 4 for a discussion of this category of impacts as well as of the Rancho LPG facility.

Comment No. A8-11

> c) The DEIR concludes that the "proposed" project has no impact with respect to conflicts with adopted emergency response plans, based (at least in part) upon an assertion that the City of

> Rancho Palos Verdes has not designated Western Avenue as an emergency evacuation route along the frontage of the project site (p. IV.H-41). The DEIR cites an exhibit in the Safety Element of the Rancho Palos Verdes General Plan (Figure 39, Disaster Routes) that was not updated after the *Eastview* area was annexed by Rancho Palos Verdes in 1983. However, the text accompanying this exhibit notes that routes depicted on Figure 39 are conceptual and that the designation of evacuation routes is found in the Emergency Operations Plan (EOP) and Standard Operating Procedures (SOP), not in the General Plan. Furthermore, the City of Rancho Palos Verdes is currently updating its General Plan, and expects that Western Avenue - the major north-south arterial serving the *Eastview* area of the City - will be incorporated into the updated version of Figure 39. As such, the City of Rancho Palos Verdes believes that the "proposed" project is very likely to have an effect upon emergency response in the *Eastview* area of the City, and that this effect should be analyzed in the DEIR.

Response to Comment No. A8-11

The evaluation of existing designated emergency evacuation routes in the Draft EIR was based on the most current available information in existence at the time the NOP for the Project was circulated in the fall of 2010. The screening threshold for potential impacts is whether a project would conflict with an adopted emergency response plan. The comment acknowledges that Western Avenue is not identified as an official emergency evacuation route on the relevant exhibit in the Safety Element of the City of Rancho Palos Verdes' General Plan. Regardless of whether or not Western Avenue is ultimately added to this exhibit as an official emergency evacuation route, the Draft EIR evaluated the potential for the Project to adversely impact the use of Western Avenue for emergency evacuation purposes (see page IV.H-38 through IV.H-42, Draft EIR). The comment offers no evidence to support the assertion that the Proposed Project is likely to have an effect upon emergency response in the City of Rancho Palos Verdes, contrary to the conclusions of the Draft EIR. See also Topical Response 5 for a more detailed discussion of emergency response.

Comment No. A8-12

> d) Finally, notwithstanding the discussion on p. IV.H-18 of the DEIR, the City of Rancho Palos Verdes believes that the project site is within a 2-mile radius of Torrance Municipal Airport (TOA), so that the potential aircraft safety hazards posed for future residents should be assessed in the DEIR.

Response to Comment No. A8-12

According to Google Maps, the Project Site is approximately 11,000 feet (direct line measurement) from the Torrance Airport at their closest points of proximity, which is just over two miles. For this reason, the Draft EIR did not include an analysis of the potential impact of the Project upon operations at Torrance Airport. Nonetheless, the Project consists of residential buildings no taller than approximately 65 feet. Such structures are of a comparable height to existing buildings in the immediate vicinity and would not

represent a potential aircraft safety hazard due to both their low height and their distance from Torrance Airport.

Comment No. A8-13

6) The discussion of Land Use/Planning impacts suggests that the "proposed" project is necessary to meet a variety of perceived housing needs, even though the existing residential density of the project site would be increased by more than four (4) times. We do not believe that the DElR adequately demonstrates the need for higher-density residential development on this site or in the surrounding community. In fact, we would point out that existing, unsold higher density developments located to the south of the project site and in downtown San Pedro actually demonstrate that there is a glut of this type of housing in the local market. The City remains concerned that a proposal for residential densities in excess of eighteen (18) units per acre for this site will be out of character with the surrounding patterns of development, both in Rancho Palos Verdes and Los Angeles.

Response to Comment No. A8-13

The comment raises concerns about the Proposed Project's density and relationship to unidentified unsold higher density developments located to the south of the project site (but which may refer to the development known as Seaport Homes Community, located at 28000 South Western Avenue) and in downtown San Pedro. It is not the intent or responsibility of the Draft EIR to demonstrate the "need" for higher-density residential development on the Project Site or in the surrounding community. Rather, the purpose of the Draft EIR is to inform City decision makers and the public about the Proposed Project's impact on the physical environment. As analyzed in the Draft EIR, the Project includes a range of housing types, including 2- and 3-story single family homes, town homes, row houses and apartments, which range in density from 11 units per acre to 34 units per acre. This housing mix is very different from the one housing type (i.e., condos) situated in four "stacked flats" residential levels over podium parking in the Seaport Homes development, which was developed at a density of about 75 units to the acre. [5]

Although it does not concern an impact on the physical environment, the fact that some existing developments, including Seaport Homes, may have unsold units is not necessarily an indicator of a "glut" of housing in the Wilmington-San Pedro area. Existing vacancies in particular buildings occur for many reasons, including lack of demand for particular types or configurations of units, the asking purchase price or rent of the units, available unit or building amenities, development location relative to off-site amenities, among others. Due to data limitations at the time it was prepared, the Draft EIR reported total residential vacancy rates (i.e., for the combination of for-sale and for-rent) only for the City of Los Angeles (4.0%) and for the combination of the Wilmington-Harbor City and San Pedro Community Plan

[5] *Source: ZIMAS information available from the Dept. of City Planning Web site (http://zimas.lacity.org), which lists the Seaport Homes development as 136 units on a 1.81-acre site.*

areas (6.3%).[6] These data reflect depressed housing market conditions resulting from the 2007-2009 Great Recession, and housing market conditions have generally improved since then.[7]

Although it is not exactly the same vacancy measure as used by the U.S. Census Bureau, the percentage of idle utility meters is often used as an indicator of monthly and annual residential vacancies. According to the most recent data available, 3.7 percent of multi-family utility meters were idle in the generalized "San Pedro" area of the City of Los Angeles as of December 2012. This percentage was lower than in Central Los Angeles (4.2%), West Los Angeles (3.8%), and the City of Los Angeles as a whole (3.8%), although higher than in the San Fernando Valley (3.1%).[8] These readings do not suggest an unusually high vacancy rate in the Project vicinity that would reflect a "glut" of vacant units, as mentioned in the comment.

The comment expresses an opinion concerning the Project's design and its compatibility with the character of surrounding land uses in both the City of Rancho Palos Verdes and City of Los Angeles. The compatibility of the Project with surrounding land uses is addressed in Section IV.J of the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A8-14

7) The analysis of Noise impacts in the DEIR (Section IV.K) concludes that there will be significant and unavoidable exterior noise impacts of the "proposed" project upon certain project residences located along the Western Avenue frontage of the site. We question if there may be similar, adverse exterior noise impacts to existing residences on the west side of Western Avenue in Rancho Palos Verdes that have not been adequately addressed in the DEIR

Response to Comment No. A8-14

This comment misinterprets the operational noise impact statements for the Project in the Draft EIR. The Project would not result in significant long-term operational noise generation impacts. Rather, as proposed under the Project, the placement of sensitive land uses (Project residences) in a generally loud urban location, such as the Project Site, was determined to be a significant and unavoidable impact. Specifically, page IV.K-24 of the Draft EIR states:

> *With respect to placing future Project residences fronting Western Avenue, Table IV.K-13 indicates that cumulative roadway noise levels at distances of 50 feet from the*

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[6] *See Draft EIR Appendix IV.L-1, Population and Housing Study, Table III-1, page 33.*

[7] *See for example. Jim Puzzanghera, "Home prices up 9.7% year-over-year in January, CoreLogic reports," Los Angeles Times, March 5, 2013 (available at: http://www.latimes.com/business/money/la-fi-mo-home-prices-corelogic-housing-20130305,0,2245458.story?track=rss).*

[8] *Ibid.*

> *Western Avenue centerline could reach up to 73.1 dB(A) CNEL. While most residential uses would be at least 75 feet from the Western Avenue centerline, proposed residential uses within the Project may be exposed to existing and future noise levels that exceed 70.0 dB(A) CNEL, which falls within the City of Los Angeles Noise Element's normally unacceptable category for residential and open spaces uses. Thus, the Project would result in generally unacceptable exterior noise levels for the proposed residential and park related uses fronting Western Avenue. Implementation of the Compliance Measures would require that interior residential noise levels be below a CNEL of 45 dB(A) in any habitable room. As such, impacts associated with interior noise levels at the proposed residential uses on-site would be reduced to a less than significant level. Construction of a sound wall along the Project's Western Avenue frontage would not appreciably reduce noise levels at exterior living spaces in these future residential units and would degrade the Project's visual appearance along Western Avenue. No feasible mitigation measures are available to reduce exterior noise levels to acceptable levels along the Western Avenue frontage and these impacts would be significant and unavoidable.*

With respect to Project-generated noise resulting from Project traffic, page IV.K-27 of the Draft EIR states:

> *As shown in Table IV.K-13, the Proposed Project would increase local noise levels by a maximum of 0.7 dB(A) CNEL during the 2012 near-term baseline plus project scenario for the roadway segment of Western Avenue between Peninsula Verde Drive and Green Hills Drive. This increase would not exceed the identified thresholds of significance. Because the increase in local noise levels at all of the analyzed roadway segments resulting from implementation of the Proposed Project would be less than the 3 dB(A) and 5 dB(A) CNEL thresholds established under the L.A. CEQA Thresholds Guide, impacts would be less than significant for all roadway segments. In addition, as other roadway segments that are located even further away from the Project Site would experience less traffic increases due to the Proposed Project, the increase in local noise levels at these roadway segments also would not exceed the identified thresholds of significance, and impacts would be less than significant.*

Any exterior noise impacts at existing residences in the City of Rancho Palos Verdes along the west side of Western Avenue are already in existence and would not be significantly increased by the Proposed Project.

Comment No. A8-15

8) The City respectfully disagrees that the growth in housing and population directly attributable to the proposed project would be beneficial to the surrounding community, and believes that it would be of negligible regional benefit toward achieving jobs/housing balance. The DEIR purports that the proposed project would contribute to the alleviation of a "jobs rich/housing poor" condition in the Los Angeles

subregion (p. IV.L-22). However, the "proposed" project includes no assurances that any of the project's 2,923 new residents would be employed locally, nor that any of the project's 1,135 new units would be affordable to current employees of the Port or other nearby institutional or private employers.

Response to Comment No. A8-15

The comment presents an opinion about whether the project's unit counts and population would be beneficial. The Draft EIR does not make assumptions about particular locations where Project residents would in fact be employed. With respect to jobs-housing balance, the information presented in the Draft EIR (see p. IV.L-22), as noted in the comment, is measured at the scale of the City of Los Angeles subregion, because that is the only geography for which there are existing adopted planning policies. Given the scale of this subregion (i.e., the entire City of Los Angeles, the City of San Fernando, plus various unincorporated areas and federal government property), it is reasonable to assume that most employed Project residents would work within that geographic area. The wide range of housing types in the Proposed Project, ranging from detached single-family to apartments and including both for-sale and rental units, also indicates a range of housing prices that would be consistent with demand in the housing market surrounding the Project Site. Unlike SCAG and its system of subregions, the City of Los Angeles does not have any official policy with respect to jobs-housing balance within the City or any of its Community Plan areas, including the Wilmington-Harbor City Community Plan. Accordingly, there is no basis for making a significance determination with respect to the Project's impact on a "local" jobs-housing balance. See also Response to Comment A8-3 for additional discussion of this topic.

Comment No. A8-16

9) The discussion of Public Services-Schools impacts concludes that, based upon LAUSD estimates, sixty-eight (68) children residing in the "proposed" project are expected to attend Dodson Middle School in the City of Rancho Palos Verdes at any given time (Table IV.M-8). Although LAUSD may represent the Dodson campus as being well under capacity, it is the City's and the surrounding residents' actual experience that the current level of enrollment at Dodson results in significant noise, traffic and other nuisance impacts (i.e., trash, graffiti, etc.) in the surrounding *Rolling Hills Riviera* neighborhood. We suspect that the addition of even sixty-eight (68) more students to the campus population will have significant adverse impacts upon the *Rolling Hills Riviera* neighborhood.

Response to Comment No. A8-16

The comment presents concerns regarding existing neighborhood impacts associated with the operation of the Los Angeles Unified School District's (LAUSD) Dodson Middle School and the potential of the Project to exacerbate these impacts. According to the Draft EIR's analysis, sufficient capacity currently exists at Dodson Middle School to accommodate the number of students estimated to be generated by the Project. Thus, it is the responsibility of the LAUSD to operate Dodson Middle School in such a manner as to ameliorate the types of impacts described by the comment, including noise, trash, graffiti, and traffic. Any traffic or traffic-related noise impacts associated with Project-related student attendance at

Dodson Middle School are included in the analysis of those environmental topics in the Draft EIR, as the environmental baseline for these impacts includes current enrollment and use patterns at Dodson. The "nuisance impact" allegations related to the behavior of 68 students (e.g., noise, trash, graffiti) are speculative and therefore are not addressed in the Draft EIR. Further, given the relatively close proximity of the Dodson Middle School to the Project Site, it is possible that some students would walk to school rather than be transported in a private vehicle. Thus, the traffic generated by the middle school students related to the Project is considered to be relatively minor. In conclusion, given the uncertainty of the actual attendance location for Project-related middle school students, as well as the relatively small number of vehicle trips generated by these middle school students, the Traffic Study in the Draft EIR appropriately assigned the middle school related trips to the regional street system consistent with the overall assignment of Project-related traffic. Nonetheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A8-17

10) The discussion of Public Services-Recreation impacts concludes that the impact of the "proposed" project will be less than significant as the result of the payment of Quimby fees to the City of Los Angeles, and the provision of 4.1 acres of publicly-accessible parks and open space, and 16.5 acres of private parks, landscaping and recreational amenities. The City of Rancho Palos Verdes respectfully notes, however, that the nearest public park to the project site is Rancho Palos Verdes' Eastview Park, located at 1700 Westmont Drive (Figure IV.M-4). The payment of Quimby fees to Los Angeles will do nothing to offset impacts to nearby Rancho Palos Verdes park facilities from future project residents. Furthermore, since Alternatives C and D no longer contain a public park, we believe that the project's off-site recreational impacts will be significant and should be more fully assessed in the DEIR.

Response to Comment No. A8-17

The comment is correct to note that Eastview Park in the City of Rancho Palos Verdes is the closest neighborhood park to the Project Site. The currently Proposed Project (830 units) would result in an estimated population of 2,222 persons at the Project Site, as described on page VI-83 of the Draft EIR. As presented in Table IV-10 of the Draft EIR, the current Proposed Project (830 units; Draft EIR Alternative C) would contain 20.5 total acres of open space and recreational amenities, including 8.1 acres of dedicated park area and outdoor recreational spaces. The majority of this space would be reserved for the use of Project residents and their guests, although pedestrian access would be provided to the general public. Based upon the City's Public Recreation Plan neighborhood park area goals, the Project would exceed its generated private (non-rental) neighborhood park need by 4.1 acres, but would create a net unmet 0.3-acre demand for publicly accessible neighborhood park area.

Although the Project would provide other passive open space and landscaped common area amenities that would bring the overall on-site open space acreage to 20.5 acres and would provide additional indoor recreational amenities (fitness rooms, etc.) to residents of both the public and private portions of the Project, it is likely that the majority of the Project-generated need for recreational facilities will be met

on-site. Nonetheless, the Draft EIR acknowledges (at page VI-93) that the net unmet demand for publicly accessible neighborhood park area would result in an increased demand at other neighborhood and community parks within the surrounding area. It is not possible with any degree of certainty to ascertain which specific parks this additional demand would affect, although it is likely that at least some of this usage would occur at Eastview Park in the City of Rancho Palos Verdes.

The comment is correct that the payment of Quimby Fees and DUCT fees by the Project Applicant would go to the City of Los Angeles for improvement of park areas throughout the City and would not contribute to the improvement and/or expansion of park facilities in the City of Rancho Palos Verdes, including Eastview Park. However, it is speculative to assume that future Project residents would use Eastview Park for their recreation to such an extent that the park would suffer from overcrowding. If the City of Rancho Palos Verdes believes that residents of the City of Los Angeles, both now and in the future, are using its park and recreational facilities to such an extent that they are being degraded, the City has the ability to limit such usage by restricting use of its facilities to residents of Rancho Palos Verdes. Nonetheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A8-18

11) The discussion of Transportation and Traffic impacts (Section IV.N) raises several issues of concern to the City:

> a) Vehicular access to and from Mary Star of Sea High School will be maintained through the project site, but will be shifted from its current access point at the Green Hills Drive intersection to the Avenida Aprenda intersection. A queue analysis needs to be conducted to justify the appropriate increase to the existing left-turn pockets on Western Avenue at the Green Hills Drive and Avenida Aprenda intersections.

Response to Comment No. A8-18

Project Design Features are described beginning on Page IV.N-46 of the Draft EIR. As noted on Page IV.N-47 of the Draft EIR, the length of the southbound left turn pockets on Western Avenue at intersections serving the Project Site would be modified as needed based on the forecast left-turn movement. Note that the final design of the left-turn pockets will be determined as part of the permit process related to construction of the improvements.

Comment No. A8-19

> b) The project is proposing left-turn signal phasing at the intersections of Western Avenue at Green Hills Drive and Avenida Aprenda as a project feature. Prior to approval, the applicant must provide justification for appropriate left-turn phase sequencing to maximize operational benefits while minimizing safety impacts.

Response to Comment No. A8-19

See Response to Comment A8-18 regarding Project Design Features. Left turn phasing is not required at the Western Avenue intersections serving the Project Site, but is proposed as a project feature. Design issues such as timing and sequencing are determined as part of the permit process related to the construction of the improvements.

Comment No. A8-20

> c) On page 55 of the traffic study, the reports states that certain improvements have been implemented along Western Avenue as a result of the Western Corridor Improvement Project Plan. To date, none of the improvements, as recommended by this study, have been implemented.

Response to Comment No. A8-20

Pages IV.N-14 and IV.N-15 of the Draft EIR describe the Western Avenue Task Force. As noted in the Draft EIR, the recommendation in the Western Avenue Task Force report to coordinate and synchronize traffic signals along Western Avenue has already been completed.[9]

Comment No. A8-21

> d) Removal of the raised concrete median at various intersections along Western Avenue poses a huge safety concern. There is existing evidence of operational issues at many of these intersections, especially the left-turn movements. Removing the raised concrete median nose opens the opportunity for other safety-related concerns. Please provide an alternative to striping for safety purposes.

Response to Comment No. A8-21

The comment refers to mitigation measures TRANS-5, TRANS-8 and TRANS-9 described on pages IV.N-161 and IV.N-162 of the Draft EIR. The comment does not provide or reference the "evidence" of existing operational issues at these intersections associated with left-turn movements, nor how removal or modification of the medians would adversely affect these conditions. Note that the final design of the left-turn lanes, including modifications of the raised medians, is to be determined as part of the permit process related to construction of the improvements.

For TRANS-8 (Western Avenue/Westmont Drive) and TRANS-9 (Western Avenue/Capitol Drive), the concept plans of the recommended traffic mitigation measures contained in the Traffic Study appendices indicate a removal of the existing raised median on Western Avenue, but provide a four-foot wide "nose" on both the north and south legs of Western Avenue adjacent to the left-turn lane, which may be utilized

[9] *Caltrans, District 7, "Inside Seven", April 2013 issue.*

as a striped median, or a raised concrete median. The final design of the median noses (i.e., striped or raised concrete) at the affected intersections will be determined by Caltrans.

For TRANS-5 (Western Avenue/Palos Verdes Drive North), the concept plan in the Traffic Study shows removal of the raised median on the south leg of the intersection. If required by Caltrans, a raised median could be provided through modification of travel lane widths.

Comment No. A8-22

> e) The City is concerned about the retention of the wide northbound No. 2 lanes that invite motorists to create a third travel lane. With the project distributing and attracting approximately 60% of the project trips from the north and approximately 30% of project trips from the south along Western Avenue, there is a potential for many vehicles to attempt to avoid the traffic in the striped travel lanes and utilize the wide shoulder area to create a third lane. This pattern exists today.

Response to Comment No. A8-22

The comment appears to assert that the existing physical condition of Western Avenue south of the Project Site facilitates the potentially unsafe and illegal use of the shoulder area as a de facto traffic lane. Further, the comment appears to assert that the Project may lead to an increase in this undesirable motorist behavior. See Topical Response 2 for a discussion of the analysis of traffic impacts due to the Project as evaluated in the Draft EIR. For intersections along Western Avenue, the Draft EIR determines either: 1) the Project-related impact is less than significant; or 2) the impact of the Project is significant, but can be mitigated to less than significant levels based on implementation of the recommended mitigation measures. In both cases, the effect of the Project on Western Avenue intersections is such that the levels of congestion that might induce motorists use the shoulder areas as traffic lanes would be no different than pre-Project conditions, and therefore, it is reasonable to conclude that the Project would not cause a noticeable increase in such undesirable behaviors. Although the Project improvements would add a third travel lane to Western Avenue adjacent to the Project Site, the potential for motorists to utilize the shoulder both north and south of the Site on Western Avenue would remain unchanged.

Comment No. A8-23

12) It is the City's understanding that the conveyance of wastewater from the "proposed" project will be via a connection to the City of Los Angeles' sewer system within the right-of-way of Taper Avenue (p. IV.O-25), not via the former connection to the Los Angeles County Sanitation Districts' Western Avenue Pumping Plant (WAPP) in the City of Rancho Palos Verdes. We presume that this will also be the case in any of the alternatives to the "proposed" project. The City of Rancho Palos Verdes is concerned that any proposal or alternative that might continue to utilize the former WAPP connection for this site could place a burden upon the County sewer system that serves the City's residents.

Response to Comment No. A8-23

See Response to Comment A2-1. As evidenced by the LACSD "will serve" letter (see Appendix C), the existing LACSD facilities, including the adjacent WAPP facility, have adequate sewer conveyance and treatment capacities to serve the Project (and each of the Project alternatives) should the Project Applicant ultimately decide to utilize LACSD for wastewater service for the Project. At this time, however, the Applicant intends for the Project to be served by City of Los Angeles Bureau of Sanitation sewer conveyance and treatment facilities.

Comment No. A8-24

13) The DEIR identifies significant unavoidable impacts in the areas of operational air emissions and construction-related air quality, noise and vibration impacts (p. V-1). Residents in Rancho Palos Verdes' Rolling Hills Riviera neighborhood are likely to feel the brunt of these impacts, being the nearest single-family residential neighborhood to the project site. It hardly seems equitable that the City of Los Angeles will reap the benefits (if any) of the "proposed" project while the residents of the City of Rancho Palos Verdes will be forced to live with its day-to-day impacts upon their lives.

Response to Comment No. A8-24

This comment incorrectly characterizes the Project's significant and unavoidable impacts. As summarized on page V-1 of the Draft EIR, construction-related air emissions would be less than significant. With respect to Project noise and vibration construction impacts on the Rancho Palos Verdes' Rolling Hills Riviera neighborhood, it should be noted that construction-related noise and vibration impacts would be a relatively short-term nuisance and would not have a long-term impact on the neighborhood. Additionally, and contrary to the comment, residents of Los Angeles would also experience such impacts on a short-term basis, as described in the Draft EIR. Mitigation Measures NO-1 to NO-8 would ensure that these impacts would be reduced to the maximum extent feasible.

The only off-site significant and unavoidable operational impact of the Project described in the Draft EIR is regional air quality emissions. These emissions are primarily associated with the operation of mobile vehicles, are typical for a residential project of this size, and there is no feasible mitigation to reduce these emissions to a less than significant level. It should be noted that the significant and unavoidable operational air quality emissions for the Project would exceed the SCAQMDs *regional* thresholds of significance. Thus, these air quality emissions would be released over a large geographic area and associated network of roadways. Localized automobile emissions generated by the Project were evaluated at potential CO hotspot locations, including intersections near the Rancho Palos Verdes' Rolling Hills Riviera neighborhood along Western Avenue. The Draft EIR concluded that localized CO hotspot impacts would be less than significant for all sensitive receptors near the following studied intersections: Western Avenue and Palos Verdes Drive North (Intersection No. 15), Western Avenue and Peninsula Verde Drive (Intersection No. 16), and Western Avenue and Westmont Drive (Intersection No. 20). Thus, all studied intersections in the Draft EIR were determined to have less than significant impacts

with respect to CO hotspots, and localized operational air quality impacts would be less than significant for the Rancho Palos Verdes' Rolling Hills Riviera neighborhood.

Also, as described in Section I of this Final EIR, the Applicant is now proposing the development of reduced density Alternative C, rather than the original Proposed Project, in response to public comments. If Alternative C is ultimately developed rather than the Project, operational air quality impacts would be reduced. Specifically, Alternative C would involve development of a project similar to the Proposed Project on the site, however the total number of residential units would be reduced from 1,135 to 830. Alternative C is expected to generate 5,788 trips during a typical weekday and 5,781 trips during a typical Saturday, representing approximately 22 and 30 percent reductions (respectively) compared to the original Project. Because Alternative C would generate fewer vehicle trips than the Project, it would also generate fewer average daily emissions. As illustrated in Tables VI-5 and VI-6 of the Draft EIR, although Alternative C would reduce air quality emissions and nearly eliminate the Project's ROG impact, regional operational emissions would remain significant for Alternative C, although reduced compared to the original Project.

Comment No. A8-25

The discussion of Alternatives to the Proposed Project (Section VI) raises several issues of concern to the City:

> a) As mentioned in Comment 1 above, the City of Rancho Palos Verdes is concerned that the DEIR primarily analyzes the impacts of a "proposed" project that the project proponent is not interested in pursuing, and provides only a cursory assessment of the developer's preferred proposal(s) in the discussion of alternatives. We believe that this approach is needlessly confusing and does not serve to improve the transparency of the development review process for the Ponte Vista project.

Response to Comment No. A8-25

See Response to Comment A8-1 for a discussion of the format and analysis of the Project and alternatives in the Draft EIR.

Comment No. A8-26

> b) With respect to Alternatives A and B, the City of Rancho Palos Verdes is dismayed to learn that it would be the project proponent's intent to revoke the access currently provided to Mary Star of the Sea High School under these development scenarios. We believe that this simply a mean-spirited attempt by the project proponent to diminish the feasibility and community acceptance of these alternatives to the "proposed" project.

Response to Comment No. A8-26

As noted in the Draft EIR (pages VI-8 and VI-13), the responsibility for securing vehicular access to Mary Star of the Sea High School rests with the Archdiocese. The Project Applicant is under no obligation to construct an improved, permanent access from Western Avenue across the Project Site for the school. Alternative A in the Draft EIR is a no project, no development alternative, and the Applicant is contractually obligated to remove all existing Navy-constructed improvements from the site, including the street network. It is certainly possible under this alternative that Mary Star of the Sea High School could enter some arrangement with the Applicant to secure the property needed for the access road; however, this is not an obligation that has been placed on the property owner of the Ponte Vista site and thus cannot be assumed as part of the no project, no development alternative.

With respect to Alternative B in the Draft EIR, the rationale for eliminating the access road is presented on page VI-13. Inclusion of the access road would result in the elimination of approximately 30 single family home sites from the site plan, which would further reduce the feasibility of an already potentially economically infeasible (due to the estimated sale price of the homes) plan. For this reason, the access road was eliminated from the alternative. As noted above, the Project Applicant is under no obligation to provide the access.

Comment No. A8-27

> c) With respect to Alternatives B, C and D, the City is similarly dismayed to learn that it would be the project proponent's intent to eliminate the public park and other public-accessible site amenities under these development scenarios. As mentioned above, we believe that the elimination of the public park from the "proposed" project will have adverse impacts upon Rancho Palos Verdes' Eastview Park.

Again, thank you for the opportunity to provide comments on this important project. If you have any questions or need additional information, please feel free to contact me at (310)-544-5226 or via email at kitf@rpv.com.

Response to Comment No. A8-27

The discovery of the potential geologic constraint to development across the central portion of the Project Site made inclusion of the larger public park infeasible for Alternatives B, C, and D. Instead, Alternatives C and D incorporate an approximately equivalent amount of park and open space area throughout the site. Although most of this area would only be fully accessible to Project residents, each alternative does retain the landscaped perimeter open space area that would include a walking/jogging path surrounding the property. This area would be accessible to the general public. In addition, the interior park and open space areas within the Project would be accessible to pedestrians. Due to the need to evaluate the effects of Mitigation Measure GEO-5 on a development plan with 1,135 units, Alternative B could not feasibly

provide an equivalent amount of public park and open space area. See also Response to Comment A8-17 for a discussion of the Project's parkland impacts.

LETTER NO. 09 – CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

Department of Transportation
District 7, Office of Transportation Planning
IGR/CEQA Branch
Dianna Watson
IGR/CEQA Program Manager
100 Main Street, MS #16
Los Angeles, CA 90012-3606

Comment No. A9-1

The California Department of Transportation (Caltrans) has reviewed the Transportation and Traffic section of the Draft Environmental Impact Report (DEIR) prepared for the proposed Ponte Vista development. The proposed project consists of the development of a residential community comprised of 1,135 dwelling units featuring a combination of for-sale and rental single-family homes, duplexes, townhomes, and flats. The proposed project site location is the former U.S. Navy San Pedro Housing complex and is bordered by Western Avenue (State Route 213) to the west.

Response to Comment No. A9-1

This comment is an introduction and does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A9-2

Based on the traffic information included in the DEIR, we have the following comments: The proposed project is estimated to generate approximately 7468 average daily weekday trips with 570 occurring during the AM peak hour and 700 during the PM peak hour. As these trips are distributed and assigned to the surrounding roadway network, they are projected to significantly impact various intersections along Western Avenue (State Route 213) and Pacific Coast Highway (State Route 1). The traffic study report recommends mitigation improvements on Western Avenue at the following intersections: Lomita Avenue (TRANS-3), Pacific Coast Highway (TRANS-4 and TRANS 15), Palos Verdes Drive North (TRANS-5), Peninsula Verdes Drive (TRANS-6), Fitness Drive (TRANS-7), Westmont Drive (TRANS-8), Capitol Drive (TRANS-9), Summerland Avenue (TRANS-10).

Response to Comment No. A9-2

The comment correctly approximates the Project peak hour trip generation shown in Table IV.N-10 and stated on Page IV.N-51 of the Draft EIR. The comment is correct that trip assignment Figure IV.N-8 includes intersections on Western Avenue (State Route 213) and Pacific Coast Highway (State Route 1). A summary of mitigation improvements begin on Page IV.N-160 and includes the following Western Avenue intersections: Lomita Avenue (TRANS-3), Pacific Coast Highway (TRANS-4 and TRANS-15), Palos Verdes Drive North (TRANS-5), Peninsula Verde Drive (TRANS-6), Fitness Drive (TRANS-7), Westmont Drive (TRANS-8), Capitol Drive (TRANS-9), Summerland Avenue (TRANS-10).

Comment No. A9-3

Caltrans concurs with most of the proposed mitigation improvements. However, we do not concur with the proposal to install a traffic signal at Western Avenue and Fitness Drive (TRANS-7) intersection. AASHTO recommends a minimum distance of 400 meters between signalized intersections for proper synchronization. Therefore, Caltrans requests that this intersection is STOP controlled at the westbound approach allowing right-turn inbound, right-turn outbound and southbound left-turn inbound (no left-turn movement from project). Thus, one lane shall be provided for inbound project traffic and one lane shall be provided for outbound project traffic (one right-turn lane).

Response to Comment No. A9-3

The comment refers to Mitigation Measure TRANS-7 described on Page IV.N-162 of the Draft EIR, which recommends a traffic signal installation at the intersection of Western Avenue and Fitness Drive. The comment also appears to refer to the existing spacing of approximately 450 feet (137 meters) along Western Avenue between Avenida Aprenda (which is currently under traffic signal control) and Fitness Drive (which is recommended for traffic signal control in Mitigation Measure TRANS-7). This distance is less than the 400-meter separation recommended in the comment for traffic signal synchronization. While a 400-meter distance between signalized intersections may be ideal, synchronization can still be provided between adjacent signalized intersections with less separation. Other existing intersections along Western Avenue are currently synchronized by Caltrans and have separations substantially less than 400 meters, more similar to the distance between Avenida Aprenda and Fitness Drive. For example, the existing signalized intersections along Western Avenue at Capitol Drive and Park Western are separated by approximately 580 feet or 177 meters. Similarly, the intersections along Western Avenue at First Street and Weymouth Drive are separated by approximately 500 feet or 152 meters. Synchronization is in place at both locations.

Also, the nearby Figueroa Street and Figueroa Place intersections along Anaheim Street are separated by approximately 420 feet or 128 meters. The proposed signals at the I-110 southbound off-ramp (Mitigation Measure TRANS-16) and I-110 northbound on-ramp (Mitigation Measure TRANS-19) are approximately 330 feet (101 meters) and 340 feet (104 meters), respectively, from Anaheim Street. These

freeway ramp intersections are under Caltrans jurisdiction and the comment has not expressed separation and synchronization concerns regarding these proposed traffic signals.

Further, other factors related to operations, delay, and safety must be considered in considering traffic signal installation. For example, it is stated in the Traffic Study contained in Appendix IV.N-1 of the Draft EIR that a traffic signal is warranted based on existing traffic volumes at the Western Avenue/Fitness Drive intersection according to traffic signal warrants published in the *Manual of Uniform Traffic Control Devices* document utilized by Caltrans. Additionally, Figure IV.N-2 of the Draft EIR depicts the existing left turn lane on the westbound Fitness Drive approach to the Western Avenue intersection.

The suggestion in the comment to prohibit this existing movement is neither proposed in the Draft EIR, nor is it recommended. However, the suggestion will be forwarded to the decision-making bodies for review and consideration.

Comment No. A9-4

Caltrans has studied the intersection at Western Avenue and Westmont Drive (TRANS-8) and requests the following additional improvements:

- Reconfiguring the westbound approach to provide additional storage capacity for left-turn demand.
- Modify signal phasing to "opposite phasing" for Westmont Drive/Delasonde Drive approaches.
- Removal of southerly pedestrian crosswalk.
- Optimizing signal cycle split and westbound right-tum signal phase overlap.

Response to Comment No. A9-4

The comment acknowledges Mitigation Measure TRANS-8 provided on Page IV.N-162 of the Draft EIR. The mitigation measure includes modifying the northbound approach on Western Avenue at Westmont Drive to install a right-turn only lane, as well as restriping the eastbound approach on Westmont Drive at Western Avenue to provide one left-turn lane and one through/right-turn lane. As a result of these improvements, the recommended mitigation measure fully mitigates the Project-related traffic impacts at the Western Avenue/Westmont Drive and thus, no additional measures are required.

Note the following potential secondary adverse effects associated with the modifications suggested in the comment:

- Extending the left-turn pocket on the westbound Westmont Drive approach would likely cause the need to eliminate the existing two-way left-turn lane in front of the driveway serving the

Albertsons shopping center located on the north side of Westmont Drive. This two-way left-turn lane facilitates traffic turning left from eastbound Westmont Drive into the shopping center, and its removal may cause congestion and safety impacts at this location.

- Modifying the traffic signal for opposite or "split" phasing between the eastbound and westbound approaches is not required and may result in additional delays, particularly for motorists on Western Avenue as split phasing is typically highly inefficient and would cause more traffic signal green time to be taken away from Western Avenue traffic in order to serve the side street movements.

- Removal of the existing pedestrian crosswalk may adversely affect pedestrian access in the community, particularly to destinations located on the south side of Westmont Drive near the intersection, including the Westmont Plaza Shopping Center and Eastview Park.

- Westbound right-turn overlap phasing appears to be generally feasible although the westbound right-turn movement does not appear to be one of the "critical" traffic movements at the intersection.

The "additional" improvements suggested in the comment are not required to mitigate Project-related traffic impacts; however, the comment will be forwarded to the decision-making bodies for review and consideration.

Comment No. A9-5

At Western Avenue and Peninsula Verde Drive (TRANS-6), please condition the project to provide one inbound and two outbound lanes for westbound access approach. Provide full vehicular access (i.e., left-turn and right-turn ingress and egress turning movements) to and from the project. Widen Western Avenue on the project frontage to accommodate an additional lane on the northbound approach. Additionally, please condition the project to widen Western Avenue along the property frontage north of the Green Hills access to provide for one acceleration lane. This improvement will facilitate the westbound right-turn movement, and more important, enhance the safety of bus movement.

Response to Comment No. A9-5

The comment refers to Mitigation Measure TRANS-6 provided on Page IV.N-161 of the Draft EIR, which recommends installation of a traffic signal at the Western Avenue/Peninsula Verde Drive intersection. As a result of these improvements, the recommended mitigation measure fully mitigates the Project-related traffic impacts at the Western Avenue/Peninsula Verde Drive intersection and thus, no additional measures are required. The suggestion in the comment to modify the eastbound Peninsula

Verde Drive approach to provide two lanes is not required, but will be forwarded to the decision-making bodies for review and consideration.

The suggestion in the comment to widen Western Avenue along the project frontage is discussed in the Draft EIR on pages IV.N-46 and IV.N-47. Committed Project Design Features include widening Western Avenue along the Project Site frontage to accommodate a third northbound lane, as well as improvements to the existing bus stops. Figure IV.N-7 in the Draft EIR illustrates the proposed acceleration lane and bus turnout north of Green Hills Drive.

Comment No. A9-6

For access to the project site, we request that Westmont/Taper be a full signalized access intersection to the new proposed development (not to be restricted). Stripe each approach of Western Avenue to provide an exclusive left-turn lane and a shared through plus right-turn lane.

Response to Comment No. A9-6

Pages I-6 and I-7, as well as Page IV.N-47, of the Draft EIR describe the vehicular access to the site, which is proposed via the two existing signalized intersections on Western Avenue at Green Hills Drive and Avenida Aprenda. See Topical Response 2 regarding the analysis of traffic impacts provided in the Draft EIR. As all of the Project-related impacts are mitigated to less than significant levels, no changes to the Project-related access scheme are required. The suggestion to provide additional Project-related vehicular access to the Westmont Drive/Taper Avenue intersection is not proposed as such access would need to occur through private property not owned or controlled by the Project Applicant. Further, such access may create adverse safety and other traffic effects, as it would direct Project-related vehicular traffic through the Mary Star of the Sea High School campus, as well as through the existing residential neighborhood located north of the Westmont Drive/Taper Avenue intersection. However, the suggestion will be forwarded to the decision-making bodies for review and consideration.

Page IV.N-47 of the Draft EIR describes the provision for existing vehicular access voluntarily provided through the Project Site to the Mary Star of the Sea High School campus. This access is provided as a public benefit so that school-related traffic would be reduced through the residential neighborhood north of the Westmont Drive/Taper Avenue intersection. Figure IV.N-7 of the Draft EIR illustrates the lane configurations at the two vehicular access points to the Project Site. As shown in the figures, separate lanes are proposed for left-turn and right turn traffic movements exiting the Project site at the two access points.

Comment No. A9-7

We concur with proposed mitigation improvement to install a new traffic signal at Figueroa Place/I-110 Southbound Off-ramp, north of Anaheim Street (TRANS-16b).

Response to Comment No. A9-7

The comment refers to Mitigation Measure TRANS-16(b) provided on Page IV.N-163 of the Draft EIR. No additional response is required.

Comment No. A9-8

We do not concur with the proposal to modify the southbound approach on Figueroa Street at the Harbor Freeway northbound On-Ramp to accommodate a right turn only lane (TRANS-17a). Please change TRANS-17b to read "Adjust the median to accommodate additional left-turn lane" and eliminate southbound left-turn movement pocket.

Response to Comment No. A9-8

The comment refers to Mitigation Measure TRANS-17 provided on Page IV.N-164 of the Draft EIR. As described in the Draft EIR, the mitigation measure recommends modification to the southbound approach on Figueroa Street at the Harbor Freeway Northbound On-ramp intersection (north of Pacific Coast Highway) to accommodate the installation of a right-turn-only lane. As a result of these improvements, the recommended mitigation measure fully mitigates the Project-related traffic impacts at the intersection and thus, no additional measures are required. The comment does not identify a particular concern with Mitigation Measure TRANS-17 as proposed in the Draft EIR. Also, it is noted that there are already two lanes available to turn left from northbound Figueroa Street to the northbound I-110 on-ramp (e.g., see sketch of future lane configurations at Intersection No. 51 on Figure IV.N-31 in the Draft EIR). However, the suggestion in the comment for an alternative improvement at the intersection will be forwarded to the decision-making bodies for review and consideration.

Comment No. A9-9

Caltrans recommends the following additional mitigation improvements to Western Ave (SR-213) within the study area:

- Restriping of an exclusive right turn lane on Western Avenue at the **northbound** and to the intersections with Westmont Ave, Toscanini Drive, Trudie/Capitol Drive, Park Western Drive, Crestwood Street, and Weymouth Drive.

- Restriping of an exclusive right-turn lane on Western Avenue at the **southbound** approach to the intersections with Westmont Ave, Toscanini Drive, Trudie/Capitol Drive, Crestwood Street, Summerland and Weymouth Drive.

Response to Comment No. A9-9

For clarification, the modification of Western Avenue for a separate northbound right-turn lane is recommended in the Draft EIR on page IV.N-162 at the Westmont Drive intersection (Mitigation

Measure TRANS-8) and at the Capitol Drive intersection (Mitigation Measure TRANS-9). As stated on page IV.N-173, Mitigation Measures TRANS-8 and TRANS-9 would reduce the significant impact identified at the respective intersections to less than significant levels. Thus, the recommended improvements in the comment for southbound right-turn lanes at these intersections are not required. However, the suggestions in the comment for additional improvements will be forwarded to the decision-making bodies for review and consideration.

Mitigation Measure TRANS-10 identified in the Draft EIR on page IV.N-162 at the Western Avenue/Summerland Avenue intersection mitigates the Project-related impact at this intersection. Thus, the recommended improvement in the comment for a southbound right-turn lane at this intersection is not required. However, the suggestion in the comment for additional improvements will be forwarded to the decision-making bodies for review and consideration.

Table IV.N-21 in the Draft EIR identifies that the Project-related traffic impacts at the Western Avenue intersections with Toscanini Drive (No. 21), Park Western Drive (No. 24), Crestwood Street (No 25), and Weymouth Avenue (No. 28) are less than significant. Thus, the suggestions in the comment for improvements at the intersections are not required to mitigate Project-related impacts. However, the suggestions in the comments will be forwarded to the decision-making bodies for review and consideration.

The provision for the additional right-turn lanes at intersections on Western Avenue not already evaluated and recommended in the Draft EIR could be provided through restriping of Western Avenue, although the resulting travel lane widths would fall below Caltrans standards. There is insufficient available right-of-way to widen Western Avenue to allow for additional pavement that would accommodate travel lanes that comply with Caltrans standards.

Comment No. A9-10

Regarding possible transportation impacts during construction, please limit construction-related trucks trips to off-peak commuting periods. In addition, we request an opportunity to review traffic management plans for temporary lane closures associated with implementation of all proposed improvements on the state highway system.

Response to Comment No. A9-10

Page IV.N-85 and page IV.N-86 of the Draft EIR describe in-street construction impacts and will be modified to add Caltrans as a reviewing agency of traffic movement plans in addition to review to be done by LADOT. Page IV.N-62 of the Draft EIR provides discussion of construction traffic trip generation and notes 14 truck trips, seven inbound, and seven outbound trips during the peak hours for demolition, grading, and export activities. Page IV.N-62 of the Draft EIR notes that, based on the result of the impact analyses, traffic impacts associated with construction of the Project would be less than significant, and mitigation is not required. Thus, the suggestion in the comment to limit construction-

related truck trips to off-peak commuting periods is not required. However, the suggestion will be forwarded to the decision-making bodies for review and consideration.

As Western Avenue is a State highway, the Draft EIR has been revised as follows at the first full paragraph on page IV.N-86 to include Caltrans as an agency to review proposals for temporary lane closures related to construction of the Project (see also Section IV, Corrections and Additions to the Draft EIR):

> Construction of the Project would not require any temporary street closures or closures of two or more traffic lanes. It is possible that portions of traffic lanes adjacent to the Project Site could be temporarily blocked off to allow for installation of utility connections. However, the Project Applicant would be required to install signage in appropriate locations to notify travelers of the temporary lane closures. The degree to which signage and/or a traffic management plan would be required of the Project Applicant to minimize temporary traffic impacts during the construction phase would be determined by LADOT, in consultation with Caltrans, at the time the Applicant applies for permits that are required for the temporary lane closure.

Comment No. A9-11

As you are aware, Western Avenue remains in the State Highway System as SR-213, all modifications to it will require Caltrans approval. Multiple encroachment permits may be necessary to implement all proposed and recommended improvements. All modifications on State facilities must meet State standards and specifications. As a responsible agency during the CEQA environmental review, we are available to cooperate with the City of Los Angeles (lead agency) to further refine mitigation measures on the State Highway System. You may contact the undersigned to schedule a meeting at your earlier convenience.

Response to Comment No. A9-11

As discussed in the Draft EIR, all roadway improvements will comply with all applicable requirements, and as stated on page II-38 of the Draft EIR, the Project would request encroachment permits from Caltrans.

Comment No. A9-12

In conclusion, future traffic from the proposed "Ponte Vista" would impact State Highway System in the vicinity, mainly Western Avenue and Pacific Coast Highway. However, with the recommended mitigation improvements in the traffic study plus our recommended mitigation measures as indicated above, the project would satisfactorily address it transportation impacts and possibly improve traffic flow on the State Highway System. If the proposed and recommended mitigation measures cannot be implemented for any reason, it is requested the project contribute its fair share to the funding of them according to appendix "B" of Caltrans' Guide for Preparation of Traffic Impact Studies.

If you have any questions regarding these comments or wish to schedule a meeting, you may contact Elmer Alvarez, project coordinator at (213) 897-6696 or by e-mail at Elmer_Alvarez@dot.ca.gov. Please refer to our internal record number 121116/EA.

Response to Comment No. A9-12

The comment summarizes prior comments in the letter for which responses have been provided. As noted on page IV.N-160 of the Draft EIR, the recommended mitigation measures will be funded completely by the Project developer. Thus, the calculation of a "fair share" is not required. The comment is noted and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. 10 – SANITATION DISTRICTS OF LOS ANGELES COUNTY

County Sanitation Districts of Los Angeles County
Facilities Planning Department
Adriana Raza
Customer Service Specialist
1955 Workman Mill Road
Whittier, CA 90601

Comment No. A10-1

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report for the subject project on November 9, 2012. The proposed development is located within the jurisdictional boundaries of District No. 5. We offer the following comments regarding sewerage service:

1. The Districts maintain sewerage facilities within the project area that may be affected by the proposed project. Approval to construct improvements within a Districts' sewer easement and/or over or near a Districts' sewer is required before construction may begin. For a copy of the Districts' buildover procedures and requirements, go to www.Iacsd.org, Wastewater & Sewer Systems, and click on Buildover Procedures. For more specific information regarding the buildover procedure, please contact Mr. Ronnie Burtner at extension 2766.

Response to Comment No. A10-1

See Response to Comment A2-1. The Project Applicant and its design team representative have recently made initial inquiries to LACSD staff to explore the viability of obtaining the needed "build-over" approvals for the proposed Project improvements. It has been initially determined the Project's proposed improvements do not pose a significant added risk to the LACSD's existing sewer facilities, in part because the existing sewer transmission facilities are approximately 100 feet below the existing/proposed ground surface. As part of the Project's final engineering and ensuing grading/building permit approvals, securing the necessary "build-over" easement consents from LACSD will be required.

Comment No. A10-2

2. The Introduction of the Ponte Vista Development EIR Sewer Report states "the Project's sewering option to the existing LACSD infrastructure in Western would be contingent upon the Project's successful annexation into the LASCO district boundaries". Please note the entire project area is located within the jurisdictional boundaries of District No. 5.

Response to Comment No. A10-2

See Response to Comment A2-1.

Comment No. A10-3

3. The wastewater flow originating from the proposed project discharging directly to the Los Angeles City Bureau of Sanitation's 8-inch gravity sewer main located in Taper Avenue adjacent to the Project's eastern boundary will be treated by the City of Los Angeles Hyperion Treatment System. Questions regarding sewerage service for the proposed project should also be directed to the City of Los Angeles' Department of Public Works.

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

Response to Comment No. A10-3

See Response to Comment A2-1.

LETTER NO. 11 – U.S. DEPARTMENT OF THE NAVY

Department of the Navy
Naval Weapons Station Seal Beach
M.H. Hardy
Captain, U.S. Navy
800 Seal Beach Boulevard
Seal Beach, CA 90740-5607

Comment No. A11-1

The United States (through the Department of the Navy) is the former owner of land proposed for development as described in the Ponte Vista Project Environmental Impact Report (EIR), #ENV-2005-4516-EIR. The land in question is located at 26900 South Western Avenue, Los Angeles, CA 90732. The Navy owns property immediately north of the subject parcel. The Defense Logistics Agency (DLA) operates the Defense Fuel Support Point (DFSP) San Pedro, by contract with United Paradyne Corporation, on the adjacent Navy property.

We appreciate the opportunity to comment on this document. In the course of our review, we identified a few areas of concern with the EIR including air quality, geology, land use, and hazards and hazardous materials.

Response to Comment No. A11-1

This comment sets forth introductory material regarding the DFSP and will be provided to City decision-makers for their consideration.

Comment No. A11-2

The Air Quality Section at page IV.C-2 is missing volatile organic compounds (VOCs) in the list of criteria air pollutants. VOCs should be a part of this list. In the *Emissions* section, please include a table of expected emissions results and regulatory limits for emissions. Also, Table IV.C-8 on page IV.C-37 should add the actual calculation for architectural coatings rather than dividing by three and evenly distributing the estimated peak daily construction emissions across the three phases of construction.

Response to Comment No. A11-2

As discussed on pages IV.C-2 and -3 of the Draft EIR, the federal and state governments have set ambient air quality standards for the following common air pollutants ("criteria pollutants"): (1) particulate matter, (2) ozone, (3) carbon monoxide, (4) sulfur oxides, (5) nitrogen oxides, and (6) lead. Volatile Organic Compounds ("VOCs") are not defined as criteria pollutants under applicable laws and are therefore not included in the criteria pollutant discussion in the Draft EIR. Reactive Organic Gasses ("ROGs"), which for the purposes of the evaluation in the Draft EIR are considered synonymous with VOCs, are evaluated in the construction and operational emissions analyses as shown in Tables IV.C-8, IV.C-10, IV.C-11, IV.C-15, IV.C-16, IV.C-19 and IV.C-21.

With respect to estimated Project emissions and regulatory limits, Tables IV.C-8 through IV.C-12, Table IV.C-14, and Tables IV.C-15 through IV.C-22 of the Draft EIR disclose the Project's estimated unmitigated and mitigated construction and operational emissions. Table IV.C-7 provides the South Coast Air Quality Management District ("SCAQMD") thresholds of significance within the table body, and Tables IV.C-9, IV.C-12, IV.C-14, IV.C-17 and IV.C-22 provide localized thresholds in the notes at the bottom of each table. In each case, the tables allow direct comparisons of Project emissions with the applicable significance thresholds.

With respect to architectural coatings, the Draft EIR correctly discloses the potential worst-case daily ROG emissions associated with the Project's architectural coating phases. Specifically, the California Emissions Estimator Model ("CalEEMod") calculates the daily ROG emissions from architectural coatings based on the Project's total size. As the Project would be constructed over three sequential stages, presenting all three buildout stages' total Project ROG emissions in an analysis compared to daily thresholds would vastly and inaccurately overstate impacts. Additionally, the construction stages of the

Project are programmatic in nature, and would not allow for detailed analysis based on specific housing types. That is, even if additional refinement were possible, CalEEMod does not treat single- and multi-family residential construction differently, as it provides a single surface area value per square foot of floor space. Therefore, a different distribution of units across stages would not affect the analysis. Lastly, the analysis conservatively assumes the maximum daily application rate of architectural coatings for a given amount of square footage of construction, and that maximum daily application rate would not change.

Comment No. A11-3

The Geology Section, beginning on page IV.F-1, appears to address below grade petroleum in the form of tar and possibly fuel. The depth of this fuel material is not indicated.

Response to Comment No. A11-3

Tar was noted on the boring log for B-25 from 8 to 10 feet below ground surface (bgs), directly above the San Pedro formation soils. Boring B-25 is located in the east-northeastern section of the Project Site and is the only boring out of 28 borings to note "some tar, petroleum smell."[10] The data from these 28 borings across the site indicate that the occurrence of tar at depth is limited and discontinuous and is unlikely to pose a risk to human health or the environment.

Comment No. A11-4

Also, consideration should be given during design of the project to the fact that there is perched water at a 17-foot depth. Of particular concern is that the clay layer is the perched layer. Assuming the development is ultimately completed, the discharge of water through plant watering will increase significantly. This may cause a rise in the perched water, both in elevation and in its areal extent. Drainage of the perched water should be considered prior to any development. The perched groundwater and the sloping of the formation should be mapped to further evaluate the landslide potential.

Response to Comment No. A11-4

As discussed in the June 2005 Preliminary Geotechnical Engineering Exploration Report, perched water was encountered in Boring 22 at about 17 feet bgs (at elevation 103 feet), located in the southeast portion of the Project Site.[11] Other nearby borings also indicated perched water or seep in the fill (Borings 23 and 12). The water is perched in fill on an older alluvial "clayey sand." Borings placed near the northern slope (adjacent to the Project Site) did not indicate any perched groundwater either on-site[12,13,14] or off-

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[10] *The J. Byer Group, Inc., Preliminary Geotechnical Engineering Exploration, June 5, 2005 (see Draft EIR Appendix IV.F-1).*

[11] *Id.*

[12] *Id.*

site.[15,16] Because the perched groundwater is located on a flat portion of the Project Site at the part of the site furthest from the northern slope bordering the DFSP, the perched groundwater is not anticipated to affect slope stability or landslide potential, nor is it anticipated to influence contaminant mobility from DFSP to the Project Site.

Further, as stated in the June 2011 Geotechnical Engineering and Fault Hazard Study Report, groundwater in general is not anticipated "to affect at-grade residential development at [the Project] site" and, for design purposes, groundwater should be considered to be about 50 feet bgs (though it generally has been encountered at approximately 100 feet bgs).[17] Nevertheless, final engineering design work, required by compliance measures listed on pages IV.F-19–22 of the Draft EIR, will further address this and all other geotechnical aspects of the Project Site development. If perched groundwater within the existing uncertified fill occurs in areas that would underlie structures, those soils would be excavated and recompacted in accordance with standard engineering practice (see also Response to Comment A11-5).

Comment No. A11-5

Final grading information should be provided in this document. There is a statement that all existing fill is uncertified and shall be excavated. This would constitute a significant alteration from the site's current topography. There is an alternative proposed that would not involve removing the fill, but which would instead use deep foundations. We recommend this alternative be removed from the compliance measures list to eliminate the uncertainties associated with the fill. If the project chooses to retain the existing, uncertified fill, special project design features should be addressed to account for this uncertainty. The project also did not address the pressure imposed by the tank farm located immediately to the north of the project site, especially during potential fill excavation.

Response to Comment No. A11-5

Final grading information cannot be provided in the Draft EIR, as project design features, as well as compliance and mitigation measures related to geology and soils, recommendations by and requirements of the City during the grading permit and inspection process, and any unanticipated conditions encountered during grading may alter grading from the design that existed at the time of issuance of the Notice of Preparation for the Project. Moreover, final grading information is not necessary for the purposes of the environmental impact analysis. Rather, the Draft EIR properly evaluates the anticipated

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[13] *Winefield & Associates, LP, Limited Phase II Site Assessment, June 21, 2011 (see Draft EIR Appendix IV.H-2).*

[14] *The Source Group, Inc., Tank 4 Off-Site Investigation, November 27, 2012.*

[15] *The Source Group, Inc., Report of Additional Well Installation On-Site Groundwater Monitoring Wells Near BFCUST No. 4, July 16, 2012.*

[16] *The Source Group, Inc., Report of Investigation to Fill Data Gaps Along Southern Perimeter, November 1, 2010.*

[17] *Group Delta Consultants, Inc., Geotechnical Engineering and Fault Hazard Study Report. June 23, 2011 (Draft EIR Appendix IV.F-1).*

envelope and volume of grading proposed, as well as conditions that the grading must address.

The existing topography of the Project Site will not change in character. Both the existing and proposed topography include a steep slope on the northernmost portion of the Project Site, with a more gradual, generally southward slope on the remainder of the site. Further, the grading and fill for the Project is balanced across the Project Site, in that neither the numerical average grade elevations across the site nor the perimeter grade conditions would change. The primary alteration of soils would include, as discussed on page IV.F-23 of the Draft EIR, excavation and recompaction of fill and recent alluvium material on the Project Site, all of which is uncertified -- that is, the Project would not retain the existing, uncertified fill, and no additional design measures are required to address any "uncertainty" regarding the presence of such fill. Note that excavation and recompaction are required only on the portions of the Project Site that buildings would occupy, or about 40 to 50 percent of the total area of the Project.

Although a potential alternative to over-excavation requirement is to install a "deep foundation" that bears into competent native soils (i.e., an average of about 10 feet below the proposed grade), such a solution still would not reduce the disturbance area of the Project Site, as some re-grading, as well as excavation for stormwater treatment systems and other utilities on the Project Site, would still be required.

Lastly, as discussed above, grading would also include implementation of the compliance measures listed on pages IV.F-19 to -22. These compliance measures include recommendations in the Geotechnical Engineering and Fault Hazard Study Report at pp. 17-22, which includes moisture content, compaction, and composition requirements to ensure adequate stability and load bearing for building foundations.

Regarding the ground pressure imposed by the USTs, underground fuel tanks are, on average, lighter than in-situ soils on a per-volume basis. The Applicant will analyze slope stability affecting the DFSP site and Project Site along the northern property line as part of the earth retention system design referenced above. The earth retention system will be designed to achieve minimum calculated factors of safety for static and seismic conditions greater than 1.5 and 1.1, respectively, as needed to meet accepted professional practice and applicable regulations. Therefore, it is expected that the Project will not impact hillside stability and will not undercut or damage the petroleum tanks and pipelines at the DFSP site. Further, pressure imposed by the tank farm north of the Project Site will be evaluated during design of retention systems for the slope between the DFSP and Project Site. Additionally, the Applicant will include in the plans for the Project engineered earth-retention systems that are designed to address both deep-seated and surficial slope stability, incorporating earthquake resistant design requirements in the development plans.

Under the additional Project Design Feature presented below, the Applicant will confer with the Navy and DLA to address any potential slope-stability-related impacts to the integrity of DFSP tanks, piping, and other infrastructure, during construction (see also Section IV, Corrections and Additions to the Draft EIR):

The following revision has been made to page IV.F-22 of the Draft EIR under the heading "Project Design Features":

~~No Project Design Features relating to potential impacts with respect to geology and soils have been identified for the Proposed Project.~~ The following Project Design Feature pertaining to geology and soils has been identified for the Proposed Project:

- The Project Applicant shall confer with the Navy and/or Defense Logistics Agency, as operators of the Defense Fuel Support Point (DFSP) facility, with respect to potential slope-stability-related impacts to the integrity of DFSP tanks, piping, and other infrastructure, during Project construction.

Comment No. A11-6

If the impacts related to the fault rupture and displacement would be considered *significant,* a design consideration with respect to geology is essential. Liquefaction potential is only very low if the fill is removed.

Response to Comment No. A11-6

As discussed on pages IV.F-22–23 and -31 of the Draft EIR, Mitigation Measure GEO-1 requires incorporation of a seismic setback zone into the Project site design to avoid any potential impact associated with fault rupture at the Project Site. This measure was required even though the fault trace beneath the Project Site is not located in an Alquist-Priolo fault hazard zone, and no evidence indicates the fault trace has experienced any movement during the Holocene period and is therefore active, as concluded on pages IV.F-4–7 of the Draft EIR. Also, as discussed on page IV.F-23 of the Draft EIR, the liquefaction discussion assumes implementation of the compliance measures listed on pages IV.F-19 to -22 of the Draft EIR. As discussed in Response to Comment A11-5, the compliance measures for the Project include the excavation and recompaction of certified fill for soils that would support structures associated with the Project, or about 40 to 50 percent of the total area of the Project Site. Thus, existing and proposed design considerations related to geology and soils already exist and would be further developed as part of final grading design and review.

Comment No. A11-7

Page IV.F-29 Sedimentation and Erosion Section indicates that there will be no cut-and-fill; however, there would be fill material removal adjacent to DFSP. Please address how this would impact erosion and how any erosion can be mitigated. Since this section says the site would be reconfigured and reengineered, specifics on how this would be done, and how this would avoid significant impacts, should be included.

Response to Comment No. A11-7

As discussed in Response to Comment A11-5, the Project would balance cut and fill on the Project Site. Specifically, the existing, uncertified fill would be excavated, replaced, and recompacted to required specifications. Nevertheless, the Draft EIR acknowledges, on page IV.I-34, that potentially significant impacts to water quality could occur as a result of earth movement activities associated with site preparation and construction of the Project. As stated on the same page and on pages IV.I-35 to -36, the Project would be required to comply with applicable water quality regulations, including the current Construction General Permit (2009-0009-DWQ), issued by the State Water Resources Control Board, which requires submittal of, among other things, a stormwater pollution prevention program ("SWPPP") and, if determined necessary, an active treatment system. Measures incorporated into the SWPPP, which would address all areas of the Project Site including the area adjacent to DFSP, may include, but not be limited to, erosion control measures such as mulch, soil binders, geotextiles, or temporary dikes; and sedimentation control measures, including impoundments and sediment filters at storm drain outlets and along the perimeter of the Project Site; stabilization of entry and exit points to the Project Site; best management practices for non-stormwater; and waste disposal practices.

Comment No. A11-8

Page IV.F-30 Conclusion – The set-back zone from the projected active fault is not listed in the compliance measures.

Response to Comment No. A11-8

Mitigation Measure GEO-1, on page IV.F-31 of the Draft EIR, requires incorporation of the seismic setback zone into the Project site plan. Additionally, in the response to public comments on the Draft EIR, the Applicant has adopted Alternative C (Staff Recommendation/Reduced Density) with 830 dwelling units as its preferred alternative. As illustrated in Figure VI-2 of the Draft EIR, Alternative C incorporates the seismic setback that would be required under Mitigation Measure GEO-1 of the Draft EIR.

Comment No. A11-9

Project Impacts under Sedimentation and Erosion – The extended Build-out plan allows for any new evidence to be revealed and this information could be used to modify the restrictions set on the construction permit.

Response to Comment No. A11-9

The comment correctly notes that the compliance measures associated with potential construction-related water quality impacts -- specifically, the preparation of a SWPPP and associated documents and supporting data -- allow for adjustment to account for the effectiveness of the measures ultimately selected. Because measures are necessarily selected prior to commencement of construction (as the

developer must obtain a permit prior to construction), conditions encountered or newly anticipated at the Project Site after commencement of construction could require new measures or modifications of the existing measures to adequately address those conditions.

Comment No. A11-10

The section on Land Use overlooks the fact that our installation is primarily a bulk fuel storage facility that contains several large underground fuel tanks immediately adjacent to this proposed development. Page IV.J-17 the first paragraph describes DFSP as a fuel and oil storage facility and indicates this is a passive activity. *Passive* is not an accurate term to describe the activities at DFSP since transportation of fuel does occur via pipelines and tanker trucks.

Response to Comment No. A11-10

The premise of the Land Use analysis is not that the DFSP is "open space"; the use of that term relates only to the character of the surface uses of the portions of the DFSP nearest the Project Site. Rather, as acknowledged on page IV.J-17 of the Draft EIR, the DFSP is an active "fuel and oil storage facility" consisting of "underground storage tanks, with fuel transfer accomplished largely through pipeline." The same page, as well as throughout Section IV.H (Hazards and Hazardous Materials) acknowledges the potential for impacts associated with toxic emissions, odors, and fuel releases. Specific examples include:

- Pages IV.H-13-14 describe historical releases of various products at the DFSP, as well as investigations and cleanup activities since 1990.

- Page IV.H-15 describes the storage, maintenance, and distribution of various jet fuel products and other hazardous materials at the DFSP, particularly benzo(a)pyrene, and describes historical fuel releases at the DFSP, including releases immediately adjacent to the Project Site, that collectively exceed 140,000 gallons.

- Pages IV.H-23-24 further describe the USTs and ASTs present at the DFSP, as well as the substances stored within, and estimates and assumptions of fuel throughput and annual emissions of various chemicals from the tanks and of diesel particulate matter from the trucks that serve the facility.

- Pages IV.H-25-26, including Table IV.H-2, describe and quantify emissions of toxic air contaminants from the DFSP.

- Pages IV.H-26-31 describe the results of a health risk assessment performed to disclose potential risks from toxic air contaminants, including those emitted by the DFSP, on potential future residents at the Project Site.

- Pages IV.H-34-36 describe potential scenarios of releases of fuel products from ASTs and USTs at the DFSP, and these scenarios are refined and further detailed in Response to Comment A13-8.

- Figure IV.N-1 (Study Area and Intersections) shows the locations at which existing traffic conditions were measured and at which project-related impacts could occur. As illustrated in the figure, these locations include intersections along Western Avenue and Palos Verdes Drive North, adjacent to the DFSP.

The potential impacts associated with these potential hazards or nuisances were determined to be less than significant based on analyses that take into account the activities on the DFSP site, including the bulk storage of petroleum products, as well as the potential risks associated with those activities. Risk associated with product releases is further addressed in Responses to Comments A11-14 and A13-8.

Additionally, the Land Use analysis fully characterizes, on Draft EIR page IV.J-17, the nature of the DFSP and the activities performed there. Nevertheless, in response to this comment, the first paragraph on page IV.J-17 of the Draft EIR has been revised, as follows (see also Section IV, Corrections and Additions to the Draft EIR):

> The Project is also located adjacent to the Navy DFSP, which is a fuel and oil storage facility. Fuel storage facilities at the DFSP primarily consist of underground tanks, with fuel transfer accomplished largely through delivery via pipeline. ~~Because the bulk of the facilities are located underground, the property, although off-limits to the public, functions in some aspects as open space, including providing protected habitat to the threatened Palos Verdes Blue Butterfly and visually natural, open space views for the community.~~[18] Other loading facilities at the DFSP are located away from the Project Site along Gaffey Street to the east. ~~Fuel and oil storage is a passive activity.~~ The risks and potential health hazards associated with the adjacent DFSP are addressed in Sections IV.C (Air Quality) and IV.H (Hazards and Hazardous Materials) of this Draft EIR.

Comment No. A11-11

The City of Los Angeles' land use map indicates our facility as vacant land instead of a highly industrial operation (reference Figure IV.J-2). This EIR fails to adequately correct this misunderstanding between the current land use and the City of Los Angeles Zoning of the area. The Navy land is completely covered with tanks and piping for bulk fuel distribution. It just happens that most of these tanks and piping are underground. This land should not be considered *industrial open space* (ref. pg. IV.J-17) since it is encumbered with industrial operations and its visual appearance is deceptive.

Response to Comment No. A11-11

~~[18] *Palos Verdes Land Conservancy, The Defense Fuel Support Point and Nursery webpage: http://www.pvplc.org/_lands/dfspn.asp, accessed 10/12/12.*~~

As discussed in Response to Comment A11-10, Section IV.J (Land Use) of the Draft EIR recognizes and fully characterizes the industrial nature of operations at the DFSP, characterizing only the surface appearance near and adjacent to the Project Site as industrial open space. Additionally, pages IV.H-13 to -14 of the Draft EIR (Hazards and Hazardous Materials) specifically characterize the hazardous materials investigations and remediation activities at the DFSP; page IV.H-15 describes operations and risks fuel releases at the DFSP, including historical fuel releases; pages IV.H-23, -24, and -28 describe the air emissions associated with those operations; and pages IV.H-34 to -36 further describe the impacts associated with product releases, including fires and emergency response. Risk associated with product releases is further addressed in Responses to Comments A11-14 and A13-8.

The comment correctly notes that the City's zoning map designates the DFSP property adjacent to the Project Site as OS-XL (Open Space or vacant). However, the zoning designation for the DFSP property is for informational purposes only and has not affected the impact analyses in the Draft EIR, as described above. The purpose of the Draft EIR is to disclose the impacts of the Project and, to that end, describe the existing physical conditions that exist at and around the Project Site, including the DFSP. As described above and in Response to Comment A11-10, both the Land Use and Hazards and Hazardous Materials analyses in the Draft EIR describe the actual operations at the DFSP and evaluate impacts on that basis.

Comment No. A11-12

Page IV.J-17 last few sentences of the first paragraph address odors but there is no reference to which section addresses the constituents and potential impacts of these odors. If the constituents of the odors are addressed in the air quality section, please reference them, and if not please include a discussion within the Air Quality Section. The hazards and hazardous materials section has a discussion on VOCs on page IV.H-23 & 24 but does not directly address the odors discussed in the land use section.

Response to Comment No. A11-12

Page IV.C-50 of the Draft EIR states:

> "The Project Site is located in an area that could be subject to occasional existing odors generated by industrial uses in proximity to the Project Site. Specifically, on rare occurrences, the nearby DFSP generates vapors in the vicinity of the Project Site that could be considered objectionable odors. However, as these occurrences would be considered infrequent and because the Proposed Project itself would not include any uses that would generate objectionable odors, these impacts would be less than significant."

Although the Draft EIR describes the potential impacts of the Project on the existing environment, CEQA does not require an EIR to evaluate the impact of the surrounding area on the Project. As discussed in Topical Response 3, the purpose of CEQA is "not to protect proposed projects from the existing environment." *Baird v. County of Contra Costa*, 32 Cal.App.4th 1464(1995); Pub. Res. Code Sections 21061, 21083(b), and 21060.5. "We agree . . . that the Guidelines [14 Cal. Code Regs § 15126.2]... is not

an example of an environmental effect caused by development, but instead is an example of an effect on the project caused by the environment. Contrary to Guidelines section 15126.2, subdivision (a), we hold that an EIR need not identify or analyze such effects.... Although the Guidelines ordinarily are entitled to great weight, a Guidelines provision that is unauthorized under CEQA is invalid." *Ballona Wetlands Land Trust v. City of Los Angeles*, 201 Cal.App.4th 455, 474 (2011), citing *South Orange County Wastewater Authority v. City of Dana Point*, 196 Cal. App. 4th 1604, 1614 (2011). Consequently, CEQA does not require the Lead Agency to analyze or mitigate the impacts of the environment on the project. Nevertheless, the Draft EIR in this case acknowledged the potential effects of odors generated by the DFSP and concluded that these effects would not constitute a significant environmental impact.

Comment No. A11-13

Page IV.J-17 the second paragraph indicates a less than significant impact is expected with respect to land use compatibility; however, other residential developments could be considered to be "buffered" since they are not immediately adjacent to DFSP, and do not appear to be at a lower elevation than DFSP and therefore these other residential developments may not provide valid comparisons for the proposed project in terms of potential significant impacts with respect to land use compatibility. The grade change and potential course for a fuel spill should be addressed and perhaps establish a "fuel spill buffer zone."

Response to Comment No. A11-13

As illustrated in Figures IV.J-1 and IV.J-2 and described on pages IV.J-7 to -9 of the Draft EIR, both the General Plan land use and zoning designations for the Project Site designate the site for residential uses, and the Project Site has in the past been used for residential uses. Additionally, in considering and ultimately declining to adopt the proposed approximately 2,300-unit residential project at the site in 2008, the City Planning Commission ("CPC") endorsed the staff recommendation that an appropriate level of development for the Project Site would range from 775 to 886 dwelling units, with overall densities of 9 to 18 dwelling units per acre. Thus, City decision-makers previously determined that, for planning purposes, medium-density residential development was appropriate for the Project Site and compatible with surrounding development. The Applicant's adoption of Alternative C (Staff Recommendation/Reduced Project) as its preferred project is consistent with this determination.

As described on page IV.J-17 of the Draft EIR, the presence of residential development adjacent to the Project Site and nearby did not serve as the sole basis for the determination of land use compatibility with the DFSP. Rather, the residential character of the Project indicates its compatibility with surrounding residential and educational uses, particularly the multi-family residential development to the south of the Project Site, the density of which is generally similar to, and in fact exceeds, the higher-density uses on the southern portion of the Project Site. Moreover, the comment incorrectly states that other development "does not appear at a lower elevation than DFSP." In fact, existing residential development south and southeast of the Project, as well as Mary Star of the Sea High School, lie at lower elevations than the DFSP.

Additionally, although the historical presence of residential development on the Project Site substantiates the compatibility of the proposed uses with the DFSP, as specifically stated on page IV.J-17 of the Draft EIR, the determination of functional compatibility with the DFSP primarily was based on the conclusions of the various impact analyses provided in the Draft EIR, including Air Quality and Hazards and Hazardous Materials. Risk associated with product releases is further addressed in Response to Comment A13-8.

Comment No. A11-14

The Hazards and Hazardous Materials Section makes conclusions about the project site hazardous materials impacts without first exploring in the text the data referenced. The conclusion that "any exposure of future residents to groundwater is unlikely to occur" is not the same as saying there is no contamination of the groundwater. The Geology Section of this EIR stated vapors and tar/oil type material were encountered and references this section to clarify the issue. However this section does not adequately address the issue of potential fuel in the perched groundwater. Nothing is stated as to a mitigation measure if petroleum products are encountered during construction. Furthermore, basic documents from the California State Water Board Geotracker Database of contamination and clean-ups are not referenced, nor are documents available from that web site cited, specifically in relation to DFSP fuel tank #4 immediately adjacent to the subject property. This type of tank release is more possible than human error caused releases, which is stated on page IV.H-34.

Response to Comment No. A11-14

The Draft EIR recognizes that there are petroleum hydrocarbons present in the subsurface at the DFSP property, including the presence of free product in some monitoring wells. However, there are no complete exposure pathways for future residents at the Project Site because petroleum hydrocarbons in subsurface soils are present at depth, not near the surface, and a soil gas survey has identified no significant inhalation pathway.[19] In addition, no significant groundwater contamination has been identified in either perched or deep groundwater at the Project Site, as discussed below.

On-site soil and groundwater data are discussed in the Draft EIR beginning on page IV.H-7. Most data (soil and perched groundwater samples) were gathered in the unsaturated zone and did not encounter the deep groundwater, with the exception of the 2012 well installations on the Project Site near the northern slope to investigate a release from DFSP's Tank 4.

Perched groundwater was not encountered in the recent investigations associated with the 2011 release from Tank 4. Perched water was encountered primarily in the southeast portion of the Project Site, at approximately 10-20 ft bgs in the fill.[20] Borings placed near the northern slope did not indicate any

[19] *The Source Group, Inc., Tank 4 Off-Site Investigation, November 27, 2012.*

[20] *The J. Byer Group, Inc., Preliminary Geotechnical Engineering Exploration, June 5, 2005 (see Draft EIR Appendix IV.F-1).*

perched groundwater either on-site or off-site (see Response to Comment A11-4). As also discussed in Response to Comment A11-3, a tarry material was found in only one boring on the Project Site (B-25), and no perched groundwater was found in that boring or nearby borings on the Project Site.[21] Where groundwater was sampled, either no petroleum hydrocarbons were found at levels above detection limits, or no further actions were required by the Regional Water Quality Control Board ("RWQCB"). Although petroleum hydrocarbons may still be present in perched groundwater at the Project Site, perched groundwater does not appear to pose a risk to future residents because it occurs at 10 ft or greater depth, and soil gas survey results identified no concerns.[22]

Deep groundwater occurs at approximately 100 ft bgs near the northern slope of the Project Site.[23] Deep groundwater has been sampled at the Project Site in two groundwater monitoring wells near its northern boundary (T4-PV-1 and T4-PV-2). Analytical results for groundwater indicated that petroleum hydrocarbons, benzene, toluene, ethylbenzene, and xylenes were below laboratory detection limits and therefore contamination from DFSP releases has not migrated to the Project Site.[24] Contamination is over 100 feet below the ground surface at the toe of the slope, and the recent investigations conducted in September 2012 also did not identify contaminants in the soil gas on the Project Site resulting from fuel releases at the DFSP.[25] Because there are no plans to use groundwater (future residents will be provided municipal water), it is correct to state, as set forth in the Draft EIR on page IV.H-15, that "there is no indication that any potential exposure to future residents to groundwater at the Project Site would pose any risk. Furthermore, any exposure of future residents to groundwater is unlikely to occur."

In addition:

1. Mitigation Measure HAZ-1 on page IV.H.44 of the Draft EIR describes the measures for addressing petroleum products encountered during construction.

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[21] *Additionally, as discussed in Response to Comment A11-4, perched groundwater was detected in only one boring in the southeast corner of the Project Site, away from the north slope that separates the Project Site from the DFSP. Also, as discussed in Response to Comment A11-3, the Winefield Report (included as Appendix IV.H-2 to the Draft EIR) addressed petroleum hydrocarbon contamination of the clay soils that include the perched groundwater in the southeastern portion of the Project Site, as well as soils and soil gas in the northern portion of the Project Site. The Winefield Report detected limited concentrations of hydrocarbons in the diesel fuel and fuel oil range. Based on the concentration and distribution of the affected soils, as well as the known diesel and fuel oil contamination of soils as a result of historical training and storage activities, the Winefield Report concluded that the contamination of clay soils that included the perched groundwater resulted from these historical activities and from the redistribution of the soils across the Project Site prior to development of the existing military housing.*

[22] *The Source Group, Inc., Tank 4 Off-Site Investigation, November 27, 2012.*

[23] *Id.*

[24] *Id.*

[25] *Id. Benzene was detected in one soil gas sample on the DFSP property at 0.03 microgram per liter (µg/L). There were no detections in soil gas samples on the Project Site.*

2. Although Geotracker is not specifically referenced in the Draft EIR, environmental databases including Geotracker, UST, and LUST were reviewed (see page IV.H-13). In addition, Geotracker documents were reviewed further during the preparation of responses to comments on the Draft EIR, including the Navy's comments.

3. A review of additional information in DFSP documents regarding electronic monitoring and operation of DFSP's UST system indicates that a failure resulting from human error during operations is less likely to cause a release than is a failure of aging infrastructure. The risk from aging infrastructure is mitigated with protective measures and additional leak detection, as discussed above and in Response to Comment A13-8.

Comment No. A11-15

We don't believe that using the fact that the property was previously residential is a valid argument for this proposed layout since previously the housing on this property was military, and there is a difference in acceptance of risk by military verses [*sic*] public occupants. Also, military personnel would have been adequately prepared to respond and evacuate in the event of a fuel spill.

Response to Comment No. A11-15

As discussed in Response to Comment A11-13, the analysis in the Draft EIR regarding the compatibility of the proposed uses with surrounding development accounted for a number of factors, including existing uses surrounding the Project Site, as well as the anticipated (and quantified) risks associated with potential housing at the Project Site. Additionally, as stated above in Response to Comment A11-13, the level of development proposed by the Project and by Alternative C (Staff Recommendation/Reduced Density) is consistent with the determinations by the CPC -- based on prior environmental review -- regarding the appropriate level of development on the Project Site.

The Project evaluated in the Draft EIR would construct fewer than half of the number of units proposed by the Applicant's predecessor-in-interest, and Alternative C (830 dwelling units) (now adopted by the Applicant as its preferred alternative), would develop about one-third of that number and is consistent with the Navy's understanding.

Comment No. A11-16

Page IV.H-35 – Given that there are multiple tanks and some are immediately adjacent to the proposed development site, we don't think the assumptions regarding the zone of impact for a potential fuel spill are accurate, nor take into account the potential for the zone of impact to be larger given the site's topography. Also, the vegetation would be an additional fire fuel source that could potentially propagate a fire and further increase the zone of impact.

Response to Comment No. A11-16

As described above in Response to Comment A11-11, the Land Use and Hazards and Hazardous Materials sections of the Draft EIR include detailed information on the nature and scale of operations and facilities at the DFSP. The Draft EIR, as well as these responses to comments and Responses to Comments A11-14, A13-8, and A13-11, acknowledges both the nature of the activities and facilities at the DFSP and the potential risks associated therewith.

As described in various responses, the multiple tanks and associated piping adjacent to the Project Site are underground. A subsurface release from a UST or underground piping would first saturate surrounding subsurface soils. Depending on the nature of the soils, the rate of the subsurface release, and the length of time before detection and control of the release, a subsurface release could eventually reach groundwater, and for tanks and piping located near the boundary between the DFSP and Project Site, could eventually migrate below the ground surface to the Project Site. A surface release is conceivable if piping was to rupture at a control-valve pit and the amount of released fuel exceeded the volume of the valve pit, at which point a spill could reach the ground surface and potentially flow toward the Project Site. The Applicant is unaware of any release that has reached the surface of the Project Site in this manner. The potential for a release to reach the Project Site would be lessened by leak detection and response measures, and diversion structures. Further, also as described in that response and in Responses to Comments A11-14 and A13-8, the recent experience from the Tank 4 release shows that an underground spill is unlikely to present a significant risk to the Project.

Comment No. A11-17

The sponsoring developer told the Navy they were proposing to develop 811 units. Now in this document it states 1,135 units total. This is a significant difference and places several thousand people immediately adjacent to our highly industrial facility. We are concerned this document does not adequately evaluate the potential hazard to this future community. If you have any questions or comments, please contact Lisa Ellen Bosalet, NEPA/Cultural Resources Manager, at (562) 626-7637, or Lisa.Bosalet@navy.mil.

Response to Comment No. A11-17

As discussed in Response to Comment A11-8, the Applicant has adopted Alternative C (Staff Recommendation/Reduced Density) as the preferred alternative. The preferred alternative includes 830 residential dwelling units, consistent with staff and CPC guidance issued in connection with environmental review of the previously proposed 2,300-dwelling-unit project at the Project Site. The Draft EIR, particularly the Land Use and Hazards and Hazardous Materials sections, as well as the responses to comments in this letter and to Letter No. 13 (DLA), fully disclose the nature and scale of operations at the DFSP and how they may affect development at the Project Site. Moreover, as discussed in Response to Comment A11-12, the Draft EIR discusses these effects even though it is not required to do so, as such effects represent existing conditions in the environment with the potential to affect the Project, rather than effects of the Project on the environment. See also Topical Response 3.

Furthermore, as described in Response to Comment A13-8, consideration of the Oil and Hazardous Substances Integrated Contingency Plan ("OHSCIP") does not change any conclusions in the Draft EIR.

LETTER NO. 12 – SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

South Coast Air Quality Management District
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Comment No. A12-1

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed Ponte Vista Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final environmental impact report (Final EIR) as appropriate.

The AQMD staff is concerned about the significant operations related air quality impacts from the proposed project. Specifically, the lead agency determined that the project will exceed the AQMD's CEQA regional significance thresholds for VOC's, NOx and CO emissions during operation of the proposed project. Therefore, the AQMD staff recommends that pursuant to Section 15126.4 of the CEQA Guidelines the lead agency require the following mitigation measures in addition to the measures identified in the Draft EIR.

Energy Efficiency

a. Require the project site to include a solar photovoltaic or an alternate system with means of generating renewable electricity.

Response to Comment No. A12-1

This comment notes receipt and review of the Draft EIR by the SCAQMD. This comment also notes the SCAQMD's concern with operational air quality impacts and, accordingly, the SCAQMD recommends mitigation measures for the Project.

With respect to the AQMD's recommendation that the Project be required to include a solar photovoltaic or an alternate system with means of generating renewable electricity, the Project will be in full compliance with the requirements of the Los Angeles Green Building Code's stipulation for pre-wiring for future electrical solar systems. CEQA requires the City to implement the AQMD's recommended measure unless there are legal, technological, social, economic, or other considerations that make it

infeasible or the measure cannot be implemented within a reasonable period of time. The social policies that balance the competing interests of conservation, energy efficiency, economic growth, employment, and job creation were debated and balanced at the time the City adopted its Green Building Code. The Green Building Code reflects the City's determination as to what is socially feasible with regards to photovoltaic systems on buildings and the Green Building Code stopped short of requiring installation of photovoltaic systems. Instead, what was determined by the City to be socially feasible is to require that buildings be pre-wired for potential future electrical solar systems. Accordingly, the AQMD's recommended mitigation measure will not be added to the EIR and no further response is required.

Comment No. A12-2

Transportation

b. Require electric car charging stations (not just wiring infrastructure) for both nonresidential and residential uses at the project site.

c. Provide incentives to encourage public transportation.

d. Create local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems.

Response to Comment No. A12-2

With respect to the AQMD's recommendation to require electric car charging stations (not just wiring infrastructure) for both non-residential and residential uses at the Project Site, the Project will be compliant with this measure. Consistent with the requirements of the Los Angeles Green Building Code and as noted on page IV.G-18 of the Draft EIR, the Project shall provide:

1. For one- or two-family dwellings and townhouses, provide a minimum of:

   a. One 208/240V 40 amp, grounded AC outlet, for each dwelling unit; or

   b. Panel capacity and conduit for the future installation of a 208/240V 40 amp, grounded AC outlet, for each dwelling unit. The electrical outlet or conduit termination shall be located adjacent to the parking area.

2. For other residential occupancies where there is a common parking area, provide one of the following:

   a. A minimum number of 208/240V 40 amp, grounded AC outlets equal to 5 percent of the total number of parking spaces. The outlets shall be located within the parking area; or

   b. Panel capacity and conduit for future installation of electrical outlets. The panel capacity and conduit size shall be designed to accommodate the future installation, and allow the

simultaneous charging, of a minimum number of 208/240V 40 amp, grounded AC outlets, that is equal to 5 percent of the total number of parking spaces. The conduit shall terminate within the parking area; or

c. Additional service capacity, space for future meters, and conduit for future installation of electrical outlets. The service capacity and conduit size shall be designed to accommodate the future installation, and allow the simultaneous charging, of a minimum number of 208/240V 40 amp, grounded AC outlets, that is equal to 5 percent of the total number of parking spaces. The conduit shall terminate within the parking area. When the application of the 5 percent results in a fractional space, round up to the next whole number.

Thus, compliance with the Green Building Code will ensure that electric car charging stations or the requisite wiring infrastructure will be provided on-site. Providing just the wiring infrastructure would offer flexibility to the builder(s) of the Project to customize charging stations and to adapt to changes in available technology and products.

With respect to the AQMD's recommendation to provide incentives to encourage public transportation and to create local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems, the Project Applicant will encourage Project residents to utilize public transit and electric motor vehicles. The Draft EIR includes Mitigation Measures TRANS-26, TRANS-27, and TRANS-28 that collectively would be targeted toward increasing transit usage by Project residents and improving transit accessibility to/from the Project Site. However, the Project Applicant cannot ultimately control the transportation methods of the Project residents nor can the Applicant control the vehicle fleet traveling to and from the Project Site. In addition, creation of these networks is a citywide issue and not one that is localized to a specific development. Thus, while the Applicant will encourage these modes of transportation via implementation of the mitigation measures listed above, the additional mitigation measures recommended by the AQMD would be unenforceable when applied to a private residential development and, thus, have not been added to the EIR.

Comment No. A12-3

Other

e. Provide outlets for electric and propane barbecues in residential areas.

f. Require use of electric lawn mowers and leaf blowers.

g. Require use of electric or alternatively fueled sweepers with HEPA filters.

Response to Comment No. A12-3

With respect to the AQMD's request to provide outlets for electric and propane barbecues in residential areas, this additional mitigation measure will be incorporated into the Draft EIR at the bottom of page IV.C-54 as follows (see also Section IV, Corrections and Additions to the Draft EIR):

> **AQ-3:** The Project shall provide electric outlets on residential balconies and common areas for electric barbeques to the extent that such uses are permitted on balconies and common areas per the Covenants, Conditions and Restrictions recorded for the property.

With respect to the AQMD's request to require use of electric lawn mowers and leaf blowers, and require electric or alternatively fueled sweepers with HEPA filters, this additional mitigation measure will be incorporated into the Draft EIR at the bottom of page IV.C-54 as follows (see also Section IV, Corrections and Additions to the Draft EIR):

> **AQ-4:** The Project shall use electric lawn mowers and leaf blowers, and electric or alternatively fueled sweepers with HEPA filters, for maintenance of the Project.

Comment No. A12-4

Pursuant to Public Resources Code Section 21092.5, AQMD staff requests that the lead agency provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Response to Comment No. A12-4

In accordance with Section 15088 of the CEQA Guidelines, the Department of City Planning will provide a written response to the SCAQMD's comments at least 10 days prior to certifying an environmental impact report. The published Final EIR will include detailed written responses to all of the comments submitted during the Draft EIR comment period and will be published on the Department of City Planning's website in the same manner the Draft EIR was made available. No further response is required.

LETTER NO. 13 – U.S. DEPARTMENT OF DEFENSE, DEFENSE LOGISTICS AGENCY

Department of Defense
Defense Logistics Agency
David Rodriguez
Acting Director, Installation Support
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Comment No. A13-1

Thank you for the opportunity to provide comments on the Draft Environmental Impact Report for the Ponte Vista Project (ENV-2005-4516-EIR) dated November 8, 2012. As you may be aware, the Defense Logistics Agency (DLA) is the primary tenant on the Navy's property at 3171 North Gaffey Street, north and adjacent to the proposed Ponte Vista development. DLA is responsible for operations and maintenance of the Defense Fuel Support Point (DFSP) San Pedro, which is a Department of Defense fueling point. Industrial operations occur twenty-four hours a day, seven days a week at DFSP San Pedro. The DLA and the Navy have been proud members of your community for over 70 years.

The DLA has concerns with some of the assumptions in the report and the proposed residential land use. In order to ensure that you have all of the information needed to make your decision, we believe it would be helpful to begin a discussion of this report. As an example, the report designates DFSP San Pedro as "open space." In fact, DFSP San Pedro is an industrial site and would be more accurately designated as such.

My staff is available if you would like to discuss the DLA's comments. Please contact Mr. Norman Stiegler at (703) 767-9284 or norman.stiegler@dla.mil.

Response to Comment No. A13-1

This comment is an introduction and does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. With respect to the land use designation of the DFSP, see Response to Comment A11-11.

Comment No. A13-2

Page 86 I – Introduction, Table I-1

Adopted Emergency Response Plan – The Defense Fuel Support Point (DFSP) San Pedro evacuation route is through Gate 9 on Western Avenue. The project's emergency response plan should address any potential impacts.

Response to Comment No. A13-2

The Project will not block any access between DFSP and Western Avenue. As discussed on page IV.N-171 of the Draft EIR, all Project-related traffic impacts to Western Avenue would be mitigated to a less than significant level. Furthermore, as discussed on pages IV.H-42 to -43 and IV.M-12 to -14 of the Draft EIR, Project impacts to emergency response times and access were determined to be less than significant.

Also, as discussed on page IV.H-41 of the Draft EIR, in the event of a localized emergency, emergency personnel may assume control of roadways, including Western Avenue. Traffic would be carefully managed under the oversight of the appropriate government agency.

Additionally, also as described on page IV.H-41 of the Draft EIR, specific evacuation protocols have been developed by the City of Los Angeles, and interagency communication and coordination protocols have been identified. This may include coordination among agencies, including the U.S. Navy ("Navy"), Defense Logistics Agency ("DLA") and the County of Los Angeles, and/or other agencies as applicable. These protocols and any necessary coordination would consider the necessity to evacuate DFSP or access DFSP, as appropriate. Consequently, as with other adopted emergency response plans evaluated in the Draft EIR, implementation of the Project would not substantially affect the emergency response plan for the DFSP.

Additionally, the emergency response/evacuation plan prepared for the Project will require review and coordination with the DFSP (Navy and DLA), as required by Project Design Feature (see page IV.H-21 of the Draft EIR).

Comment No. A13-3

Page 84 I – Introduction, Table I-1

Off-Site Release of Hazardous Materials (Fuel Support Point) – The EIR considers any spill from DFSP San Pedro as less than significant because the project site is beyond the zone for a medium sized spill. The assumptions used for the risk assessment should be the same as those used in the risk assessment in the DFSP San Pedro Oil and Hazardous Substances Integrated Contingency Plan (OHSICP). Recommend the EIR use the OHSICP and Consolidated Contingency Plan in the evaluation. The OHSICP and Consolidated Contingency Plans are available at the DFSP San Pedro library for reference.

Response to Comment No. A13-3

In preparing the risk of upset analysis for Section IV.H (Hazards and Hazardous Materials) of the Draft EIR, the DFSP's Oil and Hazardous Substances Integrated Contingency Plan ("OHSICP") was reviewed and the DFSP facility manager was interviewed in October 2005 in association with preparation of the EIR for the previous project (as stated on page IV.H-23 of the Draft EIR). Additionally, an upset scenario was developed based on historical pipeline releases evaluated by the State Fire Marshal. The DLA and Navy were consulted, and the OHSICP was again reviewed in March 2013 in response to this comment, and the risk of upset discussion regarding the DFSP was determined to be best reflected by the OHSICP, rather than by a specific release scenario. The OHSICP includes as an integral component the "Consolidated Contingency Plans" ("CCPs") referenced in the comment, and the CCPs do not exist separately from the OHSICP. The OHSICP was prepared and regularly updated in accordance with applicable regulations of the U.S. Environmental Protection Agency ("EPA") (40 CFR Part 112), the Pipeline and Hazardous Materials Safety Administration ("PHMSA") (49 CFR Part 194), and the U.S.

Coast Guard ("USCG") (33 CFR Parts 154 and 155). These regulations require spill contingency plans that include, among other things, the following:

EPA Regulations:

- Emergency Response Action Plan;
- Emergency notification, equipment, personnel, evidence that equipment and personnel are available (by contract or other approved means), and evacuation information;
- Identification and evaluation of potential discharge hazards and previous discharges;
- Identification of response actions;
- Description of discharge detection procedures and equipment
- Detailed implementation plans for containment and disposal;
- Facility and response self-inspection; training, exercises, and drills; and meeting logs;
- Diagrams of facility and surrounding layout, topography, evacuation paths, and drainage flow paths; and
- Security measures, including fences, lighting alarms, guards, emergency cutoff valves, and lock.

PHMSA Regulations:

- Procedures and a list of resources for responding, to the maximum extent practicable, to a worst case discharge and to a substantial threat of such a discharge;
- Provisions to ensure the protection of safety at the response site;
- Information regarding mitigation or prevention of a substantial threat of a worst case discharge;
- Identification of environmentally and economically sensitive areas;
- Describe the responsibilities of the operator and of federal, state and local agencies in removing a discharge and in mitigating or preventing a substantial threat of a discharge
- Immediate notification procedures;
- Spill detection and mitigation procedures;

- Response activities and response resources;
- Training procedures;
- Equipment testing procedures; and
- Drill program.

Seven spill scenarios were described in the OHSICP. These discharge scenarios were located at structures that would not affect the Project Site: three EPA discharge scenarios between 3,200 and 4,700 feet from the Project Site;[26] a PHMSA discharge over 6,000 feet from the Project Site; and three USCG discharges over 5.5 miles from the Project Site. For each of these scenarios, the OHSICP includes a discussion of how the release was detected and describes how the OHSICP response protocols required under the aforementioned regulations would be implemented both on-and-off DFSP to stop the release and protect public health and safety (see Response to Comment A13-8). Each of the seven OHSICP scenarios is located too far from the Project Site to be of any risk to the Project -- at least 3,200 feet away and separated from the site by secondary containment, topographical features and/or elevation differences.

In addition to ASTs, the DFSP's bulk storage tank farm also consists of twenty underground storage tanks ("USTs"), located on the southern portion of the DFSP site. Four of these USTs are located directly north of the Project Site boundary, the closest of which is approximately 100 feet north of the boundary. These UST systems include tank piping, tank water piping, and main-line piping. Tank lines join main lines in control-valve vaults, some of which are located adjacent to the boundary near the DFSP access road. Although the USTs and associated underground piping are not specifically included in the OHSICP release scenarios, many of the detection measures and response protocols in the OHSICP are applicable to releases from these underground facilities. As discussed in Response to Comment A13-8, a release from an underground pipeline or UST would be quickly detected by DFSP, thus limiting the size and impact of the release. Further, given that the USTs and piping are located underground, and any release near the Project Site is likely to occur and remain underground, risk from fires is less than significant.

Comment No. A13-4

Page 1-70 IV. Aesthetics and Visual

As acknowledged in the EIR, the Ponte Vista development will be immediately adjacent to the DFSP San Pedro, a Department of Defense (DoD) fueling point. Currently the fuel is stored in underground storage tanks and bulk field constructed underground storage tanks. As the tanks and infrastructure age, there may be a need to replace the tanks. At that time, aboveground storage tanks will be required to be

[26] *These distances are beyond the Acceptable Separation Distance that is used for evaluating fire hazards. SFPE Handbook of Fire Protection Engineering; see Appendix IV-H.3 of the DEIR.*

installed in accordance with the DoD's Unified Facilities Criteria. At such time the visual and aesthetics of the adjacent property will change. Recommend the EIR consider this in the evaluation.

Response to Comment No. A13-4

The comment requests an analysis of any potential aesthetics impacts that could result from replacement of USTs at the DFSP with ASTs. The City is unaware of any current proposal for such a change, and the comment has not cited any current or known plans for tank replacement. Accordingly, any such change, including size, placement, and effects, would be speculative and is therefore not an appropriate consideration in the Draft EIR. Moreover, the construction of additional ASTs at the DFSP is not an effect of the Project and is not an appropriate area of inquiry under CEQA. *Ballona Wetlands Land Trust v. City of Los Angeles*, 201 Cal.App.4th 455, 474 (2011) (Holding that the proper scope of inquiry under CEQA is the effect of a project on the environment, not vice-versa), citing *South Orange County Wastewater Authority v. City of Dana Point*, 196 Cal. App. 4th 1604, 1614 (2011) (see also Topical Response 3). Consequently, Section IV.B (Aesthetics/Visual Resources) of the Draft EIR properly limits its analysis to the reasonably foreseeable aesthetic impacts of the Project. Nevertheless, any future construction of ASTs at the DFSP could have the potential to affect viewsheds in the vicnity of the DFSP.

Comment No. A13-5

Page 38-41 IV.C. Air Quality

Local air quality impacts did not take in to account ecological receptors. Please note that the Palos Verdes Blue Butterfly, a Federally endangered species, is found on DFSP San Pedro. If mitigation measures for dust control are not properly implemented IAW SCAWMD rule 403, there could be an impact to the butterfly. The closest habitat area is 600 feet from the Ponte Vista property boundary.

Response to Comment No. A13-5

As discussed in Draft EIR Table IV.C-17, mitigated PM_{10} and $PM_{2.5}$ emissions would not exceed the localized significance thresholds established by the South Coast Air Quality Management District ("SCAQMD") for receptors located within 82 feet of the Project Site boundary. Thus, there is no potential for significant dust-related impacts at distances of beyond 82 feet from the Project Site boundary, including any ecological receptors described in the comment. Furthermore, as shown in Table IV.C-15, mitigated PM_{10} and $PM_{2.5}$ emissions also would not exceed the peak daily significance thresholds.

In addition and as discussed on page IV.C-30 of the Draft EIR, the Applicant must include dust control measures required and/or recommended by the SCAQMD in all construction contracts, including but not limited to the following:

Rule 403 - Fugitive Dust:

- Use watering to control dust generation during demolition of structures or break-up of pavement.
- Water active grading/excavation sites and unpaved surfaces at least three times daily.
- Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- Limit vehicle speed on unpaved roads to 15 miles per hour.
- Sweep daily (with water sweepers) all paved construction parking areas and staging areas.
- Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

These mitigation measures will be binding upon the Applicant and its contractors, and the City will monitor the construction activity for compliance as part of the Mitigation Monitoring and Reporting Program ("MMRP") for the Project. Consequently, the Project will not have significant impacts to the Palos Verdes Blue butterfly or any other ecological receptor in the vicinity of the Project.

Comment No. A13-6

Page 28 and throughout document IV.F Geology and Soils

The EIR does not adequately address the impact of the Ponte Vista project on the north slopes adjacent to the US Navy property. As the US Navy property is an active industrial area, the project could impact the hillside stability with the consequence of damaging petroleum tanks and pipelines. These consequences need to be addressed in the EIR.

Response to Comment No. A13-6

The Project will include engineered earth-retention systems that are designed and constructed to address both deep-seated and surficial slope stability, incorporating earthquake resistant design requirements in the development plans, as required by applicable standards and codes. Also, as discussed in Response to Comment A11-5, under the additional Project Design Feature presented below, the Applicant will review and coordinate with the Navy and DLA regarding the design of the engineered slope to prevent any

potential slope-stability-related impacts to the integrity of DFSP tanks, piping, and other DFSP infrastructure, during construction (see also Section IV, Corrections and Additions to the Draft EIR):

> The following revision has been made to page IV.F-22 of the Draft EIR under the heading "Project Design Features":
>
> ~~No Project Design Features relating to potential impacts with respect to geology and soils have been identified for the Proposed Project.~~ The following Project Design Feature pertaining to geology and soils has been identified for the Proposed Project:
>
> - The Project Applicant shall confer with the Navy and/or Defense Logistics Agency, as operators of the Defense Fuel Support Point (DFSP) facility, with respect to potential slope-stability-related impacts to the integrity of DFSP tanks, piping, and other infrastructure, during Project construction.

Regarding the ground pressure imposed by the USTs, underground fuel tanks are, on average, lighter than in-situ soils on a per-volume basis. The Applicant will analyze slope stability affecting the DFSP site and Project Site along the northern property line as part of the earth retention system design referenced above. The earth retention system will be designed and constructed to achieve minimum calculated factors of safety for static and seismic conditions greater than 1.5 and 1.1, respectively, as needed to meet accepted professional practice and applicable regulations. Therefore, the Project will, at a minimum, maintain hillside stability and will not damage the tanks, pipelines, and other DFSP infrastructure at the DFSP site.

Comment No. A13-7

Page 28 and throughout document IV.F Geology and Soils

The EIR does note the steep slope between DFSP San Pedro and the new Ponte Vista development. The EIR also states "this slope would be completely reconfigured and document reengineered as part of the Project". Please note that the property line between DFSP San Pedro and Ponte Vista meanders up and down the slope parallel to the terrace drains. Any modifications to the hillside would require close coordination with the Navy and DLA to prevent damage to facilities infrastructure within the hillside.

Response to Comment No. A13-7

The Project will include, consistent with applicable standards and codes, engineered earth-retention systems that are designed to address both deep-seated and surficial slope stability, incorporating earthquake resistant design requirements in the development plans. The plans will include design details addressing the property boundary, surface water management and terrace drains, and other infrastructure. As stated in Response to Comment A13-6, the Applicant will be required to review and coordinate with the Navy and DLA to address, if necessary, any potential for slope-stability-related impacts to the integrity of DFSP tanks, piping, and other infrastructure, during construction. The Applicant and the

DLA have already coordinated to provide DLA access to the Project Site to facilitate the planning and construction of drainage improvements to portions of the slope on the DLA property.

Comment No. A13-8

Page 1-45 IV.H Hazards and Hazardous Materials

The EIR states a Risk Management Plan had not been filed with the City of Los Angeles Fire Department so certain assumptions were used to develop the hazard analysis for DFSP San Pedro. Please note that DFSP San Pedro is not required to prepare a Risk Management Plan but is required and does have on file an Oil and Hazardous Substances Integrated Contingency Plan and a Consolidated Contingency Plan. The assumption used by Arcadis G&M for the risk assessment used was 210 gallons from a pipeline. The assumptions used for the risk assessment should be the same as those used in the risk assessment in the DFSP San Pedro Oil and Hazardous Substances Integrated Contingency Plan (OHSICP). The OHSICP and Consolidated Contingency Plans are available at the DFSP San Pedro library for reference.

Response to Comment No. A13-8

As noted above in Response to Comment A13-3, the Draft EIR included information from a review of the OHSICP at the DFSP in October 2005, as well as consultations with Navy and DLA personnel. The OHSICP was reviewed again in March 2013. The release scenarios in the document do not directly apply to the analysis of USTs and infrastructure in the Draft EIR. As described in the Draft EIR (p. IV.H-34-35), the ASTs exist in locations that would not affect the Project: all release scenarios are located at least 3,200 feet away from the Project Site and separated from the site by secondary containment, topographical features and/or elevation differences. Accordingly, as stated in Response to Comment A13-3, the OHSICP was determined to provide a more accurate risk evaluation than any particular volumetric release scenario, and the discussion of the OHSICP is further amplified below.

Releases that have the potential to impact the Project Site would involve the USTs and associated piping directly adjacent to the northern Project Site boundary. For example, a subsurface release from a UST or associated underground piping would first saturate surrounding subsurface soils. Depending on the nature of the soils, the rate of the subsurface release, and the length of time before detection and control of the release, a subsurface spill could eventually reach groundwater, and for tanks and piping located near the boundary between the DFSP and the Project Site, could eventually migrate below the ground surface to the Project Site. A surface release is conceivable if piping was to rupture at a control-valve pit and the amount of released fuel exceeded the volume of the valve pit, at which point a release could reach the ground surface and potentially flow toward the Project Site. The City is not aware of any release from an underground structure at DFSP that has reached the ground surface of the Project Site in this manner.

The OHSICP, Draft EIR, and recent experience support the conclusion that the risks stemming from a potential release at DFSP from USTs and associated piping are less than significant. As described in the OHSICP, releases from undergrounded tanks and piping would be discovered and responded to quickly.

Additionally, as described in the Draft EIR, development design details for the slope at the boundary will include diversion structures such as terrace drains for surface water management. These diversion structures would also minimize the potential for any fuel to flow onto the surface of the Project Site and responses to any release are anticipated to occur prior to the entry of any fuel produces into the storm drainage system at the DFSP. Further, recent experience from a UST release from Tank 4 near the site boundary supports the conclusions in the Draft EIR. Each of these issues is discussed further below.

Leak Prevention, Detection Systems and Response. Current monitoring systems and inspection and response programs and protocols are in place at the DFSP that are designed to prevent spills, provide prompt leak detection and response, and thereby reduce the number and extent of releases that do occur. The following information was obtained from the OHSICP unless otherwise indicated:

- The USTs are equipped with an electronic inventory monitoring and control system; fuel movements in and out of the USTs are completed electronically.
- Fuel levels in the USTs are monitored continuously by an automated tank inventory control system that provides alarm notifications when tank volume discrepancies are recorded. All USTs are monitored for leaks in accordance with applicable regulations. There is also access for manual gauging of tanks.
- UST monitoring is conducted under the oversight of the Los Angeles Fire Department.[27]
- Piping between tanks is monitored through leak detection points that are placed approximately every 10 feet adjacent to the piping and monitored quarterly.
- Regular groundwater monitoring is conducted at 130 monitoring wells at DFSP, including about 29 wells in the bulk storage areas.[28] Monitoring is part of the leak detection program.
- Daily checks of equipment and systems, including scheduled security rounds.
- Some pipelines are equipped with leak detection consisting of differential switch flow indicators and telemetry system, with emergency shut off taking 35-45 seconds.
- Tanks and transfer equipment are routinely checked and inspected.
- Protocols for emergency response, coordination with government agencies regarding safety and cleanup issues, and any necessary evacuation procedures remain in place and are subject

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[27] *The Source Group, Inc., Updated Conceptual Site Model, Defense Fuel Support Point San Pedro, January 2012.*

[28] *Wells in the UST farm area are monitored monthly. Id. Groundwater monitoring is conducted per requirements in Local Guidance 151-3 and requirements for leak monitoring of bulk field-constructed USTs.*

to periodic review.

- Training and inspection occurs in accordance with 40 CFR § 112.21; 33 CFR §§ 1050, 1055; 149 CFR § 117; 14 CCR § 817.02 (j)(k); 2 CCR §§ 2375, 2540, Department of Transportation Training Guidelines, DLA Guidelines, and OSHA Guidelines.

Thus, as the DFSP facilities are currently designed and operated, any release is expected to be detected quickly by the automatic tank monitoring systems, leak detection points, and groundwater monitoring. Once a release is detected, response measures would be immediately implemented, followed by appropriate characterization and monitoring to protect public health. In fact, fuel management practices appear to have effectively managed past releases from USTs and associated piping. Some examples include:

- Abnormal fuel levels were observed during the initial filling of repaired Tank 20 in 2007, and tank filling was halted. Fuel was also detected in an external monitoring probe. DLA personnel emptied the tank and investigated the release. A crack in the 6-inch-diameter water draw pipe was found after excavating around the piping. DLA conducted a subsurface assessment to determine the extent of contamination.[29]

- In 2010, leak detection monitoring indicated a possible leak in the "North" pipeline, located north of Tank 1. DLA conducted a subsurface investigation, which included excavation around the pipeline to identify the leak and to repair the pipeline.[30]

- In 2010, DLA detected a leak in Tank 3 piping. DLA conducted a subsurface investigation and excavation around the piping, determined that there was a leak in the 6-inch-diameter "water draw" pipe. DLA repaired the pipe and evaluated the lateral and vertical extent of soil contamination.[31]

- In December 2011, while filling Tank 4 following maintenance, fluid mass measurements and tracer testing identified product loss. The release of Jet Propellant 8 (JP8; a military jet fuel) estimated to be between 167 and 516 gallons[32] from tank piping impacted subsurface soils on the southeast side of Tank 4, which is approximately 100 feet north of the Project Site. DLA conducted soil, groundwater and soil gas investigations to determine the impacts of the release and has since repaired the piping.[33] The results of this investigation are

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[29] *The Source Group, Inc., Updated Conceptual Site Model, Defense Fuel Support Point San Pedro, January 2012.*

[30] *Id.*

[31] *Id.*

[32] *The Source Group, Inc., Tank 4 Off-Site Investigation, November 27, 2012.*

[33] *Id.*

discussed below.

Transport, Containment and Diversion. With regard to underground releases, the OHSICP states that "fill and native material around these [underground storage] tanks could be expected to hold much of [released] product close to leak site." The OHSICP also states that valve pits may provide limited secondary containment. As noted above, however, there is a possibility that at a valve pit along the south boundary of the DFSP site could overflow and reach the ground surface near the slope at the Project Site boundary. Any risks to the Project associated with such release would be addressed by implementation of response measures and by diversion structures.

Recently, the Navy has installed additional or replacement structures at the DFSP site to accommodate and control stormwater flows. Furthermore, as part of the Project, current diversion structures on the Project Site that capture and manage stormwater originating on the DFSP property will be reconfigured or replaced during design and installation of engineered retention systems for the north slope that forms the property boundary between DFSP and the Project Site. The City has evaluated the need for stormwater conveyance across the Project Site, as discussed on pages IV.I-28–34 and Figure IV.I-3 of the Draft EIR. The diversion structures, as an integral part of the engineered slope systems, could serve to divert stormwater away from the Ponte Vista development, and to redirect the flow into drainage conveyances. Responses to any fuel release are anticipated to occur prior to any fuel products reaching these structures, and the City is not aware of any release from an underground structure at DFSP that reached the ground surface of the Project Ste. The Navy and DLA both have an established record of compliance with their regulatory obligation to manage releases on the DFSP. Moreover, such a scenario would not represent any change from existing conditions, and it is anticipated flows that reached the surface would be saturated into the soil. Additionally, the spill response protocols described in the OHSICP (summarized in general terms above) would be implemented as necessary and appropriate (in manners consistent with spill scenarios set forth in the OHSICP). These measures are designed to protect public health and safety and address the impacts of releases on and off the DFSP site.

Exposure Pathways and Experience with Recent Tank 4 Release. The Applicant recognizes that there are petroleum hydrocarbons present in the subsurface at the DFSP property, including the presence of free product in some monitoring wells. However, there are no complete exposure pathways for future residents at the Project Site because petroleum hydrocarbons in subsurface soils are present at depth, not near the surface, and a soil gas survey has identified no problems for the inhalation pathway.[34] Because there are no plans to use groundwater (future Project residents will be provided municipal water), it is correct to state, as it was in the Draft EIR at page IV.H-15, that "there is no indication that any potential exposure to future residents to groundwater at the Project site would pose any risk. Furthermore, any exposure of future residents to groundwater is unlikely to occur."

A recent release of jet fuel is instructive. In December 2011, there was release of JP8 (estimated to be

[34] *Id.*

between 167 and 516 gallons) from Tank 4, a UST located approximately 100 feet northeast of the Project Site and upgradient of the Project Site with respect to groundwater flow direction. The investigation into this discharge illustrates that a reasonably foreseeable release from a UST or underground piping at the Project Site boundary is not anticipated to significantly impact the Project Site or present any significant risks.

In August 2012, the Source Group, Inc. ("SGI") on behalf of DLA prepared a Work Plan to address the Tank 4 release. The Project Applicant obtained soil, soil gas, and groundwater split samples in conjunction with SGI's work under the Work Plan. According to a November 27, 2012 report prepared by SGI, petroleum hydrocarbons and selected volatile organic compounds were not detected in soil samples taken on the Project Site. Groundwater samples from wells installed on the Project Site as a result of the Tank 4 release exhibited no concentrations of petroleum hydrocarbons or other chemical constituents above applicable reporting limits, and two samples did not contain detectable concentrations of any chemical constituents. [35]

Comment No. A13-9

Page 1-57 IV.I Hydrology and Water Quality

The EIR recognizes that part of the DFSP San Pedro stormwater is currently being captured and managed on the 61-acre parcel for the Ponte Vista development. It also recognizes that the new stormwater infrastructure will continue to accommodate the DFSP San Pedro stormwater. The design will account for the current stormwater runoff calculated using open space with 1% impervious surface. Please note this assumption may not remain the same with future development on the site. DFSP San Pedro projects that might increase impervious surfaces include road, parking area and loading area renovations, conversion to above ground storage tanks, security lighting and upgrade of security fencing with patrol roads.

Response to Comment No. A13-9

Recently, the Navy has installed additional or replacement structures at the DFSP site to accommodate and control stormwater flows. Furthermore, diversion structures on the Project Site that capture and manage stormwater originating on the DFSP property will be reconfigured or replaced, as necessary, as part of the Project during design and installation of engineered retention systems for the north slope that forms the property boundary between DFSP and the Project Site. The diversion structures, as an integral part of the engineered slope systems, will serve to divert stormwater away from the Ponte Vista development and to drainage conveyances. As described in Responses to Comments A13-3 and A13-8, the release response protocols described in the OHSICP would be implemented as necessary and appropriate (in manners consistent with release scenarios set forth in the OHSICP). These measures are

[35] *Benzene was detected in one soil gas sample on the DFSP property at 0.02 microgram per liter (µg/L). There were no detections in soil gas samples on the Project Site. Id.*

designed to protect public health and safety and address the impacts of releases on and off the DFSP site.

Further, future changes in impervious surfaces at the DFSP that could increase flows to the Project Site would be speculative. The City is unaware of any current proposal for such changes, and the comment has not cited any current or known plans for such changes. Accordingly, any such changes, including potential effects, are wholly speculative and are not an appropriate consideration in the Draft EIR. Moreover, such changes would not be an effect of the Project and therefore not an appropriate area of inquiry under CEQA. *Ballona Wetlands Land Trust v. City of Los Angeles*, 201 Cal.App.4th 455, 474 (2011), citing *South Orange County Wastewater Authority v. City of Dana Point*, 196 Cal. App. 4th 1604, 1614 (2011) (see also Topical Response 3). Additionally, although any future replacement of USTs with ASTs would have the potential to increase impervious surface area and, therefore, also increase stormwater flows, the Navy and/or DLA is responsible for compliance with the requirements of the Clean Water Act, NEPA, and State law, as applicable, with respect to any future development or changes to DFSP, including the retention and restriction of stormwater flows off-site from DFSP, consideration of storm drainage infrastructure capacity, and the impacts of any fuel releases from DFSP to surface and underground conveyances.

Comment No. A13-10

Page 1-57 (General and Figure IV.J) IV.J. Land Use and Planning

We (DLA) need to have the land use designation correctly identified on all city/county plans/drawings.

Response to Comment No. A13-10

The General Plan land use and zoning designations for the DFSP are accurately represented on Figures IV.J-1 (indicating "Open Space" and U.S. Government Property) and -2 (indicating OS-1XL) in the Draft EIR, respectively. These designations are those adopted by the City of Los Angeles. Nevertheless, the analyses provided in the Draft EIR do not rely upon these designations. Rather, the analyses in the Draft EIR are based on the actual facilities and activities at the DFSP. Page IV.J-17 of the Draft EIR acknowledges that the DFSP is a "fuel and oil storage facility" consisting of "underground storage tanks, with fuel transfer accomplished largely through pipeline." The same page, as well as Section IV.H (Hazards and Hazardous Materials) of the Draft EIR, and Response to Comment A13-8 above, acknowledges the potential for health risk impacts associated with toxic emissions, odors, and fuel releases. As discussed on page IV.J-17 of the Draft EIR, the impacts associated with each of the above potential hazards or nuisances was determined to be less than significant based in part on consideration of the specific activities at the DFSP site. See also Response to Comment A11-11.

Comment No. A13-11

Page 1-57 (General and Figure IV.J) IV.J. Land Use and Planning

The EIR does recognize that the current *Wilmington-Harbor City Community Plan* inappropriately designates the DFSP San Pedro as open space "despite it containing an active industrial facility". Yet, the EIR considers this insignificant. We disagree with this statement. The EIR further states, "the *Wilmington-Harbor City Community Plan*'s overarching residential goal is to provide a safe, secure and high quality residential environment for all economic, age, and ethnic segments of the community." Placing a residential community adjacent to an industrial fuel facility may not be compatible land use. Request the EIR look further into the compatible land use issue while acknowledging the 24-hour a day, seven day a week industrial operation adjacent to the property.

Response to Comment No. A13-11

As discussed in Response to Comment A13-10 and on page IV.J-17 of the Draft EIR, the DFSP is an industrial facility that includes fuel storage, transfer, and delivery facilities. The analysis of the compatibility of the Project with the DFSP was conducted on that basis, not on the basis that the DFSP is "Open Space". The Draft EIR on page IV.J-17 and in Section IV.H (Hazards and Hazardous Materials), as well as Response to Comment A13-8, evaluate the potential for, among other things, health risk impacts associated with toxic emissions, odors, and fuel releases associated with the DFSP site. The impacts associated with each of the above potential hazards and nuisances associated with the DFSP site have been determined to be less than significant.

Additionally, as illustrated in Draft EIR Table IV.K-3, existing daytime noise levels were monitored at surrounding off-site sensitive receptors identified within 500 feet of the Project Site. These measurements served to establish ambient daytime noise levels from all perceptible sources in the general vicinity of the Project Site. Thus, any existing perceptible noise levels from the DFSP operations are included in these measurements and are part of the baseline for the noise analysis in the Draft EIR. Also, the existing baseline daytime noise levels disclosed in Table IV.K-3 of the Draft EIR are considered conditionally acceptable for residential land uses. It is expected that since the majority of substantial noise-generating DFSP operations are likely to occur during daytime hours, the reduced level of noise originating at the DFSP during nighttime hours coupled with the distance between the likely sources of such noise and the Project, as well as intervening topography, would reduce the impact of such noise at the Proposed Project. Thus, the potential for noise to affect future Project residents as result of existing DFSP operations is minimal.

As a result of the determinations described above, as well as other policy considerations, Section IV.J (Land Use) of the Draft EIR determined that the Project represents a use that is compatible with the location and circumstances of the Project Site. These conclusions are also consistent with prior determinations by City staff and the City Planning Commission ("CPC"). In considering and ultimately declining to adopt the approximately 2,300-unit residential project proposed for the site in 2008, the CPC endorsed the staff recommendation that an appropriate level of development for the Project Site would range from 775 to 886 dwelling units, with densities of 9 to 18 dwelling units per acre. This recommendation was based on the densities of neighboring and nearby residential uses, as well as the

hazards, noise, and other analyses provided in the previous EIR for the previously proposed project. Thus, City decision-makers previously determined that, for planning purposes, medium-density residential development was appropriate for the Project Site and compatible with surrounding uses including the DFSP. The adoption by the Applicant of Alternative C (Staff Recommendation/Reduced Project) as its preferred project is consistent with that determination.

Finally, as discussed in Topical Response 3, CEQA does not require the Lead Agency to analyze or mitigate the impacts of the off-site environment on the project. *Ballona Wetlands Land Trust v. City of Los Angeles*, 201 Cal.App.4th 455, 474 (2011). Nevertheless, the Draft EIR acknowledged the potential effects of the DFSP for informational purposes, and for the purpose of determining land use compatibility with respect to the Project.

See also Responses to Comments A11-11, A11-13, and A11-15.

Comment No. A13-12

Page 34 IV.J Land Use and Planning

The EIR states the *Wilmington-Harbor City Community Plan* will be monitored and revised in light of changing circumstances resulting in eight specific environmental impacts: "Protection of residents from noxious environmental impacts of industrial activities (p 1-6);… possible environmental impacts from a variety of industrial uses and DWP facilities located nearby (p. 1-8); … and eliminate incompatible and non-conforming [commercial and industrial] uses from existing neighborhoods, to preserve the residential character of these neighborhoods and protect residents from environmental impacts from such uses (p. III-5)." Given these reasons to look at land use designations and the *Community Plan* it is unclear how the EIR can determine that the residential community next to an industrial facility are compatible land uses.

Response to Comment No. A13-12

The comment appears to misunderstand the statement in the Draft EIR regarding the Wilmington-Harbor City Community Plan. As discussed on page IV.J-34 of the Draft EIR, the Community Plan anticipates periodic review and revision, typically about a 20-year cycle, to respond to changing conditions within the planning area. That review and revision would not occur as a result of the Project, but occurs regularly during the ordinary course of urban planning within the City. The general types of changes to the planning area listed on pages IV.J-34 to -35 are not impacts of the Project that would require a revision to the Community Plan to address. Rather, they are recurring issues within the planning area to which the Community Plan is anticipated to respond, and they guide the impact analysis for the Project in the Draft EIR.

Draft EIR Tables IV.J-1 to -9, on pages IV.J-35 to -54, cite each applicable planning policy and objective within the Community Plan and the various elements of the General Plan and evaluates the Project with respect to each. As discussed on page IV.J-55 of the Draft EIR, the Project is at least partially consistent

with all applicable policies, goals and objectives. Further, as discussed in these tables and in Response to Comment A13-11, the land use compatibility analysis for the Project considers the entire range of potential environmental, hazards and nuisance impacts evaluated in the Draft EIR. Consequently, as concluded on pages IV.J-17 and -55, the Draft EIR determines that the Project would be compatible with surrounding land uses. As discussed in Response to Comment A13-11, this determination is consistent with the CPC's previous determination regarding the appropriate level of residential development on the Project Site.

Comment No. A13-13

Page 1-57 (General) IV.J Land Use and Planning

The EIR compares the Ponte Vista project characteristics to the *Wilmington-Harbor City Community Plan* Policies. Goal #9 is to protect the community through a comprehensive fire and life safety program. The current emergency evacuation route for DFSP San Pedro is through Gate 9 on Western Avenue. The EIR does not evaluate any potential impacts of a DFSP San Pedro evacuation on the Ponte Vista residents.

Response to Comment No. A13-13

As discussed above in Response to Comment A13-2, the Project would not substantially interfere with adopted emergency response or evacuation plans, including that of the DLA for the DFSP, nor would the Project substantially affect emergency access. Regarding the potential effect of the DLA evacuation plan on the Project, CEQA does not require the Lead Agency to analyze or mitigate the impacts of the surrounding environment on the project. *Ballona Wetlands Land Trust v. City of Los Angeles*, 201 Cal.App.4th 455, 474 (2011). See also Topical Response 3.

Comment No. A13-14

Page I-34 (General) IV.K Noise

The section of the EIR that evaluates noise impacts focuses on noise produced during construction of the community. It does not take into consideration the noise that may come from the DFSP San Pedro 24 hour a day, seven day a week operation. The truck loading facility is on the opposite site [*sic*] of the DFSP San Pedro from the Ponte Vista development but this should be addressed in the EIR.

Response to Comment No. A13-14

As discussed in Response to Comment A13-11, the noise levels generated by existing activities at the DFSP were measured and incorporated into the analytical baseline for the noise analysis in the Draft EIR and are therefore considered in the analysis. As also discussed in the same response, the Draft EIR determined that existing baseline noise levels at the Project Site were compatible with residential development, according to applicable City standards. Further, CEQA does not require the Lead Agency

to analyze or mitigate the impacts of the surrounding environment on the project. *Ballona Wetlands Land Trust v. City of Los Angeles*, 201 Cal.App.4th 455, 474 (2011) (see also Topical Response 3).

Comment No. A13-15

Page 52 Project Open Space Areas (*Public Park/Open Space*)

The EIR analyzes four alternatives:

(1) **Alternative A** (unmaintained) Project does not include public park/open space.

(2) **Alternative B** Project does not include public park area.

(3) **Alternative C** Project does not include public park area.

(4) **Alternative D** Project Components 7.1 acres of dedicated park area.

The DLA is concerned with security between DFSP San Pedro and the Ponte Vista development depending on which alternative is selected. If Alternative A is selected and the existing housing is demolished and not developed, this area may become a refuse or used by criminals or other activities. Recommend implementing security around the area if this alternative is selected. If Alternative D is selected and a 7.1-acre park area is developed there are concerns with the protection of DFSP San Pedro after dark. The DLA would recommend closing the park between 1800 and 0600 daily and patrolling routinely throughout the night.

Response to Comment No. A13-15

As discussed in Response to Comment A13-11, the Applicant has adopted Alternative C (Staff Recommendation/Reduced Density) as its preferred alternative. Alternative C, like the originally proposed Project, includes perimeter fencing and security lighting.

Comment No. A13-16

General IV.N Transportation and Traffic

The EIR states:

"Existing construction traffic would cause less than significant impact at all of the 56 study intersections during the weekday morning peak hour, weekday afternoon peak hour, and the Saturday mid-day peak hour. This will impact the intersection of Western Ave/Gaffey St/Anaheim St. Impacts the intersection of Gaffey St and Westmont Dr."

"In the Near-Term-Cumulative-With-Project Conditions the project would create a significant impact at **15** of the 56 study intersections during the weekday morning peak hour, weekday afternoon peak hour,

and/or the Saturday mid-day peak hour. This will have significant impacts to the intersection of Vermont Avenue/Palos Verdes Drive North/Gaffey Street/Anaheim Street."

"In the Future Cumulative With Project (2017) the Project would create a significant impact at 20 of the 56 study intersections during the weekday morning peak hour, weekday afternoon peak hour, and/or the Saturday mid-day peak hour. This will impact the intersection of Western Ave/Gaffey St/Anaheim St. Impacts the intersection of Gaffey St and Westmont Dr. Impacts the intersection of Gaffey Street/Summerland Avenue.

The DLA is concerned about these significant transportation impacts and the potential they could have on the DFSP San Pedro operations.

Response to Comment No. A13-16

The comment does not state a specific concern regarding any effect of potential Project-related traffic impacts on DFSP operations. However, the comment appears to articulate a mistaken impression regarding the meaning of the conclusions of the traffic analysis in the Draft EIR. As described on pages IV.N-39 to -43 of the Draft EIR, the City of Los Angeles, as well as other neighboring municipalities and governmental entities including the County of Los Angeles, have established performance criteria for roadways and specific thresholds of significance for impacts to roadway performance. To the extent that the Project would, prior to mitigation, exceed those thresholds, a significant impact would result at 15 of the study area intersections in the near-term scenario, and 20 of the study area intersections in the future cumulative (2017) scenario. However, as discussed in detail on pages IV.N-168-175 of the Draft EIR, the implementation of specific physical improvements to the roadways, as well as implementation of electronic upgrades to signal control systems, would reduce all Project-related traffic impacts to below the established significance thresholds. In fact, Project mitigation measures would actually improve the expected future traffic conditions at several study area intersections when compared to existing conditions.

LETTER NO. 14 – STATE OF CALIFORNIA, NATIVE AMERICAN HERITAGE COMMISSION

Native American Heritage Commission
Dave Singleton
Program Analyst
915 Capitol Mall, Room 364
Sacramento, CA 95814

Comment No. A14-1

The NAHC is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC *v.* Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA-CA Public Resources Code 21000-21177, amendments effective 3/18/2010) 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 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. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously.

Response to Comment No. A14-1

The comment is an introduction and does not state a specific question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. As such, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A14-2

The NAHC "Sacred Sites", as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254(r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project.

Pursuant to CA Public Resources Code §5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Response to Comment No. A14-2

As is discussed on page IV.E-11 of the Draft EIR, Native American consultation for the Project was initiated on October 12, 2010. As part of the process of identifying cultural resources within or near the Project Site, the Native American Heritage Commission (NAHC) was contacted to request a review of the sacred lands file. The NAHC faxed a response on October 21, 2010 (refer to Draft EIR Appendix IV.E-1), and stated that the sacred lands file search "did not indicate the presence of Native American cultural resources within one-half mile of the Project Site," but noted that there may still be cultural resources present at a subsurface level. The NAHC also provided a contact list of nine Native American individuals or tribal organizations that may have knowledge of cultural resources in or near the Project Site. Letters were prepared and mailed (refer to Appendix IV.E-1 of the Draft EIR) to each of the NAHC-listed contacts on October 21, 2010, requesting information regarding any Native American cultural resources within or immediately adjacent to the Project Site. Telephone responses to the letters were received from two of the NAHC contacts. Anthony Morales of the Gabrieleno/Tongva San Gabriel Band of Mission Indians responded on October 29, 2010, and recommended that a qualified archaeologist be present on-site to monitor all ground-disturbing activity within the Project area. Robert Dorame of the Gabrielino Tongva Indians of California Tribal Council responded on November 1, 2010 to ask whether Native American monitors would be on-site during ground-disturbing activities, and to voice his concerns about the Project area's sensitivity for Native American resources. Both contacts stated that the Rancho Palos Verdes area has always been sensitive for the presence of Native American resources.

To ensure that potential impacts of the Project are reduced to less than significant levels, the Draft EIR includes Mitigation Measures CULT-1, CULT-2, and CULT-3 to mitigate potential impacts that could occur during excavation activities.

Comment No. A14-3

Furthermore, the NAHC if the proposed project [*sic*] is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et* seq), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42

U.S.C 4371 *et seq*. and NAGPRA (25 U.S.C. 3001- 3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Response to Comment No. A14-3

The comment first recites provisions of NEPA, which are not relevant to the Project. The comment requests that the NAHC be contacted if the Project comes under the jurisdiction of NEPA and recites provisions of NEPA. However, the Project does not come under the jurisdiction of NEPA. Therefore, the provisions of NEPA are not relevant to the Project. Next, the comment asks that the Applicant discuss conformance with the Secretary of the Interior's Standards for historic resources within the context of Native American resources. As discussed in Response to Comment A14-2, there are no known Native American or other archeological resources in the soils underneath the Project Site.

Regarding the Secretary of the Interior's Standards generally, the Draft EIR and the Historic Resources Report analyzed the Project's potential impacts on historic structures according to the applicable Secretary of the Interior's Standards for the Treatment of Historic Properties and determined that no historic resources are present on the Project Site (see page IV.E-35 of the Draft EIR).

Comment No. A14-4

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

Response to Comment No. A14-4

With regard to the comment's statement about the discovery of human remains, page IV.E-14 of the Draft EIR provides the following Compliance Measure:

- In accordance with Division 7 of the California Health and Safety Code, if human remains are discovered at the Project Site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the NAHC shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

Comment No. A14-5

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a). If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Response to Comment No. A14-5

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather suggests that the Lead Agency and project proponents have an ongoing relationship with the Native American Heritage Commission. These comments will be forwarded to the decision-making bodies for their consideration and no further response is required. See also Response to Comment A14-2.

LETTER NO. 15 – NORTHWEST SAN PEDRO NEIGHBORHOOD COUNCIL

Northwest San Pedro Neighborhood Council
Diana Nave
President
638 S. Beacon Street
San Pedro, CA 90731

Comment No. A15-1

Thank you for the opportunity to respond to the Draft EIR for the proposed Ponte Vista project. As can be seen from the address, the property is located within the community of San Pedro even though it is in the Wilmington Harbor City Community Plan area and is located within the boundaries of the Northwest San Pedro Neighborhood Council (NWSPNC). NWSPNC represent approximately 20,000 residents and numerous businesses and community organizations. At a Special Meeting on January 3, 2013, our Board, by resolution, unanimously adopted the comments contained herein.

The NWSPNC has followed and participated in the review of the project since the original proposal was submitted by Bisno Development. The current project was presented by the applicant at our November Board and Community Meeting and their Traffic Consultant presented the traffic study and proposed mitigations at our December Board Meeting. Our Planning and Land Use Committee also met at least three times with their representatives made suggestions during the development of the traffic study.

Response to Comment No. A15-1

This comment is an introduction and does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A15-2

Just prior to the release of the DEIR we requested a 90-day comment period. We remain frustrated and discouraged by the denial of this request, particularly in light of the fact that the most of the review period was consumed by the Thanksgiving, Hanukkah, Christmas, and New Year Holiday Season. Furthermore, it is our contention that the time for review did not comply with the early warning provision of Charter Section 907, requiring sufficient notice so that Neighborhood Councils will have " …a reasonable opportunity to provide input before decisions are made". Even more concerning however, is the lack of sufficient opportunity for the community at large to comment on an environmental document for a controversial project that will have such a significant impact on San Pedro, Harbor City and Wilmington.

Response to Comment No. A15-2

See Topical Response 1. Although the statutory review time for the Draft EIR has closed, the public will have several opportunities to provide comments regarding the Project during the upcoming public hearing process. It should be noted that the commenter had enough time to prepare and submit a comment letter of substantial length during the allotted 61-day Draft EIR public comment period. Thus, the City of Los Angeles has fully complied with the CEQA statutory time requirements and the relevant requirements of the City Charter for public review and notification of the Draft EIR for the Project.

Comment No. A15-3

While this DEIR is an improvement over the document prepared by the previous developer, it is seriously flawed. Furthermore, the project evaluated does not appear to be the project that is proposed to be built. This complicates and skews the review process.

The proposed project does not appear to be a good fit for the community nor for this geographically unique property. We have problems with the underlying assumptions and conclusions in the DEIR mainly relating to traffic, social services, utilities and service systems. Because the analysis is built on faulty assumptions, it is in effect a "house of cards," and all conclusions based on the analysis are also

faulty. We also are concerned with the lack of amenities provided on site, and the lack of any attempt to address the substantial environmental impacts through project design.

Response to Comment No. A15-3

The comment is expressing an opinion regarding the Proposed Project, but does not present a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. With respect to the Proposed Project description, see Response to Comment A8-1. Specific concerns raised in the following comments are addressed in their respective responses. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A15-4

Among the fundamental deficiencies in the DEIR are the following:

> 1. The rezoning request will impair the orderly implementation of Regional Plans, City's General Plan, and two Community Plans. Additionally it fails to evaluate Public Health and Social Impacts and conformance with the ten Urban Design Principles and the Walkability Checklist.

Response to Comment No. A15-4

The Draft EIR specifically discloses and evaluates the Project Applicant's request to rezone the Project Site and amend its General Plan Land Use Designation in Section IV.J, Land Use and Planning. See Responses to Comments A15-45, A15-70, and A15-71 with respect to plan implementation, the City's Urban Design Principles, and the City's Walkability Checklist. See Responses to Comments A15-134 and A15-136 with respect to public health and social impacts, respectively.

Comment No. A15-5

> 2. The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single-family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and in the former CRA project are in downtown San Pedro, thereby undermining a major community effort to revitalize this area, the heart of our community.

Response to Comment No. A15-5

See Responses to Comments A15-60 and A15-75 with respect to land use compatibility and the local housing market, respectively.

Comment No. A15-6

> 3. The proposed project is not a good fit for the location. It is not in a transit oriented area. The gated community and mix of housing types are not appropriate. The proposal fails to integrate walking, biking, and public transit. If built as proposed, residents would need to use their auto for everything. This over-dependence on cars has Green House Gas, energy, and health implications and would isolate residents who do not drive, eg. kids, elderly, and the disabled, within a gated subdivision. Further, the development would not improve the local jobs housing balance.

Response to Comment No. A15-6

The Draft EIR addresses the public transit suitability of the site (see discussion in Sections IV.J and IV.N). As discussed in the Draft EIR (see Sections II, IV.J, and IV.N), the Project would incorporate pedestrian pathways and connections, bicycle paths and parking, and access to public transit, contrary to the statement in the comment. The Project's greenhouse gas emission impacts are described in Section IV.G (Greenhouse Gas Emissions) of the Draft EIR. With respect to public health impacts, see Response to Comment A15-134. With respect to the jobs-housing balance, see Response to Comment A15-73.

Comment No. A15-7

> 4. Alternatives B, C, and D ignore the present zoning which includes 15 acres of open space. This is an especially egregious oversight in alternate B because if claims to be a "no project" alternative, i.e. buildable as a matter of right. In fact, units cannot be built on that portion of the property zoned as open space.

Response to Comment No. A15-7

The comment is incorrect regarding the amount of acreage on the Project Site that is currently zoned as "Open Space". The Draft EIR (at page IV.J-8) notes that an "estimated 9.1 acres of the northwestern corner of the site" is designated "Open Space" in the Wilmington-Harbor City Community Plan. Subsequent to publication of the Draft EIR, a more detailed calculation utilizing the official zoning maps of the City was completed, identifying that the total amount of zoned and designated "Open Space" on the Project Site is 9.3 acres. This acreage is distributed along the property's northwestern and north-central border with the DFSP site to the north. As a result, the second full paragraph on page IV.J-8 of the Draft EIR has been revised as follows (see Section IV, Corrections and Additions to the Draft EIR):

> The Project Site is presently designated a combination of "Low Residential" and "Open Space" in the Community Plan. The majority of the property is designated "Low Residential." An estimated 9.~~1~~3 acres of the ~~northwestern corner of the~~ site, generally parallel to its northern boundary with ~~(along Western Avenue and adjacent to~~ the U.S. Navy's DFSP property~~)~~ is designated "Open Space."

With respect to Alternative B, the comment is correct that this alternative, as evaluated in the Draft EIR, is not buildable at the Project Site under present entitlements and would, in fact, require a Zone Change and General Plan Amendment. For a discussion of the revisions that have been made to the Draft EIR to address this comment, as well as the broader subject of alternatives to the Proposed Project, see Topical Response 6.

Comment No. A15-8

> 5. The traffic analysis uses incorrect assumptions about V/C ratios and traffic generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, that is not related to San Pedro in any way. Further, none of the proposed Alternatives consider on-site features to mitigate mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. A15-8

See Topical Responses 2 and 6 with respect to the methodology employed in the Project traffic analysis and alternatives to the Project, respectively. See also Response to Comment A15-110 with respect to traffic burdens.

Comment No. A15-9

> 6. The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. A15-9

As noted in the Draft EIR (see Section II.A, Selection of Environmental Baseline, page III-1, *et seq.*), under the CEQA Guidelines and related judicial decisions, an EIR should normally examine the impact of a project on conditions that existed at the time the Notice of Preparation was published, unless there is a compelling reason, supported by substantial evidence, to use a different year for the analysis, or analysis of particular environmental topics. For the Ponte Vista project, the City determined that the analysis of housing and population impacts should utilize the NOP base year of 2010. Thus, 2010 is the year for which U.S. Census data, and the version of the SCAG regional growth forecast applicable to 2010 (i.e., the forecast adopted by SCAG in 2008), were used in analyzing pre-Project existing conditions and Project-related housing and population impacts. But as also explained in the same Draft EIR section, the City determined that because conditions could be different at the time the Project is expected to be completed in 2017, supplemental analysis of housing and population impacts in 2017, and over the period 2010 to 2017, were also included. In addition, an "Extended Buildout Analysis" was also prepared to account for the possibility that completion of the Project could occur as late as 2027, if a Development

Agreement were to be pursued by the Applicant (this request has now been withdrawn). Therefore, the Draft EIR also includes housing and population impact analysis in 2027 and over the period 2010-2027.

Analysis and data in the Draft EIR on the San Pedro Community Plan was based on a 2007 NOP baseline, and thus used 2005 U.S. Census data and the SCAG regional growth forecast applicable to that year. Thus, it would be a violation of CEQA for the data in the subsequent Ponte Vista Draft EIR to use the same data as the San Pedro Community Plan Draft EIR, due to the differences in their respective NOP baseline years. Also, the Project is located in the Wilmington-Harbor City Community Plan area, not the San Pedro Community Plan area, and therefore it would be inappropriate for the Draft EIR to have used data generated for the latter in place of the former.

Comment No. A15-10

> 7. The analyses and proposed mitigations for Greenhouse Gas Emissions, Hazardous Materials, Public Services, and Utilities and Service Systems are inadequate and flawed. They must be revised.

Response to Comment No. A15-10

See Responses to Comments A15-29 through A15-33 with respect to greenhouse gas emissions; see Responses to Comments A15-34 through A15-44 with respect to hazardous materials; see Responses to Comments A15-76 through A15-100 with respect to public services; and see Responses to Comments A15-126 through A15-133 with respect to utilities.

Comment No. A15-11

> 8. The DEIR does not adequately consider the alternatives. It focuses almost exclusively on the 1,135-unit project despite identifying Alternative C with 830 units as the environmentally preferred alternative, and inadequately analyzes Alternative B, for 385 units, despite its having even fewer environmental impacts. No meaningful public amenities are proposed. The proposal fails to make a compelling case for why a special exception should be made to allow the applicant more than its share of units allowed by right.

Response to Comment No. A15-11

See Response to Comment A8-1 and Topical Response 6 with respect to the original and current versions of the Proposed Project and the analysis of Project alternatives, respectively. It should be noted that the purpose of an EIR is not to "make a compelling case" for any particular project but rather is to evaluate the physical environmental impacts of a project that is proposed by a Project Applicant. The purpose of an alternatives analysis is to present a comparison of the environmental effects of a proposed project with the relative effects of alternatives that have the potential to reduce or avoid the significant environmental effects of the project (see CEQA Guidelines Section 15126.6(a),(f); *Laurel Heights Improvement Association v. Regents of the University of California*, 47 Cal. 3d. 376 (1988)).

Comment No. A15-12

> 9. The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project while creating an open an [*sic*] accessible neighborhood that represents the values of San Pedro community. We suggest a mixed-use neighborhood project alternative that includes access to Mary Star, traditional single-family homes on appropriately sized lots that allow reasonable private open spaces for families that live in these homes, with work centers, commercial space, senior friendly facilities, a range of public open spaces including a 6-acre public park that complies with the City Recreation Plan, and a library extension to meet State Guidelines for library space.

Response to Comment No. A15-12

See Topical Response 6 for a discussion of the requested alternative.

Comment No. A15-13

The objective of the EIR is to disclose the significant impacts of proposed actions, to identify meaningful alternatives and mitigation measures to avoid or reduce environmental damage, and to enhance public participation in the planning process.

In this case, the DEIR relies on outdated, inaccurate, incomplete, inadequate, confusing, and often misleading information that does not help the advisory- and decision-making bodies make an informed decision. A meaningful alternative to a gated subdivision with no public space would be an open an accessible neighborhood with public open spaces and amenities, not unlike the many wonderful neighborhoods in the San Pedro community -- sadly, this option was not evaluated. Ponte Vista may very well be the last of the largest neighborhoods to be developed in the San Pedro community -- the tone set by this development will resonate in the development of smaller infill and redevelopment sites. It is no surprise that the people of the community want to be involved -- they want to be engaged in a meaningful way. Rather than simply react to one scheme or another they want the project designers to help them shape their vision that is also economically viable and rewarding for the developer who is taking the risk. It is this collaborative manner that we can move beyond just another gated subdivision to create a unique place for San Pedro Community.

It is in no ones best interest to see this land continue to lie fallow. We support the City's efforts to promote economic development and to streamline development review. However, in its current flawed design and environmental documentation, this project has the potential to disillusion neighborhoods towards any growth or economic development -- if this is growth and progress, lesser is better.

Please consider the points raised in this cover letter as comments on the DEIR in addition to the attached comments that follow the order in the DEIR. Thank you for this opportunity to submit our comments and concerns. Contact me at 310-831-1975, if you have any questions.

Response to Comment No. A15-13

The comment summarizes the purposes of EIRs and expresses opinions regarding the Proposed Project. The comment asserts multiple areas in which the Draft EIR is deficient but does not offer any specific support for the alleged deficiencies. The Draft EIR was adequate, organized in a straightforward manner, and was based on the most complete data available at the time. Although the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, it is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. Specific comments on the general issues listed in this comment are addressed in the responses below.

Comment No. A15-14

SECTION II. PROJECT DESCRIPTION

C. PROJECT CHARACTERISTICS

The DEIR identifies Alternative C, for 830 units, as the "environmentally superior" alternative yet it almost exclusively analyzes the 1,135-unit proposal. The applicant obviously expects that any impacts of the denser Alternative will apply to the less dense alternate. This is questionable, especially in terms of project characteristics and proposed mitigations. The DEIR must be revised to evaluate impacts for 830 units to foreclose any interest from this or any future owner to increase the intensity back up to 1,135 units without triggering another entitlement application.

Similarly, Alternative B is identified as an even less impactful alternative but no real analysis of it is made. Finally, Alternative D, Revised Site Plan, would develop the site with the same 1,135 units as the Proposed Project, however, "In order to accommodate the required set backs…the mix of product types…would be altered…{and} the 2.8 acre public park would not be developed…." The application should be amended accordingly.

Response to Comment No. A15-14

See Response to Comment A8-1 for a discussion of the evolution of the Proposed Project. The 830-unit plan was, at the time the Draft EIR was prepared, considered to be an alternative, rather than the Proposed Project. Thus, the Draft EIR did not need to analyze it in the same detail. The purpose of the Draft EIR is not to foreclose any future development. Any future increase in intensity (if the currently proposed 830-unit site plan is adopted) would require amendments to the proposed Specific Plan, as well as revisions to the proposed Vesting Tentative Tract Map. The Draft EIR fully evaluates the impacts associated with the original 1,135-unit Proposed Project and compares the potential impacts of the current 830-unit Proposed Project (Alternative C in the Draft EIR) to those of the originally proposed Project. As described on pages VI-15 through VI-21 of the Draft EIR, the 830-unit Alternative C comprises a reduced project with a nearly identical arrangement; thus, no revision or recirculation of the Draft EIR is required. Contrary to

the comment's assertion, Alternative B is fully evaluated in Section VI of the Draft EIR. Each of the alternatives discussed in Section VI of the Draft EIR was afforded an equivalent level of detailed review. Each issue area evaluated for the Proposed Project was also evaluated for each of the alternatives. There is no justification for amending the Project application.

Comment No. A15-15

Also, none of the three Alternatives evaluates the impact of SB 1818 on unit count, population, schools, traffic, services, etc. Since SB 1818 allows the developer to increase the number of units as a matter of right at any time after entitlement, either the applicant needs to show conclusively how SB 1818 does not apply to its application or it should account for the potential impacts of the legislation on its project. This is especially important because the applicant has made it clear it is a speculator and intends to sell the parcels once they are entitled.

Response to Comment No. A15-15

The Draft EIR does not provide for SB 1818 density bonuses because development under the Project does not and will not include them. The City cannot foreclose the ability of developers to apply for and receive such bonuses. However, the Applicant has committed to the City that it will not request a density bonus and will contractually restrict any subsequent developers from seeking one. First, the Applicant has voluntarily committed to construct a maximum of 830 units, and voluntarily states that it will not request a density bonus. Second, the Applicant will include, in all purchase and sale agreements with developers of each parcel within the Project Site, a contractual provision to prevent a future application for a density bonus. Specifically, the provision would include an automatic reversion of ownership from the developer to Applicant in the event that a future owner applies for a density bonus. The Applicant will maintain a private right of action for breach of contract against each future developer in the event that a request for a density bonus is filed. These private agreements will prevent the use of the density bonus ordinance and limit development to the number of residential units analyzed in the Draft EIR. Therefore, the Draft EIR need not and properly does not account for additional units under a density bonus.

Comment No. A15-16

Specific Plan Zoning

A Specific Plan is proposed with Low Medium and Medium density zoning. The DEIR generalizes overall zoning for the entire project, not each individual element. Each parcel within the development should have a specific zoning density attached to it. Individual densities would allow a closer examination of how to create contextual intensities particularly along the edges of the proposed subdivision.

Response to Comment No. A15-16

The Specific Plan and Design Guidelines for the Project do not simply provide "generalized zoning" for the entire property. Rather, the documents provide specific development limitations for each parcel. Figure II of the Specific Plan (see Appendix D to this Final EIR) provides a zoning map, which identifies each planning area within the broader specific plan area. Section 3 of the Specific Plan provides the zoning regulations for the Specific Plan Area and creates a unique zoning designation for each of the six Planning Areas within the Project Site. Each designation provides for an area-specific housing product type, and specifies both the allowed density and the maximum number of units permitted for that area.

Consistent with the Project Description provided in Section II of the Draft EIR (see Figures II-2 and II-3), the Project modulates development in different areas of the Project Site, precisely to vary the density according to the context of the surrounding uses. For example, the area identified as "Parcel 7" (generally, the southwest corner of the Project Site) in Figure II-3 of the Draft EIR would be developed with apartments and would represent the highest density on the Project Site, as shown in Table II-1 in the Draft EIR. Overall, as shown on Figure VI-2 of the Draft EIR, density generally increases as one moves across the Project Site from north/northeast to south/southwest, with the lowest densities nearest the DFSP, Green Hills Memorial Park, and single-family residential communities west of Western Avenue and north of Avenida Aprenda. This maintains consistency with surrounding uses: as described and illustrated on pages II-1 and IV.J-1 and Figure III-2 of the Draft EIR, two- to four-story multi-family residential buildings are located immediately south of the Project Site, with the greatest intensity adjacent to the southwest corner of the Project Site. To the east of the Project is Mary Star of the Sea High School, which is buffered from the residential uses in the eastern portion of the Project Site by open space and recreational areas. Similarly, single-family residential neighborhoods that "back up" to the southeastern corner of the Project Site would be buffered from the Project by open space, as well as by the access road to Mary Star of the Sea High School. Single-family residential uses west of Western Avenue would generally face single-family and lower-density multi-family uses along the northwestern and western boundary of the Project Site, with additional separation provided by Western Avenue, which the Project would widen along its frontage. Finally, as described on page VI-48 of the Draft EIR, Alternative C (Staff Recommendation/Reduced Density), the preferred alternative for the Applicant, would include extensive landscaping, including about 3,500 trees, or about 3,170 net new trees, which would provide a substantial visual buffer along the perimeter of the Project Site and further soften the visual appearance of structures on the Project Site from surrounding uses, particularly single-family residential uses west of Western Avenue.

Comment No. A15-17

The proposed zoning is vague. For example, the proposed single-family units are not the traditional single-family homes that one finds in an R-1 zone. Rather they are essentially the type of housing found in areas zoned RD 1.5 and higher. The apartment buildings need to have a specific zoning that is applicable to the actual size and density of the proposed development. A Medium density by City of LA

codes extends all the way to R-4 zoning which is comparable to the density on Fitness Drive, the 6-acre parcel between the Commercial Shopping Center and the Ponte Vista Property. Figure II-10, Parcel 7 should be zoned specifically for their proposed density, not the medium density. The apartments should be capped at R-3 or lower to provide for an appropriate transition from the development on Fitness Drive to the lower density units directly to the north.

Response to Comment No. A15-17

Contrary to the comment, the proposed zoning is specific. As described in Response to Comment A15-16, the Project includes a Specific Plan, which provides specific zoning designations for the Planning Areas on the Project Site. These zoning designations provide, among other things, specific density limitations for each type of housing product proposed, as well as the maximum number of units allowed in each Planning Area. As illustrated in Table II-1 and Figure VI-2 of the Draft EIR, development generally increases in density as one moves north to south on the Project Site, consistent with the lower density development across Western Avenue to the northwest, as well as the higher-density apartment development immediately south of the Project Site. Additionally, because Alternative C (Staff Recommendation/Reduced Density) has become the Applicant's preferred alternative for presentation to City decision-makers, the densities reflected in Table II-1 of the Draft EIR are generally higher than those now proposed. For example, single-family housing ("Type 1") is now proposed at about 5.5 dwelling units (DU)/acre, or about half the density reflected in Table II-1. Apartments are zoned as R4, and are proposed under Alternative C at an increased density (compared to the Project) of 55.9 DU/acre, though with a substantially reduced number of units; that is, a maximum of 218, compared to the 392 shown in Table II-1 of the Draft EIR.

As described in Response to Comment A15-16, the increased density in the southwest portion of the Project Site is appropriate within the context of existing development without the comment's suggested reduction in zoning from R4 to R3. As noted in the comment, multi-family housing is located on the property immediately south of the Project Site. As described on page IV.J-16 of the Draft EIR, the density of those existing multi-family uses is about 77 DU/acre. Therefore, even with the density of 55.9 DU/acre proposed under Alternative C, the proposed multi-family housing along the southern boundary of the Project Site is about one third lower than, and is therefore consistent with, existing adjacent development. Further, the proposed apartments serve as a transition between the existing development and the proposed housing products in Planning Area 4 of the Project Site, which are zoned R3, are separated from the apartments by a heavily landscaped roadway, and are permitted a maximum density of 17.8 DU/acre under the Specific Plan. The combination of planned density, spatial buffering, and substantial landscaping, including trees, provides housing in Planning Area 4 adequate relief from the proposed apartments, avoiding any significant land use compatibility impact without further reducing the zoning (and density) of the proposed apartments.

Comment No. A15-18

Private Roads

The DEIR (II-17) states "With the exception of the …road…providing access…to Mary Star of the Sea High School, all other streets on the Project Site would be private and access would be provided through two gated entrances…." In order to better incorporate this project into the surrounding community and provide better emergency ingress and egress, the roads should be dedicated public roads. The road areas should not be used in the calculation of units per acre.

Response to Comment No. A15-18

This comment expresses an opinion regarding the Proposed Project but does not identify any specific deficiency of the Draft EIR with respect to disclosure of the Project's environmental impact. However, it should be noted that the specific ownership and maintenance obligations associated with the proposed roads - that is, whether roads are dedicated to the City - have no bearing on incorporation of the Project into the community. Whether the City or the Applicant owns and maintains the streets has no physical effect, including the surrounding community's access to the development. Further, ownership and maintenance of the streets by the Applicant (or a successor such as a homeowners or neighborhood association) provides a greater benefit to the community, as it relieves the City of maintenance costs and allows the City to allocate more funds to public roadways within the Wilmington-Harbor City Community Plan area.

With respect to the calculation of dwelling units per acre (density) for the Project, the Draft EIR provides net densities (exclusive of land used for public street rights-of-way) for each of the major parcels/housing product types proposed within the Project.

Comment No. A15-19

Open Space

The DEIR (II-18) states that "approximately 33 percent of the project's post development acreage would consist of landscaped common areas … and parks (excluding roads) … "Open space would include an approximately 2.8 acre park…." Since the park has been deleted from the viable alternatives this statement should be rewritten.

Response to Comment No. A15-19

The original Proposed Project that was evaluated in the Draft EIR contained a 2.8-acre public park. The currently preferred alternative, Alternative C, does not contain this park. Because each of these alternative projects was fully evaluated in the Draft EIR, there is no need to make the revision suggested by the comment.

Comment No. A15-20

This same section references the provision of 102 parking spaces for use by park visitors and other visitors to the site. With the deletion of the public park, it appears that the public parking spaces have also been deleted. The DEIR should be corrected to reflect this change.

Response to Comment No. A15-20

See Response to Comment A15-19. No "correction" to the Draft EIR is necessary as the features of the alternatives without the public park (and associated parking) are fully described and evaluated in Section VI of the Draft EIR.

Comment No. A15-21

Figure II-8 shows a 1-acre mitigation area within the public park. Since the public park has been deleted, what happens to the mitigation area?

Response to Comment No. A15-21

The "mitigation area" referenced in the comment refers to replacement habitat for the Corps and CDFW jurisdictional resources that would be impacted by the Project, as shown on Figure IV.D-5 of the Draft EIR. Under the original Proposed Project, a portion of this replacement habitat would be placed within the 2.8-acre public park. Under Alternative C, the current preferred project, it would be necessary to mitigate these impacts to Corps and CDFW jurisdictional resources off-site through participation in Corps-, RWQCB-, and CDFW-approved mitigation banks or in-lieu-fee mitigation programs that would ensure a minimum of 1:1 replacement of total acres of waters of the U.S. and State, as well as aquatic functions and riparian habitat. This is fully discussed and evaluated on page VI-48 of the Draft EIR. See also Response to Comment A3-1.

Comment No. A15-22

Building Heights

The description of building heights as 40'-48' does not match the two- to three-story buildings. This is the building height for four-story buildings. Also, the height calculation should be specific to the individual housing types and their locations within in the project.

Response to Comment No. A15-22

Page II-17 of the Draft EIR contains a description of the proposed building heights within the Project. The presented heights include rooftop appurtenances and design features. As is noted in the Draft EIR, building heights along the Project's Western Avenue frontage would be no higher than 48 feet. Building heights in the site's interior would extend to 65 feet. With respect to the individual housing product types

being proposed, the building heights for Products 1 and 2 would be 30 feet, Product 3 would be 40 feet, Product 4 would be 35 feet, Product 5 would be 48 feet, and Product 6 would be 65 feet.

Comment No. A15-23

D. CONSTRUCTION CHARACTERISTICS

The DEIR states (II-33) that "the construction of the project is estimated to begin in 2013 and would continue over a five-year period, with completion in 2017." There are many references to this 5-year time frame throughout the DEIR. Since the applicant has requested a 15-year Development Agreement, these references should be changed to indicate a 15-year build-out and the construction phase impacts addressed accordingly.

Response to Comment No. A15-23

The Draft EIR, as the comment correctly notes, assumes a five-year construction/buildout period for the Project. However, because the Project Applicant had requested a 15-year Development Agreement with the City, it was assumed to have been at least possible that the Project might not be completed until as late as 2027. To account for this, the Draft EIR also presents an analysis of how the impacts of the Project might change under the extended buildout horizon. This discussion is first presented on page II-34 of the Draft EIR and is then carried through each of the project impact analyses in Section IV of the Draft EIR. Because this has already been addressed in the Draft EIR, the comment's suggested revisions are unnecessary. The Project Applicant has since withdrawn its request for a Development Agreement; nonetheless, the EIR retains the analysis of both the anticipated five-year buildout and an extended buildout scenario.

Comment No. A15-24

Table II-3 indicates that the construction of the Public Park and the Landscaping and Streetscape Improvements would be done in the final year of the 5-year buildout. Completion of a public park and the landscaping and streetscape improvements on the exterior of the project should be required prior to occupation of any unit.

Response to Comment No. A15-24

The comment expresses an opinion regarding the construction sequencing of the Proposed Project. For a variety of practical reasons, streetscaping, final landscaping, and the completion of public and private recreational amenities cannot be completed until the bulk of building construction is completed at the Project Site. Although the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, it is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. A15-25

P II-34 states "…construction staging, laydown areas, and all construction equipment would be positioned on-site and would be moved from area to area on the Project Site, consistent with the sequence of Project construction." Since the project anticipated different developers for each area it is not clear how would this work? The mitigations need to address the actual impacts.

Response to Comment No. A15-25

As described in Section II.D of the Draft EIR, the entire Project Site would be graded ("site mass grading") at the outset of Project construction following demolition and removal of the site's existing improvements. Following this, the backbone roadways and utility work would be completed. During these initial stages, all of the requisite equipment would be on site and the entire site would be disturbed.

Table II-3 in the Draft EIR presents the approximate order of subsequent building construction, which would consist of the six stages of varying housing product. Regardless of the extent to which different individual developers ultimately construct the different housing product types, the overall construction sequencing presented in the Draft EIR would be generally adhered to. Each of these housing product areas would have construction equipment on each individual site during the time it is being developed. Any internal roadways required for each housing product would first be constructed, the building pads would be fine graded, and the underground utilities would be installed prior to the vertical construction of the buildings within each housing product area. It is unclear what is meant by the comment that "mitigations need to address the actual impacts". Each of the proposed mitigation measures in the Draft EIR is tied to a specific impact of the Project.

Comment No. A15-26

E. PROJECT OBJECTIVES

Project Objective 6, "To develop a project that fiscally benefits the City of LA." is not supported. In order to determine if this project fiscally benefits the City of Los Angeles it would be necessary to do an economic impact analysis of projected revenues and costs for each of the alternatives. This should include looking at the property tax, sales revenues that would be within the City of Los Angeles, and long term costs to the City for services such as Police, Fire, and utilities. This objective should either be removed or factually supported.

Response to Comment No. A15-26

As a preliminary matter, the objective regarding fiscal benefit did not serve as the basis for rejection of any alternative except the No Project/No Development Alternative, which would maintain the status quo of the Project Site. Rather, each development alternative would result in infrastructure upgrades, as well as increased property taxes, local spending, and direct and indirect job creation.

Regarding the economic benefit from Project spending, a study prepared by HR&A Advisors, dated February 25, 2013, estimated the household spending impacts of the preferred 830-unit Staff Recommendation/Reduced Density Alternative (Alternative C) at $33 million annually. Of that $33 million, $28.2 million would occur annually in the Wilmington and San Pedro communities. This spending is anticipated to directly and indirectly support 217 jobs.

Additionally, the Proposed Project includes a number of public benefits that would fiscally benefit the City and, more specifically, the community. These include: (i) a public trail and green space; (ii) construction of a fully accessible private street connecting Mary Star of the Sea High School and Western Avenue; (iii) up-front funding or guarantee for all off-site traffic mitigation measures required by the Project; and (iv) improvements to Western Avenue, along the Project site frontage, consistent with the Rancho Palos Verdes Western Avenue Corridor Strategy and Vision Plan.

The spending generated by the Project, as well as the public benefits provided, would occur in addition to the property tax revenues the project would generate.

Comment No. A15-27

SECTION III. ENVIRONMENTAL SETTING

B. OVERVIEW OF ENVIRONMENTAL SETTING

The Local Setting description (III-3) should be modified to include the approved 76 unit Volunteers of America (VOA) Navy Village which will be located immediately to the North of the project and will provide housing for homeless veterans and their families. Additionally, the discussion of the proposed future Marymount College educational facilities should include an analysis of their planned expansion at this site into a full four-year college campus with room for 800 residential students, 1,500 total students, and 75 full and part-time faculty.

Response to Comment No. A15-27

The list of potential cumulative projects is provided in the Draft EIR in Table III-2. The methodology regarding the compilation of the list is described in the Draft EIR on page III-22. See also Topical Response 2. The Volunteers of America project referenced in the comment was included in the cumulative analysis and is represented in Table III-2 as Cumulative Project No. LA49. A discussion regarding consideration of the Marymount College projects within the traffic analysis is provided in the Draft EIR on pages IV.N-158 through IV.N-160. Thus, no revisions to the Draft EIR are necessary to address this comment.

Comment No. A15-28

Please add the following City of Los Angeles Projects to Table III-2 (III-23) Cumulative Projects and reanalyze cumulative project impacts accordingly. These projects will generate considerable traffic impacts that were not included in future traffic and school calculations:

- Southern California International Gateway (SCIG)
- APL Terminal expansion
- Ports O'Call Redevelopment
- Cabrillo Marina Phase II
- USS Iowa
- Los Angeles County Sanitation Districts Clearwater Outfall Project
- Rolling Hills Prep School build out from 250 students to 1,000 students
- VOA Navy Village
- Pacific LA Marine Terminal
- Harbor Highlands Development (under construction)
- City Dock 1
- Port Master Plan update
- Marymount College Expansion on Palos Verdes Drive North
- San Pedro Community Plan update

Response to Comment No. A15-28

See both Topical Response 2 and Response to Comment A15-27 regarding the methodology used in the Draft EIR for preparing the list of potential cumulative projects. Response to Comment A15-27 also provides a discussion of the Volunteers of America and Marymount College projects. The Southern California International Gateway project referenced in the comment would reduce, not increase traffic. The other Port-related projects are already addressed in the Draft EIR and are shown in Table III-2 (e.g., Project Nos. LA3, LA11, LA12, and LA22). The Rolling Hills Preparatory School is an existing use. There is no information on file regarding an expansion of this school, however, any traffic growth that

may be associated with such an expansion in the future would be accounted for in the Project traffic analysis through application of the ambient traffic growth factor as discussed on page IV.N-14 of the Draft EIR.

The Los Angeles County Sanitation Districts' Clearwater Outfall Program would generate temporary construction-related traffic, primarily near its proposed shaft locations at the Joint Water Pollution Control Plant in Carson and Royal Palms in San Pedro. It is unlikely that a substantial number of construction truck trips would utilize the same streets as Project-related construction truck traffic given the distance between the Project Site and the Clearwater Outfall excavation removal locations. For similar reasons, it is unlikely that any construction staging for the Clearwater Outfall project would occur proximate to the Project Site.

The draft update to the San Pedro Community Plan would likely result in additional traffic impacts if future development occurs in accordance with the new zoning identified in the Plan. However, the ambient traffic growth factor applied in the Project Traffic Study is the proper method of accounting for this increased traffic as there is no definitive method for determining where the growth contemplated under the draft Plan update would actually occur.

Projects that were not on file with a local jurisdiction at the time the Notice of Preparation for the Draft EIR was circulated in the fall of 2010 were not considered, nor were they required to be considered, in the Draft EIR's cumulative impact analysis.

Comment No. A15-29

G. GREENHOUSE GAS EMISSIONS

Background

The State of California has declared that greenhouse gases (GHGs) constitute "a serious threat to the economic well-being, public health and the environment of California." (AB 32). It recognizes that allowing them to remain at current levels will not adequately address the dangers they pose and has established instead the goal of reducing them to 1990 levels by the year 2020 (AB 32).

The City of Los Angeles has embraced the effort. It adopted "Green L.A.: An Action Plan to Lead the Nation in Fighting Global Warning" in May 2007, in which it proclaims that by 2030 it will reduce GHGs from city operations 35 percent below 1990 levels.

Three gases are felt to pose the greatest threat: carbon dioxide, methane and nitrous oxide.[36] The primary cause of GHG pollution is combustion of fossil fuels.[37] In California, fossil fuel use is closely related to motor vehicle use.

[36] *California Technical Advisory: CEQA and Climate Change, June 19, 2008 – hereinafter "Technical Advisory"*.

Emissions

According to the DEIR, this project will not reduce GHG pollution to 1990 levels. Indeed, it will not decrease GHGs at all. To the contrary, it will increase them. The site currently generates no GHGs (p. IV G-4). According to the developer's projections, the proposed project will generate 15,620.55 metric tons of GHGs each year.[38] That is 15,620.55 more metric tons or 17,222 more American "short" tons of pollutants every year for the foreseeable future than are generated at the present, 172,220 short tons over 10 years, 344,440 short tons over 20 years, etc. This single fact should overshadow all others for anyone considering the project's impact on this insidious form of pollution.

Response to Comment No. A15-29

This comment restates portions of the Draft EIR's environmental setting discussion related to greenhouse gas (GHG) emissions. This comment also accurately notes that GHG emissions generated by the Proposed Project with the application of the GHG reduction measures identified in Section IV.G of the Draft EIR would be an estimated 15,620.55 CO2e metric tons per year. The comment implies that the increase in GHGs alone is the only factor to consider in the impact analysis. To the contrary, the consistency of a project with policies that have been adopted by the state and local government to reduce GHG emissions, while still allowing for development and growth, are the principal considerations in the analysis of GHG impacts under CEQA.

The comment seems to indicate that, because the Project would generate GHGs, its impact must be considered significant, because no reduction from existing GHG emissions at the Project Site could occur. Although it is correct to state that the environmental baseline is the existing GHG emissions from the Site (assumed to be zero), the analysis in the Draft EIR is based on reductions from the business-as-usual scenario described in the CARB scoping plan and revised functional equivalent document, as well as compliance with relevant state policy provisions. The Draft EIR, in Section IV.G, provides such an evaluation and concludes that the Project would have a less than significant impact.

Comment No. A15-30

The DEIR does address the 35 percent reduction that the City of Los Angeles seeks to achieve. Moreover, it dwells on minimal reductions such as emissions from landscaping equipment and the fact that the project's structures are designed with large "contiguous unobstructed roof areas" which can accommodate solar panels. Large flat "roof areas" can be found on many structures and hardly constitute a "green" breakthrough. What is more, the proposal does not provide for the installation of solar panels on any of the project's roofs.

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[37] *Technical Advisory, p.2*

[38] *It is curious that the DEIR uses the metric system at this point. A metric ton weighs considerably more than the "short ton" most Americans are used to working with – 2,205 pounds instead of 2,000. Accordingly, 15,620.55 metric tons translates to 17,222 tons of polluting gases.*

Response to Comment No. A15-30

While this comment does not challenge the adequacy of the analysis or the impact conclusions contained in the Draft EIR, it should be noted that page IV.G-28 of the Draft EIR states: "In addition to the Project's general consistency with statewide, regional, and local goals and policies in place for the reduction of GHG emissions, the Project's GHG reduction measures would also be quantitatively consistent with California's statewide GHG reduction targets. Specifically, as shown previously in Table IV.G-5, the Project's GHG reduction measures would achieve an approximate 15% reduction in GHGs."

With respect to solar panels, the Project would be consistent with the requirements of the LA Green Building Code: see Response to Comment A12-1 for discussion regarding the provision of solar panels within the Project. Specifically, page IV.G-19 of the Draft EIR requires:

> **99.04.211.4. Future Access for Electrical Solar System.** An electrical conduit shall be provided from the electrical service equipment to an accessible location in the attic or other location suitable for future connection to a solar system. The conduit shall be adequately sized by the designer but shall not be less than one inch. The conduit shall be labeled as per the Los Angeles Fire Department requirements. The electrical panel shall be sized to accommodate the installation of a future electrical solar system.
>
> **99.04.211.4.1. Space for Future Electrical Solar System Installation.** A minimum of 250 square feet of contiguous unobstructed roof area shall be provided for the installation of future photovoltaic or other electrical solar panels. The location shall be suitable for installing future solar panels as determined by the designer.

Comment No. A15-31

Proposed "Reductions"

Most significantly, the DEIR's claim that the project will reduce GHGs by 14.579 percent is based upon faulty analysis. As already noted, this project will produce 17,222 more tons of polluting gases each year than are being generated now (the proper baseline). The 14.579 percent is calculated by comparing the estimated carbon dioxide levels generated if the project were to be "built as usual," that is without any GHG reduction measures (which would never be permitted and is, therefore, purely illusory) with levels of GHGs generated by the project they propose. What is more, it will generate more GHGs than if the project were built to comply with the parcel's existing R-1 and open space zoning. Missing from the report is any meaningful discussion about GHG generation once the project is built and occupied. This period will most likely stretch over decades.

Response to Comment No. A15-31

The Draft EIR included estimates for the Project's generation of GHG emissions under two separate buildout scenarios: the Proposed Project Without GHG Reduction Measures, and the Proposed Project

With GHG Reduction Measures. As discussed on page IV.G-25 of the Draft EIR, the Project's GHG reductions calculated in Table IV.G-5 are based on the following GHG Reduction Measures: (1) approximately 3,188 net new trees on the Project Site (3,518 proposed trees minus the existing 331 trees to be removed); (2) five percent greater energy efficiency than Title 24; (3) 20 percent reduction of indoor water use; (4) 30 percent reduction of outdoor water use; (5) ENERGY STAR appliances in all residences; and (6) a 10 percent reduction in solid waste due to recycling. The purpose of calculating the potential GHG emissions under these two buildout scenarios is to illustrate the effectiveness of the Project's Compliance Measures (LA Green Building Code) and the Project Design Features (i.e., net increase in trees).

The Draft EIR contains an analysis of the Proposed Project's estimated GHG emissions following Project completion and occupancy (see page IV.G-26 and Table IV.G-5). With respect to the comment regarding a project built to comply with the existing R-1 zoning for the Project Site, see Topical Response 6. It should be noted that the Applicant is now proposing to develop Alternative C rather than the Draft EIR Proposed Project. If the reduced density, 830-unit Alternative C is ultimately developed rather than the Project, operational GHG impacts would be reduced as described on page VI-56 of the Draft EIR. Specifically, it is estimated that the operation of Alternative C would generate approximately 11,560.58 CO2e MTY, assuming the same Compliance Measures and Project Design Features outlined for the Project would be implemented under this alternative. This represents an approximate 25 percent reduction compared to the Project. Thus, contrary to the comment's assertion, the Draft EIR does present an analysis of GHG generation by the Project (for both the originally proposed Project and the currently proposed Alternative C) following its completion and occupation.

It is certainly likely that a project that would house as many people as the Proposed Project but which is developed according to R-1 zoning on large lots would generate more GHG emissions than the Project, even if such a project could be developed in an urban infill location such as the Project Site rather than on the suburban fringe.

Comment No. A15-32

Emissions from Autos

According to the DEIR (Table IV.G-5), fully 74.5 percent of the projected carbon dioxide emissions (11,593.77 metric tons or 12,782 tons) will be from motor vehicles, yet there are no proposed measures to reduce these emissions.

One measure available for a developer to mitigate the amount of driving and the pollution associated with it is to place its project near existing public transportation corridors and close to employment centers. That has been the model for development in downtown Los Angeles in recent years. Unfortunately, Ponte Vista does neither. As discussed elsewhere in this document, bus service along Western Avenue is infrequent and inconvenient and hardly constitutes a satisfactory substitute to commuting by car. Any doubts about this statement can be satisfied simply by trying to take public transportation from the bus

stop at Western Avenue and Westmont Drive to downtown Los Angeles, to one of the office buildings along Hawthorne Boulevard in Torrance or even to the port area.

What is more, the project is not near any major employment center.[39] Nor is that likely to change. The recently drafted San Pedro Community Plan does not anticipate adding any major commercial centers in the area during the next 20 years. In short, residents of the proposed project are likely to have to commute considerable distances by car to work.

As discussed elsewhere in this document, the project contains virtually no amenities (except the pool and clubhouse) or design considerations that would lessen the need to use ones auto. In fact, it even contemplates the use of the auto to get to the clubhouse and pool as shown by the proposed parking plan.

The report does note that the project will provide recharging outlets to those residents who own electric cars. Although commendable, sales of such vehicles are miniscule. Absent some technological breakthrough in battery life and the driving range of these cars, they are likely to remain so.

Response to Comment No. A15-32

This comment restates the estimated GHG emissions from the use of automobiles by future Project residents and the comment also suggests placing the Project in an alternative location, such as locations along more intensive public transit corridors and adjacent to large employment centers, in order to reduce GHG emissions from automobile use. The Applicant is proposing development for the Project Site, not for an alternative location. The Applicant does not own other land suited to accommodate the Project's objectives and characteristics, nor are similarly-sized parcels available elsewhere within the South Bay region (see Draft EIR, page VI-5). Thus, an alternative project location, particularly one featuring the attributes favored by the comment, would be infeasible.

The Draft EIR includes Mitigation Measures TRANS-26, TRANS-27, and TRANS-28 that collectively would be targeted toward increasing transit usage by Project residents and improving transit accessibility to/from the Project Site. However, the Project Applicant cannot ultimately control the transportation methods of the Project residents nor can the Applicant control the make up of the vehicle fleet traveling to and from the Project Site. Contrary to the comment's assertion, the Project Site is located in relative proximity to one of the largest employment centers in the Los Angeles area – the Ports of Los Angeles and Long Beach complex – as well as to other high employment areas in Torrance and El Segundo. While there is no guarantee (nor were any assumptions made in the Draft EIR) that future Project residents will work in the Ports complex, the placement of a residential project containing a range of housing options and price points within a few miles of this major employment center makes it somewhat likely that a portion of future residents will be employed in the local vicinity. Although this may not reduce the total number of vehicle trips to and from the Project, it would reduce the total number of

[39] *Despite the fact that the Project is located near the Port of Los Angeles, many of the Port jobs are a significant distance from this site. Furthermore, the San Pedro Community Plan Area has a huge deficit in jobs with a jobs-housing ratio of 0.44.*

vehicle miles traveled (VMT), which would consequently reduce GHG emissions from automobiles compared to a residential project of similar size in a different location.

Also contrary to the comment's assertion, the Project site plan does not "contemplate the use of the auto" for residents to travel from their homes to on-site recreational amenities under any of the alternatives evaluated in the Draft EIR; rather, the parking includes spaces for guests as well as residents.

Comment No. A15-33

Responsibility

The applicant tries instead to rationalize away the need to even address the GHG problem concluding that no single development is likely to have a significant impact on GHGs (pps. IV.G-15 and -27). Since the problem is planet-wide, that is probably true. Given the Earth's vast size and total population, it might even be true for a vast open pit mine in Alberta, Canada or in Australia's outback. However the fact remains that the project will generate substantial amounts of GHGs each year. Moreover, the applicant's line of reasoning implies that since no single person, project or business can be held responsible; none need take responsibility for them. That way of thinking must stop now or there is no chance of dealing with these pollutants. Only by forcing each project to confront and address the issue properly will there be any hope of reducing GHGs and the threat they pose.

The analyses of the green house gas emissions and associated mitigations are inadequate and must be revised.

See also our comments under Traffic and Transportation.

Response to Comment No. A15-33

Section IV.G, Greenhouse Gas Emissions, of the Draft EIR addresses the Project's potential impact related to GHGs in manner consistent with Section 15064.4 of the CEQA Guidelines, the City of Los Angeles Department of City Planning policies, and SCAQMD and CARB methodologies and significance criteria. As discussed in detail beginning on page IV.G-13 of the Draft EIR, the Project's GHG analysis included multiple tiers and considerations in determining the Project's GHG impact level. Page IV.G-15 of the Draft EIR states: "The Los Angeles CEQA Thresholds Guide does not provide guidance as to how climate change issues are to be addressed in CEQA documents. Furthermore, neither the SCAQMD nor the CEQA Guidelines Amendments adopted by the Natural Resources Agency on December 30, 2009 provide any adopted thresholds of significance for addressing a residential project's GHG emissions. However, Section 15064.4 of the CEQA Guidelines provides some guidance to assist lead agencies in determining the significance of the impacts of GHGs."

Later, page IV.G-17 of the Draft EIR states: "As required in Section 15064.4 of the CEQA Guidelines, this analysis includes an impact determination considering the following: (1) an estimate of the amount of GHG emissions resulting from the Project; (2) a qualitative analysis or performance based standards; (3) a

quantification of the extent to which the Project increases GHG emissions as compared to the existing environmental setting; and (4) the extent to which the Project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions." The significance determinations in the Draft EIR did not assume that single projects could not have an impact; rather, the Draft EIR assumes, as the comment appears to imply, that GHG impacts are generally cumulative in nature.

Based on this multi-faceted methodology and the analysis contained in Section IV.G, Greenhouse Gas Emissions, the Draft EIR adequately disclosed the Project's potential impact with respect to GHGs and no further response is required.

Comment No. A15-34

H. HAZARDOUS MATERIALS

The DEIR is selective about its risk assessments, particularly as regards the Defense Fuel Support Point (DFSP) and the Rancho LPG Holdings. The DEIR says that a risk assessment was done for events, spills, fires, etc. at the DFSP (directly adjacent to the Project), and notes that "Although larger than medium-sized spills would result in a larger zone of impact if they were to ignite, potentially encompassing portions of the Project Site, the emergency access features of the Project coupled with the remote nature of such an extreme event would result in a less than significant impact to future Project residents."

It is insufficient and negligent to say the emergency management plan is that fire companies can enter through two access points on Western and through one access point from Taper through Mary Star of the Sea High School and that the Project is within a 4-mile drive of several hospitals.

The DEIR says "implementation of the Project Design Features would require that evacuation and emergency response procedures be established in an emergency response plan for a fire impacting the Project, and the consequent risk posed to Project residents would be minimal." It is puzzling that the applicant can conclude that the consequent risk is minimal before the emergency management plan has been developed.

Response to Comment No. A15-34

With respect to the assessment of risk to future Project residents from operations at the DFSP, see Responses to Comments A11-11, A11-14, A11-16, A13-3, and A13-8. With respect to the assessment of risk to future Project residents from operations at the Rancho LPG facility, see Topical Response 4. With respect to the general issue of impacts of the existing environment upon the Project, see Topical Response 3. The comment expresses an opinion regarding the Draft EIR's discussion of emergency response procedures for the Project, but does not provide any evidence to support the assertion that the analysis is "insufficient and negligent". The Draft EIR's analysis of potential Project impacts to adopted emergency response plans and procedures properly focused on the question of whether the Project could conflict with

such plans, consistent with City CEQA guidelines. The Project Design Feature cited by the comment would require the Project Applicant to prepare and submit an emergency response and evacuation plan for the Project to the Los Angeles Fire Department for review and approval. The comment offers no evidence to support the conclusion that the implementation of such a plan for the Project would result in a residual significant risk posed to future residents of the Project from existing off-site industrial facilities.

Comment No. A15-35

With regard to the Rancho LPG facility, the DEIR notes that "to a much lesser extent there may be some quantifiable risk of upset from other activities such as product delivery by rail or truck…Based on the worst-case RMP scenario and with the more likely releases having a much smaller radius impact than 0.5 miles, there would be no impact to the project site." This analysis under estimates the potential impact to the Project Site, endangering the safety of future residents, with no proposed mitigations. The US DOT report of butane incidents by Means of Transportation found that there were 751 rail incidents and 13,154 truck incidents in 2003 alone. This is far from an insignificant risk. In many respects, it would be far more accurate to say that "it is just a matter of time" before a significant incident occurs.

Response to Comment No. A15-35

See Topical Response 4 for a detailed discussion of Rancho LPG.

Comment No. A15-36

In addition, Tosco Refining Company's Risk Management Plan for what is now the Phillips 66 refinery contains a worst-case scenario (Attachment A) for a butane incident with a 2.3-mile impact, way beyond the Ponte Vista site. An additional proof that the risk is far from insignificant is shown in the linked video showing a 60,000-pound LPG rail tank car being hurled three quarters of a mile once it caught fire.[40]

Response to Comment No. A15-36

As discussed in Topical Response 3, the questions raised in the comment represent potential impacts of the environment on the Project. The Draft EIR presented discussion of these issues for informational purposes. As noted in the Draft EIR (page IV.H-33), a flammables worst case release of butane (rupture of the largest bulk storage tank releasing the entire contents of 24,800,000 pounds) at the ConocoPhillips refinery could result in a vapor cloud explosion with an impact zone of 2.3 miles. However, ConocoPhillips' more likely alternative analysis for butane estimates an impact zone of 0.1 miles. According to the ConocoPhillips RMP, the 2.3-mile radius to 1 psi overpressure was calculated from a worst-case release of 25,000 pounds of butane, using the RMPComp model. However, using the EPA's Offsite Consequence Analysis (OCA) reference tables and a 30,000-pound butane release, the radius

[40] *See WWW.YOUTUBE.COM/WATCH?V=XF3WKTWHPIU.*

would only be 0.1 mile. From the 2009 OCA and Reference Table 13, the distance for a 30,000-pound release would be 0.2 miles. Therefore, the 2.3-mile radius may be a highly conservative calculation based upon using the RMPComp model. When using the OCA Reference Table 13, the worst-case impact radius for ConocoPhillips (0.2 miles for 30,000 lbs. in a vapor cloud) compares well with the impact radius estimated for Rancho LPG (0.6 miles for 570,000 lbs. in a vapor cloud). The comment presents an opinion regarding the risk presented by the ConocoPhillips refinery but does not challenge the adequacy of the analysis contained in the Draft EIR. Thus, no further response is required.

Comment No. A15-37

It is insufficient to simply state that the risk is "extremely remote" if the DEIR admits that a larger than medium-sized spill were to ignite it would potentially encompass portions of the Project Site. The DEIR must discuss the potential effects of a larger than "medium-sized spill" and evaluate the hazards to residents, not just waive the obligation to consider the impacts on the environment. What else will the Project do to mitigate the effect on residents of a larger than medium-sized spill?

Response to Comment No. A15-37

See Topical Response 3 with respect to these concerns representing an impact of the environment on the Project, rather than the reverse. The Project does not have any obligation to, in the words of the comment, "mitigate the effect on residents of a larger than medium-sized spill". To the contrary, the obligation is on the owners and operators of the nearby industrial facilities to ensure that such incidents do not occur. The Project's emergency response plan, set forth as a Project Design Feature in the Draft EIR, would address any situations calling for evacuation from the Project Site and would establish protocols for implementing such procedures. See also Responses to Comments A11-11, A11-14, A11-16, A13-3, and A13-8 for more detail regarding the EIR's analysis of potential fuel spills at the DFSP.

Comment No. A15-38

Evacuation Routes

According to CEQA Guidelines, the Project would have a significant effect on the environment if it would "impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan." The DEIR erroneously states that there would be no impact with regard to this guideline.

The DEIR asserts "The Safety Element of the General Plan of City of LA pertaining to response to disaster events does not designate Western Avenue within the vicinity of the Project as a designated disaster route." Western Avenue only south of Summerland is designated as a disaster evacuation route. It also states that Western Avenue is "too far west" for evacuation from the Port and that the City of Rancho Palos Verdes (RPV) does not consider Western Avenue as an evacuation route. These assertions are misleading.

Western Avenue north of Summerland is not shown on the evacuation routes map of the Safety Element of the General Plan of the City of LA, because the map only shows the portion of Western Avenue that is under the jurisdiction of the City of Los Angeles. On the map, areas that are not under the City's jurisdiction are in grey (See Attachment B). Western Avenue from Summerland to Pacific Coast Highway is under the jurisdiction of Cal Trans, not the City of Los Angeles. Western Avenue between Summerland and Palos Verdes Drive North is not shown as an evacuation route on the City map because it is not "in" the City of LA, not because Western Avenue is not an essential evacuation route; the DEIR is doing a selective interpretation of the map, and the result is not credible.

Response to Comment No. A15-38

The comment is incorrect with respect to Caltrans' jurisdiction over Western Avenue. In fact, Caltrans' jurisdiction extends along Western Avenue from 25th Street in San Pedro north to Carson Street in the City of Torrance. This route constitutes State Route 213. Caltrans' jurisdiction does not end or change in any way at Summerland Avenue and, thus, has no effect on the designation of Western Avenue as a "selected disaster route" by the City. Additionally, portions of Western Avenue north of Summerland Avenue are located within the City of Los Angeles, including the segment adjacent to the Project Site. The City has not identified this portion of Western Avenue as a "selected disaster route" in the Safety Element of its General Plan. The City of Rancho Palos Verdes has not, as of this time, designated Western Avenue as an official evacuation route either.

The comment provides no evidence to support its assertion that the Draft EIR's impact conclusion with respect to the Project's interference with adopted emergency response plans and policies is "erroneous".

Comment No. A15-39

Further, asserting that Western is "too far to the West" for an evacuation route ignores the fact that San Pedro has only 3 north/south evacuation routes (Gaffey Street, the 110 Freeway (adjacent to and accessed by Gaffey and Harbor Blvd.), and Western Avenue). If any of the 2 non-Western-Avenue routes is blocked (note that a portion of North Gaffey Street and a portion of Harbor Blvd. are in liquefaction zones), Western Avenue may be the only available evacuation route. San Pedro with the Port operations, storage of hazardous materials, and location on earthquake, liquefaction, and methane zones, is far more apt to need to evacuate that any other location in the City of Los Angeles.

Response to Comment No. A15-39

The comment refers to a statement cited in the Draft EIR by the City Harbor Department's Emergency Preparedness Coordinator, but misrepresents the context of the statement. The statement cited in the Draft EIR (page IV.H-41) is that Western Avenue is too far to the west of the Port of Los Angeles to serve as a major evacuation route in the event of an incident occurring at the Port. The statement was not intended to imply that Western Avenue is too far to the west to serve as an evacuation route for other

parts of San Pedro or, indeed, Rancho Palos Verdes. Further, as noted in Topical Response 5, the Project would not be expected to interfere with the use of Western Avenue as an informal evacuation route.

Comment No. A15-40

The DEIR also misinterprets the Port evacuation plan. Western Avenue may be too far west for evacuating the Port itself, but it is one of the two, and probably the main evacuation route for San Pedro and the adjacent cities particularly in the event of an incident at the Port.

Response to Comment No. A15-40

See Response to Comment A15-39.

Comment No. A15-41

The "entire city of Rancho Palos Verdes, excluding the portion of the City located east of Western Avenue (approximately 98 acres) is classified as a VHFHSZ [Very High Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection]" and in 2009 alone 2000 residents of RPV were forced to evacuate their homes because of wildfires. For the residents of RPV on the west side of Western, Western Avenue is the only evacuation route available to them. It is not credible to assert that Western Avenue north of Summerland would not be an evacuation route for RPV residents.

Anecdotally and based on empirical observation and on comments of emergency responders at Rancho Palos Verdes Council meetings, congestion on Western Avenue at the present time can be a significant interference with emergency responses. It is not unusual to see LA County emergency vehicles going northbound on the south bound side of this divided highway or vice versa due to the extreme level of congestion.

Response to Comment No. A15-41

The Draft EIR does not state that Western Avenue would never be used for evacuation purposes. It merely states that the segment of Western Avenue located adjacent to the Project Site has not been designated as a formal disaster route by either the City of Los Angeles or the City of Rancho Palos Verdes. This, of course, does not preclude its use for evacuation purposes in the event of such localized emergencies as wildfires. As noted in Topical Response 5, the Project would not impact the use of Western Avenue for such purposes. In fact, the improvements that would be made to Western Avenue by the Project Applicant may ultimately serve to facilitate its use for evacuations. With regard to the anecdotal observation made by the comment, it is not unusual for emergency response vehicles to utilize the "wrong" side of a roadway during congested periods of the day. This is a different scenario to one in which an orderly evacuation of an entire neighborhood might occur. In the latter scenario, as is discussed in Topical Response 5, Western Avenue would most likely be converted to a one-way thoroughfare.

Emergency response times are not the same as emergency response plans, and, as is discussed in Topical Response 5, CEQA does not require consideration of response times alone as potentially significant impacts of a project. As Response to Comment A15-38 notes, the applicable CEQA threshold refers to adopted emergency response or evacuation plans, none of which designate this portion of Western Avenue. The Project would, following mitigation, improve traffic flow at some intersections compared to existing conditions. Additionally, the Project would mitigate all of its traffic impacts to a less than significant level.

Comment No. A15-42

San Pedro has really only three viable evacuation routes. One is North Gaffey Street, which is adjacent to these potential hazardous facilities: Rancho Holdings, the Defense Fuel Supply Center, and the Phillips 66 Refinery. North Gaffey sits on earthquake faults and the potential for a fire is great. In addition, the LAFD (and LAPD) could easily have Gaffey Street blocked due to potential fire and certain damage from an earthquake as they did when there was a power outage near Home Depot.

The second principal evacuation route is the 110 Freeway. The City has indicated that in an emergency, this might be turned into a southbound access way for emergency vehicles. That leaves Western Avenue as the primary or only avenue of escape for all 83,000 San Pedro residents, not counting all the Rancho Palos Verdes residents who would also need Western Avenue for evacuation. Western Ave. is already clogged during peak hours. It cannot function as an adequate, viable evacuation route.

Response to Comment No. A15-42

See Topical Response 5 and Responses to Comments A15-39 and A15-41, which address the issues raised in this comment.

Comment No. A15-43

The LA City Comptroller Wendy Greuel said in her 2012 report that the Salvation Army and the Red Cross are not prepared to handle an evacuation of the City of Los Angeles. This would particularly apply to an isolated area like San Pedro, surrounded on three sides by water and with very limited egress routes. In a disaster, San Pedro could quickly face serious challenges.

Response to Comment No. A15-43

The report referenced in the comment refers to the *Update to the Performance Audit of the City of Los Angeles' Emergency Planning Efforts and Citywide Disaster* Preparedness, dated May 31, 2012 and prepared for the City Controller's Office. Although the cited statement could not be found within this document, it is clear that the responsibilities of non-governmental organizations (NGOs) such as the American Red Cross and The Salvation Army do not include physically evacuating the entire City. Rather, these NGOs are relied upon to provide assistance with respect to caring for evacuees at designated shelter locations. See also Responses to Comments A15-38, A15-39, A15-41, and A15-42.

Comment No. A15-44

Further, the assertion that "traffic will be controlled in the vicinity of the Project" in the event of a disaster raises a concern that traffic attempting to travel north on Western Avenue and out of San Pedro and Rancho Palos Verdes will be delayed while Ponte Vista security attends to Ponte Vista and makes sure it is evacuated first. This will produce an unacceptable situation and must be addressed in the DEIR.

The jurisdictional boundary problem cannot be an excuse. The project's impact on evacuation routes must be reanalyzed and appropriate mitigations developed.

Response to Comment No. A15-44

See Topical Response 5 for a discussion of traffic management under emergency evacuation and/or response events. As discussed on page IV.H-21 of the Draft EIR, the Project would be required to develop an emergency response plan that is coordinated with existing emergency response plans in place at the DFSP and other nearby industrial facilities, as well as with the Los Angeles Fire Department and Los Angeles Police Department. Given the expertise that would be brought to bear on review and approval of the Project's emergency response plan, it is reasonable to conclude that the Project would not have an adverse effect on the ability of existing residents in both Rancho Palos Verdes and Los Angeles to utilize Western Avenue as an evacuation route to the extent necessary. The notion that the Ponte Vista site would be afforded some higher priority for evacuation than other surrounding areas is unsupported and is not what the Draft EIR contemplates. The performance standard for the Ponte Vista emergency response plan is consistency with other applicable plans, which is ensured through coordination with the agencies that generate and implement such plans.

Comment No. A15-45

J. LAND USE & PLANNING

The rezoning request will impair the orderly implementation of Regional Plans, City's General Plan, and two Community Plans. The DEIR fails to evaluate conformance with the ten Urban Design Principles and nine Walkability Checklist items. The gated pattern would physically divide an open, accessible, and established community.

It is not possible to evaluate the environmental impacts of the project because insufficient information has been provided. In many cases, no information has been provided.

The DEIR is legally insufficient and needs to be redone. Alternatively, we encourage the developer to host a planning and design charrette in the community. The objective of the charrette is for all stakeholders to come together and develop a preferred layout that accommodates the developer's desire for more intense development than what is allowed in the current zoning but also meets the community's desire to create an inclusive neighborhood that complies with Community Plans, General Plan, Regional Plans and City's Urban Design and Walkability criteria.

Response to Comment No. A15-45

The Draft EIR specifically discloses and evaluates the Project Applicant's request to rezone the Project Site and amend its General Plan Land Use Designation in Section IV.J, Land Use and Planning. See Responses to Comments A15-45, A15-70, and A15-71 with respect to plan implementation, the City's Urban Design Principles, and the City's Walkability Checklist. The Project Site is currently gated, fenced off, and inaccessible to the public; thus, the comment's assertion that the Project would physically divide an "open, accessible, and established community" is patently false. The comment suggests that the Project Applicant host a design workshop. However, the EIR includes a reasonable range of feasible alternatives and also evaluates the specific additional alternatives identified in this comment letter (see Topical Response 6). The analysis of the Project's environmental impacts in the Draft EIR is specific, detailed, provides Project design features and mitigation with performance standards, and is compliant with CEQA. The comment does not specify what information is allegedly incomplete or inadequate.

Comment No. A15-46

REGIONAL PLANS

Regional Transportation Plan

The Regional Transportation Plan (RTP) provides a long-range vision for regional transportation investments and considers the role of transportation including economic factors, environmental issues and quality-of-life goals.

The DEIR references the 2008 "2012-2035 Regional Transportation Plan (RTP) / Sustainable Community Strategy (SCS)". This is the old version of the Plan. The DEIR should have used the current 2012 RTP/SCS, rather than the 2008 version, especially since the current version is much more thorough in how to address reducing greenhouse gasses.

The Sustainable Community Strategy [SCS] portion is a new element of the RTP that demonstrates the integration of land use, transportation strategies and investments to meet the region's greenhouse gas reduction targets. The key land-use policies include focusing growth in centers and along major transportation corridors around existing and planned transit stops, and creating significant areas of mixed-use development and walkable communities.

Response to Comment No. A15-46

As noted on page IV.G-10 of the Draft EIR, at the time the SCS for the SCAG region was approved by the California Air Resources Board (CARB) and the 2012 RTP adopted, the Draft EIR was in the latter stages of review and completion; thus, no consistency analysis of the Proposed Project with respect to the SCS for the SCAG region was included in the Draft EIR. However, the following response illustrates that the general goals of the 2012 RTP/SCS are similar to existing goals and policies of many land use policy documents that were analyzed in the Draft EIR. Specifically, as noted in the comment, the Project was

thoroughly evaluated against the Southern California Compass Growth Vision (Compass Growth Vision) and the 2008 Regional Transportation Plan. As shown below, while the 2012 RTP/SCS provides important regional planning policy updates, the analysis contained in the Draft EIR adequately illustrates the Project's consistency with general regional planning strategies aimed at improving regional mobility and the reduction of air quality and GHG emissions. Listed below are the 2012 RTP/SCS Goals. As illustrated below, although the 2012 RTP/SCS were not specifically evaluated in the Draft EIR, the substantially similar goals and policies of the Compass Growth Vision, the 2008 RTP, and the City General Plan Air Quality Element were evaluated in great detail.

2012 RTP/SCS Goals:

- Align the plan investments and policies with improving regional economic development and competitiveness.
- Maximize mobility and accessibility for all people and goods in the region.
- Ensure travel safety and reliability for all people and goods in the region.
- Preserve and ensure a sustainable regional transportation system.
- Maximize the productivity of our transportation system.
- Protect the environment and health of our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking).
- Actively encourage and create incentives for energy efficiency, where possible.
- Encourage land use and growth patterns that facilitate transit and non-motorized transportation.
- Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.

Beginning on page IV.J-25, the Draft EIR provides lengthy analyses of the following planning strategies:

Compass Growth Vision:

- Principle 1: Improve mobility for all residents
- Principle 2: Foster livability in all communities
- Principle 3: Enable prosperity for all people
- Principle 4: Promote sustainability for future generations

2008 RTP:

- Maximize mobility and accessibility for all people and goods in the region
- Preserve and ensure a sustainable regional transportation system
- Maximize the productivity of our transportation system
- Protect the environment, improve air quality and promote energy efficiency
- Encourage land use and growth patterns that complement our transportation investments

City of Los Angeles General Plan Air Quality Element (see Table IV.C-13 of Draft EIR):

- Policy 1.3.1: Minimize particulate emissions from construction sites
- Policy 1.3.2: Minimize particulate emissions from unpaved roads and parking lots which are associated with vehicular traffic
- Policy 3.2.1 Manage traffic congestion during peak hours
- Policy 4.2.2: Improve accessibility for the City's residents to places of employment, shopping centers, and other establishments
- Policy 4.2.3: Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles
- Policy 4.2.4: Require that air quality impacts be a consideration in the review and approval of all discretionary projects
- Policy 4.2.5 Emphasize trip reduction, alternative transit and congestion management measures for discretionary projects
- Policy 4.3.1 Revise the City's General Plan/Community Plans to ensure that new or relocated sensitive receptors are located to minimize significant health risks posed by air pollution sources
- Policy 5.1.2 Effect a reduction in energy consumption and shift to non-polluting sources of energy in its buildings and operations
- Policy 5.1.4 Reduce energy consumption and associated air emissions by encouraging waste reduction and recycling

- Policy 5.3.1 Support the development and use of equipment powered by electric or low-emitting fuels

- Policy 6.1.1. Raise awareness through public information and education programs of the actions that individuals can take to reduce air emissions

The 2012 RTP/SCS does not substantively change the methods by which GHG emissions are evaluated with respect to CEQA. As is shown above, there is substantial similarity between the 2012 and 2008 RTP policies with respect to the linkage between land use and transportation. Notwithstanding the Draft EIR's comprehensive consistency analyses with the above listed goals and strategies aimed at the improvement of regional mobility and the reduction of air quality and GHG emissions, it is recognized that, due to the Project's location and the mass transit constraints facing the vicinity, the most effective strategy to reduce Project-related traffic congestion and corresponding air quality and GHG emissions is to reduce the size of the Project. Thus, it should be noted that the Applicant is now proposing development of reduced density Alternative C, rather than the Proposed Project. If Alternative C is ultimately developed rather than the Project, operational air quality and GHG impacts would be reduced. Specifically, Alternative C would involve development of a project similar to the Proposed Project on the site, however the total number of residential units would be reduced from 1,135 to 830. Page VI-56 of the Draft EIR states:

> *Alternative C is expected to generate 5,788 trips during a typical weekday and 5,781 trips during a typical Saturday, representing approximately 22 and 30 percent reductions (respectively) compared to the Project. Motor vehicle trips are the primary source of daily operational GHG emissions associated with Alternative C. Because Alternative C would generate fewer vehicle trips than the Project, it would also generate fewer average daily GHG emissions. Furthermore, as Alternative C would include a smaller development it would also result in reduced operational GHG emissions from on-site sources and energy consumption. Specifically, it is estimated that the operation of Alternative C would generate approximately 11,560.58 CO2e MTY, assuming the same Compliance Measures and Project Design Features outlined for the Project would be implemented under this alternative. This represents an approximate 25 percent reduction compared to the Project. Similar to the Project, Alternative C would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California and the City of Los Angeles. As such, Alternative C would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Thus, GHG impacts under Alternative C would be considered less than significant and reduced compared to the Project.*

Comment No. A15-47

The DEIR does not comply with the requirement to address the Regional Plan because it does not address how the proposed subdivision brings together land use and transportation strategy to reduce trips and resulting greenhouse gasses. It does not even attempt to reduce auto-related greenhouse gasses.

Furthermore, the project does not create opportunities for residents to walk to local destinations nor does it promote bicycling. Why isn't bike parking a compliance measure? What if anything will the project do to enhance bicycling on Western Avenue?

Response to Comment No. A15-47

See Response to Comment A15-46 with respect to the Draft EIR's treatment of regional plans. Table IV.C-13 of the Draft EIR addresses Project consistency with the City General Plan Air Quality Element. Specifically, page IV.C-46 addresses Project consistency with Policy 4.2.3: "Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles", as follows:

> *The design of the Proposed Project would encourage residents to walk and bike within the Project Site and to neighborhood-serving retail uses in the surrounding areas. Specifically, the Project would provide bicycle parking and electric vehicle charging stations. The Project Site is located near public transit opportunities and would be designed with tree-lined, well lit, and secure pedestrian connections within the Site. Bus stops are located adjacent to the Project Site at Western Avenue/Avenida Aprenda and Western Avenue/Green Hills Drive. New bus stop facilities (shelter, schedule information) would be provided as part of the Project's traffic mitigation. These bus stops are served by Metro Line 205 that provides local access in the vicinity of the Project Site and also provides access to the entire Metro bus and rail system. The Metro Blue Line is located approximately 6 miles east of the Project Site, the Artesia Transit Center is approximately 8 miles north of the Project Site, and the planned Torrance Transit Center, which is estimated for completion in 2014, will be approximately 6.5 miles to the northwest. Thus, the Proposed Project would be consistent with this policy.*

The Project would include a biking and jogging trail that will run parallel and contiguous to the sidewalk along Western Avenue. This trail will also continue around the full perimeter of the Project Site and will connect to the Western Avenue portion of the trail. Bicycle parking is not a Compliance Measure because the Project is not a destination. Project residents can have bicycles and the Project would include bicycle lockers and storage areas for their use.

With respect to reducing auto-related GHGs as noted by the comment, it should be noted that the Applicant is now proposing development of reduced density Alternative C, rather than the Proposed Project. If Alternative C is ultimately developed rather than the Project, operational air quality and GHG impacts would be reduced. See Response to Comment A15-46. Nonetheless, as is discussed in Section IV.G of the Draft EIR, the Project would incorporate several measures that would reduce GHG emissions attributable to the Project through the implementation of the Project Design Features and Compliance Measures. The Draft EIR concludes that the Project's GHG emission impacts are less than significant.

Comment No. A15-48

The DEIR fails to address the 2004 Compass Blueprint Growth Vision Report. The Compass Blueprint Growth Vision is a regional consensus to the land use and transportation challenges facing Southern California now and in the coming years. The DEIR is required to address the Blueprint.

The Growth Vision is driven by four principles:

1. Mobility - Getting where we want to go

2. Livability - Creating positive communities

3. Prosperity - Long-term health for the region

4. **Sustainability** - Promoting efficient use of natural resources

Mobility: The Mobility principle encourages mutually supportive transportation investments and land use decisions. A key strategy is to design complete streets that promote walking, biking, and transit use. There is no discussion at all how the proposed subdivision supports this principle.

Livability: The livability element promotes mixed-use development in "people-scaled" environment. The proposed project includes only residential uses only, and then limits access. The document makes a few conclusory statements on the subject, but they are mere assertions with no facts and no discussion.

Prosperity: The project includes single-family residences, townhomes, and flats. A range of other uses and building types would better promote long-term health of the region. The gated nature of the subdivision signals a disinterest in civic engagement. Mixed use and encouraging civic engagement are very important to future vitality of a community. Also the single-family element is illusory; they are not true single-family homes. They are located on small lots without the yard space that is typical of a San Pedro single-family home.

Sustainability: Efficient buildings within compact, diverse, and connected communities encourage walking, biking and transit use, thus reducing energy consumption, trips and air pollution. The DEIR lacks adequate consideration of this requirement. For example, although 75% of energy needs can be addressed with building layout, placement and design, no specific provisions are made to integrate a multi-modal split or to certify the project under LEED-ND.

The proposed gated subdivision utterly fails to meet all four principles of the Compass Plan. The Compass Plan website[41] features many proposed and built development as best practices. None are gated subdivisions.

[41] *www.compassblueprint.org*

Response to Comment No. A15-48

Contrary to the comment's assertion, the Draft EIR presents a detailed discussion of the 2004 Compass Blueprint Growth Vision Report beginning on page IV.J-3. An analysis of the Project's consistency with relevant principles established in the Compass Growth Vision Report is presented beginning on page IV.J-24 of the Draft EIR. Each of the four principles cited in the comment is discussed in detail at pages IV.J-24 and IV.J-25 of the Draft EIR. The Proposed Project would include the provision of community walking and biking paths throughout the site, bicycle lockers and parking, and would be compliant with the City's Green Building Code (equivalent of LEED basic certification). It should be noted that the Project Site is currently completely gated and is not part of the existing street grid or the contiguous community. The Site was also gated and access restricted to Navy personnel only when it was used for naval housing. With inclusion of the proposed publicly accessible access road across the Project Site, there would not be any additional need for non-residents to access the interior portion of the Proposed Project, although pedestrian access would be available. The single-family homes being proposed as part of the Project are just that: detached single-family homes. Lot sizes for these homes would vary throughout the three different single-family product types proposed in the Project, just as single-family lot sizes vary throughout the City. The Draft EIR concludes that the Project would be consistent with each of these principles and the comment provides no facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of its position that the Project conflicts with these Compass Growth Vision principles.

Comment No. A15-49

Los Angeles General Plan

The Los Angeles General Plan and its Land Use Framework provide the basis for land use recommendations in the Community Plans.

The site is located at the southern edge of Wilmington-Harbor City Community Plan Area and just north of the San Pedro Community. Both community plans are more recent than the General Plan. Therefore, the community plan's recommendations are more reflective of the current vision for the site. The Wilmington-Harbor City Community Plan was last updated in 1999. In August 2012, the Planning Department, working with the San Pedro Neighborhood Councils, released a draft update to the San Pedro Community Plan (SPCP). The SPCP Plan has the most current vision of the City and the San Pedro Community.

Response to Comment No. A15-49

The comment presents some facts and some opinions concerning the City's General Plan and Community Plans. The Project Site is located within the Wilmington-Harbor City Community Plan area, as the comment correctly states. The San Pedro Community Plan does not govern the Project Site, nor does it set any City planning policy that is specific to the Project Site. In addition, the draft update to the San

Pedro Community Plan has not yet been formally adopted; thus, the previously adopted (current) version of the San Pedro Community Plan represents the "current vision" for the San Pedro Community Plan area until such time that the plan update is formally adopted, and the analysis in the Draft EIR considers that document with respect to the Project's population and housing impacts (see Draft EIR Appendix IV.L-2). Also note that the General Plan Framework Element is not, by itself, the General Plan. Rather, the Framework is just one of a total of 10 elements that together constitutes the overall General Plan, and these elements have all been adopted at different times.

Comment No. A15-50

The proposed project does not meet Objective 4.3 of the General Plan Framework, to conserve scale and character of residential neighborhoods. According to the Planning Department's prior report,

> The Ponte Vista site is…not identified for higher-density residential land uses….is not located within a Neighborhood District, a Community Center, a Regional Center, a Downtown Center or a Mixed-Use Boulevard….the General Plan Framework does identify downtown San Pedro…and the area around the intersection of Avalon Boulevard and Anaheim Street in Wilmington…as the Regional Center and Community Centers for the Harbor area. In addition, these areas are also identified for Mixed-Use Boulevards. Denser residential development should be focused at these locations and not at a location such as the Ponte Vista site that has limited access to services, facilities, and public transit. It also has not been identified for targeted growth in the Framework Plan….[42]

Response to Comment No. A15-50

The comment cites a report by the Department of City Planning that was prepared for a previous development proposal on the Project Site. The City Planning Commission (CPC) determination for this previous proposal states that higher density is appropriate for the Project Site and provides a range of acceptable unit counts for the site that the Proposed Project falls within. The prior development proposal consisted of 2,300 residential units along with additional retail commercial space. The current Proposed Project seeks to develop 830 residential units and no retail space at the Project Site, or nearly two-thirds fewer units than the previous proposal. Additionally, the Project would develop a lower density of residential land use than adjacent parcels to the south of the Project Site, some of which are currently developed with densities as high as 77 DU/acre. Therefore, even with the maximum density of 55.9 DU/acre within Product Type 6 (apartments) proposed under Alternative C, the proposed multi-family housing along the southern boundary of the Project Site is about one third lower than, and is therefore consistent with, existing adjacent development.

[42] *2009 Department of City Planning Recommendation Report CPC 200608043-GPA-ZA-SP-DA, Ponte Vista Specific Plan, page F-2.*

As discussed in Response to Comment A15-16, in order to be consistent with Objective 4.3 of the General Plan Framework Element, the Project modulates development in different areas of the Project Site, precisely to vary the density according to the context of the surrounding uses. For example, the area identified as "Parcel 7" (generally, the southwest corner of the Project Site) in Figure II-3 of the Draft EIR would be developed with apartments and would represent the highest density on the Project Site, as shown in Table II-1 in the Draft EIR. Overall, as shown on Figure VI-2 of the Draft EIR, density generally increases as one moves across the Project Site from north/northeast to south/southwest, with the lowest densities nearest the DFSP, Green Hills Memorial Park, and single-family residential communities west of Western Avenue and north of Avenida Aprenda. This maintains consistency with surrounding uses: as described and illustrated on pages II-1 and IV.J-1 and Figure III-2 of the Draft EIR, two- to four-story multi-family residential buildings are located immediately south of the Project Site, with the greatest intensity adjacent to the southwest corner of the Project Site. To the east of the Project is Mary Star of the Sea High School, which is buffered from the residential uses in the eastern portion of the Project Site by open space and recreational areas. Similarly, single-family residential neighborhoods that "back up" to the southeastern corner of the Project Site would be buffered from the Project by open space, as well as by the access road to Mary Star of the Sea High School. Single-family residential uses west of Western Avenue would generally face single-family and lower-density multi-family uses along the northwestern and western boundary of the Project Site, with additional separation provided by Western Avenue, which the Project would widen along its frontage.

As such, the Project would be consistent with Objective 4.3 of the General Plan Framework Element to preserve the general scale and character of existing residential neighborhoods.

Comment No. A15-51

As discussed extensively elsewhere in these comments, it also does not meet Objective 3.2 “to provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.”

Response to Comment No. A15-51

As noted on page IV.J-29 of the Draft EIR, the Framework Element of the General Plan encourages the production of housing. The Draft EIR includes Mitigation Measures TRANS-26, TRANS-27, and TRANS-28 that collectively would be targeted toward increasing transit usage by Project residents and improving transit accessibility to/from the Project Site. Additionally, the Project Site is located in relative proximity to one of the largest employment centers in the Los Angeles area – the Ports of Los Angeles and Long Beach complex. The placement of a residential project containing a range of housing options and price points within a few miles of this major employment center makes it somewhat likely that a portion of future residents will be employed in the local vicinity. Although this may not reduce the total number of vehicle trips to and from the Project, it would reduce the total number of vehicle miles traveled (VMT), which would consequently reduce GHG emissions from automobiles compared to a residential project of similar size in a different location.

As is discussed on page IV.J-15 of the Draft EIR, CEQA Guidelines Section 15125(d) requires that EIRs discuss inconsistencies with applicable general and regional plans that the decision-makers should address. However, planning documents such as General Plans necessarily attempt to balance conflicting goals and priorities, and can produce contradictory policies; therefore, inconsistency with some specific policies does not mean that a project is inconsistent with the General Plan. Even though a project may deviate from some particular provisions of a plan, the City may still find the project consistent with that plan on an overall basis. *See*, *e.g.*, *Friends of Lagoon Valley v. City of Vacaville*, 154 Cal. App. 4th 807, 815 (2007). Consequently, the Proposed Project is considered consistent with the provisions of the identified regional and local plans if it meets the general intent of the plans, and would not preclude the attainment of the primary intent of the land use plan or policy. Because the Project would advance a range of planning policies articulated in the Wilmington-Harbor City Community Plan and in the General Plan Framework Element, the EIR may properly conclude that the Project is consistent overall with the General Plan, despite inconsistencies with particular policies. The comment has not provided any evidence to support the notion that the Project would preclude attainment of the primary intent of the Framework Element.

Comment No. A15-52

San Pedro Community Plan (SPCP)

The SPCP states that while Ponte Vista "is located just outside and north of the San Pedro Community Plan Area, this approximately 60-acre site presents an opportunity for an integrated mixed use and mixed density neighborhood. Its size and proximity to San Pedro calls for a development that is physically connected to the San Pedro community and provides public facilities and amenities that serve neighboring residents."

Land Use Policy 4.5 states, "new development at Ponte Vista should include a mix of uses and densities, a range of housing types, neighborhood services and amenities, compatible with and integrated into the adjacent San Pedro community. Development of the Ponte Vista site should be:

- Designed to provide a mix of housing types for a range of incomes;
- Compatible with a Low Medium density designation;
- Open and accessible to the community, and not developed as a gated community; and
- Developed with accessible public open space, community facilities and other public amenities."

Response to Comment No. A15-52

The comment appears to misstate the contents of the San Pedro Community Plan. Specifically, Land Use Policy 4.5 of the SPCP addresses the illumination of parks at night and does not contain any reference to the Project Site. In fact, there is no reference to either the Project Site or the Ponte Vista Project

anywhere in the currently adopted SPCP. While the SPCP is in the process of being updated, the City has not formally adopted the plan update; thus, the current adopted SPCP remains the operative document governing land use in the San Pedro community. Additionally, the Project Site is not located within the San Pedro Community Plan area and, thus, would not be subject to any of the policies contained in either the current SPCP or any future update.

With respect to the specific issues raised by the comment, the Proposed Project would develop a mix of housing types for a range of incomes, as is described in the Draft EIR. The Proposed Project would fall within the City's Low-Medium I, Low-Medium II and Medium General Plan Land Use Designations. Furthermore, the Project would be open and accessible to the community - only vehicular access is proposed to be restricted. The Project would also be developed with accessible public open space and recreational amenities in the form of a perimeter walking/jogging path, and would also provide as a community benefit a publicly accessible roadway between Western Avenue and Mary Star of the Sea High School. The Project generally meets the goals of the CPC as expressed in the CPC's determination regarding the previous development proposal for the Project Site.

Comment No. A15-53

The NWSPNC commented during the drafting process for the Community Plan Update and at the public hearing that it is inappropriate for the Planning Department to designate the area as Low Medium density in the SPCP Update as to do so would be a commitment to the designation before the environmental work had been completed and approved by the City. Since the final version of the plan has not been released, we do not know if this bullet has been removed. Nonetheless, the proposed project is in conflict with the three other policies.

Response to Comment No. A15-53

See Response to Comment A15-52 with respect to the San Pedro Community Plan's applicability to the Project Site.

Comment No. A15-54

Housing Types

A housing typology is a sequenced range of building types, whose design has evolved based on time-tested practices. These typically follow social and cultural norms, financial schemes, market preferences, prevailing climate and technological efficiencies. A variety of housing types can accommodate a range of incomes and family types.

The proposed project provides a very narrow range of building types. There are a number of other types and styles that should be considered such as duplex, triplex, quads, bungalow court, live-work, courtyard housing, hybrid court, and commercial flex buildings. See the also discussion of the inadequate analysis of option B and Attachment C that shows some San Pedro Building types.

Great neighborhoods possess both a distinctive public realm and a rich and complex fabric of buildings designed and built on private land. Public places depend on the incremental design of individual buildings around them. The more harmonious the choice of such buildings, the more distinguished the ultimate form of the place. Conversely, the more random the choice of buildings, the more residual the urbanism.

Response to Comment No. A15-54

This comment presents an opinion regarding the Proposed Project and does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. It should be noted that the Proposed Project would develop a range of building types that would be able to accommodate a range of incomes and family types.

Comment No. A15-55

Open and Accessible to the Community:

The proposed gated community is not consistent with the most current vision of the City and the adjacent San Pedro Community for the site. The problem with gated communities is not the gates but the vicious cycle of attracting like-minded residents who seek shelter from outsiders and whose physical seclusion then worsens paranoia against outsiders and threatens the unity of the community. A homogenous environment diminishes awareness of all that is different and lessens concern for the two communities beyond the subdivision walls.

Response to Comment No. A15-55

The interior of the Ponte Vista Project Site is not directly connected to the existing San Pedro street grid other than via Western Avenue, and has been gated with all community access restricted since serving as military housing for Navy personnel. The Project proposes a community that would be open and accessible – only vehicular access is proposed to be restricted. The Project would also be developed with accessible public open space and recreational amenities in the form of a perimeter walking/jogging path, and would also provide as a community benefit a publicly accessible roadway between Western Avenue and Mary Star of the Sea High School. The comment is expressing a subjective value judgment concerning gated communities and the Project's characteristics rather than an environmental concern and no further response is required.

Comment No. A15-56

Open Space and Public Amenities: Among the key residential neighborhood issues and opportunity areas of the SPCP is "preserving small neighborhood-serving amenities within residential areas **[**which]

serves the larger goal of reducing vehicle trips by making walking or bicycling more viable options for simple conveniences. The proposed plan fails to include any neighborhood-serving amenities.[43]

Response to Comment No. A15-56

See Response to Comment A15-52 with respect to the San Pedro Community Plan's applicability to the Project Site and the draft status of the SPCP revision. Nonetheless, the Project Site is located within easy walking distance from existing neighborhood commercial properties to the south along Western Avenue. The Project would be designed to facilitate accessibility to these commercial areas via the existing sidewalk along Western Avenue.

Comment No. A15-57

As a valuable community resource, open space on this 61.5-acre site can provide visual delight and recreational opportunities while providing ecological and economic benefits. A range of open spaces close by encourages people to spend more time outside engaging in physical activity, such as walking, that reduces the risk of obesity, diabetes, heart and mental illness, while increasing social connection and a sense of community.

All of the alternatives lack a public park. Some residual parcels are called out as open space for the residents of the subdivision. This is a monumental missed opportunity for the Wilmington-Harbor and Northwest San Pedro Communities, but an even greater loss for the future residents of this subdivision.

Open spaces must be carefully integrated with block, street, building and frontage standards to work in consort to create a unique place. Open spaces should include a diverse range of integrated public spaces at the block, neighborhood, and community level. The individual building types should also specify private open spaces at the lot and building level. This approach will allow residents access to a range of public and private open spaces.

Response to Comment No. A15-57

As discussed in the Draft EIR, the current version of the Proposed Project (Draft EIR Alternative C) would provide 20.5 acres of open space, including a publicly accessible, landscaped perimeter open space area surrounding the Project Site that would be developed with a walking/jogging path. Other open space areas would be integrated into the overall layout of the Project and would serve Project residents but would also be accessible to pedestrians. The remainder of the comment expresses a subjective value judgment concerning open space and the design of the Project rather than a concern regarding the adequacy of the Draft EIR and no further response is required. See also Response to Comment A15-52.

[43] *Draft San Pedro Community Plan, August 2012, page 37.*

Comment No. A15-58

Additional Plan Considerations

The NWSPNC requested that the following four bullets be added to the discussion of the development of the Ponte Vista site in the SPCP:

- Promote home-based offices
- Encourage senior friendly facilities.
- Encourage on site businesses such as a coffee shop or convenience store.
- Through the mitigation process, this development or any single development should not be allowed to use up all of the development potential for the surrounding community.

The proposed project does not address any of these.

Response to Comment No. A15-58

See Response to Comment A15-52 with respect to the San Pedro Community Plan's applicability to the Project Site and the draft status of the SPCP revision. With respect to the issues raised in the comment, the Project would do nothing to discourage home-based offices and would, in fact, be designed to include provisions for home offices as well as on-site business centers and daycare facilities for the use of residents. Housing product types 5 and 6 within the Project would offer single-level living with direct elevator access garages for the convenience, safety, and comfort of seniors. Neighborhood-serving retail land uses are located a short walk south of the Project Site. As discussed in Sections IV.L and VI of the Draft EIR, the current version of the Proposed Project would not "use up" all of the development potential for the surrounding community but would instead address a portion of the identified housing need in the area.

Comment No. A15-59

While not specific to the Ponte Vista site, the SPCP states the "The need for affordable senior housing and assisted living facilities is a key concern due to demographic and economic trends and projections. In San Pedro, such facilities would increase the opportunities for those 'empty nest seniors' looking to downsize from large single-family homes while remaining within the community and the reach of supportive social, cultural and family networks."[44] The lack of any senior housing in this project would be a significant missed opportunity.

[44] *Draft San Pedro Community Plan, August 2012, page 37.*

Response to Comment No. A15-59

See Response to Comment A15-52 regarding applicability of the SPCP to the Project Site. With respect to the issue raised in the comment, plenty of opportunity would exist for seniors to live within the proposed community. The CPC specifically stated that the site is not suitable for senior housing in its determination on the previous development proposal for the Project Site, which did include a dedicated senior housing component. Additionally, the local community was generally opposed to this aspect of the prior proposal. As noted in Response to Comment A15-58, housing product types 5 and 6 within the Project would offer single level living with direct access garages for the convenience, safety, and comfort of seniors.

Comment No. A15-60

Wilmington-Harbor City Community Plan (WHCCP)

The proposed project does not meet the fundamental premises of the WHCCP. The first premise is limiting residential densities in various neighborhoods to the prevailing density of development in these neighborhoods. Although the six acres immediately adjacent to the South is multi-family, this is an anomaly. This property was zoned commercial with the expectation that it would be used in such a manner. Unfortunately, the same code allowed the multi-family structures to be erected in a manner that is not compatible with the surrounding community. The surrounding neighborhoods are single family R-1, with the exception of the Gardens that is 13.5 net dwelling units per acre. In fact, according to a recent study, 80% of the land along the Western Avenue corridor (Summerland to Palos Verdes Drive North) is dedicated to single-family residential lots.[45]

Response to Comment No. A15-60

Existing land use both surrounding and in the vicinity of the Project Site is described in Sections III and IV.J of the Draft EIR. The comment presents a summary of these existing land uses. See Responses to Comments A15-16 and A15-17 regarding the site plan for the Project and its general compatibility with surrounding land uses, particularly with respect to density.

Comment No. A15-61

Furthermore, the WHCCP (1-54) designates specific areas for Low median density and this is not one of them. Instead the plan (IV – 3.8) policy is to "encourage reuse of the existing US Navy housing areas … in a manner that will provide needed housing …without adversely impacting the surrounding area." Clearly the plan did not consider this property suitable for multi-family housing.

[45] *Western Avenue corridor Vision, Preliminary Analysis and Ideas, November 14, 2012.*

Response to Comment No. A15-61

The comment is correct that the Wilmington-Harbor City Community Plan does not designate the Project Site for multi-family housing. However, the analysis provided throughout Section IV of the Draft EIR (and in Section VI with respect to the reduced density Alternative C, the current Proposed Project) shows that the Project would be consistent with the Plan policy cited by the comment by providing needed housing without producing long-term significant adverse environmental impacts. Also, as stated in the Draft EIR (see Sections II and IV.J), the Project would require a General Plan Amendment. Further, the CPC, in its determination on the previous development proposal for the Project Site, stated that higher densities are appropriate for the site and the Project falls well within the suggested range of densities.

Comment No. A15-62

The second and third premises are

> …the monitoring of population growth and infrastructure improvements through the City's Annual Report on Growth and Infrastructure with a report of the City Planning Commission every five years…following Plan adoption…. If this monitoring finds that population in the Plan area is occurring faster than projected, and that infrastructure resource capacities are threatened, particularly critical resources such as water and sewerage; and that there is not a clear commitment to at least begin the necessary improvements within twelve months; then building controls should be put into effect…until the land use designations…and corresponding zoning are revised to limit development.

The Annual Report on Growth and Infrastructure has not been done. The DEIR (I-103) states that the "Projects direct plus induced growth" represents about 91% of the growth forecasted within the WHCCP area, thus this single project will use virtually all of the planned for growth. Considering that there have been other residential developments in the 14 years since the WHCCP was developed, building controls should be put into place until such a study is conducted.

Response to Comment No. A15-62

As a preliminary matter, the amount of growth projected in the Wilmington-Harbor City Community Plan area does not provide an adequate measure of whether utilities infrastructure exists to serve the Project, and the Draft EIR includes detailed discussions of the impacts of the Project on major utilities systems. Section IV.O (Utilities and Service Systems) of the Draft EIR evaluated whether adequate utilities infrastructure exists to serve the Project.

Section IV.O.1 of the Draft EIR evaluates water infrastructure capacity. As discussed on page IV.O-13 and in Appendix IV.O-1 (Water Supply Assessment) to the Draft EIR, more than adequate water supply and water treatment capacity exists to serve the Project, which would constitute less than six tenths of one percent of supply capacity, and less than two tenths of one percent of remaining treatment capacity (the

reduced density Alternative C would constitute even smaller percentages of available capacity). Additionally, as discussed on page IV.O-14 of the Draft EIR, the Project would include any necessary upgrades to fire flow infrastructure, in accordance with Los Angeles Department of Water and Power ("LADWP") standards. As discussed on pages IV.O-14-16 of the Draft EIR, the cumulative impact on the Project for water supply and treatment would also be less than significant, as adequate supply and treatment capacity exists to serve the Project, and the Project includes any necessary infrastructure improvements to assure service to the Project Site.

Section IV.O.2 of the Draft EIR evaluates wastewater conveyance and treatment capacity. As discussed on page IV.O-26, adequate sewer conveyance and treatment capacity exists in the City's Taper Avenue infrastructure (conveyance) and in the City's Terminal Island Water Reclamation Plant (treatment) to accommodate the wastewater anticipated from the Project. As stated on page IV.O-27-28, adequate cumulative capacity also exists in the City's wastewater conveyance and treatment systems. See Response to Comment A2-1 with respect to possible County wastewater service to the Project.

Section IV.O.3 of the Draft EIR evaluates solid waste systems and capacity with respect to the Project. As discussed on pages IV.O-50-51, existing City solid waste facilities have adequate capacity to accept construction and operational solid waste generated by the Project. As stated on pages IV.O-53-54, short- and long-term cumulative impacts related to solid waste disposal are less than significant, and adequate cumulative capacity exists.

Section IV.O.4 of the Draft EIR evaluates energy systems and capacity with respect to the Project. As discussed on page IV.O-67 of the Draft EIR, LADWP's existing and projected energy supplies are sufficient to support the Project's projected energy consumption, and LADWP has opined that that Project-related electricity demand would not have an adverse impact on the electrical distribution system. Additionally, as discussed on pages IV.O-68-69 of the Draft EIR, SoCal Gas is able to accommodate Project-related demand for natural gas supplies. As discussed on the same pages, SoCal Gas evaluates infrastructure as projects are proposed and adjusts service accordingly. As discussed on pages IV.O-70-71 of the Draft EIR, short- and long-term cumulative impacts to electricity and natural gas supplies and infrastructure would be less than significant, as existing supplies and existing and planned infrastructure would accommodate cumulative demand.

In each of the above analyses, as demonstrated in Section VI of the Draft EIR, the reduced density Alternative C, which is the currently Proposed Project, would result in a smaller impact than the already less than significant impact level of the original Project. As discussed on page VI-82 of the Draft EIR, the direct plus induced growth represented by reduced density Alternative C would constitute about 54 percent of the total housing growth forecast to occur within the Community Plan area between 2010-2027.

Comment No. A15-63

The proposal is not consistent with Objective 1-2 "To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities" and Policy 1-2.1 "Locate higher residential densities near commercial centers and major bus routes where public-service facilities, utilities, and topography will accommodate this development." As was pointed out in a prior Planning Department's Report:

> The Ponte Vista site is not located within reasonable walking distance to a transit station, a transit corridor, or a high-activity center. The closest commercial services are located along the east side of Western Avenue, just south of the Project site (approximately 500-feet south). However, walking or transit is generally not a viable option to access these services since they are laid out in a linear fashion within strip malls or plaza shopping centers, with large parking lots in between the sidewalk and the buildings.[46]

It is also not consistent with the new vision for Western Avenue that calls for wider sidewalks, transit, and human scaled environment that would encourage walking. As the largest new development along Western Avenue, Ponte Vista has an opportunity to set the tone for others to follow as they redevelop their properties.

Response to Comment No. A15-63

As shown in Table IV.J-1 of the Draft EIR (page IV.J-37), the Proposed Project was found to be consistent with both Objective 1-2 and Policy 1-2.1 of the Community Plan. As discussed therein, the Project would provide infill housing that is located proximate to existing commercial centers along Western Avenue, as well as to downtown San Pedro and the Ports of Los Angeles and Long Beach, which are among the region's largest employers. Further, the Project is located on Western Avenue, which is an existing bus route. In particular, the Metro 205 and connecting buses provide transportation along Western Avenue to San Pedro, the Ports, and downtown Long Beach. The Project, under Mitigation Measures TRANS-26, TRANS-27, and TRANS-28, would employ measures to increase transit usage by Project residents and improve transit accessibility to/from the Project Site. Public services and utilities are available to accommodate the Project as analyzed in Sections IV.M (Public Services) and IV.O (Utilities and Service Systems) of the Draft EIR. The topography of the Project Site would accommodate the Project. Further, the CPC, in its determination on the previous development proposal for the Project Site, stated that higher densities are appropriate for the site and the Project falls well within the suggested range of densities. The Project itself would encourage walkability by providing both a sidewalk along Western Avenue with street trees and a landscaped perimeter jogging/walking pathway surrounding the Project Site. The lack of cut-through traffic across the Site would also help to create a pedestrian-friendly environment.

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[46] *Department of City Planning Recommendation Report CPC 200608043-GP-ZA-SP-DA, Ponte Vista Specific Plan, Page F-3.*

Comment No. A15-64

The proposal is not consistent with Land Use Policy 1-1.5 to "Maintain at least 67% of residential land uses for single family." The DEIR (IV.M-24) Cumulative residential projects in the City shows 2,195 new residential units of which only 84 (3.8%) are shown as single-family. Approval of this project would exacerbate that imbalance.

Response to Comment No. A15-64

The Draft EIR, at page IV.J-36, acknowledges that the Project would be inconsistent with Policy 1-1.5 of the Community Plan, as is stated by the comment. The currently Proposed Project (Alternative C in the Draft EIR) would develop 208 single-family homes (or 25 percent of the total Project units) on approximately 35 percent of the Project Site. However, in addition to the proposed single-family land uses, the Project (Alternative C) would also develop 622 multi-family housing units, thereby increasing the overall percentage of multi-family residential lands within the Wilmington-San Pedro Community Plan area. Multi-family development is also necessary in order to meet other Community Plan policies, such as providing a range of housing opportunities.

Comment No. A15-65

Furthermore, the proposal is not consistent with Policy 1.5.2 to promote housing in mixed-use projects in transit corridors and pedestrian oriented areas. The WHCCP only identifies one such area, Anaheim and Avalon. As discussed in our comments under transportation, Western Avenue in this area is neither a transit corridor nor a pedestrian oriented area. In fact the project is isolated and will require the use of a car for virtually any need. See also the discussion of the lack of public transportation under Traffic and Transportation.

Response to Comment No. A15-65

The Proposed Project would not contain mixed-use development, which is more ideally suited to high quality transit- and pedestrian-oriented-districts as Policy 1.5.2 suggests. Thus, Policy 1.5.2 of the Community Plan is not relevant and, therefore, was not discussed in the Draft EIR. With respect to the Project Site, however, it is located adjacent to a transit corridor and would implement mitigation intended to increase the use of transit by Project residents. The Project Site is also located proximate to commercial areas, including accessibility by pedestrians, as discussed in Section IV.J of the Draft EIR.

Comment No. A15-66

The proposed project does not meet Objective 8-2 and policy 8-2.1 of the WHCCP which seeks "to increase the community's and the Police Department's ability to minimize crime and provide security for all residents, buildings, sites, and open spaces" and to "support and encourage community-based crime prevention efforts (such as Neighborhood Watch), through regular interaction and coordination with

existing community-based policing, foot and bicycle patrols, watch programs, and regular communication with neighborhood and civic organizations."

The proposed gated environment would likely breed fear, erode social stability and shrink the notion of civic engagement by encouraging residents to retreat from civic responsibility. It creates an unsafe environment both inside and outside the gates.[47] The appropriate response to reduce crime, poverty and other social problems, as recommended by the WHCCP, is for the neighborhoods to work together. The best way to bring security to the streets is to make them delightful places that people want to walk in. The streets become, in effect, self-policing. Fences and gates exacerbate the problem.

Response to Comment No. A15-66

The Proposed Project would provide its own 24-hour security and, thus, would not directly depend upon a community-based crime law enforcement program such as Neighborhood Watch. For this reason, Policy 8-2.1 of the Community Plan was determined not to be applicable to the Project and was therefore not discussed in the Draft EIR. However, with respect to Objective 8-2 of the Community Plan, consistency of the Project is discussed in Table IV.J-1 at page IV.J-41 of the Draft EIR. Public access to the Project would be provided, as are public recreational amenities and bicycle/pedestrian pathways. In short, the Project would not be walled off from the surrounding community. The comment is expressing a subjective value judgment concerning gated communities rather than an environmental concern and no further response is required.

Comment No. A15-67

Chapter IV of the WHCCP identifies recommended actions. For residential housing, number 11 is to "encourage the development of housing types intended to meet the special needs of senior citizens and the physically challenged." Failure to do so in the proposed project is a real missed opportunity.

Response to Comment No. A15-67

See Response to Comment A15-59. The CPC specifically stated that the site is not suitable for senior housing in its determination on the previous development proposal for the Project Site, which did include a dedicated senior housing component. Additionally, the local community was generally opposed to this aspect of the prior proposal. The comment expresses an opinion concerning the Project's design but does not assert an inadequacy in the Draft EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

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[47] *Blakely, E.J., and M.G. Snyder. (1998). "Separate places: Crime and security in gated communities." In: M. Felson and R.B. Peiser (eds.), Reducing crime through real estate development and management, pp.553-70. Washington, D.C.: Urban Land Institute.*

Comment No. A15-68

LA MUNICIPAL ZONING CODE

The current R-1 zoning is a combination of R-1 and open space. According to the DEIR, this zoning would permit about 385 units. Alternate C for 830 units would more than double that development intensity, and Alternate D would triple the intensity. This increased intensity would increase demands on existing community facilities such as schools, libraries, parks and recreational amenities. In an uncharitable and perverse logic, future residents of this subdivision would be able to use all San Pedro facilities but San Pedro residents would not be allowed access to parks and recreational amenities located inside the gated community.

It is not clear what the trigger is for increased intensity at this location. The zoning conditions, cost of site acquisition, and removal of existing structures are preexisting conditions. These are not appropriate factors or justifications for increased development intensity. This is especially true for the cost of site acquisition; the fact that the applicant bank loaned the original buyer far more than the property is worth, is not an appropriate justification for failure to consider Alternative B. According to the DEIR Alternate B houses would have to sell for more than $1,000,000.

No support whatever is provided for this claim. However, using the January 2010 "Residential Building Costs" published by the State of California Board of Equalization, the cost of building good quality single family houses is far less than claimed by the applicant. The 216-page publication provides building cost data for a variety of residential building types, sizes and quality. The costs include entrepreneurial profit and adjustments for location where the units are to be constructed. They do not include discounts for multiple units being constructed at the same time however, which would make the cost even lower.

By way of example, the cost of constructing 385 good quality single-family houses on 61.5 acres with a land cost of $120 million would be $584,728.31 each, far lower than the unsupported claim of the applicant.[48]

We chose a quality level D8 home of 2000 square feet.[49] There are 10 levels of construction quality, with 10 being highest. The publication includes descriptions of each quality level and photos of each type. From observation, San Pedro would mostly consist of level D6 quality. We used level D8, a much higher quality level. A description of the characteristics of D8 quality, photos of examples of houses of that quality, and the cost of construction are attached as Attachment D. Had we used D6 quality level, the cost per house would be $474,751.31.

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[48] *385 houses at 2000 sf each, = 770,000 s.f. Cost from table $124.11 times 1.10 LA County Adjustment = $136.52 psf. Total construction cost 770,000 X $136.52 + $105,120,140. Add: Land cost $120,000,000 + $225, 120,140 total cost land and construction, or $584,728.31 per house.*

[49] *The unattached houses in the Taper Area, mount Shasta area, and around Dodson Middle School are 1350 sf to 2200 s.f. with an average of 1800 sf. We use 2000 sf.*

Response to Comment No. A15-68

Many economic calculations must be factored into an analysis of potential sale prices for housing products that could be developed at the Project Site. In addition to the land acquisition, demolition, site preparation, and construction costs, the comment fails to state that there are additional land infrastructure costs, builder profit and interest carry, and other soft costs (including entitlements) to consider in this equation. A complete assessment of the various cost considerations that must be factored into an economic analysis of development alternatives at the Project Site is presented in Appendix B to this Final EIR. Based upon the same assumptions presented in Appendix B for analysis of additional development alternatives for the Site (see Topical Response 6), development of Draft EIR Alternative B would create approximately $80,850,000 in hard costs (materials and labor construction costs), $58,722,000 in soft costs (marketing/sales, general/administrative, property taxes, permits/fees, etc.), $4,710,000 in financing costs, $34,034,000 in builder profit (at 10 percent), and $73,123,000 in infrastructure development costs. In addition to these costs (totaling $251,439,000), the land purchase price for the property ($120,000,000) must be added, resulting in a total cost to develop of approximately $371,439,000. Without factoring in any profit margin for the Applicant, the per-unit cost to develop Alternative B would be approximately $965,000, which is consistent with the information presented in the Draft EIR.

As is discussed in the Draft EIR, residents of the surrounding area would have access to the proposed recreational path network and landscaped open space at the Project, as well as pedestrian access to the interior of the Project.

This comment expresses several opinions about the methodology used to calculate the economic cost to develop single-family Alternative B at the Project Site, but does not challenge the adequacy of the impact analysis of the Draft EIR. These comments will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A15-69

Further, the analysis of Alternative B claims there will be no open space even though 15 acres are zoned open space. It also claims that Mary Star will lose road access through the property. These assertions are true only if the City allows that to happen.

Response to Comment No. A15-69

See Response to Comment A15-7 regarding the acreage zoned for Open Space at the Project Site. See Topical Response 6 for a discussion of additional alternative site plans that would retain the access road for Mary Star of the Sea High School. It should also be noted that the Project Applicant is under no obligation to provide such access and would only be doing so as a benefit to the community.

Comment No. A15-70

Urban Design Principles

In 2009, the City Planning Commission approved Urban Design Principles to provide guidance on how street, block and open space design can create desirable and resilient neighborhoods that instill a sense of community.

The ten Urban Design Principles are:

- Develop inviting and accessible transit areas;
- Reinforce walkability, bikeability, and wellbeing;
- Nurture neighborhood character;
- Bridge the past and future;
- Produce great green streets;
- Generate public open space;
- Stimulate sustainability and innovation;
- Improve equity and opportunity for all;
- Emphasize early implementation, simple processes and maintainable long-term solutions; and
- Ensure connections.

The DEIR fails to address or evaluate whether the proposed project complies with these ten Urban Design Principles. They were adopted by the Planning Commission and should be addressed in the DEIR.

Response to Comment No. A15-70

The City's Urban Design Principles are discussed on page IV.J-14 of the Draft EIR. Additionally, in response to this comment, the following consistency discussion has been added to page IV.J-55 of the Draft EIR, above the "Impact Summary" subheading (see Section IV, Corrections and Additions to the Draft EIR):

> *Urban Design Principles*
>
> The Proposed Project would incorporate each of the City's ten Urban Design Principles to varying degrees as follows:
>
> - Usable and Accessible Transit Areas: The Proposed Project would help to implement this principle through the creation of a network of pedestrian and bicycle paths both within the Project and connecting the Project with Western Avenue. In addition, the Project

would provide a bus turnout lane on Western Avenue and bus stop facilities at bus stops adjacent to the Project Site (see Mitigation Measure TRANS-27). Bicycle storage areas would also be provided at the Project Site, and the Project would also coordinate with local and regional transit operators to develop and implement strategies to increase transit use by Project residents (see Mitigation Measure TRANS-26), as well as coordinate with LADOT to potentially extend the existing San Pedro DASH route northerly on Western Avenue to serve the Project Site (see Mitigation Measure TRANS-28).

- Reinforce Walkability and Wellbeing: The Proposed Project would help to implement this principle through the creation of a network of pedestrian pathways throughout the site, including a walking/jogging path around the perimeter of the Project. These paths would connect to the existing sidewalk along Western Avenue adjacent to the site. Pedestrian access would also be provided along the new road across the site between Western Avenue and Mary Star of the Sea High School. In addition, recreational facilities for the use of Project residents would be provided within each of the housing products in the Project. All of the pedestrian areas within the Project would be landscaped.

- Bridging the Past and the Future: This principle is not directly applicable to the Project Site in that the local vicinity does not contain notable examples of historical architecture and/or historical areas.

- Accentuate Visual Interest: The Project would establish detailed design guidelines within its Specific Plan with the purpose of creating a unified, appealing, and distinct visual presentation for the Project Site. These guidelines will address building facades, awnings, signage, architectural treatments, utilities, building setbacks, and other components of the Project, including pedestrian access.

- Nurture Neighborhood Character: The Project Site is a relatively challenging location given its current isolation from surrounding land uses as well as the variety of contiguous land uses surrounding it. The Project would help to implement this design guideline by modulating development in different areas of the site, precisely to vary the density according to the context of the surrounding uses. Overall, density within the Project generally increases as one moves across the Project Site from north/northeast to south/southwest, with the lowest densities nearest the DFSP, Green Hills Memorial Park, and single-family residential communities west of Western Avenue and north of Avenida Aprenda. The Project would improve the connection of Mary Star of the Sea High School to the community, but would not provide direct connections to the multi-family developments to the south or the single-family neighborhood to the east.

- Develop Street Furnishings: The Project would help to implement this guideline by establishing consistent guidelines through its Specific Plan for landscaping, streetscaping, paving materials, lighting, and benches along the public perimeter pathway and other walking paths.

- Emphasize Early Implementation and Long Term Maintenance: This principle is not directly applicable to the Project, being directed primarily at City Planners. Nonetheless, the Project's Specific Plan would ensure that all development at the site attains an approved standard. In addition, the Project would include a Homeowners' Association and CC&Rs to ensure maintenance of the site and Project roadways.

- Stimulate Sustainability and Innovation: The Project would help to implement this guideline through both compliance with the City's Green Building Code and the implementation of Project Design Features, including biofiltration of stormwater runoff, drought tolerant landscaping, and accessibility to reclaimed water delivery infrastructure.

- Improve Equity and Opportunity: The Project would help to partially implement this guideline by developing a range of housing product types oriented toward different segments of the market.

- Generate Public Open Space: The Project would partially implement this guideline by providing a substantial amount of open space accessible to all residents of the Project as well as to the general public via pedestrian accessways, including a central recreation area and multiple park areas, as well as additional open space accessible to the general public.

- Navigation, Connection, and Flow: The Project would help to implement this guideline by providing a network of walking, bicycle, and automobile circulation routes to be developed according to the design specifications in the Specific Plan. These routes would be signed, lighted, and treated with aesthetically consistent paving surfaces.

It should be noted that few projects will be consistent with each of these principles. The Urban Design Principles recognize that areas and communities within the City have a variety of unique elements that do not necessarily apply throughout the City and therefore should not be uniformly applied throughout the City. As noted above, the Project is either partially or fully consistent with each of the applicable Urban Design Principles. However, the Project's partial inconsistency with some of these planning objectives does not mean that the Project is necessarily inappropriate for the Project Site, nor does it constitute an adverse environmental impact. Indeed, the Urban Design Principles are presented with the caveat that not every location within the City is an appropriate site for the utilization of these planning objectives.

Comment No. A15-71

WALKABILITY CHECKLIST

Streets make up the lion's share of the public realm. It appears that streets in this subdivision are largely shaped by engineering standards intended to regulate the flow of traffic and infrastructure.

Streets are important civic spaces where the social and communal life of a neighborhood takes place. The street design inspires the context. Mobility is a means, not an end. Streets must be inviting, safe and secure place for walking, biking and transit for people of all ages, income and physical limitations. Less driving, reduces energy consumption and greenhouse emissions. Walking and biking improves overall health of the community.

The proposed site plan shows front-loaded garages with driveways. A front of a home should face another front and conversely the back should face another back. In many instances, the front frontages face the side or back of another home. These basic principles are important because they establish the context for the street and have a direct impact on walkability.

The City's Walkability Checklist is a guide for consistency with the policies contained in the General Plan Framework with respect to urban form and neighborhood design. The purpose of the Walkability Checklist for Entitlement Review is to guide Planning staff, developers, architects, engineers, and all community members in creating enhanced pedestrian movement, access, comfort, and safety. The Checklist provides guidance on nine topics: public sidewalks, crosswalks, on-street parking, building orientation, on-site parking, landscaping, building facade, lighting and signage.

The DEIR fails to make a finding of conformance with the policies and objectives of the General Plan related to the project's walkability. Walkability conformance is potentially significant due to the exclusive and gated pattern of the proposed development.

Response to Comment No. A15-71

The City's Walkability Checklist is discussed on page IV.J-14 of the Draft EIR. Additionally, in response to this comment, the following consistency discussion has been added to page IV.J-55 of the Draft EIR, above the "Impact Summary" subheading (see Section IV, Corrections and Additions to the Draft EIR):

> *Walkability Checklist*
>
> The Proposed Project would incorporate each of the objectives presented in the City's Walkability Checklist to varying degrees as follows:
>
> - Sidewalks: The Project would address this objective by providing pedestrian connections from the sidewalk along Western Avenue to the proposed perimeter walking/jogging path surrounding the Project Site. Benches and other amenities would be provided within this

landscaped public perimeter open space. Additional pathways would connect to the interior of the Project.

- Crosswalks/Street Crossings: The Project would address this objective through its Specific Plan, which would contain guidelines for the design and placement of crosswalks and pedestrian/bicycle street crossings within the Project.

- On-Street Parking: The Project would offer a limited amount of public, on-street parking along the proposed access road to Mary Star of the Sea High School.

- Utilities: The Project would be consistent with this objective by placing all utilities underground and buffering aboveground utility extensions with landscaping.

- Building Orientation: Although this objective is primarily oriented toward retail developments, the Project would partially address the concept by making building entrances visible from pedestrian pathways and providing direct pathways from the Project's interior to the transit stops on Western Avenue. The Project would also provide architectural continuity along the Western Avenue frontage.

- Off-Street Parking and Driveways: Parking for the Project would primarily consist of off-street garages and understructure spaces. This parking would be virtually invisible from Western Avenue due both to Project buildings and landscaping. The Project would be generally consistent with this objective.

- On-Site Landscaping: The Project would be consistent with this objective by incorporating extensive, visually interesting landscaping throughout the site, including over 3,000 new trees. Pedestrian pathways would be landscaped both within the Project itself and around the site's perimeter.

- Building Façade: The Project's building design would include features intended to promote visual interest and diversity when viewed from public frontages. Views from the Western Avenue frontage into the Project interior would be available from the pedestrian pathway. Blank walls would be minimized and articulated massing would be incorporated into Project building design. The Project would be largely consistent with this objective.

- Building Signage and Lighting: The Project would provide a consistent signage theme as specified in the Specific Plan. Lighting design and placement would also be similarly coordinated for the Project via the Specific Plan. Both would be consistent with this objective by being oriented to assist both pedestrians and automobile passengers and being "dark sky" compliant.

Notwithstanding the discussion provided above, the objectives and goals included in the Walkability Checklist are not mandatory, and not every objective or goal would be appropriate for every project. The primary objective is to achieve the implementation of some of these objectives in every project, thereby improving pedestrian access, comfort and safety. As noted above, the Project is either partially or fully consistent with applicable items of the Walkability Checklist. However, the Project's partial inconsistency with some of these planning objectives does not mean that the Project is necessarily inappropriate for the Project Site, nor does it constitute an adverse environmental impact. Indeed, the Walkability Checklist is presented with the caveat that not every location within the City is an appropriate site for the utilization of each of these planning objectives.

Comment No. A15-72

L. POPULATION AND HOUSING

PLAN FRAMEWORK ELEMENT

Objectives

The DEIR indicates that one of the relevant objectives is:

> 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers.

The proposed project does not meet this objective. The location of the project is isolated with extremely limited public transit options as discussed in the transportation comments. Residents of the proposed development would either have very long walks (highly unlikely) or drive to everything.

Response to Comment No. A15-72

The Comment presents an opinion regarding the Project's auto-dependency. Although the Project Site is directly served by a number of bus lines, which link the Project Site to the greater MTA transit network and surrounding employment and shopping locations, the Draft EIR notes that the Project Site is not particularly well served by public transit under existing conditions. Mitigation measures intended to increase transit accessibility to and from the Proposed Project are included in the Draft EIR (Mitigation Measures TRANS-26 through TRANS-28 on page IV.N-167). In addition, commercial districts to the south of the Project Site are easily accessible via a short walk along existing sidewalks on the east side of Western Avenue. For these reasons, the Draft EIR concluded that the Project would be consistent with this policy.

Comment No. A15-73

Housing

The DEIR (IV.l-22) states that "The jobs-housing ratio in the City of Los Angeles Subregion – i.e., the numerical ratio of 1.34 jobs to households – was very close to the ratio for the SCAG region as a whole in 2010 (1.37)…and is therefore considered close to "balanced." By adding 490 indirect/induced jobs …the Project would have no impact on the Subregion's 2010 jobs-housing balance…. By 2017 however, the Subregion is forecasted to add households at a faster rate than jobs…such that the Subregion would be considered "housing rich/jobs poor"…. By adding 490 indirect/induced jobs…the Project would have a neutral numerical impact…."

The premise of this description is flawed leading to a false conclusion. The description fails to note that the local job/housing balance that is significantly different than that of the Subregion. According to the draft San Pedro Community Plan, San Pedro has a jobs/housing balance of 0.44. The addition of 1,135 households would therefore further reduce the jobs/housing balance in the area. This is a significant negative impact and indicates that the project would be primarily a commuter community. Mitigation measures should include the creation of jobs on site.

Response to Comment No. A15-73

The Draft EIR does not make assumptions about particular locations where Project residents would in fact be employed. With respect to jobs-housing balance, the information presented in the Draft EIR (see p. IV.L-22), as noted in the comment, is measured at the scale of the City of Los Angeles subregion, because that is the only geography for which there are existing adopted planning policies. Given the scale of this subregion (i.e., the entire City of Los Angeles, the City of San Fernando, plus various unincorporated areas and federal government property), it is reasonable to assume that most employed Project residents would work within that geographic area. The wide range of housing types in the Proposed Project, ranging from single-family to apartments, also indicates a range of housing prices that would be consistent with demand in the housing market surrounding the Project Site. Unlike SCAG and its system of subregions, the City of Los Angeles does not have any official policy with respect to jobs-housing balance within the City or any of its Community Plan areas, including the San Pedro Community Plan. Also, the Project is located in the Wilmington-Harbor City Community Plan area, not the San Pedro Community Plan area. Accordingly, there is no basis for making a significance determination or requiring mitigation measures on the basis of jobs and housing in the San Pedro Community Plan area, as suggested by the comment.

Comment No. A15-74

We question the SCAG growth estimates and hence the need for additional housing since the 2010 census actual population numbers are well below SCAG 2005 estimates and projections. The DEIR (IV.L-9) discusses the SCAG Regional Housing Needs Assessment that was developed for the period January 1,

2006 – June 30, 2014. This is an old document. The new version of this document should be used. Furthermore, this old version has been shown to have grossly overestimated the projected growth for Los Angeles in general and San Pedro in particular. For example, the SCAG 2005 population estimate for San Pedro was 82,112; however, according to the 2010 census there are only 76,651 persons in San Pedro, 5,461 fewer. If the 2.5% growth forecast from 2010 through 2017 were applied, this would add 1916 to the population of San Pedro by 2017 still significantly below the 2005 SCAG forecast upon which the housing needs were developed. Consequently it is in error to conclude that the project will not induce substantial population growth in an area by proposing new homes.

Response to Comment No. A15-74

See Response to Comment A15-9 with respect to the applicable baseline year for the Draft EIR, which governs the applicable source data used to analyze environmental impacts under CEQA, including the relevant SCAG regional growth forecast, which is also the basis for the 2006-2014 Regional Housing Needs Assessment (RHNA) noted in the Draft EIR. As noted in previous responses, all analysis in the Draft EIR utilizes a 2010 baseline (or "existing conditions") year, and projections for 2017 and 2027, and the periods 2010-2017 and 2010-2027 are based on the SCAG regional growth forecast adopted in 2008 (not 2005 as suggested by the comment). As noted in the Draft EIR, the geographic focus of the housing and population impacts analyses is the relevant City of Los Angeles Community Plan area and SCAG's City of Los Angeles Subregion. It is also noted, again, that the Project is located in the Wilmington-Harbor City Community Plan area, not the San Pedro Community Plan area. The Draft EIR evaluated Project impacts according to the growth projections in the adopted Wilmington-Harbor City Community Plan (see Section IV.L). Supplemental analysis of the Project's impacts with respect to growth projections in the combined Wilmington-Harbor City and San Pedro Community Plans is presented in Appendix IV.L-2.

The comment is correct that a new SCAG regional growth forecast was developed by SCAG for use in the 2012-2035 Regional Transportation Plan (RTP) update and RHNA update. The new SCAG growth forecast is available only for the City of Los Angeles as a whole, and not at the census tract level. Therefore its implications for the relevant Wilmington-Harbor City and San Pedro Community Plan areas cannot be determined. However, as noted above, even if the required data were available, this would not have been the correct baseline for the Draft EIR. As disclosed in the Draft EIR, SCAG was in the process of developing a new RHNA at the time the Draft EIR was being prepared (see Draft EIR Appendix IV-L.1, Population and Housing Study, page 31, footnote #20). The new RHNA was eventually completed and approved by the California Department of Housing and Community Development on November 26, 2012, for use in updating local Housing Elements within the SCAG region. This occurred subsequent to the publication of the Draft EIR (i.e., November 8, 2012). For informational purposes, the new SCAG RHNA establishes a housing need allocation of 82,002 dwelling units for the City of Los Angeles over the next Housing Element Planning period, January 1, 2014 - October 1, 2021 (as compared with an allocation of 112,876 housing units for the 2006-2014 Housing Element period, as cited in the Draft EIR).

Comment No. A15-75

The justification for multi-family housing types is erroneous. The surrounding area is not all multi-story, multi-family housing. About 60% of San Pedro is multi-family; there is a glut of such housing on the market in San Pedro, some of it immediately south of the project. [While some of the condo projects built in the last five years are occupied, they are rental units because the developers cannot sell them]. Single-family housing is the housing type in greatest demand. Moreover, by building what it proposes, the applicant will undercut and greatly impact the Community Plan for San Pedro that emphasizes the rebuilding and renaissance of downtown San Pedro. The creation of a livable, walkable downtown area has been challenged by a lack of demand for the condos that have been built there.

Response to Comment No. A15-75

As discussed in Response to Comment A8-13, the Project analyzed in the Draft EIR includes a range of housing types, including single-family homes. The comment expresses an opinion about preferred housing types, but does not address the adequacy of the Draft EIR. It is also noted, again, that the Project is located in the Wilmington-Harbor City Community Plan area, not the San Pedro Community Plan area. The comment is, however, acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. A15-76

M. PUBLIC SERVICES

The City has the obligation and responsibility to provide the necessary services to enhance our quality of life. The City is already being challenged to do so. Ask any tax paying citizen who has had to wait for requested police or fire response or who is witnessing the decay of their neighborhood for lack of tree trimming, street sweeping, street and sidewalk repair, failing schools and the list goes on.

The Ponte Vista DEIR, with its 4,009 direct and indirect residents, seems to base its claim that the impact of the preferred plan would be 'less than significant' and 'less than significant with mitigation' on the fact that no new fire or police facilities would be required. The claim is an attempt to make a case for building as large of a project as possible without considering the real consequences it will have on the existing community; it is not just about buildings, it is about impact on the community including the availability of personnel to respond to called for services and to participate in proactive crime and fire prevention measures.

Response to Comment No. A15-76

As is noted throughout Section IV.M (Public Services) of the Draft EIR, the State CEQA Guidelines and the City's CEQA Thresholds Guide base a determination of impact significance upon the potential of a project to "result in substantial adverse physical impacts associated with the provision of new or physically altered…facilities, need for new or physically altered…facilities, the construction of which

could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives…". Each service provider must determine whether a project is likely to place such a strain on existing services that it will be unable to meet its performance objectives. If this is the case, additional facilities could be required in order to enable the service provider to meet its performance objectives and it is the potential for environmental impacts resulting from the construction of these facilities that creates the potential for a significant impact under CEQA, not any changes to existing service response times. As discussed in Section IV.M (Public Services) of the Draft EIR, environmental impacts are assessed considering a number of factors (such as fire flow, response distance, response times, service ratios, emergency access, compliance with Fire Code and other building standards, security and safety features incorporated into the project, review of the project by the LAFD and LAPD, and payment of applicable fees by the applicant) and based on all these factors, would a project require new or expanded facilities to maintain acceptable service levels, the construction of which could result in environmental impacts.

Comment No. A15-77

This project is being developed in an existing area that currently requires a comparatively limited number of calls for services, therefore, any increase should be considered significant. The project area is currently zoned for R-1 and open space, which would be the ideal 'fit' for the existing neighborhood community and have a minimum negative impact. This describes Alternate B, which has less of an environmental impact than Alternate C, the preferred Alternate.

Response to Comment No. A15-77

The comment opines that any increase in service calls should be considered significant for police and/or fire services. However, as described below, the mere fact that a project could increase the number of calls for service does not require a significance finding under CEQA. Moreover, that is not the impact threshold for either the LAFD or LAFD, as discussed in Sections IV.M.1 (Fire Protection) and IV.M.2 (Police Protection) of the Draft EIR.

The assessment of environmental impacts related to fire and police services provided by the LAFD and the LAPD (respectively) is not limited to the issue of the number of service calls. As discussed in Section IV.M (Public Services) of the Draft EIR, environmental impacts are assessed considering a number of factors (such as fire flow, response distance, response times, service ratios, emergency access, compliance with Fire Code and other building standards, security and safety features incorporated into the project, review of the project by the LAFD and LAPD, and payment of applicable fees by the applicant) and whether, based on all these factors, a project would require new or expanded facilities to maintain acceptable service levels, the construction of which could result in environmental impacts. This assessment in the Draft EIR prepared for the Project determined that no new or expanded facilities would be required as a result of the Project in order for the LAFD and the LAPD to maintain adequate service levels, as discussed on pages IV.M-11 and IV.M-22, respectively, of the Draft EIR. Under CEQA, an increase in the number of service calls generated at a specific location as the result of the implementation

of a project is not significant unless it results, in the estimation of the service provider, in a need to construct new or expand existing facilities, and only then if the required construction would itself generate adverse environmental impacts. Merely increasing the number of service calls to a site is not considered an environmental impact under CEQA, particularly if the service provider has indicated that it is able to accommodate such an increase through its existing facilities. See also Topical Response 5 for a discussion of this subject and citations to relevant sources.

Comment No. A15-78

Admittedly determining the anticipated impact of this project on the existing community is purely a speculative process generated by infinite unknowns. Calls for service may result from intentional and accidental human acts and acts of nature, some minor and others more serious or even catastrophic in nature, but all significant to those impacted.

What is clear, however, is that the more people, the more buildings, the more streets, the more cars, etc., the more significant the demand for police, fire, and EMT/ambulance services and the higher the probability of an unacceptable level of service in the Harbor Area. In fact, in a recent editorial the Daily Breeze (December 31, 2012) states "Unacceptably long response times are dogging the Los Angeles Fire Department and must be addressed immediately. It's a matter of life and death, as illustrated earlier this month by the case of a 16-year-old boy who collapsed while playing soccer at Wilmington Middle School." The mitigation proposed in the DEIR relative to first responders is limited to on-site measures. In reality that's all the developer can do because they do not have the power to hire more first responders or purchase needed vehicles.

Response to Comment No. A15-78

This comment expresses an opinion about the emergency response services in the Harbor Area, but does not challenge the adequacy of the impact analysis of the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

The current challenges facing the City in light of recent budget cuts are complex and continue to evolve. City officials are committed to developing interim solutions to ensure that the LAFD is able to meet mandated performance standards set forth in the Los Angeles Fire Code. CEQA does not shift financial responsibility for the provision of adequate fire and emergency response services to a project applicant. The City has a constitutional obligation to provide adequate fire protection and emergency services. As such, the City must continue to perform its obligations. The Project would generate a significant amount of General Fund revenues to the City in the form of sales and property taxes. The City could use these added revenues to help offset the LAFD budget cuts, although the ultimate use of these revenues is at the discretion of the City and not the Project Applicant. See also Topical Response 5.

Additionally, Section IV.M.1 (Fire Protection) of the Draft EIR determined that no significant impacts related to fire protection services would result from Project implementation and, thus, no mitigation

measures would be required. As a result, the comment's statement that mitigation proposed in the Draft EIR relative to first responders is limited to on-site measures is untrue, as there is no mitigation proposed. The referenced measures are Project Design Features that would be included in the overall design of the Project. Nevertheless, the Project Applicant would submit an emergency response plan for approval by the LAFD as part of the overall project design as described on page IV.H-21 of the Draft EIR. This would help to avoid potential impacts with respect to fire protection and emergency access.

Comment No. A15-79

Parking in streets and parking structures vs. private garages, apartment living vs. single family residences, real park space vs. limited green space, more cars on already overburdened streets are but a few examples of conditions with the potential of having a significant impact on calls for services. The current plan is more conducive to creating a contentious rather than harmonious neighbor.

Response to Comment No. A15-79

Sections IV.M.1 (Fire Protection) and IV.M.2 (Police Protection) of the Draft EIR both discuss in detail general and emergency access to the Project Site. Parking in streets and parking structures would not, as the comment asserts, create an opportunity that could potentially disrupt calls for services. In particular, the Project has developed an access plan that would provide adequate access to and from the Project Site in the event of an emergency. It is unclear exactly how parking structures and open space could have a significant effect on calls for services, as is asserted in the comment. Spillover parking on streets is actually less likely to occur with parking structures than with private garages, which are often used by residents for storage and purposes other than vehicle parking. Furthermore, as set forth in the discussion of Project Design Features in the Draft EIR, the Project Applicant would submit an emergency response plan for approval by the LAFD and LAPD. All of these plans would be reviewed and approved (including overall access and parking obstructions) by the LAFD prior to the issuance of a certificate of occupancy for the Project. It is also likely that the proposed on-site Project security would reduce calls for services to some degree.

Comment No. A15-80

Another significant fact to consider is that the project is located at the tip of a peninsula and not adjacent to other L.A. City first responders. Needed assistance, in extreme emergencies, may or may not be available from neighboring cities or the County. Help from L.A. City Fire and Police stations are unspecific miles away depending on the availability of their first responders at the closest facility. The Harbor Area is exposed to a much higher level of hazardous sources that could result in devastating consequences and liability issues than any other part of the City. The most volatile and closest to the Ponte Vista site is Rancho LPG. The City can ill afford minimizing and ignoring the vulnerability of Ponte Vista and its 4,009 residents. According to the EPA Guidance to enforce 40 CFR Part 68, if 57,000,000 pounds of butane (roughly one of the refrigerated Rancho tanks) were released, the blast radius would be 3 miles.

Response to Comment No. A15-80

With respect to risk associated with potential releases at the Rancho LPG facility, see Topical Response 4. The potential responders to incidents at the Project, including mutual aid from responders in Rancho Palos Verdes, Lomita, and the County, are discussed in Sections IV.M-1 (Fire Protection) and IV.M-2 (Police Protection) of the Draft EIR. Emergency evacuation plans are addressed in Section IV.H (Hazards and Hazardous Materials) of the Draft EIR, as well as in Topical Response 5. This comment expresses an opinion about speculative scenarios in the Harbor Area, but does not challenge the adequacy of the impact analysis of the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. A15-81

1. FIRE PROTECTION

The analysis of fire protection and proposed mitigations is inadequate. The DEIR states that all ***public*** street fire lane cul-de-sacs shall have the curbs painted red or be posted "No Parking Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.

The streets in the project are proposed to be ***private*** streets, so where will the "public" street fire lanes be? This contradiction should be fixed. Where will the guests park? Please state how the no-parking zones and red curbs will be enforced. What if cars are illegally parked in red zones and in private lanes making it impossible for emergency vehicles to get through?

Response to Comment No. A15-81

The comment correctly states that the Project Applicant proposes to construct private streets and private drives throughout the development. The Compliance Measures set forth beginning on page IV.M-7 of the Draft EIR state the Project's requirements pertaining to fire lanes, private streets, fire hydrants, and access routes. The private street vehicular circulation and associated private drives would provide for the required fire lane and fire apparatus access and staging provisions, fire lane widths, fire hydrant placement, and required hose reach considerations. Certain streets would allow for on-street parking. However, although on-street parking stalls will reduce the effective clear width of a street, the remaining width would comply with codified fire lane width provisions and would require review and approval by the LAFD. Also note that the Project's private street geometrics (i.e., curb to curb width and curb radii) will follow City standards for public street geometry. For the most part, guest parking for single family homes will be provided through a combination of in-driveway and on-street curb side parking, and guest parking for multi-family structures will be provided through a combination of on-street curb side parking, surface lot parking, and understructure facilities. Enforcement of designated "no parking zones" will occur through a homeowners' association sanctioned enforcement reporting process, and improperly parked vehicles could be subject to towing.

Comment No. A15-82

The DEIR section on Fire Protection says that the Project is not within the maximum response distance between residential land uses and a LAFD fire station. The DEIR says that this will be mitigated by sprinkler systems installed throughout all structures to be built as part of the Project. This is taken from LAMC, but requires clarification.

The proposed mitigation states sprinklers will be installed throughout all structures but does not specify if fire sprinklers will be installed inside every residential unit. "The US Fire Administration supports the recently adopted changes to the International Residential code that require residential fire sprinklers in all new residential construction. It is the position of the U.S. Fire Administration that all Americans should be protected from death, injury, and property loss resulting from fire in their residence. All homes should be equipped with both smoke alarms and residential fire sprinklers."[50] Please clarify the DEIR and address implications if sprinklers are not installed in every residential unit.

Response to Comment No. A15-82

As noted in the Draft EIR, the Project will be required to comply with the City's building code with respect to the installation of sprinklers within buildings. The building code requires that sprinklers be installed within all residential units.

Comment No. A15-83

The DEIR fails to address the anticipated response times for paramedic/EMS services provided by LAFD. Additionally, Western Avenue is the main access road for ambulances to the Little Company of Mary Hospital in San Pedro and an important access road to Kaiser Permanente Hospital in Harbor City. The DEIR should include mitigations for the longer response time in EMS/paramedic services. In emergency medical situations every second counts! Proposed mitigation might include, but should not be limited to, defibrillators on site. Please address this issue.

Response to Comment No. A15-83

See Topical Response 5 with respect to the potential for Project-generated traffic to impact emergency response. See also Response to Comment A15-78 for more information on response times and proposed mitigation measures for Fire Protection services.

The comment incorrectly states that the Draft EIR fails to analyze paramedic/EMS services provided by LAFD. Contrary to the comment, the Draft EIR encompasses paramedic/EMS services in its discussion of overall LAFD response times and distance. For example, as shown in Table IV.M-1 on page IV.M-2

[50] *Source: US Fire Administration, June 2009.*

of the Draft EIR, Station No. 38 includes a task force truck, engine company, and paramedic rescue ambulance.

With regard to the comment that additional mitigation measures are needed due to response times, the comment is directed to Section IV.M.1 (Fire Protection) of the Draft EIR and its statement that the LAFD only provides a standard for response distance, not time. If the response distance standard cannot be achieved for a specific location, then fire sprinkler systems are required. As the Draft EIR acknowledges, the Project would not be within the LAFD's required response distance of 1.5 miles for residential land uses. The responder closest to the Project Site is Station No. 36, approximately two miles driving distance away. Therefore, the installation of automatic fire sprinkler systems is required pursuant to LAMC Section 57.09.07, and the proposed structures would be equipped with sprinklers. This requirement is restated as a Compliance Measure on page IV.M-7 of the Draft EIR. Moreover, as discussed in Topical Response 5 and Response to Comment A15-41, response times do not, by themselves, form the basis of a significance determination for the purposes of CEQA. Consequently, no additional analysis of this issue is required.

Comment No. A15-84

The DEIR correctly states that "The LAFD's ability to provide adequate fire protection and emergency response services…is also determined by the degree to which emergency response vehicles can successfully navigate the given access ways and adjunct circulation system, *which is largely dependent on roadway congestion and intersection level of service (LOS) along the response route."* The DEIR indicates that two of these intersections are currently operating at LOS E or F, and goes on to state that "None of the intersections that provide direct emergency access to the Project Site [Western & Green Hills, Western & john Montgomery] currently operate at LOS E or F during peak community hours." While it may be true that neither of the intersections that provide direct access currently operated at those levels on the day they were studied, the conclusion is misleading. The proposed primary entrance to the facility is at Green Hills Drive and John Montgomery Drive. When San Pedro has one of its legendary (and frequent) lengthy funeral processions (a local custom, or during Christmas shopping season, or when there is an emergency situation or road repair (not an infrequent occurrence), Western Avenue backs up for blocks. It is not unusual to see emergency vehicles trying to go against the traffic on this divided highway. In addition, what good is it if that intersection is open but Western and Palos Verdes Drive North or Western and Capitol, are blocked. The additional traffic from the proposed development will only compound this situation.

Response to Comment No. A15-84

See Topical Response 5 with respect to the potential for Project-generated traffic to impact emergency response. See also Response to Comment A15-78 for more information on response times and proposed mitigation measures for Fire Protection services. With respect to occasional funeral processions, the particular characteristics associated with Western Avenue -- including existing funeral processions related to Green Hills Memorial Park -- are accounted for in the traffic count data collected for the thoroughfare.

Funeral processions are an existing, intermittent condition that currently exists on Western Avenue. Additionally, processions related to Green Hills Memorial Park primarily occur during midday periods, and not during the commuter peak periods that provide the most conservative basis for traffic impact analysis. Also, as discussed in Topical Response 5, the traffic analysis included supplemental evaluation to determine whether school dismissal times shift the PM peak hour and determined that they would not. Consequently, peak periods in the Project vicinity are consistent with the typical peak traffic periods throughout the City, as well as those used in the Traffic Study.

Comment No. A15-85

The DEIR should also address how additional residents of the Project would affect availability of EMS services.

Response to Comment No. A15-85

See Response to Comment A15-83 with respect to EMS services in the Project vicinity and response distances to the Project Site.

Comment No. A15-86

Mitigation measure IV.M-9, Project Design Features, discusses the development of an emergency response plan and indicates that during the development of the plan the Project Applicant should consult with neighboring land uses. None of mentioned users includes the residents. Please add the Northwest San Pedro Neighborhood Council, the Harbor City Neighborhood Council, and the City of Rancho Palos Verdes to the list. Please also add a requirement that the emergency response plan should ensure that there would be no adverse impact on the evacuation of surrounding neighborhoods as a result of any evacuation of the project area. There is no guarantee of additional police or firefighters to meet the additional demands.

Additionally, the development of the Emergency Response Plan should be included Table I-I as either a Compliance Measure or a Required Mitigation Measure.

Response to Comment No. A15-86

The comment is referring to the Project Design Feature discussed on page IV.M-9 of the Draft EIR. The purpose of this requirement is to ensure that the Project develops an emergency response plan that is consistent with and does not contain any conflict with existing emergency response plans that have been adopted by some of the nearby institutional land uses. The comment suggests adding two Neighborhood Councils to the non-exclusive list contained in the Project Design Feature. However, the Neighborhood Councils do not have the authority to adopt or approve formal emergency response plans, as they do not have the technical expertise to do so. The Project Design Feature requires that the LAFD review and approve the emergency response plan for the Project, partly to ensure that it is consistent with existing City emergency response plans, procedures, and protocols and to ensure its adequacy from a technical

perspective. Thus, there is no need to explicitly include the Neighborhood Councils among the consulting parties with respect to the Project's emergency response plan. Similarly, LAFD review of the Project's emergency response plan will ensure that implementation of the plan would not adversely effect evacuation of surrounding neighborhoods. Thus, there is no need to explicitly make such a statement as part of the Project Design Feature.

However, per the comment's suggestion, the City of Rancho Palos Verdes, being located immediately across Western Avenue from the Project Site, has been added to the required minimum list of agencies to be consulted during preparation of the Project's emergency response plan at pages IV.H-21 and IV.M-9 of the Draft EIR under "Project Design Features" (see Section IV of the Final EIR, Corrections and Additions to the Draft EIR):

- Prior to the initial occupancy of any residential unit in the Project, the Project Applicant would submit an emergency response plan for approval by the Los Angeles Fire Department (LAFD). The emergency response plan will include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. In developing the emergency response plan, the Project Applicant shall consult with neighboring land uses, including but not limited to the U.S. Navy Defense Fuel Support Point (DFSP), the ConocoPhillips Refinery, Rancho LPG, the Port of Los Angeles, the City of Rancho Palos Verdes, and Mary Star of the Sea High School.

Comment No. A15-87

2. POLICE PROTECTION

For purposes of analysis of impact on police services and possible need for additional police officers, it is assumed that the Project would result in a net addition of 4,009 persons to the Harbor Area. Population increase in an area typically increases demand for police services. The applicant however, says that security and design features in the project should help to decrease need for police services. This may or not be true. We suggest that the Project be required to include Anti-Graffiti measures and comply with street lighting guidelines as if the streets were public streets.

Response to Comment No. A15-87

See Response to Comment A15-77 with respect to increased demand for public services. Street lighting guidelines for the Project will be established in the Specific Plan, in which private streets on-site will be developed to public street standards. It is unclear what is meant when the comment refers to "anti-graffiti" measures. As is noted in the Draft EIR, the Project would employ 24-hour security, which would reduce the likelihood that nuisance crimes such as graffiti would occur at the Project Site. As noted on page IV.M-20 of the Draft EIR, the Project would be required to comply with City Code requirements pertaining to police protection and security.

Comment No. A15-88

Additionally, the DEIR should examine the impact on police services in the event that the gated nature of the project is not approved.

Response to Comment No. A15-88

The Project, as proposed by the Applicant, incorporates a gated residential community. The Draft EIR properly addressed potential Project impacts under the assumption that the gated aspect of the Project would be included. However, the gated aspect of the Project was not assumed to directly, in and of itself, result in a lesser need for police protection services than would otherwise occur as a result of Project development. As is stated in Section IV.M.2 (Police Protection) of the Draft EIR, the Project would implement several design features, including the provision of 24-hour private security and private alarm systems, that would also likely reduce expected demand on police services at the site. The Project would also be required to comply with applicable portions of the City Code pertaining to police protection and security. Thus, if the gated component of the Project were to be removed from the final approved Project, no change to the impact on police protection would result and Project impacts would remain less than significant.

Comment No. A15-89

3. SCHOOLS

There are several problems with the methodology used for the school impact analysis.

The student generation rates used are not consistent with those used by the City in the DEIR for the San Pedro Community Plan Update. That document says the LAUSD student generation rates for multi-family residential units are 0.2042 elementary (K-5), 0.0988 middle school, and 0.0995 high school. According to the Community Plan DEIR the "rates vary slightly with single-family, units, but provide an accurate approximation."[51] The DEIR projects two different student generation rates for Taper, a rate of .1705 per du for single family, and .1141 for the condos and townhomes. The LAUSD generation rates cited in the DEIR for the San Pedro Community Plan update should be used.

Response to Comment No. A15-89

The student generation rates used in Section IV.M.3 (Schools) of the Draft EIR were provided by the LAUSD within its Residential Development School Fee Justification Study, dated September 2010, and were current at the time the NOP for the Proposed Project was circulated. These generation rates are dated more recent than those identified as being the basis for the school impact analysis in the San Pedro Community Plan Update Draft EIR. Specifically, the San Pedro Community Plan Update Draft EIR uses

[51] *San Pedro Community Plan EIR, p4.12-31.*

the LAUSD School Facilities Needs Analysis dated 2006. As a result, the Project uses more accurate and more recent generation rates for its school student projections and there is no need for the Draft EIR to update its analysis. It is again noted that the Project Site is located within the Wilmington-Harbor City Community Plan area and not within the San Pedro Community Plan area. Thus, the San Pedro Community Plan is not the governing planning document for the Project Site.

Comment No. A15-90

Additionally, the students generated by the approved, but not yet built Harbor Highlands development must be included in the analysis for Taper and Dodson.

Response to Comment No. A15-90

According to Section IV.M.3 (Schools) of the Draft EIR, due to the LAUSD's open enrollment policy, potential students associated with all of the cumulative projects (which includes Harbor Highlands) within the LAUSD service area are included in the cumulative schools analysis rather than students estimated to be generated by only those projects (i.e., Harbor Highlands) within the service boundaries of the three local schools identified. Further, all future projects, in addition to the Proposed Project, would be required to pay a school fee to the LAUSD to help reduce cumulative impacts that they may have on school services. Compliance with the provisions of Senate Bill 50 is deemed to provide full and complete mitigation of school facilities impacts regardless of the school identified. To note, there is no specific cumulative analysis for Taper and Dodson in the Draft EIR, nor any other school within Local District 8.

Comment No. A15-91

The school enrollments and capacity should both use the total school capacity and total enrollment. The DEIR incorrectly indicates the school enrollments for 2011-12. According to LAUSD's website, the 2011-12 enrollment was 626 at Taper, 1819 at Dodson, and 3335 at Narbonne. According to LAUSD, the current enrollments (12/12) are 629, 1863, and 3350 respectively. (See Attachment E). According to LAUSD, these enrollment figures include both the regular school students and the magnet school students. Likewise the capacity figures used must include both the regular and magnet school capacity. The chart below uses the current student population and capacity data obtained from LAUSD on January 4, 2013.[52]

[52] *The Current Students and School Capacity figures were obtained from Bruce Takeguma, Director, LAUSD, School Management Services (213) 241-3344.*

	Current Students	Ponte Vista[53]	Harbor Highlands	Total	Capacity	Difference
Taper	629	231	27	887	804	83
Dodson	1863	112	13	1988	1892	96
Narbonne	3350	113	0[54]	3463	3531	(68)

As can be seen, if the correct, current figures are used, both Taper and Dodson would be over capacity. This is a significant impact and must be addressed.

Response to Comment No. A15-91

The comment notes that the Draft EIR incorrectly states school enrollments for 2011-12. Although the information provided by the comment differs from that presented in the Draft EIR, the Project analysis provides information that was current at the time the Notice of Preparation (NOP) was published, consistent with State CEQA Guidelines for environmental baseline analyses. It should also be noted that the comment uses general rates from the San Pedro Community Plan, which is inconsistent with the information provided in the Draft EIR and inapplicable to the Project Site. See also Response to Comment A15-89 with respect to the San Pedro Community Plan. See also Response to Comment A15-90 for a discussion of school impacts associated with the Harbor Highlands development.

Nevertheless, using the current enrollment, capacity, and generation rate information provided by the LAUSD (and excluding Harbor Highlands), Taper Elementary has a current capacity of 751 students, Dodson Middle has a current capacity of 1,876 students, and Narbonne High has a current capacity of 3,683 students. These capacity figures are as stated in Table IV.M-5 of the Draft EIR. The Draft EIR used resident enrollment figures (i.e., the total number of students living in each school's attendance area who are eligible to attend the school, including magnet students) for the analysis. The resident enrollment figures for each school for 2011-2012 are as stated in the Draft EIR (e.g., 527 at Taper, 1,486 at Dodson, and 3,456 at Narbonne). The comment suggests that the Draft EIR should instead have used actual enrollment figures for the three schools, which for 2011-2012 are 647 at Taper, 1,819 at Dodson, and 3,370 at Narbonne. If the actual enrollment numbers (which also include magnet students) were used as the base, the addition of Project-generated students (using the same generation rates as were properly used

[53] *For Ponte Vista and Harbor Highlands the student generation rate from the San Pedro Community Plan was used.*

[54] *Although Harbor Highlands will generate 13 students, they would go to San Pedro High School, not Narbonne and therefore not counted here.*

in the Draft EIR) would result in Taper exceeding capacity by 38 students, Dodson exceeding capacity by 11 students, and Narbonne being 227 students below capacity.

It is important to note that these numbers fluctuate constantly throughout the school year, regardless of generation rates and enrollment capacity, as well as from year to year as a result of capacity adjustments made to individual schools. As the Draft EIR notes, it is also likely that the Project would not generate as many students at each of the three schools as is estimated. Nonetheless, as discussed on page IV.M-34 of the Draft EIR, payment of school fees by the Project Applicant constitutes full and complete mitigation of any potential impacts to schools, pursuant to SB 50.

Comment No. A15-92

Certainly the cumulative impact of school-related traffic is a major and possibly unmitigated consequence of any new development on the property. The reality is that children at all grade levels, particularly the elementary level, DO NOT, for the most part, walk to school anymore. They are almost exclusively driven, resulting in serious traffic tie-ups at both ends of the school day, as well as many unique trips in and out of any development. This is particularly true in San Pedro where a variety of relatives are available to pick up and deliver children to and from school. Mitigations should be proposed to encourage children to walk to Taper and Dodson.

Response to Comment No. A15-92

See Topical Response 2 concerning the Traffic Study methodology. As stated on page IV.N-16 of the Draft EIR, the traffic counts at the study intersections were conducted when local schools were in session. Thus, the counts measure the characteristics of school-generated traffic, including those asserted in the comment. As summarized on page IV.N-168 of the Draft EIR, implementation of the required mitigation measures would reduce Project-related traffic impacts to less than significant levels. Thus, the suggestion in the comment to encourage walking trips by school students is not required to mitigate Project-related impacts. Additionally, the Project Applicant cannot effectively enforce any requirement to walk to school. Eventually, the Project homeowners' association may maintain a carpool list or provide for a volunteer shuttle service for students. However, such measures are not required to mitigate Project impacts. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A15-93

Developer fees from SB 50 would be approximately $900,000. We understand that State law concludes that the contribution meets all CEQA requirements. However, the adequacy of the contribution to provide increased need for facilities does not address the impacts on traffic and the need to protect children on the way to and from school. It would seem useful to use at least a portion of those monies to improve traffic flow and control around impacted schools, particularly Taper Ave. Elementary.

Response to Comment No. A15-93

The Proposed Project does not have the opportunity to select where monies will be placed, pursuant to Education Code Section 17620. Such decisions are solely within the purview of the LAUSD. However, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Traffic and pedestrian safety pertaining to schools are discussed in Response to Comment A15-92.

Comment No. A15-94

Additionally, the discussion of the Port of Los Angeles High School should be revised to indicate that the school currently has a waiting list and that admission is by lottery.

The list of high school magnet programs should be revised to include the Teacher Prep Academy located on the campus of Harbor College and Trinity Lutheran should be added to the list of Private Schools.

Response to Comment No. A15-94

With respect to impacts on schools, a selection of private schools, charter schools, and magnet programs is presented in the Draft EIR in order to illustrate the various options that could be available to future Project residents for the education of their children. The analysis itself is focused on the impact to the three public LAUSD schools that directly serve the Project Site if all of the students estimated to be generated by the Project were to solely attend these institutions. Thus, it is not necessary to add the additional schools suggested by the comment to the discussion presented in the Draft EIR as doing so would not have any effect on disclosure of the Project's impacts to public schools, nor on the mitigation identified to reduce the Project's impacts to a less than significant level.

Comment No. A15-95

4. PARKS and RECREATION

The City's Public Recreation Plan calls for 10 acres of land per 1,000 persons and provides that "A minimum of 10 percent of the total land area should be in public recreation or open space. It also says that Neighborhood Parks should be provided at a minimum of two acres per 1,000 residents and be five to 10 acres in size with a service radius of approximately one-half mile." Based on this standard, a project with an estimated population of 2,923 should contain at least a 6-acre Neighborhood Park. The Recreation Plan indicates Neighborhood Recreation Sites typically include facilities for active sports such as softball, basketball, soccer, and volleyball.[55]

Currently 15 acres of the property is zoned open land (parks and recreation). It seems logical that park space (active and/or passive) should be a top priority. The DEIR is based on a project description that

[55] *See Los Angeles public Recreation Plan page 2 for a complete list.*

includes a 2.8-acre public park that even if it were built would be inadequate. Subsequent to the initial description, the applicant deleted all public park space from the proposed project.

Response to Comment No. A15-95

The Draft EIR discusses the desired goals of the City's Public Recreation Plan at pages IV.M-49 and -50. The comment correctly states that, according to the long range desired ratio of neighborhood park area to persons, the Project would create a need for approximately 5.8 acres of neighborhood park area. However, the comment is incorrect with respect to the acreage of zoned open space on the Project Site. The correct figure is 9.3 acres. The Draft EIR acknowledges that the Project would not provide the 5.8 acres of dedicated public parkland suggested by application of the ratio in the Public Recreation Plan, either in its original 1,135-unit plan or currently preferred 830-unit plan (Alternative C in the Draft EIR). However, the Draft EIR also notes that the Project would provide a substantial amount of park space and recreational amenities (approximately 8 acres under the currently preferred Alternative C) for the use of Project residents and their guests and accessible to the general public. Although general vehicular access would not be provided to the majority of this acreage, and thus it would not address the existing need identified in the Public Recreation Plan, pedestrian access would be provided and this park area would serve to reduce the demand created by Project residents for the types of amenities that are typically found in neighborhood public parks in the vicinity. The Draft EIR notes that the Project Applicant would be required to pay both DUCT and Quimby Fees that could be used toward the creation of additional public park area off-site. The Project would also contain publicly accessible trails and landscaped open space.

Comment No. A15-96

The applicant claims impacts related to parks and recreational facilities would be less than significant, as the two swimming pools on the property and what can only be described as mini-parks or "parklettes" scattered around the property will fulfill the project's residents' needs for recreation space. While these amenities are commendable, they do not constitute a Neighborhood park and do not satisfy the requirements of the City's Public Recreation Plan. The theory in the DEIR seems to be that residents will not use external truly public facilities, with the result there will be so little additional usage of public parks that impact will be insignificant. Where will the youth play basketball, football, tennis, and soccer?

The lack of adequate park space is a significant impact. It is insufficient to say that the project will pay the required Quimby fees. Quimby fees do not provide land for parks and there is no land available for purchase within the half-mile service radius.

Response to Comment No. A15-96

The comment is correct to state that the reduced density Project (Draft EIR Alternative C) would not provide a public neighborhood park. See also Response to Comment A15-95. Generally, the theory is that by providing on-site recreational amenities for the use of Project residents, demand for other off-site recreational facilities will be reduced. However, not all types of recreational facilities could be

accommodated within the Project and additional demand for other forms of recreational facilities will remain. Thus, it is expected that future Project residents will, to some degree, use other off-site facilities for the types of activities that cannot be undertaken on-site.

With respect to the comment's assertion that this represents a significant impact, no evidence is offered that the Project would increase the use of existing park facilities to such an extent that "substantial physical deterioration of the facility would occur or be accelerated" (State CEQA Guidelines). The Project Site is within a three-mile radius of nine parks and recreational facilities, including neighborhood, community, and regional parks. The Draft EIR discusses the park-oriented objectives and policies in the General Plan both with respect to individual projects and greater City objectives. The City's long-range parkland ratios are objectives that the City pursues through various measures, such as through funds, land or improvements dedicated to the City in connection with private development, and by the City's own expenditure of revenues from the General Fund or other sources for the acquisition and improvement of parkland to meet existing and future needs.

The City's Quimby Ordinance is a "project specific" tool that was enacted to enable the City to meet the park and recreation needs generated by individual residential projects. As is noted in the Draft EIR, the Project would provide approximately 8 acres of public and/or private park and recreation facilities to serve the recreational needs which it would generate. Pedestrian access to these areas would be provided to the general public. LAMC Section 17.12, which is the City's Quimby Ordinance, allows developers to dedicate parkland for both public and private use in lieu of paying Quimby fees. The City's Quimby Ordinance also permits credits for various recreational amenities available only to residents of a residential project. The Project is required to comply with the City's Quimby Ordinance and/or Dwelling Unit Construction Tax ordinance (DUCT). Accordingly, the Project would not have a significant impact and no mitigation measures are necessary pursuant to CEQA Guidelines Section 15126.4. The City considers satisfaction of its Quimby Ordinance to constitute mitigation of parks impacts.

Comment No. A15-97

This development team, as did the team before, predicates its plan on a truly mystifying lack of interaction between the development and the world surrounding it. No traffic, no impact on schools, no pressure on recreational facilities—no need for any improvement to infrastructure beyond the bare minimum that might be expected of a strip mall or a 6-8 home development, on a square footage basis.

The assertion that "there is no existing park area at the Project site" is at best misleading and should be deleted. Currently 15 acres of the site are zoned for open space.

Response to Comment No. A15-97

The comment is incorrect concerning the portion of the Project Site that is zoned "Open Space"; the correct total is 9.3 acres. Furthermore, land zoned "Open Space" is not the same thing as park area. No portion of the Project Site is currently accessible to the public, except for the temporary vehicular access

granted to Mary Star of the Sea High School students. Therefore, the Draft EIR correctly states that no park area currently exists at the Project Site. The existing zoning of the site is discussed throughout the Draft EIR. The comment wrongly implies that the conclusions of the Draft EIR assume that the Project would not use public services or utilities. The Draft EIR discusses each of these potential impacts of the Project with respect to public services and infrastructure and presents multiple Project Design Features and, where necessary, mitigation measures to ameliorate these impacts.

Comment No. A15-98

5. LIBRARIES

The DEIR is not accurate in its assertion that the current San Pedro library, at 20,000 square feet, is adequate size for the population served, and should be adequate to meet the needs of the increased population added by the development. This claim is in conflict with the DEIR for the San Pedro Community Plan that states "The available public library services in the San Pedro CPA, in terms of library space and permanent volume collection, are *currently inadequate* to meet existing demands from the community's residents based on state library standards…. of 0.5 square feet per person. "[56] The State of California Library standard requires 0.5 sq ft of library space per resident. For the existing population of 76,651 residents (2010 census data), library space available should 38,325 square feet, nearly double the existing space. Since the project would add nearly 3,000 additional residents, and it would require at least 1500 square feet of additional space.

Response to Comment No. A15-98

The Draft EIR presents, in Table IV.M-13, the LAPL's branch building size standards. As noted in Table IV.M-14, the San Pedro Regional Branch Library currently meets these standards with respect to the population being served. In addition, correspondence received from the LAPL specific to the Proposed Project did not identify any existing or projected library capacity problems within the San Pedro Regional Branch's service area (Joseph Molles, Los Angeles Public Library, January 26, 2011). The comment is referring to recommended state library standards, which were not addressed in the Draft EIR because the LAPL, the library service provider for the Project Site, has its own library service per population standards. The state standards are not mandatory but represent general guidance. Where local public library systems have established their own criteria for library service areas and capacities, such criteria represent the appropriate metric to be used for analysis in EIRs.

According to the CEQA Thresholds used in Section IV.M.5, Libraries, of the Draft EIR, the impact analysis must consider the overall demand for library services, and whether the Project would include features that would reduce the demand for library services, not solely library square-footage, as suggested by the comment. Given that the San Pedro Regional Branch Library would continue to meet its service population criteria per the LAPL standards, and given the lack of any current capacity problems at this

[56] *San Pedro Community Plan DEIR p 4.12-40.*

facility, it is expected that an increase of 3.6 percent in its service population could be accommodated without the need for new or physically altered library facilities. Additionally, and to offset any deficit in library services, the Project would be required to make a payment of a library mitigation fee of $200 per capita based on the projected population generated as a result of the buildout of the proposed development. The funds would be used by LAPL for staff, books, computers, and other library materials.

Comment No. A15-99

The DEIR further asserts that the LAPL is "currently planning to build a new West San Pedro neighborhood library in the future." While it is true that LAPL has identified a need for a library in West San Pedro, it is misleading to say that they are "currently planning." The Community Plan for San Pedro recommends a new 14,500 square foot "West San Pedro" branch library, however, this would only bring library space in San Pedro to 34,500 square feet, still not meeting State of California library standards for the population of San Pedro. The San Pedro Community Plan acknowledges that no location for a "West San Pedro" library has been proposed or selected, there is no plan for selecting a site, and there is no current nor anticipated funding for building said library. The fact that one is proposed is further indication of the need for additional library services, a need that will be aggravated by the proposed project. It will have a significant impact on library services and this impact must be mitigated.

Response to Comment No. A15-99

The Draft EIR (at page IV.M-56) states that "a new neighborhood branch library is eventually planned for West San Pedro. This library, when built, would be located closer to the Project Site than the San Pedro Regional Branch." The Draft EIR also notes that a search area for this neighborhood branch library has been established (see LAPL Proposed Library Development Plan, Strategic Plan 2007-2010). However, the analysis and conclusions presented in the Draft EIR do not rely on the eventuation of this new neighborhood branch library.

Overall, the Proposed Project would not create a significant and unavoidable impact to libraries, as discussed in Section IV.M.5, Libraries, of the Draft EIR. Specifically, because existing and planned library facilities would be adequate to meet the demands of the population in the Project vicinity, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, or the need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for library services. See also Response to Comment A15-98 with respect to state library standards and the existing San Pedro Regional Branch library.

Comment No. A15-100

The Ponte Vista project has an opportunity to mitigate this defect by incorporating a public library into the project. The library should be at least 20,000 square feet to meet State requirements. The San Pedro Community Plan recommends integrating libraries into multi-use buildings. For reference consider the

Milwaukee Public Library is moving ahead with development of two multi-use buildings including libraries: one is a proposed 16,000 square foot library topped with 92 apartments (plus parking).[57]

The San Pedro Community Plan also suggests that on-line services and virtual libraries with computer workstations that provide access to the library's on-line catalog, extensive information databases, multimedia software for students, and free Internet searching for the public may lessen the adverse impacts resulting from a mismatch between available physical library space and resources and the community's need for library facilities."[58]

Response to Comment No. A15-100

In response to this comment, the Final EIR includes discussion of an alternative that would include library space on-site. See Topical Response 6 with respect to incorporating a public library into the Project. Note, however, that because no significant impact to library services has been identified, no need to avoid or mitigate such an impact exists that would necessitate inclusion of a library component in a project alternative.

Comment No. A15-101

N. TRAFFIC

The entire focus of the traffic impact analysis is on measuring the number of cars moving at the intersections. While the movement of autos is important it is not sufficient. As the City has shifted its focus to mobility, so should the analysis in the DEIR. The DEIR fails to address any measured analysis of walking, biking, or transit and ignores other design features that could reduce car-usage such as onsite amenities and provisions for home-offices.

Response to Comment No. A15-101

See Topical Response 2 concerning the Traffic Study methodology. The Traffic Study was prepared in compliance with the requirements of LADOT, the Lead Agency for preparation of the traffic analysis contained in the Draft EIR. As summarized on page IV.N-168 of the Draft EIR, implementation of the required mitigation measures would reduce Project-related traffic impacts to less than significant levels. Thus, the measures suggested in the comment to encourage trips by walking, bicycling, and transit, or the site design features identified in the comment, are not required to mitigate Project-related impacts. Pages IV.N-84 and IV.N-85 of the Draft EIR provide the analysis of Project-related impacts on the transit system. As stated on page IV.N-85, the Project-related impacts will be less than significant. The proposed residences in the Project would include provisions for home offices and the Project would

[57] *See http://urbanmilwaukee.com/2012/02/28/east-library-redevelopment-advances-at-city-plan=commission-renderings/*

[58] *San Pedro Community Plan DEIR p 4.12-20.*

include bus service access improvements. Nonetheless, the suggestions presented in the comment are acknowledged for the record and will be forwarded to the decision-making bodies for review and consideration.

Comment No. A15-102

The traffic analysis estimates the impacts on streets and intersections in and around the project. The analysis looks at the ambient growth rate of existing traffic, the traffic contributed by other projects, the traffic contributed by the project itself, and compares this traffic load to existing intersection usage, expressed as the vehicle counts compared to the intersection capacity [V/C ratio]. From this, the analysis determines the "Level of Service" [LOS] in the existing condition and compares it to the LOS if the project is built. For those intersections showing certain increases in the V/C ratio, or a decrease in the LOS, the DEIR proposes mitigation measures designed to lower the impact so that it is not significant.

We have concerns about how the variables were calculated and the accuracy of the LOS results obtained, about the way in which mitigation is determined, and the failure to address how to design the amenities on the site in order to reduce traffic generation. This should be corrected.

Response to Comment No. A15-102

See Topical Response 2 regarding the Traffic Study methodology. The comment provides a generalized summary of the Traffic Study methodology, and thus, no response is required. Further, while the comment states "concerns" about the Traffic Study, these specific concerns are not identified, so thus, a specific response is not possible.

Comment No. A15-103

1. IMPROPER CALCULATION OF THE VARIABLES

Improper Use of ITE Traffic Generation Data

The project-generated traffic is underestimated because the applicant used the midpoint data for each housing type while ignoring project characteristics.

The DEIR uses three different ITE housing classifications to predict trip generation. It uses the average trip generation figures for each classification.

ITE figures represent thousands of studies and a wide range of reported trip generation figures. In this case, there is no difference between how often residents of each different type of unit will need to use their vehicle in this project, but the analysis contains no discussion of this. Instead, the DEIR simply uses the mid-point figure. For example, the DEIR indicates that a single-family house will generate 9.57 trips per day while a three-bedroom condominium right next door will generate 5.81 trips per day. This makes no sense when residents of the project will have to drive to every destination, whether to work, school,

soccer practice, the gym, church, or the market. The applicant should have selected a trip generation rate in the reported range closer to the single-family rate because the project characteristics are so similar.

Response to Comment No. A15-103

See Topical Response 2 regarding a summary of the trip generation forecast methodology provided in the Draft EIR. The trip generation forecast for the Project is provided on Table IV.N-10 of the Draft EIR. As noted on Table IV.N-10, the trip rates used in the forecast were obtained from the ITE *Trip Generation* manual. The use of the average trip rates follows the recommended practice of the ITE manual and complies with the requirements of LADOT.

The ITE manual notes that the trip rates were derived from studies of existing land uses, including residential projects (single family homes, attached condominiums/townhomes and apartments), located in suburban areas with little or no trips made by transit or walking. Thus, the ITE trip rates represent a "worst case" forecast of the potential number of vehicle trips generated by the components of the Project. It is further noted that the use of the ITE trip rate for single family homes for the detached residential units of the Project is highly conservative, as the ITE trip rates for this type of housing product were developed based on studies of suburban subdivision type housing (i.e., homes on single lots), and not housing in a condominium development. Thus, the trip generation characteristics for the detached residential units in the Project will more likely replicate those of the attached units of the Project, and not the single-family suburban subdivision housing represented in the ITE data. The comment only speculates, and does not provide analysis or data to support its contention that the trip generation forecast provided in the Draft EIR is in error.

Comment No. A15-104

Further, each trip generation graph in the ITE Manual includes a wide range of actual trip generation numbers. To select the mid-point is difficult to justify.[59] Had the developer and the City used more appropriate data points within each classification, as they are permitted to do, and admonished to do by ITE itself, the trip-end volume would be 10,862 instead of 7,462. AM peak hour volume would increase from 571 to 851 and PM peak would increase from 669 to 1146. Using these calculations, and using normalized traffic counts, would greatly increase the V/C ratios and lower the LOS ratings at many more intersections among the 56 tested intersections.

Response to Comment No. A15-104

See Topical Response 2 and Response to Comment A15-103. The trip generation forecast provided in the Draft EIR is appropriately conservative, and prepared consistent with the recommendations of the

[59] *We suggest that perhaps the traffic problems in other areas of the City and increasingly in San Pedro, Wilmington and Harbor City, can be attributed to this practice of using mid-point calculations rather than more realistic data.*

Institute of Transportation Engineers (ITE) and the requirements of LADOT. No changes to the trip generation forecast are required.

Chapter 3 of the ITE's *Trip Generation Handbook, Second Edition* provides guidance to users with regard to the selection of the appropriate methodology for estimating trip generation for a particular land use. The order of preferred methodology is provided on page 9 of the *Trip Generation Handbook* and is listed below:

- Use the provided regression equation when provided for the land use if the independent variable (in the case of the Project, the number of residential units) is within the range of data, and the data plot has at least 20 points (or R-squared value is greater than or equal to 0.75).

- Use the weighted average rate if no regression equation is provided and there are at least three data points and the independent variable is within the range of data.

- Collect local data if the conditions above are not satisfied.

Review of the ITE *Trip Generation* manual for the three land use categories consulted in preparing the trip generation forecast for the Proposed Project – Single-Family Detached Housing (ITE Land Use Code 210), Apartment (ITE Land Use Code 220) and Residential Condominium/Townhouse (ITE Land Use Code 230) -- indicates that all criteria for using the regression equation apply. That is, regression equations are provided, the independent variable is within the range of the data set, and there are at least 20 data points. However, the Project Traffic Study conservatively utilizes the weighted average rate instead of the regression equation provided in the *Trip Generation* manual. Had the regression equations provided in the *Trip Generation* manual been utilized, the calculation of trip generation associated with the Project would have been lower as compared to the forecast provided in the Traffic Study. For example, using the regression equations, the forecast number of daily trips generated by the residential component of the project would be 7,015, as compared to the forecast of 7,462 daily trips provided in the Traffic Study. Thus, the methodology used in the Traffic Study is highly conservative. Contrary to the statement in the comment, ITE does not recommend the use of the "higher end" of the midpoint (or weighted average).

Comment No. A15-105

The V/C Ratios Used as a Baseline Need to be Normalized

The vehicle counts used in the V/C ratios and the LOS calculations are lower than normal due to the impact of the economy on "real" traffic generation rates.

The impact is shown in the DEIR counts in 2010, which are lower than earlier counts taken by the same consultant in 2005 for the prior project, lower than the counts taken for the Target Store analysis in 2006

and lower than many of the counts for the Marymount project on Palos Verdes Drive North in 2011, after the installation of ATSAC/ATCS. For example, the V/C PM ratios for Western and PV Dr. North are

2005	1.025	[Ponte Vista]
2006	1.078	[Target]
2010	.851	[DEIR, present project]
2011	.872	[Marymount]

This difference is noticeable at many of the intersections common to all four studies.

It is shown in concrete terms, for example, by the reports of the annual TEU[60] counts in the Port of Los Angeles (an indicator of workload for Port workers) that declined from 8.5 million TEU's in 2006 to 6.7 million TEU's in 2009. It is beginning to recover but has not reached pre-recession levels.

Our concern about the use of the October 2010 data at the height of the economic downturn has been discussed with the applicant's representative on several occasions. Normalized data is used in many, many other areas of planning, such as employment data, business valuations, and indeed, environmental tests. It is not possible to properly determine true, likely impacts if baseline data is atypical. That is a recipe for gridlock.

Response to Comment No. A15-105

See Topical Response 2 regarding the traffic counts conducted for the Traffic Study. The traffic counts were conducted at the time of the release of the NOP for the Draft EIR. In compliance with CEQA, the counts represent conditions as they existed at the time of the release of the NOP. Adjusting the existing conditions counts would be inconsistent with the CEQA Guidelines. It is noted that, in addition to the measurement of Project-related traffic impacts as compared to existing conditions (e.g., Table IV.N-11 of the Draft EIR), the traffic analysis evaluates Project-related impacts in a future condition (e.g., Table IV.N-21) with highly conservative assumptions regarding traffic growth in the study area (i.e., due to build-out of all the cumulative projects, as well as consideration of ambient traffic growth) which likely overstates future traffic conditions at the study intersections. A comparison of traffic counts taken in 2005 for a previous development proposal at the Project Site to the counts taken in 2010 for the Project Traffic Study shows that there has been little to no growth in traffic over that period. Thus, the Draft EIR's application of the one percent annual ambient growth rate to existing traffic counts is considered to represent a conservative approach to the analysis.

[60] *Twenty Foot Equivalent Units, a measure use to normalize cargo counts since not all containers are the same size.*

Comment No. A15-106

Failure to Include Data from Other Projects

CEQA requires a DEIR to include traffic generated by other known projects in the traffic generation estimates. The applicant left out a number of such projects, many of which impact the studied intersections. We listed them earlier in our comments. We repeat them here:

- Southern California International Gateway (SCIG)
- APL Terminal expansion
- Ports O'Call Redevelopment o Cabrillo Marina Phase II
- USS Iowa
- Los Angeles County Sanitation Districts Clearwater Outfall Project
- Rolling Hills Prep School build out
- VOA Navy Village
- Pacific LA Marine Terminal
- Harbor Highlands Development (under construction)
- City Dock 1
- Port Master Plan update
- San Pedro Community Plan update
- Marymount College Expansion on PV Drive North

Of particular interest is the Community Plan Update, which forecasts an almost 10% population growth for San Pedro not including Ponte Vista in the next 18 years.

Response to Comment No. A15-106

See Response to Comment A15-28. With respect to the draft update of the San Pedro Community Plan, planning documents do not represent actual development projects with corresponding traffic generation. Nonetheless, the growth forecast in the draft SPCP update would be accounted for in the one percent annual ambient traffic growth factor that was applied to the analysis of Project traffic impacts in the traffic study.

Comment No. A15-107

The Ambient Growth Rate of 1% is not Supported by any Documentation

Both the DEIR and the Western Avenue Task Force used a 1% growth rate for Western Avenue, but CalTrans engineers opined in those meetings that the growth rate was actually much higher.

Rather than use a number obtained from MTA, as does the DEIR, we suggest that documentation be provided.

Response to Comment No. A15-107

Page IV.N-14 of the Draft EIR discusses the determination of the ambient traffic growth factor used in the traffic analysis. The ambient growth rate is based on forecast data provided in the 2010 CMP for Los Angeles County and determined in consultation with LADOT staff. Also, as stated on page IV.N-14 of the Draft EIR, the ambient growth factor does not comprise the sole basis for determining cumulative traffic. Rather, it is intended to capture growth that specific projects identified at the time of the NOP might not include, such as projects proposed between issuance of the NOP and implementation of the Project. Thus, the consideration of both the ambient traffic growth factor, as well as traffic due to the cumulative projects listed in the Draft EIR, results in a traffic growth assumption that substantially exceeds one percent annual growth. In addition, Caltrans provided a comment letter on the Draft EIR and did not raise objections to the methodology used to account for the growth of traffic over time. See also Response to Comment A15-105.

Comment No. A15-108

Public Transportation is Not Really Available to the Site

The DEIR (I-133) states that there are 14 buses per hour serving the project during the morning peak hour. This is misleading and should be corrected. There are four bus lines that serve the project site, none well.

Metro Bus Line 205 runs from 13th and Gaffey Streets to the Imperial Wilmington Station at Imperial Highway and Wilmington Avenue in the Watts/Willowbrook Area. The frequency varies from every 20 minutes during the am peak hour to 1 hour. This bus goes up Western and connects to the Artesia Transit Station where it is possible to transfer to another bus to go to downtown Los Angeles. Unfortunately it takes approximately 40 minutes just to get to the Artesia Transit Station; there is no incentive for future residents to be so inconvenienced.

Max Line 3 runs from 36th Street and Pacific Ave in San Pedro to LAX Green Line **36** Station and the Airport Courthouse. It operates northbound to El Segundo in the early AM and southbound to San Pedro in the late afternoon. MAX Line 3 does not operate on major holidays or on weekends. It only makes 4

trips in am, the first at 5:36 and the last at 6:44 am and 4 in pm between the hours of 4:46 and 6:15 pm; basically 2 buses/hour. This is a viable option if your work is in El Segundo.

The remaining two lines are operated by RPV and are primarily designed to transport RPV students to RPV schools.

PV Transit Orange Line runs 2 morning buses along Western from Palos Verdes Drive North to First Street then to Palos Verdes Drive East ending at Palos Verdes High School and 3 buses in the afternoon corresponding with school start and stop times. These lines are designed to carry Palos Verdes students to Palos Verdes schools, and as such are really not useful to the residents of Ponte Vista.

PV Transit Green Line is also geared primarily to Palos Verdes schools and the Library. It runs along Western Avenue from First Street to Palos Verdes Drive North then west along Palos Verdes Drive Road ending at Ridgecrest Elementary School.

Response to Comment No. A15-108

The comment refers to the existing public transit services provided at the Project Site, which are also discussed on pages IV.N-84 and IV.N-85 of the Draft EIR. Public transit service at the Project Site and in the vicinity is summarized in the Draft EIR on Table IV.N-8. The comment is incorrect that a resident would need to take Metro Line 205 to the Artesia Transit Center to connect to a bus to go to downtown Los Angeles. There are a number of other connection options, such as taking the Metro 205 north to the intersection of PCH with Western Avenue, and transferring there to the Commuter Express 448, which provides commuter bus service to downtown Los Angeles in approximately 45 minutes. Also, the MAX Line 3 provides commuter transit service not just to El Segundo, but to the entire route through the South Bay along Crenshaw, Manhattan Beach, and Aviation Boulevards as well, with many connecting options available. The Draft EIR presents mitigation measures (TRANS-26 through TRANS-28) designed to improve the accessibility of the Project to public transit as well as to encourage transit use by future Project residents. However, no discount in terms of the Project's trip generation due to the use of transit by Project residents was assumed in the traffic analysis.

Comment No. A15-109

2. COMMENTS CONCERNING PROPOSED TRAFFIC MITIGATIONS

Some Offered Mitigation is Already Proposed by Marymount

Marymount College is required to implement some of these same by mitigations as part of the approval of its mitigated negative declaration for its project on Palos Verdes Drive North. It is our understanding that if any of the proposed mitigation measures are provided by another source (e.g. Marymount College), prior to being implemented by this Project, an alternate mitigation measure may be required. We request that in the event that should occur, the applicant be required to consult with the Northwest San Pedro

Neighborhood Council, the Harbor City Neighborhood Council, and the City of Rancho Palos Verdes on appropriate mitigation measures.

Response to Comment No. A15-109

See Topical Response 2 regarding assumptions made in the traffic analysis that cumulative projects will not be accompanied by any traffic mitigation measures in accordance with LADOT practice and policy. The mitigation measures recommended to mitigate the significant Project-related traffic impacts are provided in the Draft EIR beginning on page IV.N-160. The mitigation measures are reasonable and feasible. Further, while such improvements may have been considered in conjunction with other projects, these measures have not been committed (through guaranteed funding or other means) for implementation by others. Thus, these measures are available for analysis to mitigate the Project-related traffic impacts. The comment is incorrect with respect to requiring "alternate" mitigation in the event that any of the proposed mitigation measures are provided by another source prior to being implemented by this Project. Either the mitigation specified in the Draft EIR is implemented at the time required to accommodate Project traffic, or it is not. If it has not already been implemented, then the Applicant must implement it. Further, no "alternate" mitigation is required, as it is demonstrated in the Draft EIR that all of the recommended traffic mitigation measures reduce the impacts of the Project to less than significant levels. LADOT may implement some type of fair share reimbursement for the benefit of the project that initially installed the improvement. The suggestion in the comment to consult with the Neighborhood Councils cited in the comment is not required for purposes of implementing the Project-related mitigation, nor is the Neighborhood Council the appropriate traffic engineering agency empowered to develop and/or approve roadway improvements. The City of Rancho Palos Verdes will be consulted in situations where the City has jurisdiction over the recommended mitigation measures.

Comment No. A15-110

Other Mitigations Transfer the Traffic Burden to Wilmington and Harbor City Residents

Quite a bit of the proposed mitigation is designed to increase the overall capacity at an intersection by addressing other traffic issues and thus could potentially allow longer turn and through signals for the project traffic. In other words, traffic from Harbor City, Palos Verdes and Wilmington will be adjusted, possibly negatively impacted, in order to make more room for Ponte Vista traffic.

Response to Comment No. A15-110

Table IV.N-37 of the Draft EIR indicates that the recommended traffic mitigation measures reduce the Project-related traffic impacts to less than significant levels. It is correct to state that nearly all of the mitigation measures are designed to increase the capacity of the affected intersection, which beneficially affects the "capacity" aspect of the intersection's calculated volume-to-capacity (or v/c) ratio. Time is a component of the assessed performance of an intersection. Several of the intersections will, with the proposed improvements, actually improve over existing conditions following Project implementation.

Thus, while Project-related traffic volume is added to the affected intersection, the recommended improvements to increase intersection capacity results in a beneficial, and not adverse change to the intersection's v/c ratio. Thus, the speculation in the comment regarding adverse effects to intersection operations where traffic mitigation measures are proposed is not correct.

Comment No. A15-111

The Projected Routing for PM Peak Hour Traffic Does Not Seem to Have a Basis

We realize that predicting access routing is sometimes an art rather than a science. However, given the very long PM backups at the 110 Freeway off-ramps at Sepulveda, Pacific Coast Highway and Anaheim, coupled with the challenge of making a left turn across Western, it seems likely that in the evening, a large percentage of commuters will exit at Channel Street and proceed north on Gaffey to Channel, Capitol, or Westmont and then west to Western to the project entrances. This assumption is given further credence in that virtually every place a commuter might want to stop on their way home, be it for groceries, dry cleaning, or to pick up a child, is off of either Gaffey or that portion of Western that lies between Channel and Westmont. Further, this commuter traffic will be joined by those residents who are coming home from downtown San Pedro and the San Pedro Waterfront and from Long Beach and points south via the 47. An analysis of all of this traffic should be included.

Response to Comment No. A15-111

See Topical Response 2 pertaining to the Traffic Study methodology and Project trip assignment based, in part, on existing travel patterns at study intersections. The forecast trip assignment patterns for the Project (Figure IV.N-8) consider the traffic routes noted in the comment, but also consider other travel routes based on the overall origins and destinations expected for the Project, including use of other I-110 freeway interchanges besides Channel Street. Contrary to the comment, the existing traffic volume data at other nearby residential streets (e.g., Peninsula Verde Drive and Fitness Drive) as shown on Figure IV.N-4 of the Draft EIR indicate that in the PM peak hour, more trips arrive from the north via Western Avenue than from the south. Thus, it is reasonable to expect that in the PM peak hour, more Project-related trips will also arrive from the north via Western Avenue than from the south, consistent with the prevailing pattern in the vicinity.

Comment No. A15-112

The Proposed Project Makes No Attempt to Mitigate Project Generated Traffic Through Project Design or Project Amenities

A significant amount of project-generated traffic will be work related traffic. Other components will be taking kids to soccer practice, taking children to school, going to the markets and library, church, etc. Work-related traffic will be especially heavy, and for greater distances then normal, because the project is

not really responding to local employment needs.[61] In other words, they are proposing a suburban commuter community.

What is striking about the proposed project, and the DEIR, is that it proposes nothing to mitigate trip generation by providing amenities on-site, such as work centers, library branch, parks, mini-market, better walking access to local schools, etc.

Response to Comment No. A15-112

As summarized on page IV.N-168 of the Draft EIR, implementation of the required mitigation measures would reduce Project-related traffic impacts to less than significant levels. Nonetheless, the Project includes a range of design features and mitigation measures designed to improve multi-modal mobility, and includes Project unit design provisions for home offices, business centers, and parks/recreational facilities. In response to comments, Topical Response 6 includes discussion of an alternative site plan that would include additional park area, office and retail space, and a public library. Additionally, the need for housing in the area is documented in Section IV.L of the Draft EIR. This comment presents an opinion regarding the Proposed Project and does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A15-113

OTHER CONCERNS

The DEIR fails to analyze the impact of increased traffic on Western from the 74 driveways and non-signalized intersections on Western between Summerland and Palos Verdes Drive North. According to a recent study of the Western Avenue Corridor, there are 111 destinations on Western between Summerland and Capital Drive.[62] These grocery stores, post office, dentist offices, coffee shops, banks, etc. are accessed through the driveways. These poorly designed driveways add to the traffic flow problems. For example, the turn lane into the shopping center nearest the project can only accommodate about 4 cars. After that, cars begin impeding the flow of traffic on Western. This is a very unique condition and an analysis should be conducted of the impact of the traffic generated by the Ponte Vista residents using these driveways.

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[61] *The DEIR for the San Pedro Community Plan Update established that the jobs per household ratio for San Pedro was 0.44 while the Los Angeles area ratio is 1.35. This means that for the 1135 households in the project, assuming two working adults, 550 will drive to local jobs and 1700 will drive a longer distance.*

[62] *Western Avenue Corridor Vision Preliminary Analysis and Vision, Nov 14, 2012*

Response to Comment No. A15-113

Issues identified in the comment related to the design or operation of intersections or private driveways along Western Avenue refer to an existing condition that traffic counts taken to establish the analytical baseline would reflect, and that the Project is not required to address by itself. See Topical Response 2 addressing traffic study methodology in accordance with LADOT's *Policies and Procedures Manual* and CEQA Standards for Adequacy of an EIR. The Traffic Study contains a highly comprehensive assessment of the potential Project-related traffic impacts, including analysis of signalized intersections along Western Avenue south of the Project Site to 25th Street. For intersections along this segment of Western Avenue at which Project-related significant traffic impacts have been identified, mitigation measures have been proposed to mitigate the impacts to less than significant levels. Thus, to the extent that Project traffic significantly exacerbates traffic flow conditions that the driveways create or affect, the Project is required to – and does – mitigate such impacts to a less than significant level. The principal method utilized to evaluate traffic impacts is based upon a review of intersection performance. LADOT's methodology focuses on intersections because they are the points in the City's street network where congestion is most likely to occur and, therefore, are where the additional traffic generated by the Project would have its greatest potential to cause adverse effects. Evaluation of private driveway ingress/egress points along the street network would not reveal much in the way of useful information regarding overall system performance given the relatively minor amounts of traffic that would utilize each driveway.

Comment No. A15-114

Additionally, the assertion that 60% of traffic will be going North and 40% south on Western does not seem credible given that virtually all amenities are located to the South.

Response to Comment No. A15-114

See Topical Response 2 and Response to Comment A15-111 regarding the assignment of Project-related traffic and the relationship of that assignment to existing, observed traffic patterns.

Comment No. A15-115

We are concerned about the impact on traffic flow along Western from installing additional stoplights at Fitness Drive and Peninsula Verde. Consideration should be given to a "pathway" through Ponte Vista as an alternative to a light at Fitness Drive. Additional stoplights on Western may cause more traffic congestion, not less.

Response to Comment No. A15-115

The comment refers to Mitigation Measures TRANS-6 and TRANS-7 described on pages IV.N-161 and IV.N-162 of the Draft EIR. As noted on Table IV.N-37 of the Draft EIR, these mitigation measures will reduce the Project-related traffic impacts to less than significant levels at the referenced intersections. As noted in the Traffic Study, the Western Avenue intersections with Peninsula Verde Drive and Fitness

Drive are forecast to operate at LOS C or better during peak hours with installation of the traffic signal control. Thus, the installation of traffic signals will not cause congestion as speculated in the comment. Therefore, no secondary operational traffic impacts would result from implementation of the mitigation measures listed in this response. Further, it is not feasible to construct a general vehicular access "pathway" from Fitness Drive to the Project Site due to existing residential buildings and driveways. An emergency access lane is being proposed for this location, however. The suggestion is acknowledged for the record and will be forwarded to the decision-making bodies for review and consideration.

Comment No. A15-116

Several of the proposed mitigations are subject to approval by other jurisdictions. The DEIR should address the impact on traffic if these mitigations are not approved and there should be a procedure in place for developing substitute mitigations.

Response to Comment No. A15-116

There is a procedure for addressing multi-jurisdictional traffic mitigation. The Applicant would need to develop measures in consultation with LADOT and/or the applicable jurisdiction and then conduct any necessary environmental review pursuant to CEQA. The City of Rolling Hills Estates, the City of Rancho Palos Verdes, the City of Lomita, the County of Los Angeles, and Caltrans have all received the Draft EIR. Among these jurisdictions, only Caltrans (see Letter No. A9) and the City of Rolling Hills Estates (see Letter No. A16) have expressed concerns over any of the proposed mitigation measures within their individual jurisdictions and none have stated that these measures would not be feasible or would not be implemented. Nor does the comment provide any substantial evidence that any measures recommended outside of the City's jurisdiction would not be feasible or would not be implemented. Accordingly, the conclusions of the Draft EIR remain appropriate. See also Topical Response 2 and Responses to Comments A5-8, A8-21, A9-3, A9-4, A9-5, A9-8, A9-9, and A16-3.

Comment No. A15-117

Consideration should be given to creating a "walking school bus" and a bicycle path from the road at the back of the development thru Mary Star to Taper.

Response to Comment No. A15-117

As summarized on page IV.N-168 of the Draft EIR, implementation of the Project mitigation measures would reduce Project-related traffic impacts to less than significant levels. Thus, the measures suggested in the comment to provide a "walking school bus" and bicycle path are not required to mitigate Project-related impacts. In addition, the City cannot obligate Mary Star of the Sea High School to provide its property for the use of the Ponte Vista Project; therefore, the suggested mitigation may not be feasible. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for review and consideration.

Comment No. A15-118

The DEIR failed to study the Harbor Freeway Channel Street Off-Ramp and the 47 Freeway Channel Street On-Ramp at Miraflores. The impact of increased traffic at this intersection must be studied and appropriate mitigations proposed. In addition, the full intersection including Channel and Gaffey must be re-examined. We are suspicious that the low LOS shown at that intersection was the result of southbound Gaffey traffic backed up at Miraflores and therefore not even entering the Channel and Gaffey intersection. An April 2004 baseline study for the Port of Los Angeles found this intersection to be at an OS of E during the PM Peak Hour and the Gaffey/Miraflores intersection to be an LOS of F in the AM Peak hour and D in the PM Peak Hour.[63]

Response to Comment No. A15-118

Contrary to the comment, the I-110 southbound off-ramp identified as the "Channel Street off-ramp" is analyzed in the Draft EIR. Specifically, as noted in Table IV.N-21, Intersection No. 39 is the Gaffey Street/Channel Street intersection and Intersection No. 40 is the Gaffey Street/I-110 southbound off-ramp intersection opposite Miraflores Avenue. As shown in Table IV.N-21, the impacts of the Project at these intersections associated with the off-ramp would be less than significant. The intersection Level of Service information identified in the comment references a traffic study completed approximately nine years ago. Since that time, it is likely that some traffic patterns have changed. Also, improvements such as traffic lane additions and traffic signal synchronization have been provided at the intersections (e.g., ATSAC upgrades have recently come on-line, as discussed in Section IV.N of the Draft EIR) resulting in the relatively improved Levels of Service. No errors have been identified by the comment associated with the traffic counts contained in the Draft EIR or in the intersection Level of Service calculations.

For example, ATSAC/ATCS has been implemented at Intersection Nos. 39 and 40 since 2004. LADOT assumes that ATSAC/ATCS provides a 10 percent improvement in an intersection's volume/capacity ratio, or a full service level improvement. Thus, an intersection determined to operate at LOS D in the pre-ATSAC/ATCS period would now be calculated to operate at LOS C with the implementation of ATSAC/ATCS.

Comment No. A15-119

The DEIR fails to discuss the impact of the additional traffic on the freeway offramps at Pacific Coast Highway and Anaheim and the resulting backup on the 110 freeway.

Response to Comment No. A15-119

Contrary to the comment, the Draft EIR does disclose that the termini of these off-ramps are operating near or above their theoretical capacities, which could result in vehicle queues, including queuing onto the

[63] *Port of Los Angeles Baseline Transportation Study, Meyer, Mohaddes Associates. April 2004.*

freeway mainline. Table IV.N-6 of the Draft EIR provides the existing Levels of Service at the study intersections. At Intersection No. 47, I-110 Southbound Ramps/Pacific Coast Highway, it is shown that the existing PM peak hour Level of Service is LOS F. Similarly, Intersection No. 49, Figueroa Place/Anaheim Street, is shown to be operating at LOS E during the PM peak hour. These existing Levels of Service indicate the high probability of vehicle queuing, as stated in Table IV.N-2 of the Draft EIR. With the addition of Project and other cumulative traffic growth, both Intersection No. 47 and Intersection No. 49 are projected to operate at LOS F during the PM peak hour. The Project would not create a significant impact at Intersection No. 47 and, thus, no mitigation is required there. Implementation of Proposed Project mitigation measures at Intersection No. 49, where the Project would create a significant impact, would improve the intersection's performance to LOS E, thus reducing the impact to a less than significant level.

Comment No. A15-120

Mary Star should have vehicular access from both Green Hills Drive and Avenida Aprenda and the internal roads should be connected at the back of the property.

Response to Comment No. A15-120

As described on page IV.N-47 of the Draft EIR, Mary Star of the Sea High School traffic through the Project Site would be provided as a public benefit through the intersection of Western Avenue and Avenida Aprenda. Access to Mary Star of the Sea High School from both Green Hills Drive and Avenida Aprenda is not required to mitigate the traffic impacts of the Project. An additional point of access from Green Hills Drive would serve no purpose as it would mitigate no impact of the Project and, from a traffic engineering standpoint, would be duplicative and unnecessary, causing needless additional high school traffic to run through the Project and essentially creating neighborhood intrusion from the inception of the Project. However, the suggestion is acknowledged for the record and will be forwarded to the decision-making bodies for review and consideration.

Comment No. A15-121

The DEIR does not appear to account for the impact on traffic of the additional time required for the approximately 225 additional middle and high school students pushing the "walk" button to cross Western on their way to and from school, assuming that the Dodson students walk to school and the High School students take public transportation. This must be added into the traffic study for that intersection.

Response to Comment No. A15-121

The comment is incorrect as the Traffic Study incorporates a set of highly conservative assumptions related to traffic signal operations that consider relative "inefficiencies" in traffic signal timing due to factors such as activation of pedestrian phasing, as well as left-turn phasing. Thus, no changes to the Level of Service calculations are required. Further, no reductions or other adjustments were made to the

vehicular trip generation forecasts provided in the Draft EIR on Table IV.N-10 due to a substantial number of students walking or using public transit to travel to school. Thus, to the extent that such extraordinary walking or transit trips were to occur (related to students and/or other residents of the Project), this would having the effect of reducing vehicular traffic generated at the site and thereby reducing the overall traffic effects of the Project, even with the additional activation of the pedestrian phasing at nearby intersections.

Comment No. A15-122

It is unclear if the DEIR properly accounts for the fact that most students from the Eastview Area of Rancho Palos Verdes immediately west of Western are not attending Crestwood Elementary, Dodson Junior High, or Narbonne High School. The attendance in the Palos Verdes School District by Eastview residents is **rumored** to be over 90% of the local students for the area. Most students from Dodson and Crestwood are being bused in; likewise Eastview students are commuting by car and bus via Western Avenue to Dapplegray Elementary, Miraleste JHS, and Palos Verdes High School.

Response to Comment No. A15-122

See Topical Response 2 concerning the Traffic Study methodology accounting for existing school-related traffic and pedestrian patterns in the vicinity. As is stated on page IV.N-16 of the Draft EIR, the traffic counts at the study intersections were conducted when local schools were in session. Thus, the counts measure the characteristics of school-generated traffic, including those asserted in the comment.

Comment No. A15-123

The parking plan for both residents and visitors is unclear and needs to be clarified.

Response to Comment No. A15-123

Section II (Project Description) of the Draft EIR provides information regarding parking for the Project. As shown in Figures II-4 through II-7, most parking for residents will be provided in private garages and parking structures. Project residents shall have code-required parking accommodations through attached garage facilities. Visitors and guests shall have adequate parking accommodations through a combination of off-street (in driveway) parking for single family residences and a combination of on-street curb side parking, surface lot parking, and/or parking garage facilities for multi-family residences and recreational facilities. The Project's overall parking capacity exceeds code minimums and is in line with typical residential communities of this type, size, and product mix. As stated on page II-18 of the Draft EIR, in total 2,160 garage parking spaces are proposed, as well as 618 surface parking spaces. The currently preferred reduced density Alternative C would provide correspondingly fewer parking spaces, but they would be arrayed similarly to those described for the original Proposed Project in the Draft EIR.

Comment No. A15-124

The Proposed Project Consumes All of the Available Infrastructure Space in the Community Plan

What is the point of having a Local Community Plan if it will be impossible to provide for projected development? As a matter of policy, we question whether a single project should be entitled to more than a pro rata amount of available infrastructure usage, in this case roadway space, at the expense of other future development as contemplated in the Wilmington Harbor City Community Plan and the San Pedro Community Plan update.

Response to Comment No. A15-124

It is unclear precisely what the comment means by pro rata amount of "available infrastructure space" as it relates to the Community Plan. Through implementation of the required traffic mitigation measures, the Project would increase the existing amount of roadway "space" and/or allowing the existing "space" to be utilized more efficiently in order to accommodate the Project's traffic. Similarly, infrastructure capacity with respect to utilities is addressed in Sections IV.I (Hydrology and Water Quality) and IV.O (Utilities) of the Draft EIR. The Project would not consume anything close to "all of" the remaining capacity in local storm drain, water, sewer, or power lines. This comment presents an opinion regarding the Proposed Project and does not state a specific concern or question regarding the adequacy of the Draft EIR in identifying and analyzing the environmental impacts of the Project. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A15-125

PUBLIC TRANSPORTATION

The DEIR (I-133) states that there are 14 buses per hour serving the project during the morning peak hour. This is misleading and should be corrected. There are 4 bus lines that serve the project site, none well.

Metro Bus Line 205 runs from 13th and Gaffey Streets to the Imperial Wilmington Station at Imperial Highway and Wilmington Avenue in Watts/Willowbrook Area. The frequency varies from every 20 minutes during the am peak hour to 1 hour. This bus goes up Western and connects to the Artesia Transit Station where it is possible to transfer to another bus to go to downtown Los Angeles. Unfortunately it takes approximately 40 minutes just to get to the Artesia Transit Station; there is no incentive for future residents to be so inconvenienced.

Max Line 3 runs from 36th Street and Pacific Ave in San Pedro to LAX Green Line Station and the Airport Courthouse. It operates northbound to El Segundo in the early AM and southbound to San Pedro in the late afternoon. MAX Line 3 does not operate on major holidays or on weekends. It only makes 4

trips in am, the first at 5:36 and the last at 6:44 am and 4 in pm between the hours of 4:46 and 6:15 pm; basically 2 buses/hour. This is a viable option if your work is in El Segundo.

The remaining two lines are operated by RPV and are primarily designed to transport RPV students to RPV schools.

PV Transit Orange Line – runs 2 buses along Western from PV Drive N. to First then to PV Drive East ending at PV High School in am and 3 in pm timed with school start and stop times. These lines are designed to carry Palos Verdes students to Palos Verdes schools, and as such are really not useful to the residents of Ponte Vista

PV Transit Green Line also primarily geared to PV schools and Library. Runs along Western from First to PV Drive North then west along PV Drive Road ending at Ridgecrest Elementary School.

Response to Comment No. A15-125

This comment duplicates Comment A15-108; see Response to Comment A15-108.

Comment No. A15-126

O. UTILITIES AND SERVICE SYSTEMS

1. WATER

The DEIR states that the project's water usage will have a "less than significant impact with mitigation" on the area's infrastructure and environment (p. VI-142). A brief examination of the document raises serious questions about that conclusion and suggests that it is much too optimistic.

The developer estimates that the 1,135-unit project will use 216 acre-feet per year of water (p. I-135). That translates to 170 gallons per day per unit. However, that figure is far below what experience has shown constitutes actual use. The United States Environmental Protection Agency has found that the average American household uses 400 gallons per day.[64] In Southern California, where residents may be more sensitive about conserving fresh water, the Los Angeles Department of Water and Power (LADWP) reports that the average single-family residence consumes 359 gallons each day.[65]

Response to Comment No. A15-126

The projected water demand of the Proposed Project is presented in Table IV.O-1 of the Draft EIR and was sourced directly from the Water Supply Assessment that was prepared for the Project by the LADWP

[64] *"Water Sense," an EPA Partnership Program at www.epa.gov/WaterSense/WaterUseToday.*

[65] *Los Angeles Department of Water and Power, 2010 Urban Water Management Plan [hereinafter referred to as the "UWMP"], p. 43.*

(see Draft EIR Appendix IV.O-1). Projected water demand for the reduced density Alternative C, the currently preferred Project, is presented in Table VI-11 of the Draft EIR, which employs the same water use factors as the LADWP's Water Supply Assessment for the Project. Regardless of the water consumption information from other sources presented in the comment, the City relies upon the LADWP for the most accurate determination of water usage patterns within the City. The Project is not comprised solely of single-family homes. Moreover, the EPA estimate may not be limited to California or Los Angeles, which have very aggressive water conservation measures in place that reduce overall consumption. The projected unit water use data presented in LADWP's 2010 Urban Water Management Plan is based upon an aggregated average of past water usage for the entire LADWP service area and does not account for individual unit types, nor the inclusion of water conserving features common in newer developments such as the Project. Thus, the Draft EIR appropriately utilized the LADWP's estimation of likely Project water consumption in its analysis of potential Project impacts and the comment provides no evidence to support its assertion that the Draft EIR's conclusion regarding Project water use impacts is questionable.

Comment No. A15-127

In other words, the developer estimates that Ponte Vista will use less than half the water that the LADWP finds real households actually use. What is more, the DEIR offers little explanation beside mitigation measures such as flush-less urinals in the project's common areas and low-flow showerheads and "green" appliances in the residences (p. IV O-10) for this very significant discrepancy. Yet these measures are already widely employed in the community and should therefore be reflected in the 359-gallon figure the LADWP cites.

Response to Comment No. A15-127

See Response to Comment A15-126. The suburban single-family water consumption patterns alluded to in the comment would clearly not be applicable to the Proposed Project. LADWP computed the Project's estimated water consumption based upon a review of the Project site plan and determined the most appropriate consumption factors to apply to their estimate of overall Project water usage. Table II of the LADWP's Water Supply Assessment (see Draft EIR Appendix IV.O-1) for the Project provides a detailed summary of the water conservation that would be associated with the Project Design Features presented starting on page IV.O-10 of the Draft EIR. The Draft EIR itself presents a detailed listing of these Project Design Features and the Compliance Measures applicable to the Project that are associated with water conservation.

Comment No. A15-128

The DEIR does make reference to "purple pipe" – that is, plumbing that will use reclaimed wastewater for irrigation, once a main line of purple pipe is extended to this area. Rather than waiting for reclaimed wastewater to be available the developer should be required to plumb the units to provide gray water for irrigation.

Response to Comment No. A15-128

During the Project Applicant's discussions with the LADWP, it was determined that reclaimed water delivery via "purple pipe" is not currently available to the Project Site and that the closest location to tie into "purple pipe" infrastructure is located nearly two miles to the east. Although LADWP is projecting being able to deliver reclaimed water to the Project at some future time, there are currently no specific projects in place to extend the "purple pipe" system beyond its current terminus in the Project vicinity. Thus, the availability of reclaimed water at the Project Site is considered to be a distant future possibility. For this reason, no reduction in the Project's water consumption resulting from the use of reclaimed water for irrigation at the Project was assumed in the Draft EIR. In spite of the remote possibility of reclaimed water availability in the near future, the Project Applicant has agreed to install a master line of "purple pipe" infrastructure throughout the roadway system of the entire Project, as requested by LADWP, which will accommodate the future utilization of reclaimed water by the Project at such time it is delivered to the Project Site by LADWP.

Comment No. A15-129

Raising further doubts about the reliability of the project's water use estimates is the DEIR's estimate that the project will add 205,950 gallons per day to the sewage system (p. IV.O-25). The report offers no explanation why water usage – which includes water used for common area irrigation that would not flow into the sewer lines – would be less than the amounts added to the area's sewer system.

Response to Comment No. A15-129

The comment claims that a discrepancy exists between the conclusions presented in the Draft EIR concerning the Project's projected water consumption and projected wastewater generation. As noted by the comment, in most circumstances a project's water usage will exceed its wastewater generation (generally by between 10 and 30 percent). The information in Tables IV.O-1 and IV.O-3 of the Draft EIR demonstrates the reason for the different circumstance in this case. The information in Table IV.O-1 concerning the Project's estimated water consumption is based on the LADWP's Water Supply Assessment for the Project and includes reductions associated with the implementation of additional water conserving measures as Project Design Features. Absent credit for implementation of these measures, the Project's estimated water consumption is 250,467 gallons per day, which is greater than the 205,950 gallons per day of estimated wastewater generation by the Project as presented in Table IV.O-3. The wastewater generation analysis for the Project did not assume the lower Project water usage resulting from the conservation measures shown in Table II of the LADWP's Water Supply Assessment for the Project because of the need to comply with the City's CEQA Thresholds Guide in using the City Bureau of Sanitation's Sewage Generation Factors as the basis for the analysis. Thus, no wastewater credit was assumed for the various Project Design Features that would reduce Project water usage. As a result, the Draft EIR likely overstates the Project's wastewater generation.

Comment No. A15-130

Overshadowing the DEIR's estimates regarding water usage is the fact that the LADWP projects it will encounter more difficulty obtaining fresh water supplies in the future. This is so for several reasons including: 1) population pressures throughout the Southwest, 2) increasing drought conditions in the area, 3) climate change and 4) legal restrictions on importing water especially from Northern California and the Colorado River (UWMP, p. ES-1). Under such circumstances, it should be imperative that water providers use considerable caution in estimating their ability to satisfy the area's future water needs. Indeed, in an effort to appear to be meeting increased future demand, the LADWP is already employing the very questionable tact of counting "conservation" as a water source. According to its own estimates, by 2035, 9 percent of the water it supplies to Southern California will be from "conservation." (UWMP, p. 19).

Furthermore, the entire state is facing a water crisis[66].

> According to population projections, the state's total population will increase to 60 million people by the year 2050, an increase of over 56% from the 2000 census numbers. As the state's population continues to grow, this is putting strain on our existing water supplies, as well as bringing into question the ability to accommodate this expected future growth. At the same time, drought and climate change are reducing the snowpack California depends on to fill its reservoirs, and the Delta, critical hub of California's water system, faces multiple risk factors to its fragile levees while continuing to experience ecosystem decline and plummeting native fish populations. Continued population growth throughout the Southwest combined with a persistent drought in the Colorado River basin is putting increased pressure on the limited resources of the Colorado River. In addition, Indian reservations, left out of previous water rights agreements, have begun to exercise their long-held but unused water rights, putting further strain on the limited resources of the Colorado River.

Ensuring a water supply to meet the needs of California's existing residents while providing for future population growth has become a major statewide issue as news stories and research reports highlight the challenges that lie ahead and legislators debate putting another multi-billion dollar bond measure in front of voters. More dams, increased conservation, water transfers, desalination and more – there are many possibilities, each with its benefits and drawbacks. There is no easy answer; unfortunately, no silver bullet.

Freshwater is too important a resource to be the subject of guesswork. Underestimating its usage and over-estimating its availability can have cataclysmic effects upon Southern California. Serious economic dislocation and even health issues for area citizens are just two. Given the discrepancies between the developer's estimated water use and the EPA and LADWP's experience about actual levels of

[66] *http://www.aquafornia.com/indes.php/californias-water-crisis/*

consumption and further questions about the LADWP's ability to supply water in the not-too-distant future, this project's impact on the area's water infrastructure needs to be re-analyzed.

Response to Comment No. A15-130

The comment is referred to pages 8-25 of the LADWP's Water Supply Assessment for the Project, included as Appendix IV.O-1 of the Draft EIR, for a detailed discussion of the statewide and regional water supply issues it raises. The LADWP prepared the Water Supply Assessment for the Project, which was adopted by the LADWP Board as described on page IV.O-1 of the Draft EIR. LADWP is projecting that total Project water demand would fall within available and projected water supplies for normal, single-dry, and multiple-dry year scenarios through 2035 and that it will be able to meet the demand of the Project as well as other existing and planned water demands within its service area. It should be noted that the currently preferred Project is the reduced density Alternative C from the Draft EIR, which would have a lower water demand than the original Proposed Project upon which the LADWP's Water Supply Assessment was based.

Comment No. A15-131

2. WASTEWATER

The project should be mandated to capture and recycle storm water and grey water on-site.

Response to Comment No. A15-131

The Project will comply with current City requirements related to stormwater mitigation and low impact design (SUSMP/LID) for stormwater management and efficient water demand requirements including the use of low use/high efficiency plumbing fixtures and low use planting/irrigation practices (see Project Design Features and Compliance Measures in Section IV.O-1 of the Draft EIR). The Draft EIR also discusses how the Project would comply with City LID requirements in Section IV.I, Hydrology and Water Quality (see Project Design Features and Compliance Measures in Section IV.I of the Draft EIR for additional detail). However, there is no existing requirement for the on-site treatment of "grey" water or stormwater runoff for irrigation use, which is presumably the intention of the comment. Additionally, there is no significant Project impact with respect to either wastewater or stormwater runoff that would necessitate consideration of the suggested requirement as mitigation. However, this suggestion will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A15-132

3. ENERGY

Solar or alternate energy such as Bloom Energy Servers should be required. Currently 39% of the City's energy comes from coal. This is being phased out. The City's lease for the Navajo power plant expires in 2019 and the City's contract for a coal generated plant in Utah ends in 2027. DWP has indicated that

both plants will be shut down when the leases expire. In order to replace this loss, DWP is counting on, among other things, an increase from the current 20% renewable energy and 1% energy efficiency to 33% renewable energy and 10% energy efficiency.[67] These assumptions may or may not be accurate. Increased use of renewable energy is commendable but also costly to consumers. Existing ratepayers should not have to bear the costs resulting from the increased demand created by this project.

Response to Comment No. A15-132

The Draft EIR presents a series of Compliance Measures and Project Design Features (at pages IV.O-65 through -67) that would serve to reduce the Project's energy consumption. As is discussed in Section IV.O.4 of the Draft EIR, there is no significant Project impact with respect to energy consumption that would necessitate consideration of the comment's suggested requirement. It should be noted that the Project is required to provide access and space for the future installation of photovoltaic or other electrical solar panels.

Comment No. A15-133

Another impact that should be analyzed is the increased need for cell transmitters. No mention of this is made in the DEIR.

Response to Comment No. A15-133

The comment provides no evidence that development of the Project would result in an increased need for cell transmitters, nor is this an impact that is required to be addressed under CEQA. Thus, no further response is required.

Comment No. A15-134

PUBLIC HEALTH IMPACTS

Large-scale developments like Ponte Vista have the potential to cause substantial adverse effects on health of residents, either directly or indirectly. Therefore, the DEIR must discuss "health and safety problems caused by the physical changes" (CEQA Guidelines Section 15126.2). If the analysis identifies significant health impacts, the lead agency must adopt feasible mitigations. Important determinants of public health include the preservation of natural areas, air and water quality, community noise, housing and transportation patterns, access to food resources, public services, and economic well-being.

The DEIR fails to evaluate and disclose potential health impacts resulting from lack of convenient access to daily needs. Proximity to services promotes increased walking and biking, reduced daily vehicle trips and miles traveled, increased possibilities for healthful and meaningful work, and increased interactions among neighbors. Future residents of Ponte Vista should have equal access to health resources. The

[67] *LADWP Presentation on Proposed Rates 2012-2014, Mandates and Reliability.*

more key public and retail services a neighborhood has, the greater the chance for residents and workers to walk or bike to access those services, increasing physical activity, social interactions, and "eyes on the street". Research has found the presence of a grocery store in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity. Neighborhoods with diverse and mixed land uses could create proximity between residences, employment, and goods and services, thereby reducing vehicle trips and miles traveled and as a result, reducing air and noise pollution. This is especially pronounced because of the difference between the estimates of project completion, i.e. five years or fifteen years, and the resulting impacts on construction related emissions and impacts.

Response to Comment No. A15-134

The Draft EIR, throughout Section IV (Environmental Impact Analysis), discusses potential health and safety problems caused by the physical changes that have been proposed for the Project Site, per Section 15126.2 of the CEQA Guidelines. The Project's impacts with respect to air emissions, noise, hazardous materials, water quality, public services, traffic, and geology/soils are individually disclosed and, where necessary, mitigation measures are proposed to either reduce these impacts to a less than significant level or reduce them to the extent feasible.

The comment asserts that the Proposed Project would create "health impacts" associated with "lack of convenient access to daily needs". Such "impacts" are not within the purview of CEQA as they do not constitute measurable or definable impacts of the Project upon the physical environment and are speculative. The potential for the Project to threaten public health due to hazardous material usage, air emissions, and stormwater pollution is discussed in the Draft EIR. Future residents of the Ponte Vista Project would voluntarily choose to reside at the development and are best positioned to determine for themselves the type of housing and amenities they desire. No aspect of the Proposed Project would limit the access of future Project residents to health resources. Further, it is difficult to argue that the development of residences at the Project Site would result in limited "convenient access to daily needs" when a wide range of goods and services are currently available within a short walking, biking or driving distance of the site. The Project would provide walking/biking trails, open space, and other recreational amenities such as swimming pools and workout rooms where residents could gain exercise.

Additionally, the comment presents subjective opinions concerning neighborhoods and public health, but provides no evidence that the Project would prevent either its residents or other residents in the area from having "equal access to health resources" or from having "convenient access to daily needs". Thus, no further response is required.

Comment No. A15-135

The DEIR fails to address the following Public Health related questions:

- Does Ponte Vista have all of the key public and retail services that contribute to neighborhood completeness?

- Does the Ponte Vista plan advance neighborhood completeness?

- What mitigations or project design elements would advance neighborhood completeness?

Response to Comment No. A15-135

The comment raises questions that are beyond the scope of CEQA and which; consequently, EIRs are not required to address. The Project Site is zoned and designated for residential uses, not retail or commercial uses. This reflects the City's judgment as to the appropriate type of use for the site, in combination with surrounding and nearby uses, as described in the Draft EIR (see Sections III and IV.J). Additionally, the comment provides no definition of the term "neighborhood completeness", so it would be impossible to assess the Project against this apparently arbitrary standard even if such an assessment were appropriate in the context of the EIR. Thus, no further response is required.

Comment No. A15-136

SOCIAL IMPACTS

"In much of the rest of the world, rich people live in gated communities and drink bottled water. That's increasingly the case in Los Angeles where I come from. So that wealthy people in much of the world are insulated from the consequences of their actions."

- Jared Diamond, author, physiologist, evolutionary biologist and bio geographer.

A neighborhood offers the promise of belonging and call for us to recognize our interdependence. To belong is to be welcome, even if we are strangers. The sense of belonging is important because it leads us from conversations about safety and comfort to our relatedness and willingness to be generous and hospitable. These elements seldom occur in a culture dominated by isolation, and it correlate, fear.

The proposed narrow range of housing types forestalls the socioeconomic robustness that accrues to places with a full spectrum of ages and income. The proposed gated subdivision intentionally restricts access and emphasizes social control and security over other community values, thereby shrinking the public sphere and diminishing collective responsibility for the collective safety of society.

A security gate "can provide a refuge from people who are deviant or unusual… the vigilance necessary to patrol these borders actually heightens residents' anxiety and sense of isolation, rather than making them feel safer," says Setha Low, author of *Behind the Gates, Security, and the Pursuit of Happiness in Fortress America.* The irony is that the residents, particularly kids and seniors that don't drive, become isolated and trapped behind their own gates -- instead of keeping people out, they shut themselves in. The isolation and loneliness is increasingly becoming the cause for mental illness.

Gated subdivisions gained popularity with baby boomers. The demographics have changed. Today, a large cohort of empty nesters and Generation Ys are increasingly opting out of isolated and gated subdivision to belong in an open, walkable and urban neighborhood.

The DEIR fails to discuss the social impacts of a limited access exclusive subdivision.

Response to Comment No. A15-136

CEQA does not typically require analysis of "social impacts" as they do not constitute physical environmental effects (see CEQA Guidelines Section 15131(a); *Goleta Union School District v. Regents of the University of California*, 37 Cal. App. 4th 1025, 1030-31 (1995) ["An economic or social change by itself shall not be considered a significant effect on the environment"]. Consequently, the topics described in the comment are not appropriate subjects for consideration in EIRs. As is discussed in the Draft EIR, the Proposed Project would not contain a "narrow range of housing types" (and the commenter, elsewhere, advocates a truly narrow range consisting solely of large-lot single-family homes), but instead would develop six different housing product types on the site, including for-sale and rental, at a range of price points. Because the types of social concerns referenced in the comment are outside the scope of physical environmental impacts covered under CEQA, no further response is required. However, the comment is acknowledged for the record and will be provided to the decision-making bodies for their review and consideration.

Comment No. A15-137

PROJECT ALTERNATIVES

The DEIR should analyze at least one additional alternative that better addresses the context of the community and environmental impacts of the project. We suggest a mixed-use project alternative that includes access to Mary Star, with true single-family homes on appropriate sized lots, rather than a PUD, work centers, commercial space, senior friendly facilities, a range of public open spaces including a 6-acre public park, and a library extension to meet State Guidelines for library space.

Response to Comment No. A15-137

In response to public comments on the Draft EIR, Topical Response 6 presents an analysis of the alternative development plan suggested by the comment.

Comment No. A15-138

Additionally, given the poor jobs housing balance, it seems remiss that none of the alternatives included a light industrial park. This is particularly true in light of the fact that the original re-use plan for this property would have resulted in significant job creation.[68]

Response to Comment No. A15-138

The Planning Commission comments resulting from review of the previous development proposal for the Project Site did not identify a "light industrial park" as being in keeping with the use alternatives that the Commission, City Council's office, or neighborhood constituents would support on the Project Site. Light industrial development would also generate a greater amount of traffic on a per unit basis than the Proposed Project land uses. Thus, light industrial zoning was considered politically and socially infeasible and was therefore dismissed as an appropriate use for this location. Consequently, it was not evaluated as a project alternative in the Draft EIR (see also page VI-5 of the Draft EIR for a discussion of the 1999 Base Reuse Plan referenced in the comment). Regarding the jobs-housing balance, as discussed in Response to Comment A15-73, jobs-housing balance is properly computed at the SCAG subregional level and not at a smaller geographic scale such as a community plan area.

LETTER NO. 16 – CITY OF ROLLING HILLS ESTATES

City of Rolling Hills Estates
David Wahba
Planning Director
4045 Palos Verdes Drive North
Rolling Hills Estates, CA 90274

Comment No. A16-1

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the project as referenced above.

The following comments have been prepared in response to the DEIR dated November 2012 for a planned 1,135-unit medium density housing project to be located at 26900 South Western Avenue in the City of Los Angeles. The DEIR concludes that there will be significant traffic related impacts at the intersection of Crenshaw Boulevard and Palos Verdes Drive North as the result of this project. After a review of the DEIR and Traffic Impact Analysis (TIA), the following comments should be addressed:

1. The TIA fails to evaluate the intersection at Palos Verdes Drive North and Rolling Hills Road. The intersection operates at an LOS E in the PM peak hour and would be expected to handle up

[68] *According to the Draft EIR for the San Pedro Community Plan, the jobs-housing ratio for San Pedro is 0.44 while it is 1.3 for Los Angeles as a whole.*

to 8% inbound and 8% outbound project traffic. The project distribution would likely include Rolling Hills Road as a north-south access to Crenshaw Boulevard and Pacific Coast Highway. Therefore, this intersection must be analyzed using City of LA and Rolling Hills Estates impact criteria for all scenarios. This intersection should be added to all tables and figures in the TIA and DEIR.

Response to Comment No. A16-1

The comment identifies the finding provided in Table IV.N-21 of the Draft EIR whereby Intersection No. 7 (Crenshaw Boulevard/Palos Verdes Drive North) is forecast to be significantly impacted by the Project. Table IV.N-37 of the Draft EIR notes that with implementation of the recommended mitigation measures, the Project-related impact at this intersection would be reduced to a less than significant level. It is also noted in Table IV.N-21 that Intersection No. 10 (Palos Verdes Drive East/Palos Verdes Drive North) is calculated to have Project impacts that are less than significant. This Palos Verdes Drive East/Palos Verdes Drive North intersection is near the Rolling Hills Road/Palos Verdes Drive North intersection suggested in the comment for analysis. Additionally, the comment extrapolates the forecast Project-related trip distribution through the Rolling Hills Road/Palos Verdes Drive North intersection from Figure IV.N-8 of the Draft EIR by noting 8% inbound and outbound traffic.

See Topical Response 2 addressing traffic study methodology in accordance with LADOT's *Policies and Procedures Manual* and CEQA Standards for Adequacy of an EIR. The Traffic Study contains a highly comprehensive assessment of the potential Project-related traffic impacts, including analysis of signalized intersections along Palos Verdes Drive North. The identified impact at the Crenshaw Boulevard intersection is not completely unexpected as Crenshaw Boulevard is a multi-lane major highway that traverses the South Bay whereas Rolling Hills Road is a local street with only one lane in each direction. Although Rolling Hills Road is currently utilized by many drivers as a "short-cut" to reach northbound Crenshaw Boulevard from westbound Palos Verdes Drive North, Project-related traffic is not expected to substantially contribute to this "short-cut" traffic because the intersection impact at Palos Verdes Drive North/Crenshaw Boulevard would be reduced to a less than significant level via the implementation of Project mitigation, thus removing much of the incentive for using Rolling Hills Road. Further, as previously noted, no significant traffic impacts were identified at the Palos Verdes Drive East/Palos Verdes Drive North intersection, which is another popular "short-cut" option for traffic intending to head north toward Pacific Coast Highway from Palos Verdes Drive North. Therefore, analysis of the Rolling Hills Road/Palos Verdes Drive North intersection is not required. However, the suggestion will be forwarded to the decision-making bodies for review and consideration.

Comment No. A16-2

2. Palos Verdes Drive North typically operates at or over capacity in the AM and PM peaks between Palos Verdes Drive North and Hawthorne Boulevard. Therefore, a street segment analysis is needed on this roadway pursuant to other segments conducted in the TIA.

Response to Comment No. A16-2

See Topical Response 2 addressing the principal methodology of LADOT's *Policies and Procedures Manual* evaluation of traffic impacts based on review of intersection impacts. No separate analysis of street segments was provided in the Project Traffic Study as most motorist delays occur at intersections, and thus, these are the locations where Project-related traffic impacts have the greatest potential to occur. LADOT (and nearly all other transportation agencies) look at impacts at intersections, not street segments. The potential impacts to Palos Verdes Drive North are suitably evaluated at the intersections.

Comment No. A16-3

> 3. The City of Rolling Hills Estates strongly objects to the proposed TRANS-2 mitigation measure at Crenshaw Boulevard and Palos Verdes Drive North (PVDN). A northbound right turn overlap phase would adversely impact local neighborhood access east of the intersection due to the very limited gaps available on Palos Verdes Drive North. The existing "No Right Turn on Red" restriction for northbound right turn movements has been in place for over 10 years as a means to provide sufficient gaps for motorists on side streets to enter/exit PVDN. Removal of this restriction would severely congest the single east bound lane. The City recommends that the Response to DEIR Comments provide an alternate mitigation measure, such as a third southbound lane on Crenshaw Boulevard. Table 1-1 and all related figures in the TIA and DEIR should be revised accordingly.

Response to Comment No. A16-3

The comment refers to Mitigation Measure TRANS-2 on Page IV.N-161 of the Draft EIR. The mitigation measures identified in the Draft EIR are reasonable and feasible. The existing right-turn on red restriction at the Crenshaw Boulevard/Palos Verdes Drive North intersection would not conflict with the recommended mitigation measure to provide right-turn overlap phasing for northbound Crenshaw Boulevard, and therefore can remain in place. Also, the recommended provision for the right-turn overlap phase would not necessarily increase the difficulty in turning to and from Palos Verdes Drive North side streets and driveways as such right-turn traffic would move in a "platoon" across eastbound Palos Verdes Drive North, as compared to the more sporadic nature of cars turning from a right-turn on red situation, which increases the difficulty of finding acceptable gaps in traffic for motorists turning from side streets.

Further, the capacity enhancement benefit of the right-turn overlap phase would allow for other traffic signal timing adjustments at the intersection, such as extending the length of the westbound left-turn phase to help clear westbound left-turn vehicles off of Palos Verdes Drive North and onto southbound Crenshaw Boulevard, thereby reducing congestion on Palos Verdes Drive North.

Removal of the "No Right Turn on Red" restriction is not being proposed. With the proposed right-turn overlap, vehicles would turn right from northbound Crenshaw Boulevard to eastbound Palos Verdes Drive North via a right-turn arrow that would appear concurrently with the left-turn arrow for westbound

Palos Verdes Drive North traffic. Once the green right-turn arrow turns off, the regular red light would appear, under which right-turns on red would still not be permitted. Right-turns would not be permitted again until the regular green ball appears.

Therefore, alternative mitigation at the intersection, such as the third southbound lane on Crenshaw Boulevard as suggested in the comment, is not required. However, the suggestion will be forwarded to the decision-making bodies for review and consideration.

Comment No. A16-4

> 4. Figure IV.N-3 of the DEIR is incorrectly shows the lane configuration for the intersections instead of the AM Existing Traffic Volumes.

Response to Comment No. A16-4

The comment correctly notes that Figure IV.N-3 of the Draft EIR incorrectly shows the lane configurations for the intersections instead of the AM Existing Traffic Volumes. Figure IV.N-3 of the Draft EIR has been revised in the Final EIR (see Section IV, Corrections and Additions to the Draft EIR). This revision does not affect the conclusions of the analysis.

Comment No. A16-5

> 5. The increase in traffic on roadways within Rolling Hills Estates due to the project would result in an incremental increase in the demand for public safety resources such as Fire and Police services.

Response to Comment No. A16-5

Section IV.M, Public Services, of the Draft EIR discloses the Project's incremental, though less than significant, impact on local fire and police services. See also Response to Comment A15-77.

Comment No. A16-6

The City supports the findings and recommendations made by the City of Lomita in their response to comments letter dated December 19, 2012 for this project. In particular, the recommended mitigation measures need to be acceptable by the jurisdiction in which they are proposed, and all costs associated with the measures must be paid by the applicant, including all design review, local and regional permits and fees, staff and/or professional consultant time, and construction inspection. In addition, the City of Los Angeles must take the lead in informing the adjacent cities of the pending project activities and related mitigations as well as soliciting their comments prior to public noticing.

The City of Rolling Hills Estates would much appreciate if your traffic studies are revised to address the above-mentioned issues. Should you have any questions or need additional information, please do not

hesitate to contact me at City Hall at (310) 377-1577, extension 103, or by email atdavidw@ci.rolling-hills-estates.ca.us.

Response to Comment No. A16-6

The comment refers to Letter A5 submitted by the City of Lomita. See Responses to Comments A5-1 through A5-9. As noted on page IV.N-160 of the Draft EIR, the mitigation measures will be funded and completed prior to Project completion and occupancy. Coordination with local jurisdictions such as the Cities of Rolling Hills Estates and Lomita will be necessary in order to implement the proposed mitigation measures within each jurisdiction.

PRIVATE PARTY COMMENTS

LETTER NO. B1 – YAEGER, ELIZABETH

Elizabeth Yaeger
27803 S. Montereina Drive
Rancho Palos Verdes, CA 90275-1230

Comment No. B1-1

This letter is in opposition to the new plan proposed by I-Star for the Ponte Vista tract of vacant housing on Western Avenue in San Pedro across from Green Hills Cemetery, which is in Rancho Palos Verdes. Their plans for 143 single family homes, 140 townhomes, 634 condominiums, and 281 apartment homes would require a City of Los Angeles General Plan Amendment and zoning change which would be inappropriate, as this tract should be kept R1.

I-Star Financial is a Manhattan-based commercial property lender who has been trying to avoid bankruptcy. Their plan states that the development would not be complete until 2027. Is that a typographical error? If not, this is outrageous. Are they just trying to flip the property? Who is the actual builder involved? Are they simply trying to modify the Bisno plan and expecting to get away with it, or do they not know that there was a successful R1 campaign against the previous project? This use of the property makes no sense. We know what a nice tract it once was when it was Navy property, and that it could be and should continue to be a beautiful R1 development.

Response to Comment No. B1-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the design of the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. As is discussed in Section II (Project Description) of the Draft EIR, the Project Applicant is anticipating that the Project would be completed within a five-year period. However, the Draft EIR also considers an extended buildout scenario under which the Project could be implemented over a longer timeframe if necessary.

LETTER NO. B2 – YAEGER, WALTER

Walter Yaeger
27803 S. Montereina Drive
Rancho Palos Verdes, CA 90275-1230

Comment No. B2-1

This letter is in opposition to the new plan proposed by I-Star for the Ponte Vista tract of vacant housing on Western Avenue in San Pedro across from Green Hills Cemetery, which is in Rancho Palos Verdes. Their plans for 143 single family homes, 140 town homes, 634 condominiums, and 281 apartment homes would require a City of Los Angeles General Plan Amendment and zoning change. Although this features a lower number of units, the proposal does not differ in substance from the previous plan for the property proposed by Bob Bisno for 2300 units on the 61.5-acre property. Because of limited access and only 2 entrance/outlet streets both onto Western Avenue, this property is not suited for anything but the existing R1 zoning. I-Star is either not aware of the history of the Ponte Vista property development or chooses to ignore it. As a resident of the Rolling Hills Riviera tract which is directly across Western from the Ponte Vista tract, we are opposed to anything for that location that is not R1. The new I-Star proposal is just a scaled down version of a the Bisno plan and is another poorly conceived jumble of various types of property which are inappropriate to that location.

Response to Comment No. B2-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the design of the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B3 – FRKA, MIKE AND LISA (#1)

Mike and Lisa Frka

Comment No. B3-1

We are writing to urge you to keep the zoning R-1 for the Ponte Vista project along Western Avenue in San Pedro, CA. We live in the tract across the street on Avenida Aprenda. We expect development there but are worried about traffic, utilities, emergency services, policing etc. After looking at the proposal from iStar, it is apparent they are being evasive, using terms such as approximately, and occasionally untruthful about the project, specifically regarding the percentage of rentals. We also do not agree with the mixed styles of architecture. The effects of construction, noise, air quality and vibrations, to the surrounding community will be unfair and an exceedingly long period of time.

Response to Comment No. B3-1

The portion of the Project that would include rental units is fully described in Section II (Project Description) of the Draft EIR for the original Project and in Section VI (Alternatives to the Proposed Project) for the currently preferred reduced density Alternative C. The number of such units in comparison to the overall number of residential units being proposed under each development scenario is presented in Table II-1 and Table VI-1, respectively.

The remainder of this comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B3-2

With the condominiums mostly empty next door to this project, it is apparent that we do not need more apartments, flats and condominiums in this area. PLEASE keep the zoning R-1 for this project. It will fit in with the surrounding community and will be less of a strain on everything.

Response to Comment No. B3-2

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the design of the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. See also Response to Comment A8-13 regarding the existing condominium development to the south of the Project Site.

LETTER NO. B4 – MARKS, WILLIAM

William Marks
2035 Avenida Feliciano
Rancho Palos Verdes, CA 90275

Comment No. B4-1

My family and I have lived in the area near the proposed Ponte Vista project for almost 40 years and have seen the traffic along Western Avenue increase steadily till it is nearing gridlock status (even now it is in gridlock on occasion). Western Avenue simply cannot continue to absorb large numbers of additional vehicles.

The property was purchased, originally by Bob Bisno and now by I-Star Financial, with the full knowledge that the property is zoned R1. I have no complaint about the property being developed with

R1 zoning, although even that will add to the congestion on Western Avenue. Neither should I-Star Financial have any complaint about developing the property as R1.

Please do not change the zoning to allow I-Star Financial to increase the density of the housing on the Ponte Vista property. They have no right to expect it, and Western Avenue cannot tolerate it.

Response to Comment No. B4-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the design of the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B5 – LUND, HAROLD

Harold Lund, M.D.
PO Box 459
Lomita, CA 90717

Comment No. B5-1

This letter is a response to your notice on the Ponte Vista Project DEIR No. ENV-2005-4516-EIR, State Clearinghouse No. 2010101082. I am vehemently opposed to a zoning change for this project. This will result in an increase in population density that in turn will result in permanent damage to air quality and marked worsening of traffic on Western Ave. which is already overburdened.

Response to Comment No. B5-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the design of the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B6 – URWIN, JIM

Jim Urwin
Jim.Urwin@freshandeasy.com

Comment No. B6-1

I am writing concerning the planned Ponte Vista Project located at 26900 S Western Ave, San Pedro, CA. 90732. I am a current resident (owner) of a condo in the Tennis Club Complex located at 27980 S Western Ave, San Pedro and want to voice my concerns of the planned development. Western Ave is not

designed to handle the increased volume this development would create. Traffic congestion starts approx 5am every morning with the evening commute (4pm-7pm) being much worse. I experience this issue every day as I try to return home from work. It has taken me 30 min to go 200 yards on Western Ave. sometimes. With Gaffey being a good route to get into San Pedro, Western is really the only good route to access RPV, PV, San Pedro, the coast going west and Lomita, Torrance, etc going south. PCH & PV Drive North are already heavily congested and increased volume will only add to the problem. Because of the planned location of this project, additional access other than Western Ave. are very limited if at all. Businesses, schools, baseball fields and oil refineries border this development. Please include my comments in the meeting/discussions regarding this project as I have submitted them during the 45-day comment period. Thank you for your time.

Response to Comment No. B6-1

See Topical Response 2 regarding the Traffic Study methodology and recommended mitigation measures, including improvements to intersections along Western Avenue and other travel routes to accommodate Project-related traffic. As shown on Table IV.N-37 of the Draft EIR, all of the Project-related traffic impacts can be mitigated to less than significant levels. Also see Topical Response 2 regarding traffic counts collected during weekday AM and PM peak periods, as well as the Saturday midday peak period.

LETTER NO. B7 – NAVE, PAT

Pat Nave
overbid2002@yahoo.com

Comment No. B7-1

I hereby submit as my comments, and adopt as my own, the comments submitted by NWSPNC, R Neighborhoods R1, SPHU, and Rancho Palos Verdes. I do this in order to preserve my right to raise the issues in those comments in all further future proceedings.

Response to Comment No. B7-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B8 – DE LUCA, MIKE

Mike De Luca
1831 Caddington Dr. #57
Rancho Palos Verdes, CA 90275

Comment No. B8-1

I live on Caddington and Western, all anyone has to do is drive down Western between the hours of 2pm and 6pm to figure out there is a traffic density problem. I understand the desires of the developer to make money from their investment and their need move forward but the available infrastructure in this area will not and can not support this project.

Response to Comment No. B8-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B9 – SANDELL, APRIL

April Sandell
hvybags@cox.net

Comment No. B9-1

I have resided near the project site for over 32 years. Absent alternate routes, Western Avenue is our only access to the rest of the world. Western Avenue cannot possibly handle additional traffic impact the site plan proposes. I cannot support the current plan sort of providing Ponte Vista access to Gaffey, which isn't likely to happen. As it stands, the left hand turn lane on Western into Rolling Hills Riviera is ridiculously short. No one can get into the left hand turn lane due to a mere 4-5 cars intended to head north. I could knit a sweater waiting to turn left.

I don't like your plan. Rental housing is not appropriate for the area. The down-sized project appears to be just that, a housing project that is a poor land use.

There are a number of other issues of concern too long to go into at this holiday time. Nonetheless, it was important to submit a comment before the deadline.

To reiterate, I cannot embrace the plan.

Thank you for your time and consideration.

Response to Comment No. B9-1

See Topical Response 2 regarding the Traffic Study methodology and recommended mitigation measures, including improvements to intersections along Western Avenue. As shown on Table IV.N-37 of the Draft EIR, all of the Project-related traffic impacts can be mitigated to less than significant levels.

The comment appears to refer to Intersection No. 18, Western Avenue/Avenida Aprenda-South Project Access. As shown in Table IV.N-21 of the Draft EIR, the Project-related impacts at this intersection will be less than significant. As described on page IV.N-47 of the Draft EIR, the Project proposes to construct improvements to Western Avenue adjacent to the Project Site, including the installation of left-turn traffic signal phasing at the Western Avenue/Avenida Aprenda intersection (northbound and southbound) which will substantially improve the left-turn operations at the intersection, including those cited in the comment.

LETTER NO. B10 – THORSEN, ROB

Rob Thorsen
thorsen.rob933@gmail.com

Comment No. B10-1

r-1 only=quality of life, traffic

Response to Comment No. B10-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B11 – SMITH, JAMES

James Smith

Comment No. B11-1

Ponte Vista has, in the past, been a community of around 500 single-family homes. With the growth we have seen in San Pedro, Lomita, Harbor City, and Rancho Palos Verdes, I don't see why it should be any more than that. I support the developer making money with that number of units.

It's the holiday season, which constrains the amount of time I am devoting to this commentary. I don't see, again, why after years of no use of this land it is now a rush to get this done, when doing it later on in January or February would have been fairer to those wishing to review the DEIR. Please be fair to both

sides, residents and developers, keeping in mind that when the development is done, the developers leave and the residents live with what has been done.

Response to Comment No. B11-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B12 – KURATA, IRENE

Irene Kurata
i_kurata@yahoo.com

Comment No. B12-1

I am a resident in the area known as the Lomita Pines and I oppose the staff recommendation detailed in the EIR. With the exception of Alternative A, all EIR project options present a significant density increase over what the site had previously supported. Over the last decades since the closure of the former Navy housing site, a great deal of development has occurred on the Palos Verdes Peninsula which has significantly degraded traffic on Western Ave, Palos Verdes Dr N and Crenshaw Blvd. I do not feel the DEIR adequately examines the impacts of the proposed project.

If development is to occur on this site, I urge the city to consider the following:

- Traffic impacts to 263rd and 262nd streets. Cut through traffic (between Western Ave and PCH) will increase along these residential streets.

Response to Comment No. B12-1

See Topical Response 2 regarding the Traffic Study methodology and recommended mitigation measures, including improvements to intersections along Western Avenue and other travel routes to accommodate Project-related traffic. As shown on Table IV.N-37 of the Draft EIR, all of the Project-related traffic impacts can be mitigated to less than significant levels.

Also see Topical Response 2 addressing traffic study methodology in accordance with LADOT's *Policies and Procedures Manual* and CEQA Standards for Adequacy of an EIR. The Traffic Study contains a highly comprehensive assessment of the potential Project-related traffic impacts, including analysis of signalized intersections along Western Avenue, including at major intersections such as Lomita Boulevard, Pacific Coast Highway, Anaheim Street and Palos Verdes Drive North. 262nd and 263rd Streets referenced in the comment are local streets with only one lane in each direction and have multiple stop-controlled intersections (which discourage "cut-through" traffic) and thus may not be readily utilized by Project-related traffic. Therefore, an analysis of 262nd Street and 263rd Street is not required.

Comment No. B12-2

- Dodson Middle School traffic spills over to Delasonde Dr. This eastbound traffic frequently blocks the Pontevedra and Galerita Dr intersections as cars wait for the light to change at Western Ave. I suspect the left turn lane alone on Delasonde Dr (at Western Ave) will do little to alleviate this situation.

Response to Comment No. B12-2

The comment appears to be referring to Mitigation Measure TRANS-8 on page IV.N-162 of the Draft EIR, which is recommended to mitigate the Project-related traffic impact at the Western Avenue/Westmont Drive-Delasonde Drive intersection. As shown on Table IV.N-37 of the Draft EIR, the recommended mitigation reduces the Project-related traffic impact at this intersection to less than significant levels. See also Topical Response 2 regarding the CEQA requirement that the Project is not required to alleviate existing congestion problems.

Comment No. B12-3

- Why is a Gaffey St. exit from the project site not an option?

Response to Comment No. B12-3

The vehicular site access scheme for the Project is described in the Draft EIR on pages IV.N-46 and IV.N-47. As stated on page IV.N-168 of the Draft EIR, the Project-related traffic impacts can be mitigated to less than significant levels. Thus, no changes to the Project's site access scheme are required. It is further noted that neither the Project nor the City owns or otherwise controls the property located east of the Project Site that would need to accommodate direct vehicular access to Gaffey Street; thus, access to Gaffey Street is not a feasible option. However, the suggestion is acknowledged for the record and will be forwarded to the decision-making bodies for review and consideration.

Comment No. B12-4

- Alternative B (the 100% single family home option):

This option should not be allowed without the park. A park has many health and aesthetic values – the park would undoubtedly help new homes sell and enhance the desirability of the new neighborhood.

Response to Comment No. B12-4

The purpose of Alternative B in the Draft EIR is to illustrate an economically feasible single-family home development site plan for the Project Site. In order to make this site plan feasible, the number of homes to be developed must be maximized. For this reason, the public park component was removed, as was the access road to Mary Star of the Sea High School. A common park/open space area across the central

portion of the site is included in the conceptual site plan for Alternative B. See also Topical Response 6 for discussion of an additional single-family alternative development plan for the Project Site that does contain a public park area.

Comment No. B12-5

I only found home design for this option that resembles townhomes and precludes disabled person access. A bedroom on the main floor would attract multi-generation families and better accommodate our aging demography.

Response to Comment No. B12-5

Housing product types 5 and 6 within the Project would offer single-level living with direct access garages for the convenience, safety, and comfort of seniors. This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B12-6

- It doesn't appear the project intends to utilize 'laundry-to-landscape' graywater plumbing. It seems new development projects provide an ideal opportunity to incorporate features that pushes the envelope a little further to encourage water saving.

Response to Comment No. B12-6

See Response to Comment A15-128. Laundry to landscape gray water is somewhat of a misnomer. The wastewater used in the gray water reclamation process needs to undergo sanitation processing in order to be reclaimed as "gray" water prior to distribution and end use. Raw sewage is not permissible for a direct "laundry to landscape" application due to severe health implications. Any use of "gray" water throughout the Project or in other locations throughout the City implies a reclaimed sewage/wastewater processing and treatment prior to direct "gray" water application.

Comment No. B12-7

Overall, if development is to occur, the project design includes many attractive features such as drought tolerant landscaping, bike paths and public transit access. But, I feel the project misses some key opportunities and I am very concerned about the traffic impacts. I hope the City will take my concerns listed above into consideration.

Response to Comment No. B12-7

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B13 – GOSSETT, LINDA

Linda Gossett
redbkkr@sbcglobal.net

Comment No. B13-1

In regards to the project located in San Pedro on Western Avenue (Pointe Vista). The following issues need to be urgently addressed before this project moves forward.

- A NEW SIGNAL NEEDS TO BE INSTALLED AT AVENIDA APRENDA & WESTERN AVENUE TO ALLOW "U TURNS" TO PROCEED SOUTH ON WESTERN AVE. OUR PROPERTY LOCATED AT 27980 S. WESTERN AVE, SAN PEDRO WILL BE GREATLY IMPACTED BY THE INCREASE IN TRAFFIC FROM THE CONSTRUCTION AT POINTE VISTA. THERE HAVE ALREADY BEEN NUMEROUS CAR ACCIDENTS AT FITNESS DRIVE AND WESTERN, BECAUSE OF THE LEFT TURN TRAFFIC THAT CAN PROCEED SOUTH ON WESTERN AVE.

Response to Comment No. B13-1

The comment appears to refer to Intersection No. 18, Western Avenue/Avenida Aprenda-South Project Access. As shown in Table IV.N-21 of the Draft EIR, the Project-related impacts at this intersection will be less than significant. As described on page IV.N-47 of the Draft EIR, the Project proposes to construct improvements to Western Avenue adjacent to the Project Site, including the installation of left-turn traffic signal phasing at the Western Avenue/Avenida Aprenda intersection (northbound and southbound), which will substantially improve the left-turn operations at the intersection. The provision for U-turns at the intersection (which are currently prohibited) is not required to mitigate Project-related traffic impacts. See Topical Response 2 regarding the CEQA requirement that the Project is not required to alleviate problems experienced under existing conditions. However, the suggestion to permit U-turns at this location is acknowledged for the record and will be forwarded to the decision-making bodies for review and consideration.

Comment No. B13-2

- WE ALSO NEED TO HAVE THE STREET MARKED "DO NOT BLOCK" AT FITNESS DRIVE (27980 & 28002, 28004 WESTERN AVE.). IT HAS BECOME ALMOST IMPOSSIBLE TO MAKE TURNS, EITHER RIGHT OR LEFT ON TO WESTERN AVE.

Response to Comment No. B13-2

Mitigation Measure TRANS-7 on page IV.N-162 of the Draft EIR recommends the installation of a traffic signal at the Western Avenue/Fitness Drive intersection. The traffic signal would substantially improve traffic movements to and from Fitness Drive. As shown on Table IV.N-37 of the Draft EIR, the recommended mitigation reduces the Project-related traffic impact to a less than significant level. The suggested pavement markings (e.g., "Keep Clear") are typically reviewed as part of the design and permit process of the intersection improvements, and are not required to mitigate the impacts of the Project. However, the suggestion is acknowledged for the record and will be forwarded to the decision-making bodies for review and consideration.

Comment No. B13-3

- MY UNDERSTANDING IS THAT THERE IS A PROPOSAL FOR A "GREEN" SPACE OR PARK TO LOCATED AT THE VERY SOUTH END OF THE POINTE VISTA PROJECT NEXT TO OUR PROPERTY LOCATED AT 27980 S. WESTERN AVE. WE WOULD LIKE TO REQUEST THAT HOURS BE SET FOR USE OF THE PARK INCLUDING HOW LATE ANY "LIGHTS" WOULD REMAIN IN USE. OUR BUILDING IS VERY CLOSE TO THAT AREA AND ANY USE OF THE SPACE EITHER VERY EARLY OR LATE WOULD DISTURB THE RESIDENTS.

WE RESPECTFULLY REQUEST THAT OUR NEEDS BE RESPONDED TO IN THIS MATTER.

THANK YOU FOR YOUR ASSISTANCE.

Response to Comment No. B13-3

The Draft EIR addresses the use of outdoor lighting and the hours of operation at the proposed public park area in Sections IV.B (Aesthetics) and IV.K (Noise). However, it should be noted that the Project Applicant is now proposing to develop the reduced density site plan that is discussed as Alternative C in the Draft EIR, which would not include the public park referenced in the comment. Nonetheless, a publicly accessible walking/jogging path would surround the Project under Alternative C and would pass in between the future Project residences and the off-site property referenced in the comment. Similar restrictions on outdoor lighting and public use of this open space area would apply, per the discussion of Alternative C in Section VI of the Draft EIR.

LETTER NO. B14 – ROBERTSON, LARRY

Larry Robertson
laryrobertson@cox.net

Comment No. B14-1

I was reading the development project description which if developed it has 1,135 dwelling units which in my opinion is far to many units. The project would be comprised of a combination of for-sale and rental dwelling units the word rental is a red flag. By putting rental units in this project it makes it a place were people are not going to stay in this community for a life time. It would be people that would be transients. The property is zoned for R1 for single family housing has has to be keep R1. NO ZONING CHANGE. The traffic along Western is so bad now with the building of 1,135 units, it would be would be twice as bad. Did the developer do a traffic study? I was born and raised in San Pedro and we don't need more traffic in this town. Also the January 7th deadline is unreasonable and does not allow sufficient time for review and comment over the holiday season.

Response to Comment No. B14-1

See Topical Response 2 with respect to the Project Traffic Study. See Topical Response 1 with respect to the Draft EIR public review period. This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B15 – VAUGHN, ERIN

Erin Vaughn
evaughny@hotmail.com

Comment No. B15-1

I completely support the comments below. I'm not against building on the old navy housing property but please give serious and thoughtful concern to the quality of life in San Pedro before any plans are removed.

Sincerely,

Erin Carter, 5th generation San Pedro resident

Summary of Principal Comments

1. The time to respond to the DEIR is too short. It should be extended. Under the circumstances, it is legally insufficient and the additional two weeks given is inadequate given that the holiday seasons were being observed for most of the reply period.

Response to Comment No. B15-1

See Topical Response 1.

Comment No. B15-2

2. The DEIR focuses almost exclusively on Alternate D for 1135 units despite identifying alternate C for 830 units as the preferred alternative, and inadequately analyzes alternate B, for 385 units, despite being identified as having even less environmental impacts.

Response to Comment No. B15-2

See Responses to Comments A8-1 and A15-11.

Comment No. B15-3

4. The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B15-3

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B15-4

4. Generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, and which is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to consider traffic mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. B15-4

See Response to Comments A15-8.

Comment No. B15-5

6. The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. B15-5

See Response to Comments A15-9.

Comment No. B15-6

7. The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. I suggest a project alternative that includes access to Mary Star, true single family homes rather than a PUD (planned unit development), with work centers, open space that complies with City Guidelines, and a library extension to meet State Guidelines for library space.

Response to Comment No. B15-6

See Topical Response 6.

Comment No. B15-7

8. There is also a concern for the increased demands on infrastructure that a project of this size will generate. Where will the water come from and how can it be guaranteed? LADWP already has aging equipment and facilities that needs replacement. This will only exacerbate this condition in the area. It is hard to know what the extent of the problems will be as the City of Los Angeles has not conducted its mandated assessment of infrastructure for over a decade.

Response to Comment No. B15-7

Section IV.O.1 (Water) of the Draft EIR presents an analysis of the Project's anticipated water demand, available water supplies, and local and regional water supply infrastructure. The LADWP conducted a Water Supply Assessment for the Project (attached as Appendix IV.O-1 of the Draft EIR) and concluded that sufficient water supplies and water infrastructure capacities exist with which to serve the Project.

Comment No. B15-8

9. Emergency and police services already have a problem negotiating Western Avenue when traffic is heavy. They often can't get through. This will also make this problem worse not only during construction, but after it is built. If the Fire Department response times are inadequate now given budget restraints, how will this help?

Response to Comment No. B15-8

See Topical Response 5.

Comment No. B15-9

10. The fact that noxious fumes are emitted occasionally from the Defense Fuel Supply Point located next to the property is of particular concern as there is no plan to curtail them. That fact was made clear by the federal government when the property was originally sold.

Response to Comment No. B15-9

The Draft EIR, at page IV.C-50, notes that the Project Site is periodically subject to objectionable odors originating from existing industrial facilities in the general vicinity, including the DFSP. This, however, does not represent an adverse impact of the Project.

Comment No. B15-10

11. The community is now planned to be gated which was an option that was rejected by the Ponte Vista committee set up by former Councilwoman Janice Hahn to review the first plan of 2300 units. Gated communities are exclusionary not inclusionary and despite there being a few built in San Pedro quite a few years ago, they are not in keeping with the nature of most of San Pedro. Who are they trying to keep out anyway?

Response to Comment No. B15-10

See also Response to Comments A15-55. The terms exclusionary and inclusionary are subjective terms offering no ability for actual measurement through real life application. The comment refers to "a few built in San Pedro quite a few years ago, they are not in keeping with the nature of most of San Pedro". This statement is not accurate. The newly developed single family residential neighborhood called "Harbor Highlands", the entrance of which is located on Gatun Street off of Meyler Street and Capitol Drive near Gaffey Street, is in fact a gated community of 133 single-family homes similar in lot size and design as the single-family housing product type 3 proposed for the Ponte Vista project.

With respect to the gated aspect of the Proposed Project, existing gated communities are present throughout the San Pedro area, including: Harbor Walk, located adjacent to Pacific Avenue and West Hamilton Avenue; The Cape, located adjacent to Western Avenue and 19th Street; the Enclave and Baywatch communities, located on Capitol Drive east of Via Sebastian; and the Palos Verdes Shores Mobile Home Park located at 2275 W. 25th Street. The Project Site does not fit into the existing street grid and is not connected to contiguous properties. Additionally, the Project Site is already a fenced and segregated community due to the existing neighboring properties: (1) the Navy property to the north is fenced and will always be fenced and segregated from Ponte Vista; (2) Mary Star of the Sea High School on the east is fenced off from the Project Site and will always be segregated from Ponte Vista; (3)

Western Avenue on the western boundary only ties into the community from the two points of ingress-egress to/from the Project Site (both of which are gated and closed to the general public) and will need to maintain its separation from Ponte Vista in the future due to the volume of traffic passing by; and (4) the existing condominium and apartment developments to the south offer no street grid tie in opportunities with respect to the Project Site and are fenced off from the property by their current owners. Thus, the Project Site is effectively already a gated community and, with or without the limited vehicular access gates, any future residential development at the site would be nearly completely segregated from both the existing street grid and contiguous properties.

LETTER NO. B16 – BERO, BRYAN

Bryan Bero
bryanbero@aol.com

Comment No. B16-1

Please use alternative A! keep the zoning R1! Thank you.

Response to Comment No. B16-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B17 – PENICKS (NO FULL NAME PROVIDED)

Penicks@aol.com

Comment No. B17-1

Subject: keep the development R1

Response to Comment No. B17-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B18 – FRANKLIN, JAN

Jan Franklin
PO Box 6759
Burbank, CA 91510

Comment No. B18-1

Please keep the project at Single Family Homes (Alternate A) to eliminate problems for existing residents.

Response to Comment No. B18-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B19 – HUBER, SHARON

Sharon Huber
SherryHuber@aol.com

Comment No. B19-1

Please keep the development R1 as it is currently zoned.

Response to Comment No. B19-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B20 – MCKIM, GALE AND JUDY

Gale & Judy McKim
gjkmckim@juno.com

Comment No. B20-1

Hello! It is our understanding that the Ponte Vista Development is again being decided. My wife and I live on the west side of Western Ave. and will be directly effected by your decision. We bought our home 28 years ago and appreciate where we live and the current quality of life. We support Alternate A - "No project alternative/single family home" and limit Ponte Vista to 385 units. Please keep the development area R1, just as it always has been and always should be. Thank you for your listening to us.

Response to Comment No. B20-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B21 – NELSON, JOHNNIE

Johnnie M. Nelson
27909 Alaflora Dr.
Rancho Palos Verdes, CA 90275

Comment No. B21-1

Regarding the Ponte Vista Development project, I would like to sincerely ask that it be kept R-1 only.

Response to Comment No. B21-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B22 – VAN LUE, NICK AND JAN

Nick and Jan Van Lue
jannick@cox.net

Comment No. B22-1

Please keep the development R1 as it is currently zoned. Western Ave. is already extremely busy. Thank you.

Response to Comment No. B22-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B23 – MURPHY, RAYE

Raye Murphy
rayebethm@ca.rr.com

Comment No. B23-1

I am a homeowner living south of the proposed Ponte Vista project. Although it would be wonderful to improve the land as it currently stands, I have great reservations about the size of the proposed development. Western Ave. is gridlocked much of the time. I can't imagine adding 800+ units to that mix of traffic. I urge that serious consideration be given to this issue. I'm sure more savvy individuals have raised other issues as well but for me the traffic impact is my primary concern.

Response to Comment No. B23-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B24 – MATTINGLY, MICHAEL (#1)

Michael Mattingly
mattingl.m@sbcglobal.net

Comment No. B24-1

I live their [*sic*], I vote no project the traffic is horendus [*sic*] now.

Response to Comment No. B24-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B25 – HOWARD, LUCY

Ms. Lucy M. Howard
mshoward515@sbcglobal.net

Comment No. B25-1

This correspondence comes as an opposition to the Ponte Vista Project. The current R-1 zoning needs to remain intact. Considering the proposed size of the project, rezoning would have to occur and is not advantageous.

Congestion, noise, and increased traffic for Western/Pacific Coast and Western/Palos Verdes Drive North would drastically increase with the number of homes proposed for the area. LAFD's response to provide adequate protection in emergencies would be minimized by roadway congestion due to the increase in traffic. Traffic congestion due to schools in the area already exist and would be worsened.

Response to Comment No. B25-1

With respect to emergency response, see Topical Response 5. With respect to school traffic, see Topical Response 2. This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B25-2

Crime rate will increase as the level of activity increases.

Opportunities for crime will intensify and is directly proportional to land use activity. Even if private security is included or provided for the new area, it does not directly impact the potential crime increase for those in our area.

This project presents too many complications for the existing adjacent communities in Rancho Palos Verdes, CA.

Response to Comment No. B25-2

See Responses to Comments A15-77 and A15-88.

LETTER NO. B26 – MACAULEY, CRAIG

Craig Macauley
278185 Montereina Dr.
Rancho Palos Verdes, CA 90275

Comment No. B26-1

Please keep the development R1 as it is presently zoned.

Response to Comment No. B26-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B27 – MURARO, ROSE

Rose Muraro
28901 S. Western Avenue, Suite 101
Rancho Palos Verdes, CA 90275

Comment No. B27-1

Please keep the development R1, at Ponte Vista.

Response to Comment No. B27-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B28 – DIVONA, FRANK

Frank Divona
fjr5757@sbcglobal.net

Comment No. B28-1

My comments regarding the above sited report are as follows.

Section IV, Vol 1, D. Biological Resources

Many of the Reports in this section are a few years, for example, "The Reparian Bird Species Survey" was done in 2005. Shouldn't these older reports be updated to reflect todays findings?

Shouldn't any report that is not relatively current be updated in an EIR?

Response to Comment No. B28-1

The native riparian habitat associated with the Project Site is limited in both extent, covering approximately 0.37 acre, and habitat quality with the native habitat intermixed with a substantial component of non-native species. Surveys conducted in 2005 were detailed and adequately determined that special-status species were absent from the site and exhibit little potential for occurring on the site. Furthermore, site conditions have not changed since 2005. As such, it was determined that no benefit would result from repeating the riparian and riparian bird surveys.

Comment No. B28-2

Section IV, Vol 2, M. Public Service - Fire Protection

I am interested in how this development will impact emergency response times in our community since we seem to be always in need of more public safety personnel. I could not find any mention of the current response times for fire and police vrs [*sic*] how they would change after this development in built.

Response to Comment No. B28-2

See Topical Response 5 and Responses to Comments A15-77 and A15-78. Neither the LAFD nor the LAPD provide projections regarding the impact of individual development proposals on service response times. A discussion of LAFD response distance with respect to the Project is provided on pages IV.M-6 and IV.M-11 of the Draft EIR.

As discussed in Section IV.M (Public Services) of the Draft EIR, environmental impacts are assessed considering a number of factors (such as fire flow, response distance, response times, service ratios, emergency access, compliance with Fire Code and other building standards, security and safety features incorporated into the project, review of the project by the LAFD and LAPD, and payment of applicable fees by the applicant) and based on all these factors, would a project require new or expanded facilities to maintain acceptable service levels, the construction of which could result in environmental impacts. This assessment in the Draft EIR determined that no new or expanded facilities would be required as a result of the Project in order for the LAFD and the LAPD to maintain adequate service levels.

LETTER NO. B29 – LANNING, JOSEPH

Joseph Lanning
jplanning@yahoo.com

Comment No. B29-1

The new Ponte Vista project, as envisioned by the developer, will create a permanent traffic NIGHTMARE on Western Ave. I urge that the project be kept as R1 zoning and the proposed mega-densing NOT be allowed.

Response to Comment No. B29-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B30 – DILEVA, RALPH (#1)

Ralph Dileva
rleva@sbcglobal.net

Comment No. B30-1

Please keep pontevista project R1-have you driven western avenue lately?

Response to Comment No. B30-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B31 – SOVER, JOHN AND SUZANNE

John and Suzanne Sover
1827 Avenida Estudiante
Rancho Palos Verdes, CA 90275

Comment No. B31-1

As a homeowner that lives across the street from the Ponte Vista old Navy housing I would like to voice my concerns on the most recent proposal for the development of Ponte Vista. On behalf of my wife and family please keep the current zoning of R1 for the Ponte Vista development. The proposed **Alternate B** (No Project Alternative/Single Family Homes) plan of 385 units would keep the R1 zone and definitely help the community in minimizing the huge congestion that is experienced on Western Ave each and every day.

Response to Comment No. B31-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B32 – MUNOZ, MARTHA

Martha Munoz
marthamunoz@cox.net

Comment No. B32-1

As a resident of the neighborhood directly across from the proposed development area, I can tell you that traffic is already a challenge. Please keep the development R1.

Response to Comment No. B32-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B33 – HUSKINS, ROBERT AND MARJORIE

Robert and Marjorie Huskins
mbhuskin@juno.com

Comment No. B33-1

We are definitely in favor of keeping the development as R-1 as it is currently zoned. Alternate "A" in the DEIR is best for the community!

Response to Comment No. B33-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B34 – NUNEZ, JAY

Jay Nunez
fuzdatwuz@cox.net

Comment No. B34-1

Please keep the R1 zone on this development. We are very congested as it is.

Response to Comment No. B34-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B35 – FRKA, MIKE AND LISA (#2)

Mike and Lisa Frka
2029 Avenida Aprenda
Rancho Palos Verdes, CA 90275

Comment No. B35-1

Please keep the zoning R-1 for this project.

Response to Comment No. B35-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B36 – MARCIA, SUZANNE

Suzanne Marcia
Smarciacpa@aol.com

Comment No. B36-1

We request that you please keep the development for Ponte Vista as R1, as it is currently zoned. There already is far too much traffic and congestion in the area. I don't care what the reports say, you need to live in the area to see the traffic and congestion. Thank you.

Response to Comment No. B36-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B37 – HESTER, MARY

Mary Hester
1609 Dalmatia Dr.
San Pedro, CA 90732

Comment No. B37-1

I wish to first express my dismay regarding the short period of time we have been given to review the documents concerning the draft EIR on Ponte Vista. Because of the busy holiday period, for most people, myself included, this is not sufficient time to fully review and respond regarding this most important situation facing our quality of life in San Pedro. I request the deadline of January 7 be extended.

Response to Comment No. B37-1

See Topical Response 1.

Comment No. B37-2

My primary concerns are traffic, traffic, traffic, and congestion, congestion, congestion in San Pedro. As you know, there are only 2 avenues to serve and access our town, Gaffey and Western Ave. Today with no additional housing development in town, Western Avenue, in its entirety, at most hours of the day is beyond reasonable congestion. I see no plan that could adequately mitigate this situation. What actually do you think you could do to mitigate an additional 800-2200 car trips per day above what is already a frustrating situation.

Response to Comment No. B37-2

Section IV.N (Transportation/Traffic) of the Draft EIR concludes that implementation of the identified mitigation measures (TRANS-1 through TRANS-28) would reduce Project traffic impacts to less than significant levels at each of the intersections that would be significantly impacted by Project-generated traffic. See also Topical Response 2.

Comment No. B37-3

LADWP has aging equipment. The demands of a project like Ponte Vista will exacerbate this condition.

Response to Comment No. B37-3

See Response to Comment A15-130. The LADWP, in its Water Supply Assessment for the Proposed Project, has indicated that it has the capacity and water supply with which to serve the Project. The Project would improve the local water delivery infrastructure at the site in order to serve Project water requirements, as is discussed in Section IV.O.1 of the Draft EIR.

Comment No. B37-4

San Pedro has too many condos now and not enough single family homes.

I support R1 zoning and oppose alternative A and C in this project. I have lived here 33 and a half years. Please don't "sell our town out" to the developers.

Response to Comment No. B37-4

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B38 – GONZALEZ, STEVEN

Steven Gonzalez
gonzosteve@cox.net

Comment No. B38-1

I sincerely hope that we can keep Ponte Vista an R1 zone. San Pedro is a unique place with just a small egress and ingress. Most large cities have several ways in and out of town, but not San Pedro. We are very limited because of our location on a peninsula. It would be very unwise to overbuild on such a small access point when you consider the impact overall on our town.

Response to Comment No. B38-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B39 – STAGNARO, CHRIS

Chris Stagnaro
1958 Galerita Drive
Rancho Palos Verdes, CA 90275

Comment No. B39-1

I am writing to express my concerns over the proposed rezoning for the Ponte Vista project site in San Pedro. The project site is currently zoned R1. That is the zoning that was in place when the project site was initially purchased. And that is the zoning that I feel should remain in place on the project site.

As an individual home owner in the area I am not allowed to have my lot rezoned to allow me to construct multi-family housing. There is no good reason why speculative developers should be allowed to rezone their property after the purchase. The developers were fully aware of the zoning of the property at the time of purchase.

Response to Comment No. B39-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B39-2

The Draft EIR contains an alternative for development within the existing zoning for the property. It is presented as Alternative B. Interestingly the developer chose to not include an access road to Mary Star of the Sea High School in this alternative, even though today they are providing access to the school. So they created an alternative that local residents would find more attractive (single family housing) that denies the high school access from Western Avenue to make it less attractive. In their presentation of the alternative they site the fact that they developer over paid for the property as a reason that the home prices would be high and possibly not supported in the current economy. Such speculative purchasing during the housing price bubble is one factor that lead to housing prices rising above their sustainable market rate that led to the bursting of that bubble and the resulting economic impacts. There is no reason to reward the speculative greed that contributed to our current economic troubles. The owners of single family residences that are under water today I'm sure would also like to have their lots rezoned so they can put up condos and recoup their investment. But such a request from an individual home owner would not even be considered. Large developers should not be given special treatment.

Alternative B: No Project Alternative/Single-Family Homes

Alternative B presumes that the Project Site would be redeveloped according to existing zoning- and General Plan designation-allowed uses and densities. Taking site planning considerations into account, including the required seismic setback, approximately 385 single-family homes could be developed on the Project Site under the site's existing R1 zoning and Low Residential General Plan designation. Alternative B would not include a 2.8-acre public park or an access road to Mary Star of the Sea High School from Western Avenue.

Response to Comment No. B39-2

See Responses to Comments A8-26 and A8-27. See also Topical Response 6.

Comment No. B39-3

The Draft IER [*sic*] identifies 571 vehicle trips during weekday morning peak hour and 699 vehicle trips during afternoon peak hour. I live in the track of homes referred to as Rolling Hills Riviera to the south west of the project site. Weekdays I take my daughter to school accessing Western Avenue from eastbound Delasonde Drive onto northbound Western Avenue to eastbound Palos Verdes Drive North to Rolling Hills Preparatory School and then proceed to the Harbor Freeway to go to work. During non-school months I follow the same route to the Harbor Freeway to go to work. Accessing Western Avenue is already a hazardous endeavor. The addition of another 571 vehicles to this already taxed roadway into San Pedro will make this worse and will directly impact myself and my family. There are so many variables that impact the flow of traffic already including unpredictable students crossing Western Avenue that I have low confidence that the proposed changes will offset the additional traffic the proposed project will generate.

Response to Comment No. B39-3

The comment correctly summarizes the forecast Project trip generation provided on Table IV.N-10 of the Draft EIR. See Topical Response 2 regarding Traffic Study methodology and recommended mitigation measures, including improvements to intersections along Western Avenue and other travel routes to accommodate Project-related traffic. As shown on Table IV.N-37, all of the Project-related traffic impacts can be mitigated to less than significant levels. Also, Topical Response 2 discloses that the traffic counts at the study intersections were conducted at a time when local schools were in session.

Comment No. B39-4

Note that alternative B identifies that it would reduce or avoid the significant impact to traffic in the Project area. So current zoning is consistent with the traffic capacity of the project area.

The Ponte Vista property was zoned R1 when it was purchased. It should remain zoned R1. That zoning is consistent with the traffic capacity in the area and the resulting community will be more consistent with the surrounding neighborhoods.

Response to Comment No. B39-4

The comment references page VI-14 of the Draft EIR describing Alternative B's potential to reduce or avoid traffic impacts as compared to the Project. The comment is incorrect to state that "current zoning is consistent with the traffic capacity of the project area". As is discussed in the Draft EIR, the development of Alternative B would significantly impact 14 of the 56 study intersections, or six fewer than the original Proposed Project (1,135 units) under 2017 cumulative-with-Project conditions. Alternative C, which is the currently preferred Project, would significantly impact 16 study intersections, or two more than Alternative B.

LETTER NO. B40 – STALLMAN, WILLIAM

William Stallman
1973 Galerita Dr.
Rancho Palos Verdes, CA 90275

Comment No. B40-1

Please keep development zoned R-1.

Response to Comment No. B40-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B41 – FERREE, ADRIANNE

Adrianne Ferree
abferree@lasd.org

Comment No. B41-1

Ms. strelich I live in the neighborhood across the street from this proposal. 1135 dwelling is way too many! The impact on western and the middle school which all the kids from the new developemet [*sic*] will attempt will drastically affect our neighborhood. Please keep the single family home zoning for that area. Alternate B.

Response to Comment No. B41-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B42 – MUAINA, EVON

Evon Muaina
evonmuaina@gmail.com

Comment No. B42-1

I am a homeowner in the Eastview area and have lived here for almost 30 years. I know this area. I know what impact 1100 plus units (with 1/3 being rentals) would have on this area. The area cannot handle

anything more than what would be permitted under R1. Traffic is a huge concern, keeping in mind that there are really only two streets for emergency exit of the area. Please keep this development R1 as it is currently zoned. Thank you for your consideration.

Response to Comment No. B42-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B43 – WILSON, GREG

Greg Wilson
1841 Avenida Aprenda
Rancho Palos Verdes, CA 90275

Comment No. B43-1

Please keep the Ponte Vista development as it's current zoning of R-1, 385 units. It was zoned R-1, 385 units for a reason.

Response to Comment No. B43-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B44 – MOSICH, JOYETTE

Joyette Mosich
2010 Galerita Dr.
Rancho Palos Verdes, CA 90275

Comment No. B44-1

Please keep the Pointe Vista project to R1…Single family homes.

Joyette Mosich
2010 Galerita Dr.
Rancho Palos Verdes, CA 90275

Before this area was annexed by RPV it was San Pedro.

Response to Comment No. B44-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B45 – KOEHLER, JEFF

Jeff Koehler
jkoehler@pacbell.net

Comment No. B45-1

As a resident of Rolling Hills Riviera (28039 Calzada Dr) I strongly recommend the zoning for the Ponte Vista Development be kept at R1 which I believe is Alternative B in the DEIR. A development of 385 houses would have much less negative impact on the surrounding neighborhoods than a development of 1135 units.

Response to Comment No. B45-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B46 – DIBERNARDO, MIKE

Mike DiBernardo
mdibernardo@sbcglobal.net

Comment No. B46-1

My name is Mike DiBernardo and I am a resident at 28218 Pontevedra Drive in Rancho Palos Verdes. My backyard butt ups to Western Avenue. I understand the DEIR for the Ponte Vista project is exploring different alternatives. Due to traffic congestion that already exists on Western Avenue I would like to recommend the LA City Planning Department keep the development zoned R1 and therefore I support Alternative A.

Thank you in advance for your consideration in my recommendation.

Response to Comment No. B46-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B47 – MARKS, WILLIAM AND JOJEAN (#2)

William D and JoJean Marks
2035 Avenida Feliciano
Rancho Palos Verdes, CA 90275

Comment No. B47-1

Please retain the R1 zoning for the Ponte Vista development.

We have lived across Western Avenue from the Ponte Vista property for 40 years. In that time we have seen the traffic congestion on Western Avenue increase to the point of gridlock as development of residential and retail has filled in most of the vacant land remaining in the area.

Adding another 1100+ residential units to the area will dramatically increase the burden on the already over-taxed infrastucture.

Please do not let this happen!

Response to Comment No. B47-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B48 – CARNEGIS, ELAINE AND GEORGE

Elaine and George Carnegis
1937 Delasonde Drive
Rancho Palos Verdes, CA 90275

Comment No. B48-1

Please keep Ponte Vista development R1. Traffic on Western Avenue is very heavy because there are only 2 streets, Gaffey Street and Western Avenue, that take drivers to San Pedro.

Response to Comment No. B48-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B49 – GRANT, MIKE AND JULIE

Mike and Julie Grant
Michael.grant1@cox.net

Comment No. B49-1

ALCON, I would like to voice concern in the allowing this developer to try and sell this project as beneficial to use and that we should forget the property was R1 zoning when it was purchased. The developer trying to expand the housing from 385 to 1135 is a clear indication that this developer is in it for the "hit and run" and their actions are shameful. Please keep the development R1, as it is currently zoned. Thank you for your time.

Response to Comment No. B49-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B50 – RUTTER, CONNIE

Connie Rutter

Comment No. B50-1

I live about a mile from the Rancho LPG facility covered in the Draft EIR for Ponte Vista, and find that the authors' dismissal of the hazard associated with this facility as insignificant is unreal and untrue. My comments explain why that is so.

I have a masters' degree in chemistry education and have worked in the oil industry for Conoco and Fletcher Oil, now closed, in Carson, as environmental manager. I ran my own business as environmental consultant for about 20 years, retiring in 2010. Many of my clients were oil companies, including ARCO refinery (now Tesoro), Shell refinery, and smaller refineries and terminals. I was a member of the AQMD's Advisory Council for about five years, a member of the LA TS (refinery) subcommittee of the Western Oil and Gas Association, and of the refinery subcommittee of the American Petroleum Institute. My experience in the oil industry, specifically in refineries and terminals, gave me a healthy regard for safety and for the means at hand to deal with possible releases. (Although my job was mostly desk work, I also toured the refinery regularly, did valve inspections, etc. I therefore had to receive training in fire-fighting. I ran drills along with the Safety Department that involved police, fire departments and near-by schools, practicing how we would handle a release.) One could be confident in an element of safety because of the systems in place to control and extinguish fires. Because I was the environmental manager, I was informed about any accident that occurred on site. And accidents small or large occurred regularly, mostly due to operator error, but only a few had major consequences, and no lives were lost.

Response to Comment No. B50-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents a summary of the comment's background and experience. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B50-2

But LPG (butane and propane) are completely different from the usual products in a refinery. This is because they become gases when released and in doing so increase greatly in volume to form a pressure wave. Other hydrocarbons have to be vaporized before they will burn, but LPG vaporizes readily if it's released. These gases are heavier than air, but lighter than water as a liquid. So, they will not dissipate easily as Liquid Natural Gas would do. The usual methods of fighting an oil fire won't work on LPG. This is to use foam mixed with water, which smothers the fire. But with LPG the foam serves to warm whatever LPG is still liquid, hastening vaporization. So LPG is essentially unextinguishable, except for hand-held dry chemical, whose use is limited to very small releases.

Response to Comment No. B50-2

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents statements concerning the properties of LPGs. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B50-3

Finally, the use of containment or dikes to hold a release do not work in the case of LPG, because they are designed to hold the liquid contents of a tank, but the liquid quickly vaporizes, expands 230 times in volume and overflows the containment.

Response to Comment No. B50-3

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents statements concerning the properties of LPGs as they relate to release containment. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B50-4

To dismiss the danger from an LPG facility as insignificant flies in the face of the scientific knowledge about these products. The possible means of causing a release are human accident, equipment failure, earthquake potential, and terrorism. The potential for a catastrophic event at either Rancho, or to a lesser

degree, at ConocoPhilips is real. The only sure mitigation would be the removal of LPG storage near homes and the public. At the least, the city should require mitigation in the form of insurance to cover the neighboring communities, as well as the city's potential liability.

Response to Comment No. B50-4

See Topical Responses 3 and 4.

Comment No. B50-5

Refutation of Rancho LLC Holdings as Insignificant in the DEIR for Ponte Vista, January, 2013

In the Hazards section of the DEIR Rancho LPG Holdings was considered to have "no impact"[69] on the Ponte Vista project. However, the author of the DEIR did not do any analysis or full reporting of the contents of the RMP on file at the Fire Department. For example, under the section about ConocoPhillips the DEIR says: "Under the RMP's offsite consequence analysis, a flammable worst case release of butane (rupture of the largest bulk storage tank releasing the entire contents of 24,800,000 pounds) could result in a vapor cloud explosion with an impact zone of 2.3 miles."[70] In comparison to that impact zone, Rancho with larger tanks is claimed to have an impact zone of 0.5 miles.[71] Notably, the weight of butane released from Rancho under its worst-case analysis is not reported. According to Rancho's RMP on file at the Fire Department, the weight that would be released when one of the butane tanks fails is reported as 57,000,000 lbs.[72] It flies in the face of reason to assume that a weight more than twice as large would have an impact zone radius of less than 20% the size of the ConocoPhillips refinery. Actually, the impact zone reported is the **radius,** so comparing the areas reported would make Rancho's effect only 5% of Conoco Phillips. How can this be? It's illogical that twice the weight of butane (Rancho's) would effect only 5% of the area (ConocoPhillips).

Response to Comment No. B50-5

The release scenario presented in the Rancho LPG Risk Management Plan (RMP) is a worst-case scenario, as defined by EPA's *Risk Management Program Guidance for Offsite Consequence Analysis* (OCA, April 2009). A worst-case scenario is defined as "the release of the largest quantity of a regulated substance from a vessel or process line failure, and the release that results in the greatest distance to the endpoint for the regulated toxic or flammable substance." For butane and propane, the endpoint is 1 psi overpressure for a vapor cloud explosion. The worst-case release is defined without regard to cause and

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69 *"Ponte Vista DEIR," p.IV.H-36.*

70 *Ibid.p.IV.H-33.*

71 *Ibid p.IV.H-36.*

72 *"RMP Report for San Pedro Terminal" p.3.*

potential human or mechanical intervention. However, passive mitigation such as containment berms can be considered.

Rancho LPG correctly followed the EPA regulatory guidance for release of refrigerated butane into a containment area (OCA, Section 5). The RMP analysis assumed that the entire contents of a full tank would empty into a containment basin over 10 minutes, with 10 percent of that quantity available for a vapor explosion. The maximum amount of refrigerated butane stored in either of two large tanks is 57 million pounds (lbs). Of that, 570,000 lbs. of refrigerated liquid butane was assumed to be released per minute for 10 minutes, with 57,000 lbs/min available to evaporate and for a vapor cloud explosion. From OCA Reference Table 13, even if all 570,000 lbs. were instantaneously available for a vapor cloud, the distance to 1 psi overpressure would be just over 0.6 miles. Measured from the edge of the containment areas for the refrigerated butane storage tanks, the Proposed Project would lie more than 0.7 miles distant, beyond the 0.5-mile worst-case scenario radius. Therefore, this worst-case scenario explosion, and explosions under other scenarios with lesser release quantities, would not impact the Project Site at the significance level of 1 psi overpressure.

The Rancho LPG RMP is filed with the Los Angeles City Fire Department (LAFD), the delegated agency for managing compliance with federal and state regulations governing butane and propane storage. The LAFD is charged with reviewing and approving the RMP document, completing inspections, and enforcing compliance. According to the RTKNet website (rtknet.org), the latest update of the RMP submitted to the LAFD is dated February 9, 2011.

On June 27, 2012, a Public Safety Committee meeting was held to discuss the safety of the Rancho LPG facility and others (*Safety Regulations and Precautions at Liquefied Petroleum Gas (LPG) Facilities*, February 19, 2013). The Committee meeting was attended by several agencies charged with overseeing compliance with safety regulations applicable to Rancho LPG. The report from this meeting reiterated the advantage of Rancho LPG storing butane as a liquid under pressure; that upon release into a containment area, only a small amount could become involved in a vapor cloud explosion. The containment area reduces the surface area for liquid butane to become vapor. As far as oversight, the report states that LAFD conducts routine inspections of tanks, fire suppression systems, fire hydrants, gas/liquid monitoring, inventory of process and stored substances, emergency planning, and security.

See also Topical Response 4.

Comment No. B50-6

Source of Confusion over 'Worst Case'

The answer is that the two facilities used different ways of calculating the worst case, and unfortunately, both are legal, according to the EPA regulations.[73] A brief history of how the regulations were influenced by a settlement of a suit by the American Petroleum Institute (API) follows.

Congress passed two sets of laws (CERCLA[74] in 1986 and the Clean Air Act Amendments[75] in 1990) in response to the Bhopal disaster in India, which killed thousands due to a release of poisonous methyl isocyanate. The EPA finalized the regulations[76] in 1996, which would require companies which had hazardous chemicals on site to, among other things, file a worst case analysis of the effect of a release. The reports were to be filed by June 21, 1999. Official Guidance was produced as to how to calculate the effect. Butane and propane were to be calculated in comparison to the explosive, TNT. (This is apparently how ConocoPhillips calculated their worst case.) According to that method and using the 57,000,000 pound figure, Rancho's worst case gives a radius of **three miles.** (At a neighborhood meeting where notes were taken, a representative of Amerigas, the previous owner of the Rancho site gave the radius as 2.8 miles[77]).

But the API and the National Propane Gas Association sued the EPA over the RMP regulations, specifically as they related to LPG (Liquefied Petroleum Gas, butane and propane). API claimed that LPG owners should be allowed to calculate the release amount as the amount that would be released in 10 minutes, if there was "passive mitigation" present on site. The passive mitigation on site is an impound basin sized to hold the contents of one tank **as a liquid**. The problem is that butane is stored at 28°F at Rancho, and it boils or vaporizes at 31°. **When butane vaporizes, it expands 230 times its volume as a liquid!** So the impound basin would hold less than 1 % of the volume of butane when it vaporizes, which it will do very rapidly. In actuality the impound basin is more cosmetic that protective. This fact seems to have escaped the notice of the API, whose standard it is, as well as the EPA, which accepted the concept of the impound basin as 'passive mitigation'. The EPA settled the suit with the API, within one month when RMP's were due in June 21,1999, allowing LPG facilities with passive mitigation to use modeling as well as the TNT equivalency method. Now a company storing butane can report its worst case according to the Guidance or according to some model which calculates the amount released in 10 minutes, but the EPA does not specify what model to use. The resulting confusion ended up with worst cases which are not comparable, because different methods of calculations were used, and all legally, but not all true, and certainly not all equally protective of the public, or fulfilling Congress' original intent.

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[73] *40 CFR Part 68.25.*

[74] *Comprehensive Environmental Response, Compensation and Liability Act, 40 CFR 372.45 ff.*

[75] *CAAA, 112 (r).*

[76] *40 CFR Part 68*

[77] *Amerigas Forum meeting held by NW Neighborhood Council, 7/18/04.*

Response to Comment No. B50-6

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents statements concerning the properties of LPGs as they relate to release containment and a discussion of the meaning of the term "worst-case". This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

See also Topical Response 4.

Comment No. B50-7

What would a Genuine Rancho Worst Case Look Like?

The EPA set the amount to be evaluated, as the complete failure of the largest tank on site. There are two tanks of butane whose capacity is 12.6 million gallons each. Companies are allowed to assume 'administrative controls' are in place which would allow for a reduction in the spilled amount to be evaluated. The 57,000,000 pounds reported by Rancho in their RMP assumed that the volume spilled was (butane weighs 4.861bs /gal) 11,700,000 gallons or 93% of tank capacity.

As that volume was released, it would pick up heat from the air and from the floor of the 'impound' basin and vaporize. As it vaporized it would expand, explosively, until it overflowed the basin. This type of explosion occurs because one gallon of liquid butane now needs 230 gallons of space to exist as a vapor, which creates a destructive pressure wave. Since butane is twice as heavy as air, it would flow out of the basin, as it vaporized and expanded, and follow gravity into the adjacent storm drain and onto Gaffey Street. During its expansion, at its edges it would become diluted with air and pass through its flammability limits of 1.5 to 8.6 % butane in air. There are five sources of ignition on site in the three natural-gas fired compressors, the heater and the flare. The engines of passing cars can also serve as ignition sources. A flammable explosion would follow the ignition, which would add more heat to evaporate any butane that has not already evaporated.

Under this scenario, it is almost certain that not just one tank of butane would evaporate, expand, explode, and ignite, but the entire facility would go up in flames. If the tanks were at or near capacity the radius of impact would be **10 miles**. This would involve most of the area south of LAX.

Response to Comment No. B50-7

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents speculative statements concerning possible explosion scenarios at Rancho LPG. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

See also Response to Comment B50-5 and Topical Response 4.

Comment No. B50-8

Likelihood

The DEIR states that the chance of a release as large as a whole tank at the Rancho facility is 'remote.' Although that is true, 'remote' is a relative term. Probabilities are usually given as fractions like one in a hundred or percentages. The chance of an entire tank failing is small but not zero. What makes the possibility so dangerous in the case of LPG is that **there are no safety measures that can protect against this possibility and no safety measures that can be taken, after it occurs.** The EPA in their "Technical Guidance for Hazards Analysis" on page 2-32-33 provides a matrix for evaluating hazards considering probability and severity. The release of a large amount of butane (57,000,000 lbs in this case) would be low probability, but high severity. (Even at the Rancho-reported radius of 1/2 mile from the blast, they report **770 people** would be 'affected.' The number affected under the TNT-equivalent calculation would be closer to 28,000.) EPA says: "In general, the events with likelihood rankings of high-high, high-medium, medium-high and medium-medium will require some additional and possible mitigating measures. **However, other less likely scenarios may also have serious consequences and be of high concern in a particular community and would warrant the focus of emergency planning."** The problem, of course, and what makes the Rancho situation so dangerous, is that there are no means of mitigating the threat from this type of facility, as pointed out above. Since butane is non-extinguishable by any means available on a large scale, once it's out of a tank, it will in all likelihood ignite. The recommended method of dealing with a fire of this sort is to try to keep other tanks from catching fire and to let it burn itself out!

Response to Comment No. B50-8

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents speculative statements concerning the likelihood of catastrophic tank failures at Rancho LPG. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

See also Response to Comment B50-5 and Topical Responses 3 and 4.

Comment No. B50-9

LPG (butane and propane) is considered ‘ultra hazardous,’ ‘extremely hazardous’ and extra-hazardous activity. The definition of ultra-hazardous is based on the Restatement (Second) of Torts Section 520. "In determining whether an activity is abnormally dangerous, the following factors are to be considered: (a) existence of a high degree of risk of some harm to the person, land, or chattels of others; (b) likelihood that the harm that results from it will be great; (c) inability to eliminate the risk by the exercise of reasonable care; (d) extent to which the activity is not a matter of common usage; (e) inappropriateness of the activity to the place where it is carried on; and (f) extent to which its value to the community is outweighed by its dangerous attributes." (from Legal Information Institute.)

LPG Accidents and Probability

In a paper, "a Study of Storage Tank Accidents" by James I Chang and Cheng-Chung Lin, reported in the Journal of Loss Prevention in the Process Industries in 2006, tank accidents occurring from 1960 to 2003 were evaluated and analyzed. Of 242 accidents reported 15 involved LPG.

Another document "Storage Incident Frequencies" from the International Association of Oil and Gas Producers in 2010 reported on page 5 that the' catastrophic rupture frequency' for single containment refrigerated tanks (the butane tanks at Rancho) with secondary containment (the ineffective impound basin) is 7.3 x 10-6 per tank per year. For the butane tanks, this would amount to 5.8 x 10-4 or 5.8 in 10000. This is better odds than most lotteries. The same document gives the BLEVE (boiling liquid expanding vapor explosion) frequency as 10-5 per vessel-year. The total expected frequency of a BLEVE in the Rancho propane bullets is therefore 2 x 10-3 or 2 in 1000.

A random search of internet sources produced the following:

*In Feyzin, France in Jan. 1966, 90,000 gal of propane were released from a 317,000 gal spherical pressure vessel when a valve failed to work, killing or hurting 100 people.

*In Mexico City in November, 1984, 2,900,000 gallons of LPG were released with the cause unknown. This resulted in 542 fatalities and 7,000 people hurt. Two thousand homes were destroyed.

* In 1977, a 260,000 bbl propane tank failed massively in Qatar. This caused a neighboring butane tank to also catch fire and be destroyed, resulting in $179,000,000 loss.

So, although releases are relatively rare, they do occur, and often result in death and damage.

Response to Comment No. B50-9

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents general statements concerning catastrophic tank failures at LPG storage facilities around the world. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

See also Response to Comment B50-5 and Topical Responses 3 and 4.

Comment No. B50-10

Other Points Which Pertain to Safety at the Site

In the DEIR the authors dismiss the danger from fire partially because the facilities have methods to reduce the fire danger by foam systems and workers trained in firefighting. **It's important to realize**

that neither foam nor water will extinguish an LPG fire; both will actually increase the rate of burning. So, an LPG fire is usually allowed to bum itself out.

There are several points to be made about the lax attitude toward safety at Rancho. These points were made in an email to Mary Wesling of EPA, after reviewing Rancho's RMP. I am including that document. What seems apparent is that little thought went into the preparation of the RMP.

And we know that the facility is staffed with few employees. There are at most 12 employees, to cover the site for every shift every day. This means that at most there are three or four employees on site at any one time. But the site covers 20 acres! I asked an employee if there is a maintenance crew on site and he said one crew covers this facility and another one, possibly in Shafter. So, what do they do if something breaks? If they're really aware of the dangers, they will evacuate as quickly as possible.

Response to Comment No. B50-10

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents statements concerning operation of the Rancho LPG facility. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

See also Response to Comment B50-5 and Topical Responses 3 and 4.

Comment No. B50-11

Conclusion

Butane is essentially unsafe, because of its qualities of volatility (it's a gas at temperatures above freezing), expansion potential (when it vaporizes. it expands 230 times in volume), flammability (other hydrocarbons have to be heated to vaporize at ambient temperature before they will ignite, but butane is already a vapor at ambient) and inextinguishability. Butane floats on water, so spraying with water can only help to cool surrounding tank surfaces in the hopes that they will not ignite. If water were applied to a burning pool of butane, it would help to float and move the burning fuel to a larger area. Foam, usually used to extinguish hydrocarbon fires by smothering, is not advised by the National Fire Protection Association or the API, because the foam is warmer than the liquid butane and would therefore hasten vaporization. (Dry chemical will extinguish butane, but is usually in small containers and must be sprayed on the fire directly, so its usefulness is limited to small, accessible butane fires. This also runs the danger that the fireman spraying the chemical must be so close to the fire that his life is put in danger.)

Rancho LLC Holdings is probably the most dangerous facility near the Port. I haven't even mentioned the likelihood of earthquake potential - Rancho is located within the rupture zone of the Palos Verdes fault. Nor the attractive nuisance that this facility would be to an international or "home-grown" terrorist.

To dismiss the risk from this facility as 'insignificant' is dead-wrong.

Response to Comment No. B50-11

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents statements concerning the inherent properties of butane and the Rancho LPG facility. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

See Response to Comment B50-5 and Topical Responses 3 and 4.

Comment No. B50-12

Problems with Rancho's Risk Management Plan

There are several problems associated with Rancho's compliance level in regard to the requirement to prepare an RMP and an Emergency Response Plan. An important one is the indifference, illustrated in errors and delays, which indicate a lack of concern with the hazards in their facility. This is disturbing, since the hazards are so extreme, labeled as 'highly hazardous' in 29 CFR 1910.119.

Rancho's Risk Management Plan essentially follows Amerigas' in its worst case scenario, releasing 57 million lbs. of butane (11,728,000 gal or 93% of tank 1 or 2 capacity.) (I have a copy of Amerigas,' version with the Fire Department through a fluke, but was not allowed to have a copy of Rancho's; only allowed to 'make notes.') As, of course, you know, 40CFR 68.12 requires that the source select a "Program," which will determine its worst case scenario in the RMP. Rancho falls into Program 3, because it is subject to OSHA project safety management standards under 29 CFR 1910.119, because butane and propane are listed as highly hazardous chemicals, as category 1 flammable gases.

Serious defects

The **most serious defect** is in calculating or estimating from a table, the distance to the 'end point of 1 psi for a 'worst case' release, which both Amerigas and Rancho stated was 57,000,000 pounds, or 11,700,000 gal, which is 93% of the butane tank's nominal capacity. This is presumably because the owner is allowed to take credit for "administrative controls" mentioned in 40 CFR 68.25 (b)(1). But, using the application that assumes that the 'passive mitigation' afforded by the impound basin, the amount released would be 10% of the total spill, since the area exposed to the air, and therefore subject to evaporation, would be limited. But they greatly underestimated the distance to the endpoint of 1 psi. I'm presuming this was due to sloppiness and indifference, which is evident in the rest of the document. The actual endpoint is **3 miles,** according to the formula given in the Guidance at C-1. I presume whoever did the calculation or estimation worked for Amerigas, and their results were simply copied by Rancho. And I'm guessing that whoever came up with the distance of 0.5 miles, assumed that he was to use just 10% of the release amount, 5.7 million pounds and used the Reference Table 13, which ends at 2,000,000 lbs, well below the 57,000,000 lbs of their release.

What is disturbing about this to a resident, is that this indifferent attitude to the environmental and safety rules is probably indicative of their attention to safety within the facility.

For other substantive defects:

1. The Plan has the earliest reports of a release being made to company personnel (p.2-3) at Plains Control Center (in Shafter? Houston?) not the Fire Department. This would obviously delay action on an extreme emergency, and could even lead to an attempt to minimize the reaction to a release, or to a cover-up. (There was an accident in late March, when a rail car and truck collided, which members of our group observed, but no Firemen were notified. There was a notification to the police, apparently.)

2. On page 3-6 directions are given for a 'hydrocarbon vapor' release, and they give directions about noting the wind and how to move upwind of the release. They should also be reminded to move up-hill from the release, since both butane and propane as vapors are heavier than air, and so would flow downhill.

3. On the same page the authors give directions about putting out an 'incipient' fire, but do not speak about the difference in behavior of propane and butane or the danger of re-ignition of the spill. Presumably they have already had this sort of training, but the Plan deals with releases, so it seems it should be repeated here.

4. On page 3-13 under "Line Break" they note to "Request local authorities to establish scene security and traffic control in the area." But it's the 7th notation under Line Break. Since this site is on the main road in San Pedro, this should be among the first things they do.

5. On the same page, under Leak or Spill at Loading/Unloading Rack, it is noted: "Consider evacuation of local residents." The Fire Department and Police would be the agencies to accomplish this, but they haven't even been notified under this scenario!

6. After this leak at the loading rack, they say, "Resume loading/unloading operations as directed by Facility Supervisor." But the spill hasn't been cleaned up! Since these gas/liquids are colorless and odorless, it wouldn't be possible to tell if they had evaporated and dispersed! There should at least be some requirement to use a hydrocarbon analyzer and to specify the reading at which it is safe to resume loading activity.

7. On page 4-4 reporting to external agencies is done through corporate Environmental, Health and Safety, rather than from the site. This raises questions about whether the corporate office has the proper information and whether they might be inclined to fudge the issues. There is a defensive note to their items not to include information which hasn't been verified and not to speculate. These considerations will have the effect of decreasing the urgency, and perhaps the honesty, of the reporting to public agencies. Since the threat at the site is so great and a release of any significant size will need the

involvement of Fire, Police, and Port personnel, there shouldn't be any attempt on the part of Rancho to curtail reporting.

8. To make the Plan more user-friendly, the telephone numbers for notification should be included in the plan, not just at the Terminal building – what if the Terminal building is involved in the fire or release?

9. Figure 5-2 gives the Response Team organization, using specific titles for the boxes, and it refers to Figure 4-3.1, but the two don't match. The titles listed on Figure 5-2 are more likely the Management Team, while the names listed on Figure 4-3.1 are probably the Response Team. Besides, there are more boxes on Figure 5-2 than there are names on Figure 4-3.1.

10. The Plan speaks of rally points and muster points, (page 7-3) which are presumed to be the same, and are at the north and south end of the terminal. **But, if a release of butane or propane has occurred, the vapor, which is heavier than air, would flow down hill, after the vapor had filled up the impound basin. So, the south rally point should be used only if a hydrocarbon analyzer has indicated that it is safe.**

11. On page 7-3 and 4 the Plan says that no one is to leave the site. Employees should not be instructed not to leave. A release of LPG is life-threatening and, other than turning off the source of the leak, little can be done to control the resulting fire. The first goal should be to minimize the loss of life to employees and the public.

12. On page 7.6 the Plan instructs the Incident Commander to notify "emergency management authorities" (Fire and police?) whether public protection measures should be taken, presumably evacuation. This should not be Rancho/Plains' call, but the local agencies'. Rancho/Plains makes it clear in this Plan that the risk they are concerned with is not to the public, but to their own reputation and pocket-book. (They're not even savvy enough to disguise it.)

13. On page A-2 there is no attempt to describe the qualities of propane and butane. Instead there is a vague sentence "Chemical products are the primary fire hazards in the facility." **This is a glaring omission, to not describe the extreme hazard presented by LPG, and its qualities which make it so difficult to control because of its volatility, flammability and inextinguishability**.

14. On page A-3 under "Pressurized Hydrocarbon Vapors" at the second bullet, it's stated: "Extinguishing agents are water fog pattern sprays or dry chemical." Water fog or spray will not extinguish a fire, because the liquid and vapors will float on the water. It may temporarily break up the vapor, but that would only cause the vapor to disperse and mix with air and so reach its lower flammability limit of around 1%. In addition the API does not encourage the use of dry chemical, even though it will extinguish fires, because of the possibility of a fire reigniting and trapping the fireman.

15. Fire-fighting foam is not recommended by API, because it will warm any liquid and cause it to become vapor, increasing the likelihood of fire.

16. On the February, 2012 update, on page 3-13 under "Rail Car Derailment," notifying the fire department and police (not the sheriff, as stated in the Plan) should be closer to the top. Also the Port police and possibly CHP should be notified. (But there's a good piece of information about assessing the damage from a distance through binoculars, to prevent loss of life of operators and fire and police personnel.)

17. On page 3-29 of the Feb, 2012 update, there is an Earthquake Procedure Checklist. The previous page says that if spills or releases occur as a result of the earthquake, then employees are to follow the procedures under those headings. But this page tells them to stay where they are during the quake. This is impossible, of course, to respond to the spill while staying in place. And there is no mention of the fact that land lines may be down, and that the Fire and Police will be stretched to try to cover related earthquake damage.

18. On the same page, 3-29, there is a notation under "After an earthquake checklist" that the employees are to inspect the seismic shutdown switch, but it doesn't give any further instructions about it, nor does it indicate where it is. Shouldn't that be noted in the Plan and/or on the Plot Plan? What should it be inspected for? Damage? Whether it shut down properly?

Indifference to Compliance

Some of the sloppiness and indifference can be detected in using an 'off-the-shelf' program, rather than analyzing their own situation and the rules which pertain to them.

1. This led to at least one omission in the earlier plan, dated, I presume, May, 2008, (before Rancho owned the facility?) and revised Jan 13, 2011 and again in Feb, 2012. In the first two versions they omitted the section on earthquake, but added it in the 2/12 version.

2. The Risk Management Plan is to be updated every year, but according to the records you sent me, there were no updates between 2008 and 2011.

3. Several places, starting on page 3-7, they refer to Section 2-3, but there is no Section 2-3. (This would indicate that no one even proof-read their submission.) They correct this in the latest version of the Plan.

4. On page 3-7 the Supervisor is instructed in the fourth bullet down to "Assist in other communications/notifications as directed by Incident Commander." But the Supervisor is the Incident Commander, according to page 3-4. The sixth line down directs the Supervisor to "Coordinate initial internal and external notifications." This is a repeat of the instructions given above.

5. Page 3-12 repeats the information from pages 3-6 and 3-7. This may be because they are giving directions to fight a BLEVE, as opposed to a release from a tank.

6. On page 3-14 there are directions about what to do for a storage cavern leak, but this site has no storage cavern. This is just evidence of the careless use of information from another site without even bothering to proof read it.

7. On page 4-5 the authors appear to not understand what is wanted, at least according to my reading. Reportable Quantity is a term from the regulation, which is 10,000 lbs for butane and propane, not the maximum amount on hand. This oversight was not corrected on the February, 2012 version, which leads one to wonder if anyone read the regulations and their own submissions. (It's this kind of sloppiness and indifference which makes us residents worry about their attention to safety. Since safety in regard to LPG is such an iffy notion anyway, one is not reassured to see such carelessness!)

8. On page 5-2 part of the Emergency Management Team's directions are to deal with the public, media, etc. Only on the fifth bullet down do they refer to the Response Team and external calls. The entire emphasis is on public relations, and not on reducing the danger!

9. Page 5-3 introduces new terms: Field Response Team, Crisis Manager, and Corporate Response Team. This is confusing – the same terms should be used throughout the Plan.

10. Figure 5-3 supposedly gives the Emergency Management Team, although here it's called "Corporate Response Team." It gives the impression that the company is thinking much more in terms of its reputation, than of the safety of residents. As it is, it's too unwieldy to be practical in dealing with an emergency.

11. Page 5-10 spells out the duties for the Incident Commander. "Request additional response resources, as necessary" is on the fifth line, but these would have to be from the Fire Department and or their mutual aid group, and there is no mention of having contacted them in the first place. That would surely be his first move, if he understands the nature of the threat he's working with.

12. On page 6-12, decontamination applies to toxic substances, not flammable, so it's confusing to have that as part of the safety rules.

13. Page 6-19 seems to refer to oil and other petroleum products, rather than LPG.

14. Page 7-3. At the bottom of 7.1.4 there is a reference to section 5.6, but there is no 5.6.

15. The page facing page 7-10 is illegible for the most part.

16. On page A-3 Propane and butane are listed as flammable and combustible liquids, but they are gases at standard temperature and pressure. The same is probably also true of ethyl mercaptan.

17. The potential ignition sources listed on page A-3 don't include the actual ignition sources on-site, the 3 compressors, the flare, and the heater.

18. On page 3-14 of the Feb. ’12 update, the plan seems to have been patched together from another source, because it gives directions about a storage cavern, which I don’t believe exists on the site, and the FBI office in Kalamazoo.

19. On Figure 4.2-1 of the February update the wrong numbers are still used for reportable quantities. Instead terminal capacity numbers are used, but the number for propane has to be incorrect.

20. Figure 4.3-1 of the February, 2012, update lists entities that are to be notified. Cooper Day School and Taper Elementary are listed twice.

Other questions

1. They do not identify an Emergency Radio Channel. Do they have one? If so, shouldn’t it be identified in the Plan? If they don’t have one, should they?

2. They will use an air horn to warn employees, according to page 2-4. How would employees know what type of emergency is occurring? Is there some pattern of horn blasts that would serve as a communication? If so, that should be stated in the Plan.

3. They mention a safety orientation for visitors to the site (p.2-5). Did this occur when you visited the site? Did it happen when there was the multi-agency ‘inspection’ on May 12, 2011?

4. On page 3-6 they say that employees should notice the wind direction. Is there a wind sock or vane on site and visible from all parts of site?

5. Page 4-7 mentions sirens, alarms and beacons. If they don’t have these on site, they shouldn’t be in the plan.

6. Page 4-8 lists company personnel with phone numbers. Aren’t there more than five?

7. Under 4.3-1, Notifications, shouldn’t there be a notification of their truck fleet, also to make sure that trucks don’t arrive for pick up or delivery?

8. It’s not clear how Figure 5-4 and 5-3 are related.

9. Page 5-13 mentions an ‘Incident Action Plan.’ Is this the same as the Emergency Response Plan? An Incident Action Plan has not yet been generated, according to the order of the duties described. This same page refers to a Site Specific Health and Safety Plan. Shouldn’t there be some indication of where it can be found?

10. On page 7-3 the second bullet talks of an evacuation alarm – is there a separate alarm for evacuation? Would visitors recognize the meaning of the alarm?

11. On page 7-10 it appears that the persons evacuated are going to be sited at the Police Station in the Harbor Division. Have the police been notified? What arrangements have been made?

12. On previous versions of Risk Management Plans, the company had to actually list their personal protective equipment with its location. Shouldn't that be done here? Is the equipment easily accessible, rather than having to be 'checked out' of the warehouse?

13. Page A-3 lists methanol under Flammable and Combustible Liquids. Do they store methanol? How much and where? It's not listed under the chemicals stored.

14. Under Rancho's February, '12 update, Figure 3.4-1 the authors recommend isolating the leak area for at least 330 ft. What is the rationale behind that?

Conclusion

This is about the worst level of compliance with just the letter of the law that I can imagine! (Having worked in environmental compliance, I am shocked at such a shoddy piece of work.) And to think that this site has been under the scrutiny of the neighborhood, and even with that level of attention, they couldn't do better than this. They should start all over again, and do a more competent job. This is certainly not an indication of compliance with the requirements of 40 CFR 68.

Response to Comment No. B50-12

See Topical Responses 3 and 4. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents statements concerning the Rancho LPG facility and its Risk Management Plan. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B51 – BONAVENTURA, JOHN

John Bonaventura
JBonaventura@mazakcorp.com

Comment No. B51-1

I can't believe that the city of Los Angeles would even consider any expansion after the floundering Condo Project in downtown San Pedro.

There has been a 2 year work stop on 8th and Mesa and the High Rise Condos on 6th and Harbor that went bankrupt.

The residents that has [*sic*] purchased condos are in court over the state founding [*sic*] of low income condos / units.

Before any other expansion is considered in San Pedro, finish what was started.

Response to Comment No. B51-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents statements concerning other development in the San Pedro area. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B51-2

I live below Western between 9th and Dotson, that stretch of Western is know [*sic*] as the San Pedro FWY there is NO TRAFFIC CONTROL!

Between 1st and Palos Verdes morning and evening Rush hour is impossible !!!

Week ends worse

If any thing, only single family homes, not built on top of each other.

Again I vote NO to Point Vista DEIR

Response to Comment No. B51-2

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B52 – WINKLER, JOHN

John Winkler
jhwinkler@me.com

Comment No. B52-1

In regards to the Draft EIR, the main focus seems to be 1,135 or 830 homes. This project is still too large for 61.5 acres of former Navy housing which only had about 225 homes. It should be noted that the community of San Pedro is not responsible for any party paying exorbitant amounts of money for the property ($125 million) and trying to recoup their loses at the expense of those living in the area who will be impacted by additional traffic, noise and pollution. Please remember that the site is R-1 zoning and the only entry and exit is on Western Ave. It is unacceptable to add more traffic on Western Ave. when there is already heavy traffic.

Response to Comment No. B52-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B52-2

In the EIR there is language for alternative B which presumes the project would be redeveloped according to existing zoning. Approximately 385 single-family homes could be developed on the project site under the existing R-1 zoning and residential general plan designation. Alternate B would be the best choice keeping the development to a more modest amount at the same time keeping the zoning R-1.

Please have the developers give the community a concept drawing of what 385 single-family homes would look like on 61.5 acres. Thank you.

Response to Comment No. B52-2

Figure VI-1 in the Draft EIR presents a conceptual site plan illustrating how Alternative B could place 385 single-family homes on the Project Site. In addition, Topical Response 6 presents a discussion of an additional 169 single-family home development plan that would comply with the Project Site's existing zoning. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B53 – STINSON, JOHN

John Stinson
President, San Pedro Art Association
president@sanpedroart.org

Comment No. B53-1

I have sent comments on issues that I think are relevant to the discussion of development at Ponte Vista. I think the R1 number of SFR's should be 291 to allow for the open space that should be part of this project. Looks like the developer can still make a profit (see attachment.) Infrastructure overload, configuration and lack of open space, a gated project and traffic are primary concerns.

Response to Comment No. B53-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required. See also Topical Response 6.

Comment No. B53-2

Summary of Principal Comments

3. The time to respond to the DEIR is too short. It should be extended. Under the circumstances, it is legally insufficient and the additional two weeks given is inadequate given that the holiday seasons were being observed for most of the reply period.

Response to Comment No. B53-2

See Topical Response 1.

Comment No. B53-3

4. The DEIR focuses almost exclusively on Alternate D for 1135 units despite identifying alternate C for 830 units as the preferred alternative, and inadequately analyzes alternate B, for 385 units, despite being identified as having even less environmental impacts.

Response to Comment No. B53-3

See Responses to Comments A8-1 and A15-11.

Comment No. B53-4

5. The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B53-4

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B53-5

5. Generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, and

which is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to consider traffic mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. B53-5

See Response to Comment A15-8.

Comment No. B53-6

12. The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. B53-6

See Response to Comments A15-9.

Comment No. B53-7

13. The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. I suggest a project alternative that includes access to Mary Star, true single family homes rather than a PUD (planned unit development), with work centers, open space that complies with City Guidelines, and a library extension to meet State Guidelines for library space.

Response to Comment No. B53-7

See Topical Response 6.

Comment No. B53-8

14. There is also a concern for the increased demands on infrastructure that a project of this size will generate. Where will the water come from and how can it be guaranteed? LADWP already has aging equipment and facilities that needs replacement. This will only exacerbate this condition in the area. It is hard to know what the extent of the problems will be as the City of Los Angeles has not conducted its mandated assessment of infrastructure for over a decade.

Response to Comment No. B53-8

See Response to Comment B15-7.

Comment No. B53-9

15. Emergency and police services already have a problem negotiating Western Avenue when traffic is heavy. They often can't get through. This will also make this problem worse not only during construction, but after it is built. If the Fire Department response times are inadequate now given budget restraints, how will this help?

Response to Comment No. B53-9

See Topical Response 5.

Comment No. B53-10

16. The fact that noxious fumes are emitted occasionally from the Defense Fuel Supply Point located next to the property is of particular concern as there is no plan to curtail them. That fact was made clear by the federal government when the property was originally sold.

Response to Comment No. B53-10

See Response to Comment B15-9.

Comment No. B53-11

17. The community is now planned to be gated which was an option that was rejected by the Ponte Vista committee set up by former Councilwoman Janice Hahn to review the first plan of 2300 units. Gated communities are exclusionary not inclusionary and despite there being a few built in San Pedro quite a few years ago, they are not in keeping with the nature of most of San Pedro. Who are they trying to keep out anyway?

Response to Comment No. B53-11

See Responses to Comments A15-55 and B15-10.

Comment No. B53-12

A. REASONS TO SUPPORT AN R1 ALTERNATIVE

1. There are already too many unsold condos in San Pedro [balance issue].

2. A lot of the surrounding area are single family homes.

3. More condos and townhomes will compete with and undercut the plans to upgrade and renovate downtown San Pedro.

4. All three alternatives make no attempt to mitigate traffic impacts by providing work centers, recreation facilities and small convenience stores on site.

5. The traffic studies and proposed mitigations are inadequate. [see attachment A]

6. The present zoning includes 15 acres of Open Space; all three alternatives ignore that.

7. **Additional reasons brainstorming session.**

Response to Comment No. B53-12

With respect to the market for condominium units in the San Pedro area, see Response to Comment A8-13. With respect to the Project Traffic Study, see Topical Response 2. With respect to present zoning of the Project Site, see Response to Comment A15-7. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B53-13

B. AN ADDITIONAL ALTERNATIVE SHOULD BE STUDIED THAT INCLUDES:

1. Access to Mary Star from Western.

2. [Number] single family units.

3. On site work centers to encourage sales to people who can work at home several days per week. Centers could include video conferencing capability, high speed internet, etc.

4. Centers could also be suitable for student study halls, and as a library extension.

5. 15 acres of public recreation space, run by Rec and Parks.

6. Possible on site convenience store, coffee shop.

7. No gates, all streets public streets.

8. **Additional items to be included brainstorming.**

Response to Comment No. B53-13

See Topical Response 6.

Comment No. B53-14

C. COST DATA FOR R1 DEVELOPMENT

1. The cost for 06 level quality for 2000 sf house is $81.53

2. The cost for 08 level quality for 2000 sf house is $136.52

3. Examples of each quality type are shown in Attachment B, along with the description of what is included in each.

4. Using the full cost of land at $120 million, the cost per house including developer profit for each, assuming 385 units, is $474,748 for quality level 06, 2000 sf house. $584,730 for quality level 08, 2000 sf house.

5. Assuming 15 acres would be open space, unit level drops to 291 units. Price per unit changes to:

$575,435 for quality level 06, 2000 sf house.

$685,413 for quality level 08, 2000 sf house.

Response to Comment No. B53-14

The comment presents calculations purporting to illustrate the cost to develop single-family homes at the Project Site. However, these calculations are based in part on inaccurate assumptions. As is outlined in Response to Comment A15-7, the Project Site contains 9.3 acres of land zoned "Open Space", not 15 acres. An alternative that would be developed within the existing zoning of the site, including the Open Space, is discussed in Topical Response 6. As noted therein, such an alternative would only allow for the development of 169 single-family homes at the Project Site, rather than the 291 suggested by the comment. As the discussion in Topical Response 6 illustrates, under this scenario, the sales price of each home would have to be approximately $1.57 million in order for the developer to avoid a loss. This price point is significantly higher than the existing price per square foot for single-family homes in the San Pedro area. Thus, the Project Applicant would be producing a product that would be unlikely to sell. As an example, Standard Pacific's Harbor Highlands project is now on the market and similar size homes in Harbor Highlands to what would be developed under a single-family home alternative at Ponte Vista are selling for under $600,000 per house, and are selling very slowly at this price level. There is little reason to believe that the same size home would sell in Ponte Vista for over twice this price. For these reasons of economic feasibility, the Draft EIR did not evaluate the site plan suggested by the comment as an alternative to the Proposed Project.

Comment No. B53-15

ATTACHMENT A

TRAFFIC

1. The traffic study improperly uses ITE trip generation data

The DEIR uses midpoint data for each housing type while ignoring project characteristics. As it is, they estimate significant impacts at 20 out of 56 intersections in a 1135 unit development, nine in a 385 unit development.

ITE charts use thousands of studies. The trip rate range for each housing type varies widely. In the case of Ponte Vista, there is no difference between how often residents of each different type of unit will need to use their vehicle in this project, but the analysis contains no discussion of this. Instead, the DEIR simply uses the mid-point figure for each housing type. For example, the DEIR indicates that a single-family house will generate 9.57 trips per day while a three-bedroom condominium right next door will generate 5.81 trips per day. This makes no sense when residents of the project will have to drive to every destination, whether to work, school, soccer practice, the gym, church, or the market. The applicant should have selected a trip generation rate in the reported range closer to the single-family rate because the project characteristics are so similar.

Each graph in the ITE manual has a wide range, obviously because the characteristics of each development is different. Using a proper point in the scale of each would greatly increase the *VIC* ratios and lower the LOS ratings at many more intersections among the 56 tested intersections.

Response to Comment No. B53-15

See Responses to Comments A15-103 and A15-104.

Comment No. B53-16

The *VIC* Ratios Used as a Baseline Need to be Normalized

The vehicle counts in the DEIR are lower than normal due to the impact of the economy on "real" traffic generation rates.

The DEIR counts were taken in 2010. They are lower than earlier counts by the same consultant in 2005 for the prior project, lower than the counts taken for the Target Store analysis in 2006 and lower than many of the counts for the Marymount project on Palos Verdes Drive North in 2011, after the installation of *ATSAC/ATCS.* For example, the *VIC* PM ratios for Western and PV Dr. North are

2005	1.025	[Ponte Vista 1]
2006	1.078	[Target]
2010	.851	[DEIR, present project]

2011 .872 [Marymount]

This difference is noticeable at many of the intersections common to all four studies.

The impact of the economy on traffic counts is also shown in concrete terms, for example, by the reports of the annual TEU counts in the Port of Los Angeles (an indicator of workload for Port workers) that declined from 8.5 million TEU's in 2006 to 6.7 million TEU's in 2009. It is beginning to recover but has not reached pre-recession levels.

Our concern about the use of the October 2010 data at the height of the economic downturn has been discussed with the applicant's representative on several occasions. Normalized data is used in many, many other areas of planning, such as employment data, business valuations, and indeed, environmental tests. It is not possible to properly determine true, likely impacts if baseline data is atypical. That is a recipe for gridlock.

Response to Comment No. B53-16

See Response to Comment A15-105.

Comment No. B53-17

Failure to Include Data from Other Projects

CEQA requires a DEIR to include traffic generated by other known projects in the traffic generation estimates. The applicant left out a number of such projects, many of which impact the studied intersections. We listed them earlier in our comments. We repeat them here:

- Southern California International Gateway (SCIG)
- APL Terminal expansion
- Ports O'Call Redevelopment
- Cabrillo Marina Phase II
- USS Iowa
- Los Angeles County Sanitation Districts Clearwater Outfall Project
- Rolling Hills Prep School build out
- VOA Navy Village
- Pacific LA Marine Terminal

- Harbor Highlands Development (under construction)
- City Dock 1
- Port Master Plan update
- San Pedro Community Plan update
- Marymount College Expansion on PV Drive North

Of particular interest is the Community Plan Update, which forecasts an almost 10% population growth for San Pedro not including Ponte Vista in the next 18 years.

Response to Comment No. B53-17

See Response to Comment A15-28.

Comment No. B53-18

The Ambient Growth Rate of 1% is not Supported by any Documentation

Both the DEIR and the Western Avenue Task Force used a 1 % growth rate for Western Avenue, but CalTrans engineers opined in those meetings that the growth rate was actually much higher.

Rather than use a number obtained from MTA, as does the DEIR, we suggest that documentation be provided.

Response to Comment No. B53-18

See Response to Comment A15-107.

Comment No. B53-19

Public Transportation is Not Really Available to the Site

The DEIR (1-133) states that there are 14 buses per hour serving the project during the morning peak hour. This is misleading and should be corrected. There are four bus lines that serve the project site, none well.

Metro Bus line 205 runs from 13th and Gaffey Streets to the Imperial Wilmington Station at Imperial Highway and Wilmington Avenue in the Watts/Willowbrook Area. The frequency varies from every 20 minutes during the am peak hour to 1 hour. This bus goes up Western and connects to the Artesia Transit Station where it is possible to transfer to another bus to go to downtown Los Angeles. Unfortunately it

takes approximately 40 minutes just to get to the Artesia Transit Station; there is no incentive for future residents to be so inconvenienced.

Max Line 3 runs from 36th Street and Pacific Ave in San Pedro to LAX Green Line Station and the Airport Courthouse. It operates northbound to EI Segundo in the early AM and southbound to San Pedro in the late afternoon. MAX Line 3 does not operate on major holidays or on weekends. It only makes 4 trips in am, the first at 5:36 and the last at 6:44 am and 4 in pm between the hours of 4:46 and 6:15 pm; basically 2 buses/hour. This is a viable option if your work is in El Segundo.

The remaining two lines are operated by RPV and are primarily designed to transport RPV students to RPV schools.

PV Transit Orange Line runs 2 morning buses along Western from Palos Verdes Drive North to First Street then to Palos Verdes Drive East ending at Palos Verdes High School and 3 buses in the afternoon corresponding with school start and stop times. These lines are designed to carry Palos Verdes students to Palos Verdes schools, and as such are really not useful to the residents of Ponte Vista.

PV Transit Green Line is also geared primarily to Palos Verdes schools and the Library. It runs along Western Avenue from First Street to Palos Verdes Drive North then west along Palos Verdes Drive Road ending at Ridgecrest Elementary School.

Response to Comment No. B53-19

See Response to Comment A15-108.

Comment No. B53-20

2. Some Offered Mitigation is Already Proposed by Marymount

Marymount College is required to implement some of these same by mitigations as part of the approval of its mitigated negative declaration for its project on Palos Verdes Drive North. It is our understanding that if any of the proposed mitigation measures are provided by another source (e.g. Marymount College), prior to being implemented by this Project, an alternate mitigation measure may be required. We request that in the event that should occur, the applicant be required to consult with the Northwest San Pedro Neighborhood Council, the Harbor City Neighborhood Council, and the City of Rancho Palos Verdes on appropriate mitigation measures.

Response to Comment No. B53-20

See Response to Comment A15-109.

Comment No. B53-21

Other Mitigations Transfer the Traffic Burden to Wilmington and Harbor City Residents

Quite a bit of the proposed mitigation is designed to increase the overall capacity at an intersection by addressing other traffic issues and thus could potentially allow longer turn and through signals for the project traffic. In other words, traffic from Harbor City, Palos Verdes and Wilmington will be adjusted, possibly negatively impacted, in order to make more room for Ponte Vista traffic.

Response to Comment No. B53-21

See Response to Comment A15-110.

Comment No. B53-22

The Projected Routing for PM Peak Hour Traffic Does Not Seem to Have a Basis

We realize that predicting access routing is sometimes an art rather than a science. However, given the very long PM backups at the 110 Freeway offramps at Sepulveda, Pacific Coast Highway and Anaheim, coupled with the challenge of making a left tum across Western, it seems likely that in the evening, a large percentage of commuters will exit at Channel Street and proceed north on Gaffey to Channel, Capitol, or Westmont and then west to Western to the project entrances. This assumption is given further credence in that virtually every place a commuter might want to stop on their way home, be it for groceries, dry cleaning, or to pick up a child, is off of either Gaffey or that portion of Western that lies between Channel and Westmont. Further, this commuter traffic will be joined by those residents who are coming home from downtown San Pedro and the San Pedro Waterfront and from Long Beach and points south via the 47. An analysis of all of this traffic should be included.

Response to Comment No. B53-22

See Response to Comment A15-111.

Comment No. B53-23

OTHER CONCERNS

The DEIR fails to analyze the impact of increased traffic on Western from the 74 driveways and non-signalized intersections on Western between Summerland and Palos Verdes Drive North. According to a recent study of the Western Avenue Corridor, there are 111 destinations on Western between Summerland and Capital Drive. These grocery stores, post office, dentist offices, coffee shops, banks, etc. are accessed through the driveways. These poorly designed driveways add to the traffic flow problems. For example, the turn lane into the shopping center nearest the project can only accommodate about 4 cars. After that, cars begin impeding the flow of traffic on Western. This is a very unique

condition and an analysis should be conducted of the impact of the traffic generated by the Ponte Vista residents using these driveways.

Response to Comment No. B53-23

See Response to Comment A15-113.

Comment No. B53-24

Additionally, the assertion that 60% of traffic will be going North and 40% south on Western does not seem credible given that virtually all amenities are located to the South.

Response to Comment No. B53-24

See Response to Comment A15-114.

Comment No. B53-25

We are concerned about the impact on traffic flow along Western from installing additional stoplights at Fitness Drive and Peninsula Verde. Consideration should be given to a "pathway" through Ponte Vista as an alternative to a light at Fitness Drive. Additional stoplights on Western may cause more traffic congestion, not less

Response to Comment No. B53-25

See Response to Comment A15-115.

Comment No. B53-26

Several of the proposed mitigations are subject to approval by other jurisdictions. The DEIR should address the impact on traffic if these mitigations are not approved and there should be a procedure in place for developing substitute mitigations.

Response to Comment No. B53-26

See Response to Comment A15-116.

Comment No. B53-27

Consideration should be given to creating a “walking school bus” and a bicycle path from the road at the back of the development thru Mary Star to Taper.

Response to Comment No. B53-27

See Response to Comment A15-117.

Comment No. B53-28

The DEIR failed to study the Harbor Freeway Channel Street Off-Ramp and the 47 Freeway Channel Street On-Ramp at Miraflores. The impact of increased traffic at this intersection must be studied and appropriate mitigations proposed. In addition, the full intersection including Channel and Gaffey must be reexamined. We are suspicious that the low LOS shown at that intersection was the result of southbound Gaffey traffic backed up at Miraflores and therefore not even entering the Channel and Gaffey intersection. An April 2004 baseline study, for the Port of Los Angeles found this intersection to be at an OS of E during the PM Peak Hour and the Gaffey/Miraflores intersection to be an LOS of F in the AM Peak hour and D in the PM Peak Hour.

Response to Comment No. B53-28

See Response to Comment A15-118.

Comment No. B53-29

The DEIR fails to discuss the impact of the additional traffic on the freeway off-ramps at Pacific Coast Highway and Anaheim and the resulting backup on the 110 freeway.

Response to Comment No. B53-29

See Response to Comment A15-119.

Comment No. B53-30

Mary Star should have vehicular access from both Green Hills Drive and Avenida Aprenda and the internal roads should be connected at the back of the property.

Response to Comment No. B53-30

See Response to Comment A15-120.

Comment No. B53-31

The DEIR does not appear to account for the impact on traffic of the additional time required for the approximately 225 additional middle and high school students pushing the "walk" button to cross Western on their way to and from school, assuming that the Dodson students walk to school and the High School students take public transportation. This must be added into the traffic study for that intersection.

Response to Comment No. B53-31

See Response to Comment A15-121.

Comment No. B53-32

It is unclear if the DEIR properly accounts for the fact that most students from the Eastview Area of Rancho Palos Verdes are not attending Crestwood Elementary, Dodson Junior High, or Narbonne High School. The attendance in the Palos Verdes School District by Eastview residents is rumored* to be over 90% of the local students for the area. Most students from Dodson and Crestwood are being bused in; likewise Eastview students are commuting by car and bus to Dapplegray Elementary, Miraleste JHS, and Palos Verdes High School.

Response to Comment No. B53-32

See Response to Comment A15-122.

Comment No. B53-33

The parking plan for both residents and visitors is unclear and needs to be clarified.

Response to Comment No. B53-33

See Response to Comment A15-123.

Comment No. B53-34

The Proposed Project Consumes All of the Available Infrastructure Space in the Community Plan

What is the point of having a local Community Plan if it will be impossible to provide for projected development? As a matter of policy, we question whether a single project should be entitled to more than a pro rata amount of available infrastructure usage, in this case roadway space, at the expense of other future development as contemplated in the Wilmington Harbor City Community Plan and the San Pedro Community Plan update.

Response to Comment No. B53-34

See Response to Comment A15-124.

Comment No. B53-35

Public Transportation is Not Really Available to the Site

The DEIR (1-133) states that there are 14 buses per hour serving the project during the morning peak hour. This is misleading and should be corrected. There are four bus lines that serve the project site, none well.

Metro Bus line 205 runs from 13th and Gaffey Streets to the Imperial Wilmington Station at Imperial Highway and Wilmington Avenue in the Watts/Willowbrook Area. The frequency varies from every 20 minutes during the am peak hour to 1 hour. This bus goes up Western and connects to the Artesia Transit Station where it is possible to transfer to another bus to go to downtown Los Angeles. Unfortunately it takes approximately 40 minutes just to get to the Artesia Transit Station; there is no incentive for future residents to be so inconvenienced.

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The remaining two lines are operated by RPV and are primarily designed to transport RPV students to RPV schools.

PV Transit Orange Line runs 2 morning buses along Western from Palos Verdes Drive North to First Street then to Palos Verdes Drive East ending at Palos Verdes High School and 3 buses in the afternoon corresponding with school start and stop times. These lines are designed to carry Palos Verdes students to Palos Verdes schools, and as such are really not useful to the residents of Ponte Vista.

PV Transit Green Line is also geared primarily to Palos Verdes schools and the Library. It runs along Western Avenue from First Street to Palos Verdes Drive North then west along Palos Verdes Drive Road ending at Ridgecrest Elementary School.

Response to Comment No. B53-35

See Response to Comment A15-108.

LETTER NO. B54 – HORTON, BRUCE

Bruce Horton
sbhorton@cox.net

Comment No. B54-1

I have sent comments on issues that I think are relevant to the discussion of development at Ponte Vista. I think the R1 number of SFR's should be 291 to allow for the open space that should be part of this

project. Looks like the developer can still make a profit (see attachment.) Infrastructure overload and traffic are primary concerns.

Response to Comment No. B54-1

See Response to Comment B53-1.

Comment No. B54-2

1. The time to respond to the DEIR is too short. It should be extended. Under the circumstances, it is legally insufficient and the additional two weeks given is inadequate given that the holiday seasons were being observed for most of the reply period.

Response to Comment No. B54-2

See Topical Response 1.

Comment No. B54-3

2. The DEIR focuses almost exclusively on alternate D for 1135 units despite identifying alternate C for 830 units as the preferred alternative, and inadequately analyzes alternate B, for 385 units, despite being identified as having even less environmental impacts.

Response to Comment No. B54-3

See Responses to Comments A8-1 and A15-11.

Comment No. B54-4

4. The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B54-4

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B54-5

4 generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, and which is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to

consider traffic mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. B54-5

See Response to Comment A15-8.

Comment No. B54-6

6. The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. B54-6

See Response to Comments A15-9.

Comment No. B54-7

7. The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. I suggest a project alternative that includes access to Mary Star, true single family homes rather than a PUD (planned unit development), with work centers, open space that complies with City Guidelines, and a library extension to meet State Guidelines for library space.

Response to Comment No. B54-7

See Topical Response 6.

Comment No. B54-8

8. There is also a concern for the increased demands on infrastructure that a project of this size will generate. Where will the water come from and how can it be guaranteed? LADWP already has aging equipment and facilities that needs replacement. This will only exacerbate this condition in the area. It is hard to know what the extent of the problems will be as the City of Los Angeles has not conducted its mandated assessment of infrastructure for over a decade.

Response to Comment No. B54-8

See Response to Comment B15-7.

Comment No. B54-9

9. Emergency and police services already have a problem negotiating Western Avenue when traffic is heavy. They often can't get through. This will also make this problem worse not only during construction, but after it is built. If the Fire Department response times are inadequate now given.

Response to Comment No. B54-9

See Topical Response 5.

Comment No. B54-10

10. The fact that noxious fumes are emitted occasionally from the Defense Fuel Supply Point located next to the property is of particular concern as there is no plan to curtail them. That fact was made clear by the federal government when the property was originally sold.

Response to Comment No. B54-10

See Response to Comment B15-9.

Comment No. B54-11

11. The community is now planned to be gated which was an option that was rejected by the Ponte Vista committee set up by former Councilwoman Janice Hahn to review the first plan of 2300 units. Gated communities are exclusionary not inclusionary and despite there being a few built in San Pedro quite a few years ago, they are not in keeping with the nature of most of San Pedro. Who are they trying to keep out anyway?

Response to Comment No. B54-11

See Responses to Comments A15-55 and B15-10.

LETTER NO. B55 – STINSON, DEBBIE SUE

Debbie Sue Stinson
debbiesue2@cox.net

Comment No. B55-1

I have sent comments on issues that I think are relevant to the discussion of development at Ponte Vista. I think the R1 number of SFR's should be 291 to allow for the open space that should be part of this project. Looks like the developer can still make a profit (see attachment.) Infrastructure overload and traffic are primary concerns.

Response to Comment No. B55-1

See Response to Comment B53-1.

Comment No. B55-2

1. The time to respond to the DEIR is too short. It should be extended. Under the circumstances, it is legally insufficient and the additional two weeks given is inadequate given that the holiday seasons were being observed for most of the reply period.

Response to Comment No. B55-2

See Topical Response 1.

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Response to Comment No. B55-4

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B55-5

4 generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, and which is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to consider traffic mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

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See Topical Response 6.

Comment No. B55-8

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See Response to Comment B15-7.

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Response to Comment No. B55-10

See Response to Comment B15-9.

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Response to Comment No. B55-11

See Responses to Comments A15-55 and B15-10.

LETTER NO. B56 – MAGEE, STEVE

Steve Magee
mageeframing@gmail.com

Comment No. B56-1

I have sent comments on issues that I think are relevant to the discussion of development at Ponte Vista. I think the R1 number of SFR's should be 291 to allow for the open space that should be part of this project. Looks like the developer can still make a profit (see attachment.) Infrastructure overload and traffic are primary concerns.

Response to Comment No. B56-1

See Response to Comment B53-1.

Comment No. B56-2

1. The time to respond to the DEIR is too short. It should be extended. Under the circumstances, it is legally insufficient and the additional two weeks given is inadequate given that the holiday seasons were being observed for most of the reply period.

Response to Comment No. B56-2

See Topical Response 1.

Comment No. B56-3

2. The DEIR focuses almost exclusively on alternate D for 1135 units despite identifying alternate C for 830 units as the preferred alternative, and inadequately analyzes alternate B, for 385 units, despite being identified as having even less environmental impacts.

Response to Comment No. B56-3

See Responses to Comments A8-1 and A15-11.

Comment No. B56-4

4. The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B56-4

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B56-5

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See Response to Comment A15-8.

Comment No. B56-6

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Response to Comment No. B56-6

See Response to Comment A15-9.

Comment No. B56-7

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See Topical Response 6.

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Response to Comment No. B56-8

See Response to Comment B15-7.

Comment No. B56-9

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Response to Comment No. B56-9

See Topical Response 5.

Comment No. B56-10

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Response to Comment No. B56-10

See Response to Comment B15-9.

Comment No. B56-11

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Response to Comment No. B56-11

See Responses to Comments A15-55 and B15-10.

LETTER NO. B57 – CARTER, SASHA

Sasha Carter
sashacarter33@gmail.com

Comment No. B57-1

Please keep the development R1.

Response to Comment No. B57-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B58 – LINDSEY, JANIS

Janis Lindsey
1982 Redondela Drive
Rancho Palos Verdes, CA 90275

Comment No. B58-1

In regard to Ponte Vista ENV-2005-4516-EIR, I respectfully recommend and request that Alternate B: "No Project Alternative/Single Family Homes" be enforced. Please, please, **please,** please keep the development R1, as it is currently zoned.

Response to Comment No. B58-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B59 – ECKMIER, STUART

Stuart Eckmier
faystu@cox.net

Comment No. B59-1

Please keep the Ponte Vista Development R1.

Response to Comment No. B59-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B60 – CARTER, CURTIS AND FRANCES

Curtis & Frances Carter
1901 El Rey Road
San Pedro, CA 90275

Comment No. B60-1

Please keep the development of Ponte Vista to R1 – alternate A only.

Response to Comment No. B60-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B61 – HENDERSON, JOHN

John Henderson
john.gina@att.net

Comment No. B61-1

Please keep the Ponte Vista development at R1 as it is. This makes sense for so many more reasons than it does to change the zoning which will have a direct effect on quality of life, our local environment and housing values.

I speak for many people that we know, some of which already shun this area during parts of the day because it is overly congested.

Response to Comment No. B61-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B62 – LANCASTER, BRAD

Brad Lancaster
2174 W Rockinghorse Road
Rancho Palos Verdes, CA 90275

Comment No. B62-1

I am a homeowner in the Ponte Vista area. The proposed Ponte Vista Development with 1135 units would put an unbearable infrastructure and traffic burden on our neighborhood. R1 should remain R1! I am vehemently against any plan that adds multi-family housing to an already crowded environment.

Response to Comment No. B62-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B63 – MIZUHASHI, MASAKI

Masaki Mizuhashi
mizuhashi@jmactrading.com

Comment No. B63-1

Alternate B: "No Project Alternative/Single Family Homes

I am a neighbor of Ponte Vista and please keep the development R1.

Response to Comment No. B63-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B64 – SPINELLI, BILL

Bill Spinelli
wspinelli@sbcglobal.net

Comment No. B64-1

I have been a homeowner at 1916 Galerita Drive, Rancho Palos Verdes, CA for the past 39 years. We are located across the street from the proposed Pointe Vista Project scheduled on the old Navy property off of Western Avenue. For reasons of traffic and population density I am requesting the property stay zoned **R1** as it is currently zoned.

Response to Comment No. B64-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B65 – DILEVA, RALPH (#2)

Dileva
Dileva4@aol.com

Comment No. B65-1

Please keep Ponte Vista as R-1 zone.

We do not need rental units.

Please keep the land as single family dwellings.

Response to Comment No. B65-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B66 – BRANDELLI, DONNA

Donna Brandelli
fyreatr@cox.net

Comment No. B66-1

I am sending this email to voice my opinons regarding the newest version of the proposed Ponte Vista housing.

We were given inadequate time to review the EIR, which was released just prior to the holidays and the review period was during most of the holiday period. Due to the size and complexity of the document, the review period should be extended to give a fair review period.

Response to Comment No. B66-1

See Topical Response 1.

Comment No. B66-2

Regardless of the time constraint, I still need to voice my concerns. As one living across the street from the proposed project and having dealt with the increased traffic on Western Ave for over a decade due to condo/apartment development, business, and bussing in to the neighborhood to the schools, I can only see

additional traffic congestion. Not only will it add to the usually high traffic flow on Western, it will directly impact the adjoining neighborhoods making it even harder to get in and out of our neighborhood.

Additionally, the proposed high density project is not congruent with the adjoining neighborhoods consisting primarily of single family homes. I knew when the property was purchased years ago for a large amount, that the ONLY way the developer to recoup was to try and force high density housing into the area, and that has been the primary plan over and over, much to the displeasure of the neighborhoods in both cities.

Response to Comment No. B66-2

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B66-3

Not only will a high density project ensure additional congestion to the surrounding neighborhoods, it will also impact schooling, water supply, and the existing infrastructure---much of which is aging and in need of repair. Additionally, the public safety services will be impacted with such a high density project. No matter how you work a high density project, there will be increased demands on all of the aforementioned.

Response to Comment No. B66-3

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project's impacts. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B66-4

Currently there is at least some open space in the area. San Pedro and LA and all of southern CA for that matter is woefully lacking in open space. That should be preserved as well.

I am firmly AGAINST any high density housing which would impact infrastructure and deplete a larger share of open space. If a housing project must be approved, I support ONLY single family dwellings with a good mixture of open space.

Response to Comment No. B66-4

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B67 – PEARSON, HOLLY

Holly Pearson
boneshakersboat@hotmail.com

Comment No. B67-1

Please keep Ponte Vista R-1 zone. There are already a number of apartments that are not fully rented on Western. Its hard for us to get our [*sic*] of our neighborhoods. There are not enough single family homes with backyards for kids to run around in the area. Please keep the homes R-1 = Alternate B Single Family homes.

Response to Comment No. B67-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B68 – CAMPBELL, ELIANA

Eliana Campbell
Elianar@aol.com

Comment No. B68-1

San Pedro is over populated... Western Avenue is a nightmare and I don't even need to use it often and I will not be impacted by Ponte Vista... but for the sake of the people... please keep Ponte Vista with the same number of houses it had when it was operational. Please make them luxurious and improve the area. We already have enough apartments down in Harbor City. This should not be a community of apartments except for a few units for 55 years and older that don't drive much and don't have to be out during commuting times. We need to improve our community, not lower its standards for a person or company to increase its banking funds at the expense of the citizens that live and have to drive through Western Avenue.

Response to Comment No. B68-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B69 – BRIGDEN, N.K.

Brigden
nkbrigden@sbcglobal.net

Comment No. B69-1

I think it should be a park.

Response to Comment No. B69-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B70 – GREGORY, CONNIE

Connie Gregory
conniegregory@cox.net

Comment No. B70-1

Please keep this proposed development to R-1.

Response to Comment No. B70-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B71 – FLY, JONATHAN

Jonathan Fly
395 W. 6th St., Suite 222
San Pedro, CA 90731

Comment No. B71-1

I am a resident of San Pedro and I am gravely concerned about the lack of planning and flawed environmental impact report the Ponte Vista Project. I believe this project will have a negative impact on our schools, existing city services, traffic, and access to local amenities, and I am asking the city to more carefully study this project before making any zoning changes at Ponte Vista. Further, I support and adopt the Northwest San Pedro Neighborhood Council's findings and opposition to the Draft Environmental Impact Report.

Response to Comment No. B71-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B72 – KOHLER, KIMBERLY

Kimberly Kohler
Chadwick School
26800 South Academy Drive
Palos Verdes Peninsula, CA 90274

Comment No. B72-1

Hopefully, once and for all, you will go forth with a moderate plan, somewhere between the extremes that have kept that site such an eyesore! The open space aspects, possibly to be shared by the public, are very appealing.

Response to Comment No. B72-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B73 – ARZOUMANIAN, DOUGLAS AND LAURA

Douglas and Laura Arzoumanian
arzoumanian@sbcglobal.net

Comment No. B73-1

I am a home owner and resident in the Eastview area directly across the street from the Ponte Vista project site. I want to take this opportunity to strongly oppose any change to the zoning for this site. It should stay zoned as R1. It is over crowded in this area as it is.

Response to Comment No. B73-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B74 – WAGONER, RICHARD

Richard Wagoner
2026 Delasonde Drive
Rancho Palos Verdes, CA 90275

Comment No. B74-1

I am writing this letter in reference to the Draft EIR for the Ponte Vista property in San Pedro.

I support Alternative B, the alternative that keeps Ponte Vista zoned R1 as it has been zoned for decades. It is my opinion that the ONLY option for the Ponte Vista property is to remain R1, for a variety of reasons:

Response to Comment No. B74-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B74-2

1. The traffic problems caused by a development larger than R1 will make an already bad situation worse. With all of the building on Gaffey Street, Gaffey will no longer be an alternative to Western Avenue, as it will itself be gridlocked. Having Western gridlocked as well – it already is at various times of the day --

will cause problems with public safety insofar as emergency vehicles being stuck as well as making it very dangerous for children who live or attend school in the area. Western Avenue will become far too dangerous for children and the elderly.

Response to Comment No. B74-2

See Topical Response 2 regarding the Traffic Study methodology and recommended mitigation measures, including improvements to intersections along Western Avenue, Gaffey Street, and other travel routes to accommodate Project-related traffic. As shown on Table IV.N-37 of the Draft EIR, all of the Project-related traffic impacts can be mitigated to less than significant levels. The speculation in the comment that Western Avenue will be "dangerous" for children and elderly is not supported by facts, analysis or data.

Comment No. B74-3

2. The impact on local schools cannot be underestimated. All local schools are already over capacity, including all public elementary, middle and high schools. Both Narbonne and San Pedro High have attempted to mitigate their overcapacity with limited success; combined with all of the other already-approved building to a zoning that would allow more than R1 on capacity will be devastating to all local schools and may cause problems far into the future.

Response to Comment No. B74-3

See Responses to Comments A15-90 and A15-91.

Comment No. B74-4

3. There is no demand for, nor is there a shortage of apartments, condos or other multi-family housing units in the San Pedro or surrounding areas. In fact, there is a vast surplus of unsold properties fitting the description of the proposed development at Ponte Vista. And there will be more once the currently-approved units in the directly surrounding area go on the market. There is such a glut of multi-family units and apartments already that many are sitting unsold all over town.

Response to Comment No. B74-4

The comment expresses opinions about housing demand and supply in the Project vicinity, but does not address the adequacy of the Draft EIR. See also Response to Comment A8-13 with respect to reasons for vacancies in existing developments and other data that indicate that there is not an unusually high multi-family vacancy rate in the Project vicinity that could be considered a "glut" of vacant units.

Comment No. B74-5

4. There is a shortage and high demand for single-family housing as described by R-1 zoning. Homes in R-1 zoned areas are in high demand even in depressed real estate markets. R1 is exactly what people in our community aspire to own, and it would be a travesty to take away the last possible chance for young couples and families to get in on the American Dream by changing the zoning in the Ponte Vista area.

Response to Comment No. B74-5

The comment expresses an opinion about a preference for R-1 single-family housing. As noted in Responses to Comments A8-13 and A15-75, the Project analyzed in the Draft EIR includes a range of housing types, including single-family homes. The comment does not address the adequacy of the Draft EIR's analysis of potential impacts on the physical environment. The comment, however, is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B74-6

5. The proposed development includes units as small as 600 square feet, and numerous rental properties. This goes against the community master plan which itself exists because of a backlash over overdevelopment in San Pedro years ago. San Pedro does not want dense housing developments, and Ponte Vista as proposed will not only become unsaleable, it will most likely become nothing more than a public nuisance as unsold units and unrented apartments become a hangout for criminals as has happened in other areas with developments far less dense than what is proposed at Ponte Vista.

Ponte Vista must stay R1. The community wants it that way, buyers want it that way, and it will be better for San Pedro, the Harbor Area and Southern California as a whole to keep it that way. I am a lifelong resident of San Pedro (I still consider my home to be part of the San Pedro community), and we need Ponte Vista to remain R1.

Response to Comment No. B74-6

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents unsubstantiated opinions concerning the multi-family residential development. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B75 – MENDOZA, EDDIE AND CHRISTINE

Eddie Mendoza, Sr., and Christine Mendoza
eddie4loans@att.net

Comment No. B75-1

Hello Erin, my wife and I have been residents in the Eastview tract for 28 years. As we've watched the community grow, there is no way it can support over 1100 new homes/condos or the like. Our traffic is barely tolerable as it is now. We are in favor of keeping the project area zoned R-1, and support the Alternate Plan B.

Response to Comment No. B75-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B76 – BOGDANOVICH, YVONNE

Yvonne Bogdanovich
vonniebogs@gmail.com

Comment No. B76-1

I am writing in support of the Ponte Vista Project and have been since the start under Bisno Development. I'm happy to see that this project is finally moving forward be it for the 830 unit plan or the 1135 unit plan. This project has been through several ownership's as well as design changes. The present design is a suited look for San Pedro, with open spaces for the residence to enjoy and the much needed road to Mary Star of the Sea High School. I was on the steering committee for the High School and am still involved with the High School and know the importance of having that permanent road as first agreed upon many years ago. I hope this project moves forward quickly, clearing the land of the old Navy housing will be the first step of improvement.

I have lived in San Pedro all my live, 75 years this coming April, I look forward to seeing this project develop.

Response to Comment No. B76-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record

and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B77 – GAINES, JERRY

Jerry Gaines
2101 West 37th Street
San Pedro, CA 90732

Comment No. B77-1

I wish to offer comments to **Section N. Traffic of the DEIR ENV 2005-4516**.

I served as chairman of the Western Ave. Task Force (2005) as well as served on Councilwoman Janice Hahn's Ponte Vista Community Advisory Committee. My comments are based on my experience with these two community task forces.

First, the Western Ave. Task Force was a joint effort by the cities of Rancho Palos Verdes and Los Angeles, working with Cal Trans which has jurisdiction over a large portion of Western Ave. in the North San Pedro, South Harbor City region. The **findings and actions of this task force led to investment by Cal Trans in installing computer coordinated signal controls along Western Ave. from Summerland on the South north to Pacific Coast Highway and further north**. This was a significant investment for Cal Trans within a tight state budget. The findings of the engineers indicated that this was **an urgent action** because of their traffic studies which showed a volume on the four lane highway around Avenue Aprenda to be an average of **36.500 vehicles per 24 hours**. Estimates now are under the 1% per year growth rate to be around **40,000 vehicles** in the area per 24 hours.

Response to Comment No. B77-1

Pages IV.N-14 and IV.N-15 of the Draft EIR describe the Western Avenue Task Force. The comment highlights the already completed immediate improvement in the task force report to synchronize traffic signals along Western Avenue.

See Topical Response 2 regarding the Traffic Study methodology, including traffic counts and the forecast of future traffic volumes. The comment does not express a concern or disagreement with the traffic analysis provided in the Draft EIR.

Comment No. B77-2

Other mitigation options were identified by the task force that included constructing de-acceleration lanes near commercial centers to enable traffic to maintain steady movement. It was agreed that adding a third lane in each direction was not feasible because of high costs to relocate utilities and related infrastructure such as storm drains. **What was unique about this task force was that professional engineers from all**

three agencies agreed on the traffic impacts existing on Western Ave. in 2006 (prior to any studies made for future projects.

Response to Comment No. B77-2

See Topical Response 2 regarding the Traffic Study methodology and recommended mitigation measures, including improvements to intersections along Western Avenue and other travel routes to accommodate Project-related traffic. As shown on Table IV.N-37 in the Draft EIR, all of the Project-related traffic impacts can be mitigated to less than significant levels. Pages IV.N-46 and IV.N-47 of the Draft EIR provide a description of the Project improvements, which include widening Western Avenue along the Project Site to provide a third northbound through lane along the Project frontage. The Draft EIR does not propose the addition of a third through travel lane at any other location.

Topical Response 2 also provides a discussion regarding the counts of existing traffic volumes conducted for the Traffic Study contained in the Draft EIR.

Comment No. B77-3

In working with the Ponte Vista Citizens advisory committee, I reviewed the ITE tables as well as others used in cities such as San Diego. Clearly such tables are at best estimates that may or may not reflect local project characteristics. Such tables focus on the defined housing project designs (single family vs. multiple family products).

San Pedro Neighborhood Council comments where **they question the validity of ITE Traffic Generation Data.** My concern is that the DEIR uses a **mid point** for their analysis for the proposed seven different housing products that may or may not be constructed from a five to fifteen year period. There is uncertainty here on just what traffic impacts may occur with such an unknown mix of housing products.

Response to Comment No. B77-3

See Responses to Comments A15-103 and A15-104 regarding the vehicular trip generation forecast provided in the Draft EIR. The different housing types proposed as part of the Project are disclosed in Section II (Project Description) of the Draft EIR. As shown on Table IV.N-10 of the Draft EIR, the housing types were placed into one of three ITE land use categories for trip generation forecasting purposes: Single-Family Detached Housing; Residential Condominium/Townhouse; and Apartment. While the detached housing component of the Project could have been included in the trip generation forecast with Residential Condominium/Townhouse, it was conservatively assumed to generate trips consistent with the ITE Single-Family Detached Housing land use (which has a substantially higher trip rate). Thus, the trip generation forecast for the Project is highly conservative.

Comment No. B77-4

In addition I have argued that the **topography of the region is not well reflected in the ITE tables.** These tables are used as a guide in urban areas where there are various traffic circulation options from all directions to the project site. **The Ponte Vista site is accessible only from Western Avenue.** Western Avenue is only one of two major north south routes to San Pedro. This forces traffic from the project site to enter and leave only from this highway with its current congestion issues.

Therefore, my concerns are with (1) the project ITE formula being used as a mid point average with uncertainty of the actual project housing mix, and (2) no recognition of the limited circulation available within the local region because of the local topography. In effect some of the suggested mitigation measures may not be adequate to address traffic circulation in this region.

Thank you for including my comments in the DEIR input process.

Response to Comment No. B77-4

The vehicular site access scheme for the Project is described in the Draft EIR on pages IV.N-46 and IV.N-47. As stated on page IV.N-168 of the Draft EIR, the Project-related traffic impacts can be mitigated to less than significant levels. Thus, no changes to the Project's site access scheme are required.

See also Responses to Comments B77-1 and B77-3.

LETTER NO. B78 – HARBOR CITY/HARBOR GATEWAY CHAMBER OF COMMERCE

Joeann Valle
Executive Director
Harbor City/Harbor Gateway Chamber of Commerce

Comment No. B78-1

The Harbor City/Harbor Gateway Chamber of Commerce Board of Directors unanimously voted to support, the Ponte Vista project of 1153 units or the 830 units. The project is located within the Harbor City-Wilmington Community plan and we are looking forward to the development of the project which will help in the economical recover for our communities.

The economy is still in the early stages of recovery and the market just does not exist for that amount of single family homes. 1135 units plan at Ponte vista would have a variety of housing types for many different households – from families to single seniors. So many more people with different kinds of life style and incomes levels could find homes at Ponte Vista.

The single-family only option doesn't really include any decent open space. But both the 830 plan and the 1135 have significant open space and hiking trails, as well as playgrounds and a community center.

The 830 units plan even includes 208 single-family homes. I really support this plan for Ponte Vista.

Response to Comment No. B78-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B79 – WELLS, MARK

Mark Wells
mtwells@pacbell.net

Comment No. B79-1

The following are my comments to the Draft Environmental Impact Report (DEIR) for The Ponte Vista Project.

I have known about development plans for the area in which The Ponte Vista Project is planned for since 2005.

I began my www.pontevista.blogspot.com blog in about September 2006 and I served as one of the three representatives appointed from the city of Rancho Palos Verdes, to (former) Los Angeles City Councilwoman Janice Hahn's Community Advisory Committee for the Ponte Vista at San Pedro project.

I also serve as a committee member of "R Neighborhoods Are 1", a community-based organized group that provides education and other amenities that allow residents of many communities the opportunities to learn about The Ponte Vista Project. This helps to organize individual and groups towards seeking the best results for all communities, with respect to the development of The Ponte Vista Project.

Between April 2009 and continuing to the present, I have considered many possible options for the development of the site and I have changed my opinion about what could be successfully built there.

I have gone from a staunch supporter of keeping the current zoning on the site and not allowing for any new zoning there, to someone who believes that the zoning should not be changed, but now I have the opinion that "Alternative C", which allows for the construction of up to 830 dwelling units at The Ponte Vista Project would be acceptable.

I have written that I believe that the dwelling density per acre on buildable land within the Ponte Vista site should be no greater than what has been constructed at "The Gardens", a nearby multifamily, multiple dwellings development.

Response to Comment No. B79-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B79-2

I still have two concerns dealing with my acceptance of "Alternative C" that I strongly feel needs further studies and may require an alternative to "Alternative C".

"SB 1818" is one way to identify what others may think of for the codes and requirements of implementing a 'density bonus' in a development. I feel it would be absolutely terrible to approve any Alternative that would eventually allow for the construction of more than 850- dwelling units on the Ponte Vista site.

Response to Comment No. B79-2

See Response to Comment A15-15 for a discussion of the relationship of the Project to SB1818 and safeguards to prevent a density bonus claim. As described in that response, the Project Applicant has voluntarily committed not to request a density bonus. Moreover, the Project Applicant would include, in any contract with a developer of a particular housing product, private contractual safeguards to prevent a density bonus.

Comment No. B79-3

No matter how many dwellings might be approved for at the Ponte Vista site, I must continue to call for at least 15 acres of open space within the boundaries of The Ponte Vista Project. I do not find that "Alternative C" allows for enough open space that is usable for recreation and other activities by residents and members of the public.

Response to Comment No. B79-3

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B79-4

Since my original comments to the DEIR created for the former development known as "Ponte Vista at San Pedro", I continue to have great support for "Alternative B", which calls for elimination of all structures on the site and/or the construction of up to '385' dwelling units, all on individual lots of not less than 5,000 square feet in size.

However, with the need for more open space on the site, I believe that should this Alternative be approved, it should allow for no more than 291-single family dwelling units.

I have some knowledge of the comments that have been created by the Northwest San Pedro Neighborhood Council and what the "Board of R Neighborhoods Are One" have considered and I hope both of those sets of comments are studied by all, with specific further studies being based on Traffic and Transportation comments, created by the Northwest group.

I am confident that comments created by Mr. Kit Fox and/or others representing the city of Rancho Palos Verdes will offer sound reflection and recommendations for further study by Staff and members of The Los Angeles City Planning Department and Commission.

With any of the Alternatives that would allow for new construction on the site, I oppose the approval of any 'Specific Plan' for the site and would recommend that specific lots be established for new construction, depending on the dwelling or other units approved for at The Ponte Vista Project.

Response to Comment No. B79-4

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B80 – MATTINGLY, MICHAEL (#2)

Michael Mattingly
mattingl.m,@sbcglobal.net

Comment No. B80-1

Recommend alternate b, or no new homes traffic is at peak now

Response to Comment No. B80-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record

and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B81 – KINSEY, ROBERT

Robert Kinsey
rmkinsey@cox.net

Comment No. B81-1

Re the Ponte Vista development… please keep the development R1, as it is currently zoned, thank you

Response to Comment No. B81-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B82 – KAUFMAN, ALLEN AND SHERI

Allen and Sheri Kaufman
sheri@allenkaufman.com

Comment No. B82-1

We are long time residents of Harbor Pines and are writing this letter to you in response to the above named project that I believe will exceedingly and adversely affect our community. And having heard of the latest deadline for January 7, is unreasonable and required comments over the holiday season which did not allow for sufficient time to review and comment.

We support R1 zoning and oppose this project as proposed in Alternatives A and C. Please note our further objections for this project for the following reasons.

Response to Comment No. B82-1

With respect to the public comment period for the Draft EIR, see Topical Response 1. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B82-2

1. The time to respond to the DEIR is too short. It should be extended. Under the circumstances, it is legally insufficient and the additional two weeks given is inadequate given that the holiday seasons were being observed for most of the reply period.

Response to Comment No. B82-2

See Topical Response 1.

Comment No. B82-3

2. The DEIR focuses almost exclusively on alternate D for 1135 units despite identifying alternate C for 830 units as the preferred alternative, and inadequately analyzes alternate B, for 385 units, despite being identified as having even less environmental impacts.

Response to Comment No. B82-3

See Responses to Comments A8-1 and A15-11.

Comment No. B82-4

4. The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B82-4

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B82-5

4 generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, and which is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to consider traffic mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. B82-5

See Response to Comment A15-8.

Comment No. B82-6

6. The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. B82-6

See Response to Comment A15-9.

Comment No. B82-7

7. The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. I suggest a project alternative that includes access to Mary Star, true single family homes rather than a PUD (planned unit development), with work centers, open space that complies with City Guidelines, and a library extension to meet State Guidelines for library space.

Response to Comment No. B82-7

See Topical Response 6.

Comment No. B82-8

8. There is also a concern for the increased demands on infrastructure that a project of this size will generate. Where will the water come from and how can it be guaranteed? LADWP already has aging equipment and facilities that needs replacement. This will only exacerbate this condition in the area. It is hard to know what the extent of the problems will be as the City of Los Angeles has not conducted its mandated assessment of infrastructure for over a decade.

Response to Comment No. B82-8

See Response to Comment B15-7.

Comment No. B82-9

9. Emergency and police services already have a problem negotiating Western Avenue when traffic is heavy. They often can't get through. This will also make this problem worse not only during construction, but after it is built. If the Fire Department response times are inadequate now given budget restraints, how will this help?

Response to Comment No. B82-9

See Topical Response 5.

Comment No. B82-10

10. The fact that noxious fumes are emitted occasionally from the Defense Fuel Supply Point located next to the property is of particular concern as there is no plan to curtail them. That fact was made clear by the federal government when the property was originally sold.

Response to Comment No. B82-10

See Response to Comment B15-9.

Comment No. B82-11

11. The community is now planned to be gated which was an option that was rejected by the Ponte Vista committee set up by former Councilwoman Janice Hahn to review the first plan of 2300 units. Gated communities are exclusionary not inclusionary and despite there being a few built in San Pedro quite a few years ago, they are not in keeping with the nature of most of San Pedro. Who are they trying to keep out anyway?

Response to Comment No. B82-11

See Responses to Comments A15-55 and B15-10.

LETTER NO. B83 – BAUER, NORMA

Norma Bauer
birds77035@sbcglobal.net

Comment No. B83-1

In regards to Ponte Viste ENV-2005 4515-EIR I am recommending B on the ballot.

Response to Comment No. B83-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B84 – SAN PEDRO PENINSULA HOMEOWNERS' COALITION

San Pedro and Peninsula Homeowner's Coalition
PO Box B84 1106
San Pedro, CA 90733

Comment No. B84-1

San Pedro Peninsula Homeowners Coalition is an unincorporated homeowners group represent ten (10) separate homeowner associations, including one in Rancho Palos Verdes that is located directly across Western Avenue from the proposed Ponte Vista development.

San Pedro Peninsula Homeowners United, Inc., is a Coalition member and we, the Coalition, join in their following DEIR Ponte Vista comments regarding R-1 and Hazardous Materials.

Ponte Vista DEIR R-1 Comments

On behalf of the San Pedro Peninsula Homeowners United, Inc., I wish to submit comments regarding the Ponte Vista Development project DEIR. San Pedro Peninsula Homeowners United, Inc, remains overwhelming in favor of supporting a R-1 alternative project for the Ponte Vista site that is consistent with 5,000 square foot lots. We represent more than 1350 R-1 property owners as well as residents in The Gardens. Our membership lives within the area bordered by Palos Verdes Drive North, Gaffey Street, Channel Street and Western Avenue.

Although the Proposed Ponte Vista project is currently located within the Wilmington-Harbor Community Plan, it is the San Pedro and Rancho Palos Verdes residents that will be the most impacted by the project. Hundreds of acres of open space and refineries separate the Ponte Vista site from the Harbor City-Wilmington Communities. Traffic issues will be their major concern while San Pedro and RPV will have to deal with all of the consequences. Every day, they will live, breathe and experience the impacts of overdevelopment and poor planning. It is unfortunate that the Planning Department seems determined to try to meet the goals, objectives and policies of the City's General Plan by considering a project that will overwhelm the areas infrastructure and public services, making the Harbor Area a less desirable place to live. R-1 zoning and singular family residences are the soul of our family-oriented San Pedro community. The roots of its citizens run deep, with a proud heritage and spirit to empower their community. Families are born, live and die here. That is why it is important for the city to hear their voice regarding what the Ponte Vista development should become. We are an active family-oriented community used to having family gatherings in our backyards. None of the current plans for Ponte Vista are conducive to a San Pedro lifestyle. Our children are forced from this town and required to move away from their families to find R-1 living. Currently about 60% of San Pedro is multi-family housing. This is inconsistent with Land-Use Policy 1-1.5 which states 67% of land use should be maintained for single family. The DEIR (IV.M-24) Cumulative residential projects in the City indicates 2,195 new residential units of which only 84 (3.8%) are single family. Approval of this project would exacerbate that

imbalance as none would be zoned R-1. 'One size does not fit all' when it comes to community planning. The Ponte Vista community should fit into and improve the existing community and enhance it. The proposed plans for Ponte Vista do exactly the opposite.

Response to Comment No. B84-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B84-2

The justification for multi-family housing types is erroneous. The surrounding areas is not an multi-story, multi-family housing. There is a glut of such housing on the market in San Pedro, some of it immediately south of the project. While some of the condo projects built in the last five years are occupied, they are rental units because the developers cannot sell them. Single-family housing is the housing type in greatest demand. The potential positive impacts generated by a new r-1 development at Ponte Vista will greatly enhance the opportunity for the successful renaissance of the downtown area by attracting people to the area that are willing and able to invest there. The project proposed by the developer will severely undercut the San Pedro community plan which emphasizes the rebuilding of downtown San Pedro. It is obvious that I-Star has dug itself into a financially difficult situation and understandably is trying desperately to make the most of it. But they bought in knowing the property is zoned R-1. They also knew it would be tempting for the Planning Department to try to solve L.A.'s housing issues on this rare 61 acre opportunity. I-Star's problem should not play a factor in what is approved for Ponte Vista. Neither can Los Angeles housing issues be solved by approving a project that will result in detracting from the existing community and surrounding neighborhoods.

Response to Comment No. B84-2

The comment expresses opinions about the Project Applicant's intentions, but does not address the adequacy of the Draft EIR analysis of potential impacts on the physical environment. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

With respect to existing vacancies at multi-family developments in the Project vicinity, see Responses to Comments A8-13, A15-75, and B74-5.

Comment No. B84-3

Project Alternative:

The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. We suggest a project alternative that includes ingress and egress to Mary Star from Western Avenue, true R-1 single-family homes and a 6 acre park.

As the Lead Agency, the city could also consider a no-project alternative and develop it for recreation or consider an alternative R-1 project with park space. The R-1 alternative was not adequately analyzed in the DEIR. This is important because any one of the Projects significant unavoidable impacts would require disapproval of the applicant's project unless there are not feasible mitigation measures or alternatives, and specific benefits outweigh the significant impact (Pub. Resources Code 21081). The California Environmental Quality Act requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects (Pub. Resources Code 21002: *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41). The adoption of a less damaging feasible alternative is the equivalent of the adoption of feasible mitigation (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 403). We note that such a mitigation must be adopted by the Lead Agency unless the Lead Agency can demonstrate that the mitigation is truly infeasible (*City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal. 4th 341, 368).

Response to Comment No. B84-3

See Topical Response 6 with respect to the suggested alternative. The Draft EIR evaluated a no-project alternative as Alternative A, under which the existing Navy improvements on the site would be removed but no further development would occur. Developing the entire Project Site as a public park would not attain any of the Applicant's objectives for the Project and, thus, was properly eliminated from the set of alternatives receiving evaluation in the Draft EIR. The comment cites CEQA case law requiring a Lead Agency to adopt feasible mitigation to reduce a project's significant impacts, but does not cite a specific application of this law to the Draft EIR. With respect to the feasibility of alternatives, see Topical Response 6. It should be noted that CEQA does not require a Lead Agency to evaluate or consider infeasible alternatives to a project (CEQA Guidelines, Section 15126.6).

Comment No. B84-4

Ponte Vista DEIR Hazardous Materials Comments

On behalf of the San Pedro Peninsula Homeowners United, Inc., I wish to submit comments regarding the Ponte Vista Development Project DEIR. San Pedro Peninsula Homeowners United has been aware of the extreme hazard that the Rancho LPG facility, in particular, represents to our community. More population to this area will only add to the potential for a very catastrophic event because of the extreme volatility of LPG. The impact of the LPG facilities should be considered very significant. The Draft EIR conclusions are based on misleading facts. In June of 1999, the Tosco Refinery Co., now referred to in the DEIR as ConocoPhillips, published their Butane Risk management Plan formulated on the EPA regulations then in place. Those regulations required that a worst-case release assume that everything in

their refrigerated 5,092,000-gallon tank is released instantaneously, that safety measures were not considered and that the butane complete vaporizes and explodes. Their calculations estimated a potential endpoint impact of 2.3 miles, which is well beyond the distance of the Ponte Vista site.

Response to Comment No. B84-4

See Topical Response 4 and Response to Comment B50-5.

Comment No. B84-5

The Cornerstone Technologies Risk Analysis of Rancho dated September 2010, presents a similar scenario for only one tank, or 63,000,000 pounds of butane that would have an impact of 3.2 miles. Again, well past the distance of the Ponte Vista site. The DEIR considers the Cornerstone report as 'unrepresentative' and therefore concludes that there is no impact to the project. How can Rancho only claim a one-half mile worst case endpoint and the Ponte Vista DEIR justify considering the impact of these facilities less than significant? Because the EPA regulatory guidelines for reporting how a worst case release was to be calculated were changed stemming from a lawsuit again the EPA by the American Petroleum Institute. The new regulations allowed safety and passive mitigation measures, such as impound basis to enter the equation and only the amount of butane that would evaporate in 10 minutes had to be calculated into the worst case release scenario. Further, that any release model could be used. Thus, the 10 minute leaks from a limited size break used by Rancho rather than a total release. These new EPA regulations were released in 1999 after Tosco Refinery had already published their public relations RMP Butane worse case document.

Response to Comment No. B84-5

As is discussed in the Draft EIR (at page IV.H-36), a report prepared by Quest Consultants, Inc. (October 27, 2010) disputed the conclusions reached by Cornerstone Technologies and referenced in the comment. Quest concluded that simplistic, conservative assumptions and use of the RMPComp Model led Cornerstone to substantially overestimate the distance to 1 psi overpressure. The Quest conclusions have been upheld by third-party review. In a memorandum to the Rancho Palos Verdes City Council from Councilwoman Susan Brooks (August 21, 2012), she states, "Third-party independent assessments of the Cornerstone and Quest reports – prepared at the request of the U.S. Environmental Protection Agency – generally concluded that the Cornerstone report was flawed in its analysis of the risk of catastrophic upset at the facility, while the Quest report defined more realistic scenarios that were indicative of the actual risk posed by the facility upon the surrounding community." The third-party consultant findings supported the Quest study conclusions as an accurate assessment of the true risks. The regulating agency, the Los Angeles Fire Department, has reviewed and accepted the Rancho LPG RMP document. The RMP release scenarios have been independently reviewed by multiple experts, finding no risk of a large impact radius. The worst-case impact radius of 0.5 miles, not 6 miles, was properly used for the Draft EIR's conclusions of maximum possible risk of upset from the Rancho LPG facility.

See also Topical Responses 3 and 4.

Comment No. B84-6

Why does it take a lawsuit or catastrophic event to get the attention of those we elect and have the power to regulate to become more proactive?

In 1972, when the 'Petrolane' LPG facility, now Rancho, was built, it was done without permit and little regulatory oversight. Little was known about the hazardous nature of LPG.

The City acknowledges they allowed this LPG facility to be built without permits.

The City acknowledges that LPG is too hazardous to be shipped through the Port.

The City is aware that Rancho LPG is adjacent to the Palos Verdes Fault and in a rupture zone.

The City is aware that when the tanks were constructed they were not built to withstand the current 7.3 magnitude earthquake, now predicted for the Palos Verdes Fault and that it is considered to be an active fault.

The City is aware of the potential hazard the Rancho LPG represents to the existing community, yet is considering permitting thousands more potential victims to be exposed to this hazard at Ponte Vista.

The City is aware that the Rancho LPG facility would not be permitted close to a residential neighborhood today.

The City is aware that no matter the degree of probability for disaster, by accident, intentional or natural causes, such an event is possible and the probability factor becomes more likely as time passes and cannot be eliminated as long as the Rancho facility exists.

The City is aware by permitting the Ponte Vista Project, they are a willing partner to the consequences of their decision.

Therefore, it is reasonably prudent for the City to pass a decent Risk Management Ordinance, similar to the law enacted by Contra Costa Co. The hazards that Rancho represents to Ponte Vista and our communities are very real and as a mitigation measure the City should require Rancho to provide an adequate amount of insurance protection for the City and its residents encompassed within the endpoint of an actual worst possible release scenario stemming from an incident at these facilities.

Response to Comment No. B84-6

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project and the Rancho LPG facility. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

See also Topical Responses 3 and 4.

Comment No. B84-7

As the Lead Agency, the City should also consider a no-project alternative or at least take steps to minimize the number of potential victims by considering an alternative R-1 project with park space.

Response to Comment No. B84-7

See Response to Comment B84-3. The Draft EIR includes Alternative B, a single-family development of the site. See also Topical Response 6.

Comment No. B84-8

The R-1 alternative and the hazards from these facilities were not adequately analyzed in the DEIR.

This is important because any one of the Projects significant unavoidable impacts would require disapproval of the applicants' project unless there are no feasible mitigation measures or alternatives, and the specific benefits outweigh the significant impact (Pub. Resources Code 21081). The California Environmental Quality Act requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects (Pub. Resources Code 21002: Sierra Club v. Gilroy City Council (1990) 222 Cal. App. 3d 30, 41). The adoption of a less damaging feasible alternative is the equivalent of the adoption of feasible mitigation (Laurel Heights Improvement Assn. v. Regents of the University of California (1988) 47 Cal. 3d 376, 403). We note that such a mitigation must be adopted by the Lead Agency unless the Lead Agency can demonstrate that the mitigation is truly infeasible (City of Marina v. Board of Trustees of the California State University (2006) 39 Cal. 4th 341, 368).

Response to Comment No. B84-8

See Response to Comment B84-3. The comment asserts that the Draft EIR's analyses of Alternative B and the hazards presented to the Project by nearby industrial facilities are inadequate, but does not present any evidence to support this assertion.

Comment No. B84-9

Further, The Coalition believes any increase in density over R-1 is financially deleterious to the City of Los Angeles. The Local Agency Formation Commission (LAFCO) in a study proved that the San Pedro area lacks sales tax income generators such as shopping malls and auto dealerships which are enterprises that adequately support city services. In normal times, let alone in today's projected long term economic downturn, can the City of Los Angeles take on additional financial burden while the city is struggling to meet its annual service budget?

The City of Los Angeles would be well served in performing a 'feasibility study' and challenge the developer in its DEIR as to how the negative impact would be mitigated.

Why should Ponte Vista benefit at the expense of the Los Angeles City Tax Payer; an expense which would go on in perpetuity.

Response to Comment No. B84-9

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project's financial benefit to the City. CEQA does not require a Lead Agency to evaluate the fiscal impact of a project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B85 – CHARTRAND, PATRICK AND BARBRO

Patrick and Barbro Chartrand
1957 Redondela Dr.
Rancho Palos Verdes, CA 90275

Comment No. B85-1

We are Senior Citizens and have lived on Redondela Dr in RPV approximately across the street from this proposed development for many years. Although the Blighted Naval Residences has been vacant for many years, it has kept the Automobile traffic on Western Ave down to an "almost reasonable level" "Almost" We said

We certainly do not want to see Automobiles belonging to 1135 Unit Owners having to access Western Ave or Palos Verdes Dr North. If this were to happen it would create another "405 type congestion". I'm not sure that I want to see Alt B (385 SFR unites either!. I do understand that the builder must have some kind of development so he can come out on this project if it is allowed.

Alt B would allow adequate OPEN SPACE which we all would be grateful for.

Response to Comment No. B85-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B86 – DICKSON, DONALD

Donald Dickson
donaldmdickson@gmail.com

Comment No. B86-1

It has come to my attention that some people still cling to the idea that we can build single-family only homes at Ponte Vista. After meeting with the project team involved in entitling Ponte Vista and looking at all of the plans for the project including the single-family only option, I believe that it would be terrible and a real disservice for our community if the option approved to be built was the single family home option.

Our economy is still in the early stages of recovery and honestly, I do not see how the market possibly exists for that amount of single-family homes or for the prices that would be associated with them. There is another development in the community that is promoting single family homes and although the signage is still up, there has been no visible change on the site for a very long time. Another reason I am against the single family home option is that it provides no significant open space where neighbors can gather or where an internal sense of community culture can be established. Our harbor community is constantly asking for more open space options where families can congregate, parks where sports can be played or playgrounds for the youngsters. This option provides none of this and in fact potentially increases the demand for open space elsewhere that just is not available. To build out this large property so that it mirrors older area neighborhoods is a foolish and extravagant waste and those demanding this option have no concept of the bigger picture or the real needs of our community.

In my opinion the option of the 1135 unit plan for Ponte Vista would better serve our San Pedro and harbor community's needs and economic base. This option would provide a variety of housing types that will cater to many different kinds of households – single people just starting out; families with children and seniors looking to downsize. So many more people, regardless of differing income levels, could have the opportunity to find and qualify financially for homes that meet their individual needs and desires at Ponte Vista. This option (as well as the 830 unit alternative) provides the open space needed to well serve those living on the site with playgrounds and the community center; giving options for residents and their recreational opportunities. The larger harbor community also can benefit from being able to utilize the hiking trails. Both the 1135 and the 830 plans incorporate a significant number of single family homes designed in such a way that maximizes the use of space rather than squanders it. The 1135 unit option is the best option in my opinion for this project in this location.

I leave you with these final thoughts:

- It is time to lead and stop holding back progress and allow this project to move forward. It is time to remove the eyesore of the boarded up housing.

- It is time to bring constructions jobs to San Pedro.
- It is time to increase the amount of new, affordable housing options to San Pedro.
- It is time to break the constant bickering and concentrate on doing something positive for the community.

Response to Comment No. B86-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B87 – HART, CHUCK

Chuck Hart
det310@juno.com

Comment No. B87-1

I hereby submit as my comments, and adopt as my own, the comments submitted by NWSPNC, R Neighborhoods R1, San Pedro Peninsula Homeowners Coalition, and Rancho Palos Verdes.

I do this in order to preserve my right to raise the issues in those comments in all further future proceedings.

Response to Comment No. B87-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents a statement concerning other comments on the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B88 – SUMICH, DONNA

Donna Sumich
danitsas@yahoo.com

Comment No. B88-1

Please keep the development R1 as it is zoned now regarding Pointe Vista development.

Response to Comment No. B88-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B89 – GRAYSON, ASHLEY

Ashley Grayson
1342 18th Street
San Pedro, CA 90732

Comment No. B89-1

As an experienced technology futurist and successful business person and investor and resident of San Pedro, I feel compelled to comment on the Ponte Vista project.

I have two observations as to why the past and present proposals for Ponte Vista are totally unjustifiable and wrong. The first proposal has already failed and the current proposal (both density options) must be refused also.

The factual reasons are that the property is totally inappropriate for development as residential housing of any density:

The proposal shows only two access roads (onto Western Avenue). This is unsafe and unmanageable and all attempts at mitigation are simply playing with words. Any kid can explain the flaw: sucking soda through two straws in the same glass (the property) can't get more soda than you can swallow (the length of Western Avenue).

Response to Comment No. B89-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B89-2

The property is too close to both the Defense Logistics Fuel Depot and Rancho Holdings. No sane person would build homes near a fuel depot.

Response to Comment No. B89-2

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record

and will be forwarded to the decision-making bodies for their consideration. It should be noted that existing homes in the Project vicinity are already located closer to nearby industrial facilities than the Project Site.

Comment No. B89-3

The property lies across an earthquake fault and includes a drainage path on the southern boundary.

Response to Comment No. B89-3

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. It should be noted that existing homes in the Project vicinity are already located on the referenced earthquake fault splay, as well as across the same drainage path that crosses the Project Site.

Comment No. B89-4

The increased traffic of the new residents will devastate traffic patterns along Western Avenue not just for future Ponte Vista residents but all of San Pedro and RPV.

Response to Comment No. B89-4

See Topical Response 2.

Comment No. B89-5

The business reasons driving this proposal rest on the greed and disrespect of the developers for the community. Seeing only acreage and willfully ignoring all the logistical realities of the property, their only vision is the most profit which comes from medium to high density housing. All of their studies and mitigation plans are just smoke and mirrors to gain approval for something that should not be done in the first place.

If I'm grasping the developer's plan correctly, they plan to wholesale the types of construction to different builders and be off with their profits before anything is built. This is dangerous in a time of massive foreclosures, weak housing and little demand.

The current proposals are a jumble of every type of unit: single family homes, townhomes, condos and apartments. This is not planning, this is trying everything in the hope that something works. With four types of usage, it is hoped that at least one of them will be more viable than the others and down the road the developer/constructors can claim that a quarter of the project is successful even if it becomes mostly a failure. Intelligent mixed use is not a mindless jumble. Both of the current proposals are flawed in both vision (there is none) and in execution (too many community impact aspects omitted).

Response to Comment No. B89-5

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B89-6

The Ponte Vista project is also brewing a big lie: the idea that something should be done with the property so we may as well accept this wrong headed mess. When asked, "How do you invest your cash?" Warren Buffett has said, "Holding an asset is comforting. Some weeks I don't invest at all; no reason to rush when there's no clear advantage." There is no clear advantage to allowing the developers, who have no idea what to do with the property and who willfully ignore the downsides of the only idea they have for maximum personal gain at San Pedro's expense.

My second observation and reason I believe nothing should be done for the next few years is that we are just beginning to see a revolution in construction materials and techniques. Not just nanotechnology but revolutionary composite materials and techniques that can dramatically enhance what can be built.

The Ponte Vista project as proposed would squander a valuable asset (the property) on the last gasp of old fashioned construction, when by holding out for something better will enable San Pedro to have a first of its kind development, assuming the real faults of risky location, traffic impact and unknown consumer behavior changes can be accommodated.

Response to Comment No. B89-6

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B90 – YABLONOVITZ, JEFF

Jeff Yablonovitz
jeff@canineretreat.com

Comment No. B90-1

I am a business owner in Harbor City. In my opinion, the new owners have done an excellent job of reaching out to the community and taking on board the ideas and feedback from previous plans.

Now, we have a plan that truly reflects what the majority of our community want for Ponte Vista—livable housing with on-site amenities like playgrounds and a community center. Open space to walk and hike, with a variety of housing types for different kinds of families or singles.

Finally, we will have a beautiful community on Western Avenue rather than an eyesore that drags the whole neighborhood down. People will want to live at the new Ponte Vista. I support the 1135 plan or the 830 unit alternative. Let's build something positive for our community.

Response to Comment No. B90-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B91 – HUR, JOHN AND TINA

John and Tina Hur
1940 Galerita Drive
Rancho Palos Verdes, CA 90275

Comment No. B91-1

As residents of the Rolling Hills Riviera which the development of Ponte Vista will directly impact, we recommend Alternate B: "No Project Alternative/Single Family Homes" and respectfully request to keep the development R1 as it is currently zoned.

Response to Comment No. B91-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B92 – LITZEL, JIM

Jim Litzel
26221 Governor Avenue
Harbor City, CA 90710

Comment No. B92-1

I am against the Ponte Vista Project.

Response to Comment No. B92-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B93 – CONTRERAS, JULIE

Julie Contreras
contrerasjulie@hotmail.com

Comment No. B93-1

Hi, I am a resident of San Pedro. I was born and raised here. I remember the old navy housing very well. I support R1 zoning of that land and I strongly object to Alternatives A and C. I have many family members and numerous friends in town that all feel the same way.

Please don't let them over-build this beautiful area!

Response to Comment No. B93-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B94 – CORNELL, GLENN

Glenn Cornell
2004 Velez Drive
Rancho Palos Verdes, CA 90275

Comment No. B94-1

I am writing to you about the draft Environmental Impact Report recently submitted to the city by the group which seeks to develop Ponte Vista. In particular, I want to register my disappointment with the timing of the report and to question the optimism of its conclusions, especially those about water usage.

Timing. Though I am a resident of Rancho Palos Verdes, my family's home is in a tract that lies immediately across Western Avenue from the proposed project and will almost certainly be impacted by it. Given the effect the project will have on our area, my neighbors and I would request more time to review the report and provide comments about it. I base this request on: a) the report's nearly 1400 page length, b) the fact that it was not made available to area residents until the Holiday Season – when most of us had other commitments which kept us from giving attention to it - and 3) the added fact that these same residents and their children and in turn their children will have to bear any burdens created by the project and the decisions made by your department. Under the circumstances, a short extension - 90-days, for example - does not seem unreasonable or likely to impose any hardship on the developer.

Response to Comment No. B94-1

See Topical Response 1.

Comment No. B94-2

Though family commitments over the Holidays have kept me from giving the report as much attention as I would like, I did find some time to look over its discussion about a subject that has interested me for some time: fresh water usage and availability. That review raised several questions which, unfortunately, appear to remain unanswered in the report.

Water Usage. Ponte Vista's developer claims in its DEIR states that the project's water usage will have a "less than significant impact with mitigation" on the area's infrastructure and environment. (p. VI-142). A brief examination of the document raises serious questions about that conclusion and suggests that it is much too optimistic.

1. Estimated vs. Actual Usage. The developer estimates that the 1,135 unit project will use 216 acre feet per year of water. (p. 1-135). That translates to 170 gallons per day per unit. However, that figure is far below what experience has shown constitutes actual use. The United States Environmental Protection Agency has found that the average American household uses 400 gallons per day. {"Water Sense," an EPA Partnership Program at www.epa.gov!WaterSense!WaterUseToday). In Southern California, where residents may be more sensitive about conserving fresh water, the Los Angeles Department of Water and Power (LADWP) reports that the average single family residence consumes 359 gallons each day. (Los Angeles Department of Water and Power, 2010 Urban Water Management Plan [hereinafter referred to as the "UWMP"], p. 43). In other words, the developer estimates that Ponte Vista will use less than half the water which the LADWP finds actual households really use.

Response to Comment No. B94-2

See Responses to Comments A15-126 and A15-127. The conclusions in the Draft EIR regarding the Project's water consumption are from LADWP's Water Supply Assessment for the Project.

Comment No. B94-3

2. Mitigation. The DEIR offers little explanation - beside mitigation measures such as flush-less urinals in the project's common areas and low-flow shower heads and "green" appliances in the residences (p. IV 0-10) - for this very significant discrepancy. Yet these measures are already widely employed in the community and should therefore be reflected in the 359-gallon figure which the 2010 LADWP plan cites.

Response to Comment No. B94-3

See Response to Comment A15-127.

Comment No. B94-4

The DEIR does make reference to "purple pipe" - that is, plumbing which will capture and conserve gray water - in the project's units. (p. IV 0-11). As commendable as this feature might be, the report goes on to suggest that the infrastructure needed to collect and reuse such water is not in place. Moreover, there is no mention when, if ever, it will be. In short, purple pipe will not mitigate water use at Ponte Vista for the foreseeable future.

Response to Comment No. B94-4

See Response to Comment A15-128. It should be noted that the "purple pipe" discussed in the Draft EIR would eventually bring recycled water from the TIWRP to the Project Site but would not "capture and conserve gray water" as described in the comment.

Comment No. B94-5

3. Usage vs. Sewage. Raising further doubts about the reliability of the project's water use estimates is the DEIR's estimate that the project will add 205,950 gallons per day to the sewage system. (p. IV 0-25). The report offers no explanation why its estimates of water usage – which includes water used for common area irrigation that would not flow into sewer lines - would be less than the amounts added to the area's sewer system.

Response to Comment No. B94-5

See Response to Comment A15-129.

Comment No. B94-6

Availability. Overshadowing the DEIR's estimates regarding water usage is the fact that the LADWP projects it will encounter more difficulty obtaining fresh water supplies in the future. This is so for several reasons including: 1) population pressures throughout the Southwest, 2) increasing drought conditions in the area, 3) climate change and 4) legal restrictions on importing water especially from Northern California and the Colorado River. (UWMP, p. ES-1). Under such circumstances, it should be imperative that water providers use considerable caution in estimating their ability to satisfy the area's future water needs. Indeed, in an effort to appear to be meeting increased future demand, the LADWP is already employing the very questionable tact of counting "conservation" as a water source. According to its own estimates, by 2035, 9 percent of the water it will supply to Southern California will be from "conservation." (UWMP, p. 19).

Freshwater is too important a resource to be the subject of guess work. Under-estimating its usage and over-estimating its availability can have cataclysmic effects upon Southern California. These include serious economic dislocation and even health issues for area citizens. Given the discrepancies between the developer's estimated water use and the EPA and LADWP's experience about actual levels of

consumption and further questions about the LADWP's ability to supply water in the not-too-distant future, I would ask that your department scrutinize closely this project's impact on the area's water infrastructure.

Please do not hesitate contact me at (310) 831-3033 or gcornell6@gmail.com if you have any comments about these concerns or questions about this letter.

Thank you.

Response to Comment No. B94-6

See Response to Comment A15-130.

LETTER NO. B95 – BEGOVICH, MARK

Mark Begovich
elbego@sbcglobal.net

Comment No. B95-1

I am opposed to anything being built on the Ponte Vista property that is above the 500 units that the zoning allows. That is the law and these crooks have been trying to break that law for years.

Response to Comment No. B95-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B96 – HARRIMAN, DAVID

David Harriman
27630 Tarrasa Dr
Rancho Palos Verdes, CA 90275

Comment No. B96-1

My Name is David Harriman. I reside at 27630 Tarrasa Drive Rancho Palos Verdes. I have bought a house here 1 year ago as this seems like a wonderful place to raise a family.

However, I am particularly concerned and opposed to the proposed Ponte Vista Project. My property is on the other side of Western directly across from this proposed project.

If it was all single family homes, then I am all for developing the area but would still be concerned with additional congestion as it relates to traffic as Western Avenue seems to be the only proposed route. As I use Western Avenue daily and I have no other way out I am concerned with the increased traffic congestion. Is there no alternative route??

Since the Project proposes (or allows) up to 392 rental units or up to 35% of the entire project I am even more concerned. I also notice the proposal for buildings up to 4 stories in height. **With this proposal I am very strongly opposed** as I can just imagine these people looking directly in my yard from across the street. **THIS TO ME INVADES MY PRIVACY!!** That is quite a sum of rental units being proposed which leads to a large concentration of people in a relatively tight area. This will lead to more **traffic congestion** with so many more cars and most likely and ultimately **more crime** with so many people.

Response to Comment No. B96-1

See Topical Response 2 with respect to the traffic analysis in the Draft EIR. See Responses to Comments B12-3 and B77-4 with respect to secondary access to the Project. Given that the Project Site is surrounded on three sides by privately owned property, Western Avenue represents the only feasible location for public access to the Project. With respect to the privacy concerns raised in the comment, it should be noted that street trees and landscaping on the Project Site, as well as the difference in elevation between the two areas, will limit views from Project units fronting along Western Avenue toward the west.

The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B96-2

Also of concern and **disturbing to me is to read that "noise, air quality and vibration impacts would be significant and unavoidable**". This is concerning and really should be addressed.

Also, of concern is the quality of life for me and my family if this passes. I can't imagine being in a constant state of chaos and frustration for 14 years of construction and development as this says it will not be complete until 2027.

Even though I only been here a year and really wanted to live here for many years to come I feel like my home and quality of life will change for the worse if the project the way it is proposed would pass.

Response to Comment No. B96-2

The Project's noise, vibration, and air quality impacts are discussed and disclosed in the Draft EIR. Mitigation measures have been proposed that would reduce these impacts to the extent feasible, however, they would remain significant and unavoidable. As noted in the Draft EIR, the Project is proposed to be

constructed over a five-year period. However, even under an extended buildout scenario, the Draft EIR notes that the total amount of construction would not be any different than if Project buildout were to occur under the five-year timeframe. Thus, impacts associated with construction noise/vibration and air quality would be no greater but would instead be more episodic, punctuated with extended periods of no impact, under the extended buildout horizon discussed in the Draft EIR.

Comment No. B96-3

I really do not think only having 1 access road thru Western would be sufficient for so many units (1135).

PLEASE, PLEASE, PLEASE DO NOT APPROVE THIS PROJECT THE WAY IT IS PROPOSED. MY QUALITY OF LIFE is Important to me and my family and I would very much like to believe in this community I bought into. **PLEASE DO NOT APPROVE THESE EXCESSIVE NUMBER OF RENTAL UNITS..!! DO NOT APPROVE THIS PROPOSAL OF UNITS UP TO 4 UNITS IN HEIGHT!!**

PLEASE. PLEASE. PLEASE.

Response to Comment No. B96-3

General access to the Project is being proposed at two locations, rather than one as stated in the comment (see Section II, Project Description, of the Draft EIR). This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B97 – NOON, GAIL

Gail Noon
gailmaria51@att.net

Comment No. B97-1

I want the number of homes at Ponte Vista to be only 830 stand alone single-family houses, or even less if possible.....because not just at rush hour -- but ***anytime*** of a weekday or weekend now, Western Avenue can quickly become total gridlock, and accounting for at least 1 car per household (and there will probably be more per family), that means there would be ***at least*** 830 more cars on Western Ave ***each day,*** once Ponte Vista is built.

That is ***way too many*** for Western Ave. to have to handle.

Response to Comment No. B97-1

As is discussed in Section IV.N (Transportation/Traffic) of the Draft EIR, implementation of Mitigation Measures TRANS-1 through TRANS-28 would reduce the Project's impacts to a less than significant level. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B98 – SCANLON, MATTHEW

Matthew Scanlon
386 S. Miraleste Dr. #468
San Pedro, CA 90732

Comment No. B98-1

I recently went to two Northwest San Pedro Neighborhood Council meetings and was floored by the news of I-STAR Financials' Pointe Vista project. Many members of that council, as well as other volunteers from the community, studied the Environmental Impact Report from the housing development and created an official response. That response is spot on in exposing how inconclusive, inadequate and deceptive the Pointe Vista EIR is. There is no way in hell that the L.A. City Council can accept the validity of this EIR once it studies the NWSP Neighborhood Council response.

The L.A. City Council needs to study the response in order to recognize I-STAR's refusal to honestly report the truth regarding the Pointe Vista housing project. The truth is that Pointe Vista would wreak transportation chaos and environmental danger on the lives of the San Pedro community and parts of the Wilmington, Harbor City and Palos Verdes communities as well.

Putting an over-crowded, privately-gated community in SP goes completely against the very character of our town. The traffic Pointe Vista would create on Western Avenue and many other streets would create a hellish daily gridlock. The auto effluents of such traffic would create a greenhouse gas effect that comes directly in conflict with California's official emission standards. Our community already suffers enough because of the air pollution directly attributable to the oil refineries, diesel trucks and port shipping activities! *WHY would the council possibly inflict worse environmental conditions upon us?*

Response to Comment No. B98-1

The comment asserts that the Draft EIR is inadequate but provides no information to support this assertion. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B98-2

I-STAR's goal is to take a beautiful piece of property, much of it presently open space with hiking trails, and cram as many structures in there as possible. They have even taken their planned public park OUT of the equation and covered it up! HOW COULD ANY of the POINTE VISTA plans be beneficial to the quality of life for the people of San Pedro, much less that of the future sardine-packed inhabitants of Pointe Vista???

Response to Comment No. B98-2

The comment is incorrect in stating that the Project Site currently contains hiking trails. The entirety of the site is presently fenced off and is inaccessible to the public. No hiking trails exist on the site. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B98-3

AND WHY IN HEAVENS NAME would the LA City Council allow a housing project to be built very close to a gigantic oil refinery when the cancer rates of such future inhabitants would clearly skyrocket? To top that, the Pointe Vista project would be built even closer to the U.S. Defense Fuel Supply Center. Allowing anyone to live next to these large, dangerous underground fuel tanks is morally and politically reprehensible!!! Are you really going to permit the building of a new Love Canal in our beloved city?

Response to Comment No. B98-3

Section IV.H (Hazards and Hazardous Materials) of the Draft EIR contains an evaluation of cancer risk levels currently present in the San Pedro area. This analysis also reviews the additional risk that future Project residents could expect to be exposed to and concludes that these risks do not attain applicable thresholds of significance. See also Topical Response 3.

Comment No. B98-4

What is this council thinking? Are they so desperate for city revenues that they would put so many lives at stake? Who the hell do they represent -- the people of L.A. or the corporations that have filled their election coffers? SHAME ON THEM ALL! We need Joe Buscaino and the rest of the council to become our heroes, not our executioners!

I am 55 years old and have lived most of my life in the county and city of L.A. In that time, L.A. has allowed development projects to gobble up almost every open space in our city. *IT HAS GOT TO STOP!* POINTE VISTA HAS GOT TO STOP! Study the EIR response by the NWSPNC and SEE FOR YOURSELF! *Why would the council even think about doing business with i-STAR (or any other*

company) which is so obviously comfortable about deceiving our city regarding the very real and dangerous costs we will all have pay if this project goes through?

This development project needs to be shut down by the council A.S.A.P. **The San Pedro community stands firmly against Pointe Vista and so should the L.A. City Council.** Buy up the land for the city or claim it under eminent domain. Clean it up and make it open public land for all of the city's inhabitants to enjoy! Make it a cozy public park and a jewel for South L.A. The people of San Pedro and all of the port communities would thank you for your collective concern. We should all be willing to sacrifice now so that future generations do not suffer from our short sighted development mistakes. Please help save one of the last open spaces in the our area from being destroyed in the name of profit.

I thank you for your cooperation in this matter.

Response to Comment No. B98-4

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B99 – BURGER, JEFF

Jeff Burger
jeff@twylaburger.com

Comment No. B99-1

My 2 cents:

The Ponte Vita development should be a shining example of creating a California Natural Environment area right in the heart of San Pedro. The houses should be razed and that's about it. Tear down the fences and let it be.

Response to Comment No. B99-1

The alternative suggested by the comment was evaluated as Alternative A in the Draft EIR. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B100 – SIEGMAN, CRAIG

Craig Siegman
csiegma@sbcglobal.net

Comment No. B100-1

I am **against changing the exiting zoning** from R-1 so that the developer who purchased the property knowing that it was zoned R-1, can construct more housing units to increase his profit at the expense of the community. **I therefore support Alternative B "No Project Alternative/Single Family Homes".**

Now more than ever it is important that this property remain zoned R1.

The area has been built up over the years. As a result, the traffic on Western Ave has become a real problem. Western Ave is one of only two routes into San Pedro, so its congestion has a great impact on the community.

As a result of the additional traffic and more people living in the community, air pollution has become a real concern.

If this request is granted, it will result in many more people living on a piece of land that was zoned for many fewer people. The additional people will only add to the community's concerns and exacerbate the problems we are facing.

I don't think that it is right for for a developer to purchase a property predicated on, and with his full expectation, that he would receive a zoning change. I know fully that if I would want to have my property rezoned from R1 my request would be denied. I would probably be told "you knew when you purchased the property that it was zoned R1, so why would you expect it to be rezoned". Yet the developer's request, which is on a much larger scale and would certainly have a more negative impact on the community, receives very serious consideration. Why is that?

I strongly feel that the request should be denied. To grant it would be to place the developer's interests over the citizens who already live there.

Thank you for your consideration.

Response to Comment No. B100-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B101 – CARROLLE, VICTORIA AND JOHN

Victoria and John Carrolle
vcarrolle@cox.net

Comment No. B101-1

Density and traffic are still a major concern. There are very few alternative routes out of this proposed development. Traffic is already a nightmare in this area. The residential area around this development has grown exponentially since it was Navy housing, not to mention the addition of two high schools.

I don't think the EIR adequately addresses this issue. On a conservative basis, presuming 2 cars per household, that puts 1,660 more cars on those streets every day. 1,660 cars with limited access to major thoroughfares and those streets have only TWO lanes in either direction.

Response to Comment No. B101-1

See Topical Response 2 regarding Traffic Study methodology and the Project trip generation forecast. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B101-2

What about sewage, vermin? Has anybody thought about what is going to happen to the surrounding area once the existing housing is torn down. Having lived in this area when Friendship Park and the Gardens were under "construction" we can attest to the fact the we had to contend with field mice as the land was being cleared as there were no significant structures being torn down.

We are realistic enough to know that something will be built there. It is inevitable. All we ask is that common sense enter into the decision as well as the "common good". If that happens, then no more than 500 SFR will be permitted.

Response to Comment No. B101-2

With respect to vermin, the Project Applicant will contract with a local pest control/pest extermination company to perform a survey of potential rodent issues on the Project Site prior to the start of demolition. This survey will consist of setting traps for a period of time to establish whether or not a rodent problem exists. If the survey reveals that rodents are present, remediation would begin approximately one month prior to any demolition. This has been added to the Draft EIR as a Project Design Feature on page IV.D-51 under the heading “Project Design Features” (see also Section IV, Corrections and Additions to the Draft EIR):

To this end, the following Project Design Features ~~has~~ have been identified for the Proposed Project:

- Following completion of grading, the proposed perimeter landscape area in the northern cut slope section of the Project Site (the area designated as "IO", "CSS" and/or "D/NNG/IO" along the shared site boundary with the DFSP on Figure IV.D-1) shall be re-vegetated with CSS habitat appropriated to the site at a minimum of a 2:1 ratio, using species collected from the vicinity of the site (e.g., San Pedro, Palos Verdes, etc.) under the supervision of a qualified biologist. This increased and enhanced CSS habitat would include native shrubs such as California sagebrush, deerweed, California buckwheat, and coast goldenbush. Native bunch grasses would include purple needlegrass and coast range melic. Post-planting mortality surveys shall be conducted by a qualified biologist to ensure that the CSS habitat is properly established.

- Prior to the start of demolition activities at the Project Site, the Project Applicant shall contract with a pest control/pest extermination company to perform a survey of potential rodent issues on the Project Site. This survey will consist of setting traps for a period of time to establish whether or not a rodent problem exists. If a rodent problem is found, remediation shall begin approximately one month prior to the start of any demolition.

The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B102 – SIEGMAN, ANN MARIE

Ann Marie Siegman
csiegman@sbcglobal.net

Comment No. B102-1

I am very much opposed to expanding the development beyond the current R1 zoning. I therefore support **Alternate B: "No Project Alternative/Single Family Homes".**

Response to Comment No. B102-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B103 – HULETT, LUPE

Lupe Hulett
dickhulett@yahoo.com

Comment No. B103-1

Please keep Ponte Vista R-1 zone. There are a number of apartments that are not fully rented on Western. Its hard for us to get out of our neighborhoods. There not enough single family homes with backyards for kids to run around in the area. Please keep the homes R-I= Alternate B single Family homes.

Response to Comment No. B103-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B104 – EARLY, M. JANE

M. Jane Early
1742 Miracosta St.
San Pedro, CA 90732

Comment No. B104-1

I strongly oppose any thing other than single family homes for Ponte Vista. Western Avenue cannot handle any more traffic and density!

Since the Ponte Vista owners feel they must build something ----- San Pedro/Lomita could use some nice new single dwellings. NO ON MULTI UNITS OF ANY KIND.

Response to Comment No. B104-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B105 – ZULIANI, BARBARA

Barbara Zuliani
2756 Colt Road
Rancho Palos Verdes, CA 90275

Comment No. B105-1

Erin Strelich,--- I am opposed to the Ponte Vista zoning change. It has been clear that the community has put forth valid reasons rejecting rezoning in the pass regarding similar plans at this location. Nothing has changed except the owners. The present owner purchased this property as R1, fully with the knowledge that the San Pedro community did not support passed attempt to change the zoning. Perhaps all the 1000's of disapproval signatures regarding passed attempts to change the zoning need to be recalled by the City planners. The community is growing weary of signing petition addressing the same attempts in rezoning this property. I'm sure that this is the hope of the developer but the City must recognize the truth in this matter. The truth is, it is not in the best interest for San Pedro and the community. Even without this project the issues San Pedro faces in the future are the traffic that continues to grow, the lack of modern medical facilities, the over crowded existing schools, the eroding public works concerns (remember the sink hole on Western that took almost a year to fix), the nonstop Public Work Dept. job (pumping station, etc.) directly across from this planned community and the list of insignificate opinions that the city produce in your DEIR (which would add up to more than a mole hill), the growing population of Rancho Palos Verdes use of San Pedro roads to access freeways are just a few reasons this project should be denied. Don't forget all those condos downtown San Pedro that the Planning Dept allowed and the condo growing population will have in this community if they ever get full occupancy. What would service this community most are single family homes, where people can see the existing family generation grow. San Pedro has a long history of generations which stay in the community. We expect yards for our small children to play and to have large family bar-b-ques in while our older children play baseball in the streets with neighborhood children and make friends that last a life time. This gives our children the understanding of family and community, part of the American dream which is lacking heart in this project.

Response to Comment No. B105-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B105-2

In the cities consideration of this project please don’t forget the unplanned storm. Katrina; the unplanned storm and flooding in New Jersey and perhaps the great chance of earthquake and yes, even flooding in

San Pedro and the neighboring Rancho Palos Verdes (R.P.V.). If in fact, the original shore line of San Pedro is Pacific Ave. and if the brakewall [*sic*] fails and flooding occurs during an extreme heavy storm where does the overflow storm water to drain? Is the city certain R.P.V would not be impacted from flooding. What would be the impact to R.P.V. with the existing aged storm drains on the other side of Western Ave opposite the Ponte Vista Planned Project? What would be the drainage backup impact and the financial obligation cost of the L.A. city to replace or repair the old C.M.P. failure of the private drains, like the one on Colt Road (Miraleste Creek area), storm drain #286 and all it's tributaries when flooding occurs in R.P.V (plus other damaged cost like home damaged). L.A. City accepted the operation and maintenance of the drains in Tract No #26331 (Drain #286 Plus) in May 1965. Are any pipes planned to tie into lines onto Western or above (water, sewer or drainage etc.)? What is the impact if not already address. I hope L.A. City will have learn lessons from the possible unlikely events that can occur and STOP over loading unwanted development in this community. Oh yes don't forget the underwater springs. Is that on Gaffey and Westmount? Just think, traffic increase towards grammar school and continuation school, children being drop off for school while driver heading towards flooded Gaffey to hit the freeways to get to work. The Joy to start the day due to this project if approved.

Response to Comment No. B105-2

The issue of coastal flooding impacting the Project Site is moot due to the site's ground elevation above sea level (approximately 250-300 feet). The risk of the Project creating additional flooding potential for up-gradient and/or down gradient facilities is minimal. The site design allows for the existing "run-on" stormwater flows (i.e., stormwater flows generated from areas up gradient of the site) to continue to pass through the site via new underground storm drain facilities. The down gradient storm drain facilities have been assessed in the Draft EIR to include drainage runoff volumes from both the Project as well as existing up-gradient areas that would continue to drain onto the Project Site. Sufficient capacity exists in these down gradient storm drainage facilities to accommodate all runoff from the Project, including the aforementioned up-gradient runoff. In short, the on-site storm drain management design includes the drainage of both on-site surface water as well as existing off-site contributions currently flowing through the site (refer to Draft EIR Section IV.I for additional detailed analysis on this subject).

In response to the comment regarding utility connections into Western Avenue, the Project proposes to make water, storm drain and potentially sewer connections into existing facilities within the Western Avenue rights-of way. These proposed utility improvements will be permitted thru the City's 'B' Permit process and are evaluated in Sections IV.I and IV.O of the Draft EIR. No underground springs are located beneath the Project Site.

Comment No. B105-3

I realize the L.A. City would reap financial gains from the Ponte Vista rezoning project no matter how unfavorable the community views it. The city maybe even able to justify a poor decision (in my opinion) if they choose to allow the rezoning to go forward but the timing of public review during the Thanksgiving, Christmas and New Year holiday season did not benefit the general public review of such

an extensive report. As a slow reader, I was able to get through a little over 100 pages of the 700 plus report. Over the review period, I had set travel plans, an under the weather issue, grandchildren out of school to watch, a home and a Christmas tree to decorate, shopping and other holiday fixings including preparing food for New Years football games. This may sound trivial to the city but I am only one of many that has not been able to read the complete report, let alone digest correctly to respond to what negative impact it would mean to San Pedro and the surrounding towns. If the city is incline to favor this project I ask for an extension for public review. I'm hoping the developer will take a closer look at the possibility that there may exist a profit in single family homes which surly this community would gladly support and welcome.

Response to Comment No. B105-3

See Topical Response 1 with respect to the review period for the Draft EIR. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B105-4

In Nov., I had a chance to go to two libraries (San Pedro and Miraleste) that were mention in the notice letter I received dated Nov. 8, 2012 from the L.A. Planning Dept. Neither of these libraries had a notice on their general notice board of the fact that the environmental impact report was there for their viewing. At the San Pedro Branch, I asked at the Information Desk about the report, he was clueless. I showed the letter I received from the Planning Dept. (Nov.8, 2012) and asked if he would put a copy up, his reply was he would have to have a OK from his boss. It took a good 30 minutes before the report turned up. On Dec. 18, two weeks latter, I return to the library, still no notice placed on board. Spoke with the same man at the information desk, he could not recall our conversation. At the Miraleste Library, there was also no notice of the report or knowledge of one. She said if they had one it would be at this location, it was- along with the letter. What is the point of the Planning Dept. sending report to libraries if they are not instructed to post notice to general public about a major rezoning issue facing its community?

Response to Comment No. B105-4

The City regrets the confusion experienced by the comment in attempting to access the Draft EIR at the two libraries. In accordance with CEQA and City policy, the Draft EIR was provided to the relevant branch libraries at the start of the public review and comment period. The commenter was ultimately able to access the Draft EIR at the two libraries, although not without apparent difficulty. The City will seek to improve the instructions that are provided to public libraries for document accessibility and noticing.

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents information concerning the comment's attempt to review the Draft EIR at two

local public libraries. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B105-5

By looking at the mapping, I do not see the 15 acres open space thought to be a condition of development. Recreational areas seem to have been lessen therefore this new population would impact the already existing overloaded ones. How many new sport teams will need to be created to let a little one play maybe two games a seasons [*sic*]. Oh boy! I could go on but I would like you to added [*sic*] me to all lists that find this project unacceptable in any other consideration that I have not listed. Thanks for your time and consideration from one of many warriors over this rezoning issue. Do what is right.

Response to Comment No. B105-5

With respect to the portion of the Project Site that is currently zoned Open Space, see Response to Comment A15-7. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B106 – FULLER FAMILY

Fuller Family
mjsway@aol.com

Comment No. B106-1

Our family urges Alternate A R1

Western Avenue is over developed now with hundreds of condo units!

Response to Comment No. B106-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B107 – BRUNNER, RICHARD

Richard Brunner
President
Peninsula Verde Homeowners Association

1906 Peninsula Verde Drive
Rancho Palos Verdes, CA 90275

Comment No. B107-1

To whom it may concern,

Our community is located almost directly across from the Ponta Vista site. We are and have always been concerned with additional traffic on Western Ave.

We believe Ponta Vista should be only single family homes or another use that would have a lesser traffic impact on Western Ave.

Response to Comment No. B107-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B108 – STOCKETT, MARGE

Marge Stockett
stockett@cox.net

Comment No. B108-1

I am in favor of development R1, Alternate A. Please keep the development R1.

Response to Comment No. B108-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B109 – GRAJEDA, LUPE

Lupe Grajeda
l.grajeda@hotmail.com

Comment No. B109-1

I drive from Lomita to San Pedro 3 times a week to manage my rental property and to visit my son. I make it a point to finish my business and get out of San Pedro before 2 pm. The Dodson, Crestwood, Mary Star and Lutheran School traffic is horrendous and stressful. I have given up shopping in San Pedro because it is just too crowded and there is no parking. The people who want to build housing at Ponte Vista do not have to travel on the skinny two lane each way road. I was born in San Pedro and love the town, but I bought a house in Lomita because there is room to drive and there are no daily bottlenecks. I say do not add to the congestion on Western Avenue!

Response to Comment No. B109-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B110 – DOOLEY, DIANE

Diane Dooley
dooleydcm@gmail.com

Comment No. B110-1

Thank you for taking comments regarding the Ponte Vista development.

As noted in the various documents and stated many times over, the Ponte Vista development will impact traffic and pollution. Only two streets lead in and out of San Pedro, Western and Gaffey. Traffic is already backed up on both streets. No matter what intersection improvements are made, it's still only two streets and the addition of many more residents. Keeping the number of residents to the minimum is a requirement, not an option. It's the health and safety of the people that are at stake. I'd prefer keeping the development to the former 245 single-family homes, but I know the realities of living in this area. All efforts to keep then [*sic*] number of units to a minimum and to mitigate the effect of traffic and pollution will be greatly appreciated.

Response to Comment No. B110-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B111 – LAURO, JANET

Janet Lauro
jlauro@sbcglobal.net

Comment No. B111-1

This email is in regard to Ponte Vista:

Please keep the development R1 as it is currently zoned. Higher density is no longer needed and would cause much environmental and traffic concerns.

Response to Comment No. B111-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B112 – JONES, HELEN

Helen Jones
joneshelene@aol.com

Comment No. B112-1

Pointe Vista: I haven't been involved in this situation other than reading about the ongoing battles over the last few years. I noticed from a local publication that GreenHills was expanding and had this thought. If Greenhills bought PointeVista the problem would be solved. Beautiful, green, park like and no traffic increase.

Response to Comment No. B112-1

Utilization of the Project Site by Green Hills Memorial Park for a hypothetical expansion of their facility would not achieve most of the Project Objectives, nor would it likely be economically feasible. For these reasons, this alternative was properly excluded from being evaluated in the Draft EIR. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather

presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B112-2

Here's what I'd like to see happen -

Greenhills buys the property (it's right across the street from them).

It would be beautiful and park like and have no traffic impact. Problem solved.

Response to Comment No. B112-2

See Response to Comment B112-1. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B113 – GRGAS, MARIJAN

Marijan Grgas
2045 Trudie Drive
Rancho Palos Verdes, CA 90275

Comment No. B113-1

I am writing you this letter to express my concerns regarding the Ponte Vista housing project proposed for the 61.5 acres of former Navy housing at 26900 S. Western Avenue in San Pedro.

I do not wish to debate the specifics of the DEIR or reiterate all the negative impacts that a rezoned multi-unit (830 or 1135) housing option will bring to the area.

Instead, I would like to state that I am against any rezoned multi-unit development for one simple reason – this developer knowingly purchased the property zoned R-1 (for single family residences), and they should now only be allowed to develop to that R-1 level of density and no more. This means that a strictly single family residence option is the only one that should ever be allowed to proceed on this property.

If the R-1 level of density is not economically feasible for the developer to proceed with this project (as I believe he has indicated), then the developer made a bad business decision and the market should reward him accordingly. It is not the responsibility of the city or of the residents of this area to sacrifice their standard of living to subsidize a developer's profit margin.

Thank you for allowing me to express my opinion for the record.

Response to Comment No. B113-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B114 – RITZKE, JEANNE AND RAYMOND

Jeanne and Raymond Ritzke
Jeanne.ritzke@att.net

Comment No. B114-1

We are homeowners in the Rolling Hills Riviera Tract that is just south of the Green Hills Cemetery. We are strongly opposed to the proposed development of Ponte Vista with a possible construction of 1135 residential units. That property has always been zoned R-1 and I urge you to vote for the Alternate A proposal to either have no construction at all or alternately only allow R-1 single family residences on the property.

Response to Comment No. B114-1

Although the comment is correct to state that the Project Site has been zoned R-1 since the time it was first annexed into the City, the existing abandoned multi-family residential development on the Project Site is not in conformance with, and in fact pre-dates, the current R-1 zoning of the property, having been constructed when the Site was within unincorporated County territory. The Project Site has never previously been developed with single-family residential land uses. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B115 – MOORE, CECELIA

Cecelia Moore
moorececelia@aol.com

Comment No. B115-1

I am a member of Friends of San Pedro Library. I see in the Ponte Vista Environmental Impact Report the statement that "the San Pedro Regional Branch is of adequate size for the population served." The library is often very full, and patrons must wait for access to computers. The library needs many updates,

including wi-fi and more electrical outlets. Perhaps the biggest problem for the service population--and any additional population--is the limited parking space. When there is a program at the library, attendees often must park blocks away, in residential areas because of the limited number of spaces in the very small library lot.

Where, in "West San Pedro" is the neighborhood branch going to be built? How many patrons is it expected to accomomodate?

Response to Comment No. B115-1

See Responses to Comments A15-98 and A15-99. The proposed West San Pedro Neighborhood Branch library would be intended to serve a population of less than 45,000 persons, according to the LAPL's library sizing standards.

LETTER NO. B116 – SPINELLI, MARGARET

Margaret Spinelli
mgt.spinelli@sbcglobal.net

Comment No. B116-1

As a resident of Eastview since 1974 I have been following the fate of Ponte Vista for many years. I really encourage you to work to keep the zoning R1. Each time new developers becomes involved we hear how they intend to keep the zoning and provide many other "perks" for the community, but once the final plans are presented, there are major changes to the proposals. I encourage you to hold the currents developers to the single-family-home zoning and keep them accountable for the additional traffic that the new development will incur.

Response to Comment No. B116-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B117 – COLOMA, DEBORAH

Deborah Coloma
colomas@pacbell.com

Comment No. B117-1

I support R1 zoning and still oppose this project as proposed in Alternatives A and C. Our area is congested enough and traffic is already a big problem.

Response to Comment No. B117-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B118 – THORSEN, LUCIE

Lucie Thorsen
2124 Redondela Drive
Rancho Palos Verdes, CA 90275

Comment No. B118-1

I write to express my concern over the newly proposed Ponte Vista project proposal. I sat on Councilwoman Janice Hahn's committee as the representative of the city of Rancho Palos Verdes. My husband and I live on Redondela Drive which is across the street from the development. We have also been very active with the grass roots R neighborhoods R1 group. My involvement then, as it remains now is my tremendous concern for San Pedro. Even though we have a R.P.V. address, we consider ourselves San Pedrans, as do most of us who live here, have attended San Pedro High, and have deep roots in the community.

The land is designated R-1 and has not been changed. I have not seen or heard one idea that has convinced me that it should be. The bottom line is that we do not need more projects that continue to ruin our town. During the l950s through 1980s, this town was consumed by greed, single family home after single family home was torn down and replaced by apartment buildings.

We had breakfast at The Diner this morning, driving back home on both Pacific and Gaffey, looking East and West, are block after block of multi-family homes. The businesses along these two main streets rarely reflect the pride of a well planned community. Realtor and developer greed have driven the direction of our town and it shows. We have sold ourselves down the river too many times; The Hacienda

Hotel sold and torn down to build what is commonly referred to as "the rabbit hutches on Miraleste Drive", and our fabled historic district torn down without a thought to the possibilities, to name a few.

It takes generations to turn a blighted downtown around. We have a good start on that right now, we need to support the housing developments downtown and not compete with them.

The developer had many recommendations from the Councilwoman's committee, and countless comments by individuals, over 16,000 signature petitions demanding the property remain R1, yet all of that is ignored, and they present a plan with 1100 plus units, little open space, gated, ridiculus [*sic*] traffic mitigations, and of all things apartments!!!, the last thing we need. Clearly, as a community, we have been dismissed. The last developer, Bob Bisno came in with an arogant [*sic*] attitude towards us, after sitting through the latest presentation at St. Peter's church auditorium, I felt insulted, not only by the plan, but by the attitude towards San Pedro. They do not care about us! It's about the money. Had Bisno developed Ponte Vista as R1, we would not be having this discussion.

The developer does not care about our town, we can't let one more greedy entrprenour [*sic*] make us pay for decades for what we let him do to us. So because of the density, traffic, overall polution [*sic*], lack of sufficient infrastructure, lack of esthetic thought, quality of life, the firm roots of our community, and the fact that we live on a peninsula, the Ponte Vista property must stay R-1.

Response to Comment No. B118-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B119 – PIZZINI, HELENE AND QUENTIN

Helene and Quentin Pizzini
1431 S. Walker Avenue
San Pedro, CA 90731

Comment No. B119-1

My husband and I both want to comment on and both support the Ponte Vista plans.

We have lived in San Pedro since 1985 and I worked as the director of the local YWCA for over 19 years before my retirement three years ago. Through my employment, we learned how much need there is in San Pedro for this additional housing which is why we have also been long-time supporters of Ponte Vista. The project has been through several ownership and design changes, and this new Ponte Vista features homes that will suit the needs of San Pedro, with open space for the residents to enjoy, and a much-needed road to Mary Star High School.

We understand from meeting with the project team, that all the traffic impacts of the project can be fully mitigated with traffic improvements in the area. That is very important for the community. We support the project at 830 units or 1135 units.

Response to Comment No. B119-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B120 – MCOSKER, CONNIE

Connie McOsker
515 Albro St.
San Pedro, CA 90732

Comment No. B120-1

I live in the Northwest San Pedro Neighborhood and I am in agreement with the NW San Pedro Neighborhood Council's Comments on Ponte Vista DEIR. Please consider these comments because they express the concerns of the community.

Response to Comment No. B120-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B121 – AKINS, PATRICIA

Patricia Akins
26911 Lunada Circle
Rancho Palos Verdes, CA 90275

Comment No. B121-1

I live within a 1/2 mile of the proposed Ponte Vista project. I support R1 zoning and oppose the revised project as proposed in Alternate A or C.

We lived in the area when Navy Housing existed at the Ponte Vista site. Open space existed where there are now several apartment buldings, a strip mall and townhomes. Within the last few years 2 high schools

and college dormitories have been added to the area, all spilling out onto Western Ave. No accommodations have been made on Western Ave. to mitigate the additional traffic that NOW exists. I have witnessed Emergency units unable to move through this traffic at times.

Please consider the needs of the residents of this community and keep it R1 zoning.

Response to Comment No. B121-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B122 – KIVETT, GEORGE

George Kivett
gkivett@sbcglobal.net

Comment No. B122-1

I have lived in the City of Lomita for over 30 years, just off of Western Avenue and in close proximity to the Ponte Vista development site. I am writing on behalf of my family and myself. I keep very informed of proposed development in the community as the current Executive Director for the Lomita Chamber of Commerce plus as a Past Chairman and member of the Board of Directors for the regional South Bay Association of Chambers of Commerce. For numerous reasons my family and I have been supporters of the Ponte Vista development for a number of years.

The project has been through several ownership and design changes and this new Ponte Vista is a well thought plan which has taken into account the huge amount of feedback which has been received from the community. The project is in San Pedro but it is located closer to Lomita than it is to most other communities. When completed it will transform an old eyesore to a beautiful property, just outside the Southern edge of the City of Lomita, with landscaped open space and fantastic architectural detail.

I understand from meeting with the design team that all the traffic impacts of the project can be fully mitigated with traffic improvements in the area. That's great for the surrounding communities and for the future residents of Ponte Vista. It will also be nice to have a much needed road to Mary Star High School.

Ponte Vista will bring housing that many in our region need and want. In my family I have senior parents who are considering moving from their two story home and would love to have a new single level flat with a view to move into. Also the project would be great for my son who hopefully could buy one of condos and be able to live close to the rest of his family. As a real estate broker, I am familiar with the

available housing in our region and the Ponte Vista development will solve the housing issues for many individuals and families in our area.

My personal preference is the Ponte Vista plan with 1135 units becasue it will allow for more single level condos which is the preference for many seniors and those who need it's easier access. At this time I can support either the 1135 units or 830 units because either plan would be a smart decision and the benefits to our region will be many.

Response to Comment No. B122-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B123 – MISETICH, ANTHONY (RANCHO PALOS VERDES CITY COUNCILMAN)

Anthony Misetich

Comment No. B123-1

I am an elected official from the city of Rancho Palos Verdes, but I am writing this as an individual. Please be advised that many of the residents that I have spoken with during my three years on the Rancho Palos Verdes City Council are in favor of the lower density plan at San Pedro's Ponte Vista housing development. To be specific, that would be a project plan that allows no more than 830 homes.

There are two main reasons why the community has concerns about this project-primarily density and traffic. Members of our past city councils have gone on record in favor of a low density project for Ponte Vista. The city of Rancho Palos Verdes and the city of Los Angeles are also working on concepts for a revitalization project on Western Ave and a higher density housing project would severely impact the success of that endeavor.

In addition to making my views known to you through this letter, I also plan to bring forth a resolution to my city council in the near future that would ask the city of Rancho Palos Verdes adopt an official position that favors a lower density for Ponte Vista.

Like our residents I would like to see a nice housing development at Ponte Vista, but are wary if the project brings a tremendous traffic burden to Western Ave and the surrounding community.

Response to Comment No. B123-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B124 – PAUL, MARCIA

Marcia Paul
1717 Mermaid Dr.
San Pedro, CA 90732

Comment No. B124-1

I support R-1 zoning on the Ponte Vista project and still oppose this project in Alternatives A and C. Thank you for considering my position.

Response to Comment No. B124-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B125 – R NEIGHBORHOODS R1

Nancy Castiglione
R Neighborhoods R1

Comment No. B125-1

Thank you for the opportunity to respond to the Draft EIR for the proposed Ponte Vista project.

We represent approximately 15,000 residents and many homeowner groups who believe a single family home development should be constructed at Ponte Vista. Our proposed project is included in our comments, that were adopted by our steering committee on January 2, 2013.

First, like others, we are frustrated and discouraged by the denial of a 90 day review period. We do not appreciate that the 60 day review period was over the Thanksgiving, Hanukkah, Christmas, and New Year holiday season. This was also not fair to the community at large on a project that everyone in San Pedro, Harbor City and Wilmington regards as a controversial project. The DEIR does little to allay our concerns because the proposed project complies with almost none of the guidelines and plans that it says

it does.

Response to Comment No. B125-1

See Topical Response 1 and Response to Comment A15-2.

Comment No. B125-2

The proposed project and its smaller alternative do not appear to be a good fit for the community. There are problems with the underlying assumptions and conclusions in the DEIR, mainly relating to traffic, social services, utilities and service systems. Because the analysis is built on faulty assumptions, it is in effect a "house of cards," and all conclusions based on the analysis are also faulty. We also are concerned with the lack of amenities provided on site, and the lack of any attempt to address the substantial environmental impacts through project design.

Response to Comment No. B125-2

See Response to Comment A15-3.

Comment No. B125-3

Among the fundamental deficiencies in the DEIR are the following:

- Contrary to what is presented in the DEIR, the rezoning request will impair the orderly implementation of Regional Plans, City's General Plan, and two Community Plans. Additionally it fails to evaluate Public health and Social Impacts and conformance with the ten Urban Design Principles and the Walkability Checklist.

Response to Comment No. B125-3

See Response to Comment A15-4.

Comment No. B125-4

- The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single-family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B125-4

See Response to Comment A15-5.

Comment No. B125-5

- The proposed project is not a good fit for the location. The gated community and mix of housing types are not appropriate, it is not in a transited oriented area, and its development would not improve the local jobs housing balance.

Response to Comment No. B125-5

See Response to Comment A15-6.

Comment No. B125-6

- Alternatives B, C, and D ignore the present zoning which includes 15 acres of open space. This is an especially egregious oversight in alternate B because if claims to be a "no project" alternative, i.e. buildable as a matter of right. In fact, units cannot be built on that portion of the property zoned as open space.

Response to Comment No. B125-6

See Response to Comment A15-7.

Comment No. B125-7

- The traffic analysis uses incorrect assumptions about V/C ratios and traffic generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, that is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to consider traffic mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. B125-7

See Response to Comment A15-8.

Comment No. B125-8

- The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. B125-8

See Response to Comment A15-9.

Comment No. B125-9

- The analyses and proposed mitigations for Greenhouse Gas Emissions, Hazardous Materials, Public Services, and Utilities and Service Systems are inadequate and flawed. They must be revised.

Response to Comment No. B125-9

See Response to Comment A15-10.

Comment No. B125-10

- The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. We suggest a project alternative that includes access to Mary Star, true single-family homes rather than a PUD, with work centers, commercial space, a public park that complies with the City Recreation Plan, and a library extension to meet State Guidelines for library space.

Our specific comments are attached hereto. Thank you for this opportunity to submit our comments and concerns.

Response to Comment No. B125-10

See Topical Response 6.

Comment No. B125-11

An additional alternative should be studied.

CEQA requires the consideration of a reasonable number of alternatives and that the alternatives address the significant impacts determined as a result of the environmental analysis.

The DEIR really suggest only two alternatives, one for 1135 units and the other for 830 units. There are two purported additional alternatives, one being the mandatory "no project" alternative and the other a variation of the "no project' alternative, i.e. a single family alternative it clams it can build as a matter of right.

All three of the build options identify significant environmental impacts, particularly traffic, and all three ignore the 15 acre Open Space zoning that exists on the property. All three make no attempt to mitigate traffic impacts through on-site improvements such as changes in design and providing amenities.

Response to Comment No. B125-11

See Topical Response 6 and Responses to Comments A8-1 and A15-11. The comment is correct regarding CEQA's requirements for the analysis of alternatives to a project, however, CEQA also stipulates that alternatives must be feasible and must attain most of the project's objectives. Section VI (Alternatives to the Proposed Project) of the Draft EIR contains a discussion of alternatives that were considered but rejected for various reasons, including those of feasibility. With respect to the ability to construct Alternative B, the single-family residential alternative, as a "matter of right", see Topical Response 6. With respect to the amount of existing zoned Open Space acreage on the Project Site, see Response to Comment A15-7. It should be noted that the Project Applicant has formally requested that Alternative C, the reduced density alternative, be considered as the "Proposed Project". This alternative, by reducing the density to be developed at the site, would also reduce the Project's significant traffic, air quality, noise, and other impacts.

Comment No. B125-12

For those reasons, and others detailed in following pages, we suggest an additional alternative be studied that has the following characteristics.

1. Increase the number of units from the present 245 to 291 single family units on R-1 zoning.

2. Retain the 15 acre open space zoning and develop as a public park, to meet City guidelines for park space and to address recreation oriented traffic.

3. Provide public street access to Mary Star High School and construct an open project with public streets throughout the project.

4. To reduce work trip oriented traffic, provide as part of each housing unit, and also as an amenity in the project, work centers that will appeal to work-from- home residents. On-site work centers could include tele-conferencing capabilities for example, and meeting rooms. Work centers could also be suitable for after-school study centers and similar uses, and for a branch library.

5. Include some on-site convenience shop[s], to lessen car trips for occasional small item purchases, and a coffee shop for local convenience.

Response to Comment No. B125-2

See Topical Response 6.

Comment No. B125-13

Reasons to support the additional alternative

1. The surrounding area includes single family homes. Other than the apartments immediately to the south of the project site and the Gardens, the surrounding areas are all single family homes. It is incorrect to say that the proposed 1135 or 830 unit developments conform to the surrounding area.

Response to Comment No. B125-13

See Responses to Comments A15-16, A15-17, and A15-60.

Comment No. B125-14

2. No single family homes have been built in San Pedro for thirty years. They are the housing of need in San Pedro.

Response to Comment No. B125-14

The comment is incorrect in regards to construction of single-family homes in San Pedro during the last 30 years. See Response to Comment B53-14 for a discussion of the recently constructed single-family Harbor Highlands development. Other single family home developments in San Pedro completed in the last 30 years include, but are not limited to: Harbor Walk, located adjacent to Pacific Avenue and West Hamilton Avenue; The Cape, located adjacent to Western Avenue and 19th Street; and the Enclave, located on Capitol Drive east of Via Sebastian. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning single-family homes. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B125-15

3. San Pedro generally, its political and community leadership, and the Community Plan Update, all recognize the need to renovate downtown San Pedro. A large number of condo units have been built in downtown San Pedro and indeed, immediately south of the project site, that remain unsold and are now being leased. It is a mistake to construct even more such units that will compete with the redevelopment of downtown and undermine its resurgence.

Response to Comment No. B125-15

See Responses to Comments A8-13, A15-60, and A15-75.

Comment No. B125-16

4. The DEIR does not address the environmental impacts of additional units that could be built by parcel developers as a matter of right through SB1818 density bonuses. The owner, who openly says it will sell the parcels rather than develop them itself, claims it can eliminate the possibility of density bonuses, but

nothing it has said so far is convincing. However, SB1818 does not apply to single-family developments. An R1 development would avoid the possibility of unevaluated environmental consequences.

Response to Comment No. B125-16

See Response to Comment A15-15.

Comment No. B125-17

5. All three development proposals ignore the Open Space zoning that applies to 15 acres of the property. They say it is a "cartographic error" but in life we don't get to ignore zoning maps simply because we don't like them. Further, City and State guidelines provide that recreation and park space should be provided to accommodate additional residents in an area. On-site recreation facilities would also lessen the traffic impacts of the project.

Response to Comment No. B125-17

With respect to the amount of zoned Open Space on the Project Site, see Response to Comment A15-7. With respect to the Draft EIR's discussion of applicable recreation and park standards as they pertain to the Project, see Response to Comment A15-95.

Comment No. B125-18

6. Single family developments generate an average of 9.57 trip-ends per day. In a typical household that would mean four per day for work related driving in a household with two workers. A development emphasizing work-at-home facilities would appeal to families that could do at least part of their work at home, or in the project site itself. The failure to even consider these amenities in design of the project is a deficiency.

Response to Comment No. B125-18

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning work-at-home facilities. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. It should be noted that nothing would prevent future Project residents from working at home.

Comment No. B125-19

7. There are many errors in the way traffic impacts have been computed, but it is clear that a 291 unit development would have lower impacts than a 1135, 830 or 385 unit development.

Response to Comment No. B125-19

The comment asserts that there are errors in the Draft EIR's analysis of traffic impacts, but does not present any evidence to support this statement. Thus, no further response is required.

Comment No. B125-20

A 291 unit SFR development is economically feasible.

Our recommended unit count is a pro-rata number based on the Alternate B 385 unit proposal but taking into account that 15 acres are zoned Open Space.

The owner has said that building single-family houses would mean "$1,000,000 dollar homes" but provided no support for the assertion. We investigated the claim.

First, we assumed the $120,000,000 cost of the land even though it was that high due to the bid contest and because the developer was counting on City acquiescence in a zone change allowing 2230 units. Everyone knows, including the bank that owns it now, that it is not worth nearly that much. Nevertheless we have used that figure in computing the cost.

Next, we consulted the California Board of Equalization "Building Construction Handbook", 2010, a detailed compilation of building costs throughout the state. The Handbook determines construction costs **including profit** for more than ten different grades of construction quality, certain other characteristics, and provides an adjustment for location by county. For the 216 page version of the 2010 document, see http://www.boe.ca.gov/proptaxes/pdf/ah531.pdf.

For purposes of computation we analyzed the single family unattached houses in the Taper area, Mount Shasta area, and around Dodson Middle School. They run from 1350 sf to 2200 s.f. with an average of 1800 sf. We use a larger size, 2000 s.f. even though it would cost more to build than an 1800 s.f. house.

Next, we used a D8 construction type with a cost adjustment for Los Angeles County, of $136.52 psf. The description of the D8 modern construction type along with s sampler of houses built to that specification are inserted as the following three pages. Please note that the characteristics of a D8 level home are quite a bit above the level of the surrounding homes.

The computation is as follows: $124.11 X 1.10 X 2000 sf X 291 houses + $120,000,000 land cost = $199,455,222 total cost. Divided by 291 homes, cost per home including profit: **$685,413**.

Response to Comment No. B125-20

See Responses to Comments A15-68, B53-14, and Topical Response 6.

Comment No. B125-21

As for our additional comments, we generally adopt the comments of Northwest San Pedro Neighborhood Council to the extent they do not conflict with our position herein. With some changes, they are as follows:

C. PROJECT CHARACTERISTICS

The DEIR identifies Alternative C, for 830 units, as the "environmentally superior" alternative yet it almost exclusively analyzes the 1135 unit proposal. The applicant obviously expects that any impacts of the denser Alternate will apply to the less dense alternate. This is questionable, especially in terms of project characteristics and proposed mitigations. The DEIR must be revised to evaluate impacts for 830 units to foreclose any interest from this or any future owner to increase the intensity back up to 1135 units without triggering another entitlement application.

Similarly, Alternate B is identified as an even less impactful alternative but no real analysis of it is made. Finally, Alternative D, Revised Site Plan, would develop the site with the same 1135 units as the Proposed Project, however, "In order to altered…{and} the 2.8 acre public park would not be developed…." The application should be amended accordingly.

Response to Comment No. B125-21

See Responses to Comments A8-1 and A15-14.

Comment No. B125-22

Also, none of the three Alternatives evaluates the impact of SB 1818 on unit count, population, schools, traffic, services, etc. Since SB 1818 allows the developer to increase the number of units as a matter of right at any time after entitlement, either the applicant needs to show conclusively how SB 1818 does not apply to its application or it should account for the potential impacts of the legislation on its project. This is especially important because the applicant has made it clear it is a speculator and intends to sell the parcels once they are entitled.

Response to Comment No. B125-22

See Response to Comment A15-15.

Comment No. B125-23

Specific Plan Zoning

A Specific Plan is proposed with Low Medium and Medium density zoning. The DEIR generalizes overall zoning for the entire project, not each individual element. Each parcel within the development

should have a specific zoning density attached to it. Individual densities would allow a closer examination of how to create contextual intensities particularly along the edges of the proposed subdivision.

Response to Comment No. B125-23

See Response to Comment A15-16.

Comment No. B125-24

The proposed zoning is vague. For example, the proposed single-family units are not the traditional single-family homes that one finds in an R-1 zone. Rather they are essentially the type of housing found in areas zoned RD 1.5 and higher.

The apartment buildings need to have a specific zoning that is applicable to the actual size and density of the proposed development. A Medium density by City of LA codes extends all the way to R-4 zoning which is comparable to the density on Fitness Drive, the 6-acre parcel between the Commercial Shopping Center and the Ponte Vista Property. Figure II-10, Parcel 7 should be zoned specifically for their proposed density, not the medium density. The apartments should be capped at R-3 or lower to provide for an appropriate transition from the development on Fitness Drive to the lower density units directly to the north.

Response to Comment No. B125-24

See Response to Comment A15-17.

Comment No. B125-25

Private Roads

The DEIR (II-17) states "With the exception of the …road…providing access…to Mary Star of the Sea High School, all other streets on the Project Site would be private and access would be provided through two gated entrances…." In order to better incorporate this project into the surrounding community and provide better emergency ingress and egress, the roads should be dedicated public roads**.** The road areas should not be used in the calculation of units per acre.

Response to Comment No. B125-25

See Response to Comment A15-18.

Comment No. B125-26

Open Space

The DEIR (II-18) states that "approximately 33 percent of the projects post development acreage would consist of landscaped common areas … and parks (excluding roads) … "Open space would include an approximately 2.8 acre park…." Since the park has been deleted from the viable alternatives this statement should be rewritten.

Response to Comment No. B125-26

See Response to Comment A15-19.

Comment No. B125-27

This same section references the provision of 102 parking spaces for use by park visitors and other visitors to the site. With the deletion of the public park, it appears that the public parking spaces have also been deleted. The DEIR should be corrected to reflect this change.

Response to Comment No. B125-27

See Responses to Comments A15-19 and A15-20.

Comment No. B125-28

Figure II-8 shows a 1-acre mitigation area within the public park. Since the public park has been deleted, what happens to the mitigation area?

Response to Comment No. B125-28

See Response to Comment A15-21.

Comment No. B125-29

Building Heights

The description of building heights as 40'-48' does not match the two- to three-story buildings. This is the building height for four-story buildings. Also, the height calculation should be specific to the individual housing types and their locations within in the project.

Response to Comment No. B125-29

See Response to Comment A15-22.

Comment No. B125-30

D. CONSTRUCTION CHARACTERISTICS

The DEIR states (II-33) that "the construction of the project is estimated to begin in 2013 and would continue over a five-year period, with completion in 2017." There are many references to this 5-year time frame throughout the DEIR. Since the applicant has requested a 15-year Development Agreement, these references should be changed to indicate a 15-year build-out and the construction phase impacts addressed accordingly.

Response to Comment No. B125-30

See Response to Comment A15-23.

Comment No. B125-31

Table II-3 indicates that the construction of the Public Park and the Landscaping and Streetscape Improvements would be done in the final year of the 5-year build-out. Completion of a public park and the landscaping and streetscape improvements on the exterior of the project should be required prior to occupation of any unit.

Response to Comment No. B125-31

See Response to Comment A15-24.

Comment No. B125-32

P II-34 states "…construction staging, laydown areas, and all construction equipment would be positioned on-site and would be moved from area to area on the Project Site, consistent with the sequence of Project construction." Since the project anticipated different developers for each area it is not clear how would this work? The mitigations need to address the actual impacts.

Response to Comment No. B125-32

See Response to Comment A15-25.

Comment No. B125-33

E. PROJECT OBJECTIVES

Project Objective 6, "To develop a project that fiscally benefits the City of LA" is not supported. In order to determine if this project fiscally benefits the City of Los Angeles it would be necessary to do an economic impact analysis of projected revenues and costs for each of the alternatives. This should include looking at the property tax, sales revenues that would be within the City of Los Angeles, and long term costs to the City for services such as Police, Fire, and utilities. This objective should either be removed or factually supported.

Response to Comment No. B125-33

See Response to Comment A15-26.

Comment No. B125-34

SECTION III. ENVIRONMENTAL SETTING

B. OVERVIEW OF ENVIRONMENTAL SETTING

The Local Setting description (III-3) should be modified to include the approved 76 unit Volunteers of America (VOA) Navy Village which will be located immediately to the North of the project and will provide housing for homeless veterans and their families. Additionally, the discussion of the proposed future Marymount College educational facilities should include an analysis of their planned expansion at this site into a full four-year college campus with room for 800 residential students, 1500 total students, and 75 full and part-time faculty.

Response to Comment No. B125-34

See Response to Comment A15-27 and Topical Response 2.

Comment No. B125-35

Please add the following City of Los Angeles Projects to Table III-2 (III-23) Cumulative Projects and reanalyze cumulative project impacts accordingly. These projects will generate considerable traffic impacts that were not included in future traffic and school calculations:

- Southern California International Gateway (SCIG)
- APL Terminal expansion
- Ports O'Call Redevelopment
- Cabrillo Marina Phase II
- USS Iowa
- Los Angeles County Sanitation Districts Clearwater Outfall Project
- Rolling Hills Prep School build out from 250 students to 1,000 students
- VOA Navy Village
- Pacific LA Marine Terminal

- Harbor Highlands Development (under construction)
- City Dock 1
- Port Master Plan update
- Marymount College Expansion on Palos Verdes Drive North
- San Pedro Community Plan update

Response to Comment No. B125-35

See Topical Response 2 and Responses to Comments A15-27 and A15-28.

Comment No. B125-36

G. GREENHOUSE GAS EMISSIONS

Background

The State of California has declared that greenhouse gases (GHGs) constitute "a serious threat to the economic well-being, public health and the environment of California." (AB 32). It recognizes that allowing them to remain at current levels will not adequately address the dangers they pose and has established instead the goal of reducing them to 1990 levels by the year 2020 (AB 32).

The City of Los Angeles has embraced the effort. It adopted "Green L.A.: An Action Plan to Lead the Nation in Fighting Global Warning" in May 2007, in which it proclaims that by 2030 it will reduce GHGs from city operations 35 percent below 1990 levels.

Three gases are felt to pose the greatest threat: carbon dioxide, methane and nitrous oxide.[78] The primary cause of GHG pollution is combustion of fossil fuels.[79]

In California, fossil fuel use is closely related to motor vehicle use.

Emissions

According to the DEIR, this project will not reduce GHG pollution to 1990 levels. Indeed, it will not decrease GHGs at all. To the contrary, it will increase them. The site currently generates no GHGs (p. IV G-4). According to the developer's projections, the proposed project will generate 15,620.55 metric tons

[78] *California Technical Advisory: CEQA and Climate Change, June 19, 2008 – hereinafter "Technical Advisory".*

[79] *Technical Advisory, p. 2.*

of GHGs each year.[80] That is 15,620.55 more metric tons or 17,222 more American "short" tons of pollutants every year for the foreseeable future than are generated at the present, 172,220 short tons over 10 years, 344,440 short tons over 20 years, etc. This single fact should overshadow all others for anyone considering the project's impact on this insidious form of pollution.

Response to Comment No. B125-36

See Response to Comment A15-29.

Comment No. B125-37

The DEIR does address the 35 percent reduction that the City of Los Angeles seeks to achieve. Moreover, it dwells on minimal reductions such as emissions from landscaping equipment and the fact that the project's structures are designed with large "contiguous unobstructed roof areas" which can accommodate solar panels. Large flat "roof areas" can be found on many structures and hardly constitute a "green" breakthrough. What is more, the proposal does not provide for the installation of solar panels on any of the project's roofs.

Response to Comment No. B125-37

See Response to Comment A15-30.

Comment No. B125-38

Proposed "Reductions"

Most significantly, the DEIR's claim that the project will reduce GHGs by 14.579 percent is based upon faulty analysis. As already noted, this project will produce 17,222 more tons of polluting gases each year than are being generated now (the proper baseline). The 14.579 percent is calculated by comparing the estimated carbon dioxide levels generated if the project were to be "built as usual," that is without any GHG reduction measures, (which would never be permitted and is, therefore, purely illusory) with levels of GHGs generated by the project they propose. What is more, it will generate more GHGs than if the project were built to comply with the parcel's existing R-1 and open space zoning.

Missing from the report is any meaningful discussion about GHG generation once the project is built and occupied. This period will most likely stretch over decades.

[80] *It is curious that the DEIR uses the metric system at this point. A metric ton weighs considerably more than the "short ton" most Americans are used to working with – 2,205 pounds instead of 2,000. Accordingly, 15,620.55 metric tons translates to 17,222 tons of polluting gases.*

Response to Comment No. B125-38

See Response to Comment A15-31.

Comment No. B125-39

Emissions from Autos

According to the DEIR (Table IV.G-5) fully 74.5 percent of the projected carbon dioxide emissions (11,593.77 metric tons or 12,782 tons) will be from motor vehicles, yet there are no proposed measures to reduce these emissions.

One measure available for a developer to mitigate the amount of driving and the pollution associated with it is to place its project near existing public transportation corridors and close to employment centers. That has been the model for development in downtown Los Angeles in recent years. Unfortunately, Ponte Vista does neither. As discussed elsewhere in this document, bus service along Western Avenue is infrequent and inconvenient and hardly constitutes a satisfactory substitute to commuting by car. Any doubts about this statement can be satisfied simply by trying to take public transportation from the bus stop at Western Avenue and Westmont Drive to downtown Los Angeles, to one of the office buildings along Hawthorne Boulevard in Torrance or even to the port area.

What is more, the project is not near any major employment center.[81] Nor is that likely to change. The recently drafted San Pedro Community Plan does not anticipate adding any major commercial centers in the area during the next 20 years. In short, residents of the proposed project are likely to have to commute considerable distances by car to work.

As discussed elsewhere in this document, the project contains virtually no amenities (except the pool and clubhouse) or design considerations that would lessen the need to use ones auto. In fact, it even contemplates the use of the auto to get to the clubhouse and pool as shown by the proposed parking plan.

The report does note that the project will provide recharging outlets to those residents who own electric cars. Although commendable, sales of such vehicles are miniscule. Absent some technological breakthrough in battery life and the driving range of these cars, they are likely to remain so.

Response to Comment No. B125-39

See Response to Comment A15-32.

[81] *Despite the fact that the Project is located near the Port of Los Angeles, many of the Port jobs are a significant distance from this site. Furthermore, the San Pedro Community Plan Area has a huge deficit in jobs with a job housing ration of 0.44.*

Comment No. B125-40

Responsibility

The applicant tries instead to rationalize away the need to even address the GHG problem concluding that no single development is likely to have a significant impact on GHGs (pps. IV G-15 and 27). Since the problem is planet-wide, that is probably true. Given the Earth's vast size and total population, it might even be true for a vast open pit mine in Alberta, Canada or in Australia's outback. However the fact remains that the project will generate substantial amounts of GHGs each year. Moreover, the applicant's line of reasoning implies that since no single person, project or business can be held responsible; none need take responsibility for them. That way of thinking must stop now or there is no chance of dealing with these pollutants. Only by forcing each project to confront and address the issue properly will there be any hope of reducing GHGs and the threat they pose.

The analyses of the green house gas emissions and associated mitigations are inadequate and must be revised.

See also our comments under Traffic and Transportation.

Response to Comment No. B125-40

See Response to Comment A15-33.

Comment No. B125-37

H. HAZARDOUS MATERIALS

The DEIR is selective about its risk assessments, particularly as regards the Defense Fuel Support Point (DFSP) and the Rancho LPG Holdings.

The DEIR says that a risk assessment was done for events, spills, fires, etc. at the DFSP (directly adjacent to the Project), and notes that "Although larger than medium-sized spills would result in a larger zone of impact if they were to ignite, potentially encompassing portions of the Project Site, the emergency access features of the Project coupled with the remote nature of such an extreme event would result in a less than significant impact to future Project residents."

It is insufficient and negligent to say the emergency management plan is that fire companies can enter through two access points on Western and through one access point from Taper through Mary Star of the Sea High School and that the Project is within a 4-mile drive of several hospitals.

The DEIR says "implementation of the Project Design Features would require that evacuation and emergency response procedures be established in an emergency response plan for a fire impacting the Project, and the consequent risk posed to Project residents would be minimal." It is puzzling that the

applicant can conclude that the consequent risk is minimal before the emergency management plan has been developed.

Response to Comment No. B125-37

See Response to Comment A15-34.

Comment No. B125-38

With regard to the Rancho LPG facility, the DEIR notes that "to a much lesser extent there may be some quantifiable risk of upset from other activities such as product delivery by rail or truck…Based on the worst-case RMP scenario and with the more likely releases having a much smaller radius impact than 0.5 miles, there would be no impact to the project site." This analysis under estimates the potential impact to the Project Site, endangering the safety of future residents, with no proposed mitigations. The US DOT report of butane incidents by Means of Transportation found that there were 751 rail incidents and 13154 truck incidents in 2003 alone. This is far from an insignificant risk. In many respects, it would be far more accurate to say that "it is just a matter of time" before a significant incident occurs.

Response to Comment No. B125-38

See Topical Response 4.

Comment No. B125-39

In addition, Tosco Refining Company's Risk Management Plan for what is now the Phillips 66 refinery contains a worst-case scenario (Attachment A) for a butane incident with a 2.3-mile impact, way beyond the Ponte Vista site. An additional proof that the risk is far from insignificant is shown in the linked video showing a 60,000-pound LPG rail tank car being hurled three quarters of a mile once it caught fire.[82]

Response to Comment No. B125-39

See Response to Comment A15-36.

Comment No. B125-40

It is insufficient to simply state that the risk is "extremely remote" if the DEIR admits that a larger than medium-sized spill were to ignite it would potentially encompass portions of the Project Site. The DEIR must discuss the potential effects of a larger than "medium-sized spill" and evaluate the hazards to residents, not just waive the obligation to consider the impacts on the environment. What else will the Project do to mitigate the effect on residents of a larger than medium-sized spill?

[82] *See WWW.YOUTUBE.COM/WATCH?V=XF3WKTWHPIU*

Response to Comment No. B125-40

See Response to Comment A15-37.

Comment No. B125-41

Evacuation Routes

According to CEQA Guidelines, the Project would have a significant effect on the environment if it would "impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan." The DEIR erroneously states that there would be no impact with regard to this guideline.

The DEIR asserts "The Safety Element of the General Plan of City of LA pertaining to response to disaster events does not designate Western Avenue within the vicinity of the Project as a designated disaster route." Western Avenue only south of Summerland is designated as a disaster evacuation route. It also states that Western Avenue is "too far west" for evacuation from the Port and that the City of Rancho Palos Verdes (RPV) does not consider Western Avenue as an evacuation route. These assertions are misleading.

Western Avenue north of Summerland is not shown on the evacuation routes map of the Safety Element of the General Plan of the City of LA, because the map only shows the portion of Western Avenue that is under the jurisdiction of the City of Los Angeles. On the map, areas that are not under the City's jurisdiction are in grey. (See Attachment B) Western Avenue from Summerland to Pacific Coast Highway is under the jurisdiction of Cal Trans, not the City of Los Angeles. Western Avenue between Summerland and Palos Verdes Drive North is not shown as an evacuation route on the City map because it is not "in" the City of LA, not because Western Avenue is not an essential evacuation route; the DEIR is doing a selective interpretation of the map, and the result is not credible.

Response to Comment No. B125-41

See Response to Comment A15-38.

Comment No. B125-42

Further, asserting that Western is "too far to the West" for an evacuation route ignores the fact that San Pedro has only 3 north/south evacuation routes (Gaffey Street, the 110 Freeway (adjacent to and accessed by Gaffey and Harbor Blvd.), and Western Avenue. If any of the 2 non-Western-Avenue routes is blocked (note that a portion of North Gaffey Street and a portion of Harbor Blvd. are in liquefaction zones), Western Avenue may be the only available evacuation route. San Pedro with the Port operations, storage of hazardous materials, and location on earthquake, liquefaction, and methane zones, is for more apt to need to evacuate that any other location in the City of Los Angeles.

Response to Comment No. B125-42

See Response to Comment A15-39.

Comment No. B125-43

The DEIR also misinterprets the Port evacuation plan. Western Avenue may be too far west for evacuating the Port itself, but it is one of the two, and probably the main evacuation route for San Pedro and the adjacent cities particularly in the event of an incident at the Port.

Response to Comment No. B125-43

See Response to Comment A15-39.

Comment No. B125-44

The "entire city of Rancho Palos Verdes, excluding the portion of the City located east of Western Avenue (approximately 98 acres) is classified as a VHFHSZ [Very High Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection]"[83] and in 2009 alone 2000 residents of RPV were forced to evacuate their homes because of wildfires. For the residents of RPV on the west side of Western, Western Avenue is the only evacuation route available to them. It is not credible to assert that Western Avenue north of Summerland would not be an evacuation route for RPV residents.

Anecdotally and based on empirical observation and on comments of emergency responders at Rancho Palos Verdes Council meetings, congestion on Western Avenue at the present time can be a significant interference with emergency responses. It is not unusual to see LA County emergency vehicles going northbound on the south bound side of this divided highway or vice versa due to the extreme level of congestion.

Response to Comment No. B125-44

See Response to Comment A15-41.

Comment No. B125-45

San Pedro has really only three viable evacuation routes. One is North Gaffey Street, which is adjacent to these potential hazardous facilities: Rancho Holdings, the Defense Fuel Supply Center, and the Phillips 66 Refinery. North Gaffey sits on earthquake faults and the potential for a fire is great. In addition, the LAFD (and LAPD) could easily have Gaffey Street blocked due to potential fire and certain damage from an earthquake as they did when there was a power outage near Home Depot.

[83] *Safety Element of the City of RPV General Plan, adopted June 2010.*

The second principal evacuation route is the 110 Freeway. The City has indicated that in an emergency, this might be turned into a southbound access way for emergency vehicles. That leaves Western Avenue as the primary or only avenue of escape for all 83,000 San Pedro residents, not counting all the Rancho Palos Verdes residents who would also need Western Avenue for evacuation. Western Ave. is already clogged during peak hours. It cannot function as an adequate, viable evacuation route.

Response to Comment No. B125-45

See Topical Response 5 and Responses to Comments A15-39 and A15-41.

Comment No. B125-46

The LA City Comptroller Wendy Greuel said in her 2012 report that the Salvation Army and the Red Cross are not prepared to handle an evacuation of the City of Los Angeles. This would particularly apply to an isolated area like San Pedro, surrounded on three sides by water and with very limited egress routes. In a disaster, San Pedro could quickly face serious challenges.

Response to Comment No. B125-46

See Response to Comment A15-43.

Comment No. B125-47

Further, the assertion that "traffic will be controlled in the vicinity of the Project" in the event of a disaster raises a concern that traffic attempting to travel north on Western Avenue and out of San Pedro and Rancho Palos Verdes will be delayed while Ponte Vista security attends to Ponte Vista and makes sure it is evacuated first. This will produce an unacceptable situation and must be addressed in the DEIR.

The jurisdictional boundary problem cannot be an excuse. The project's impact on evacuation routes must be reanalyzed and appropriate mitigations developed.

Response to Comment No. B125-47

See Response to Comment A15-44 and Topical Response 5.

Comment No. B125-48

J. LAND USE & PLANNING

The rezoning request will impair the orderly implementation of Regional Plans, City's General Plan, and two Community Plans. The DEIR fails to evaluate conformance with the ten Urban Design Principles and nine Walkability Checklist items. The gated pattern would physically divide an open, accessible, and established community.

It is not possible to evaluate the environmental impacts of the project because insufficient information has been provided. In many cases, no information has been provided.

The DEIR is legally insufficient and needs to be redone. Alternatively, we encourage the developer to host a planning and design charrette in the community. The objective of the charrette is for all stakeholders to come together and develop a preferred layout that accommodates the developer's desire for more intense development than what is allowed in the current zoning but also meets the community's desire to create an inclusive neighborhood that complies with Community Plans, General Plan, Regional Plans and City's Urban Design and Walkability criteria.

Response to Comment No. B125-48

See Responses to Comments A15-4, A15-6, and A15-45.

Comment No. B125-49

REGIONAL PLANS

Regional Transportation Plan

The Regional Transportation Plan (RTP) provides a long-range vision for regional transportation investments and considers the role of transportation including economic factors, environmental issues and quality-of-life goals.

The DEIR references the 2008 "2012-2035 Regional Transportation Plan (RTP) / Sustainable Community Strategy (SCS)". This is the old version of the Plan. The DEIR should have used the current 2012 RTP/SCS, rather than the 2008 version, especially since the current version is much more thorough in how to address reducing greenhouse gasses.

The Sustainable Community Strategy [SCS] portion is a new element of the RTP that demonstrates the integration of land use, transportation strategies and investments to meet the region's greenhouse gas reduction targets. The key land-use policies include focusing growth in centers and along major transportation corridors around existing and planned transit stops, and creating significant areas of mixed-use development and walkable communities.

Response to Comment No. B125-49

See Response to Comment A15-46.

Comment No. B125-50

The DEIR does not comply with the requirement to address the Regional Plan because it does not address how the proposed subdivision brings together land use and transportation strategy to reduce trips and

resulting greenhouse gasses. It does not even attempt to reduce auto-related greenhouse gasses. Furthermore, the project does not create opportunities for residents to walk to local destinations nor does it promote bicycling. Why isn't bike parking a compliance measure? What if anything will the project do to enhance bicycling on Western Avenue?

Response to Comment No. B125-50

See Responses to Comments A15-46 and A15-47.

Comment No. B125-51

The DEIR fails to address the 2004 Compass Blueprint Growth Vision Report. The Compass Blueprint Growth Vision is a regional consensus to the land use and transportation challenges facing Southern California now and in the coming years. The DEIR is required to address the Blueprint.

The Growth Vision is driven by four principles:

1. Mobility - Getting where we want to go
2. Livability - Creating positive communities
3. Prosperity - Long-term health for the region
4. Sustainability - Promoting efficient use of natural resources

Mobility: The Mobility principle encourages mutually supportive transportation investments and land use decisions. A key strategy is to design complete streets that promote walking, biking, and transit use. There is no discussion at all how the proposed subdivision supports this principle.

Livability: The livability element promotes mixed-use development in "people-scaled" environment. The proposed project includes only residential uses only, and then limits access. The document makes a few conclusory statements on the subject, but they are mere assertions with no facts and no discussion.

Prosperity: The project includes single-family residences, townhomes, and flats. A range of other uses and building types would better promote long-term health of the region. The gated nature of the subdivision signals a disinterest in civic engagement. Mixed use and encouraging civic engagement are very important to future vitality of a community. Also the single-family element is illusory; they are not true single-family homes. They are located on small lots without the yard space that is typical of a San Pedro single-family home.

Sustainability: Efficient buildings within compact, diverse, and connected communities encourage walking, biking and transit use, thus reducing energy consumption, trips and air pollution. The DEIR

> lacks adequate consideration of this requirement. For example, although 75% of energy needs can be addressed with building layout, placement and design, no specific provisions are made to integrate a multi-modal split or to certify the project under LEED-ND.

The proposed gated subdivision utterly fails to meet all four principles of the Compass Plan. The Compass Plan website[84] features many proposed and built development as best practices. None are gated subdivisions.

Response to Comment No. B125-51

See Response to Comment A15-48.

Comment No. B125-52

Los Angeles General Plan

The Los Angeles General Plan and its Land Use Framework provide the basis for land use recommendations in the Community Plans.

The site is located at the southern edge of Wilmington-Harbor City Community Plan Area and just north of the San Pedro Community. Both community plans are more recent than the General Plan. Therefore, the community plan's recommendations are more reflective of the current vision for the site. The Wilmington-Harbor City Community Plan was last updated in 1999. In August 2012, the Planning Department, working with the San Pedro Neighborhood Councils, released a draft update to the San Pedro Community Plan (SPCP). The SPCP Plan has the most current vision of the City and the San Pedro Community.

Response to Comment No. B125-52

See Response to Comment A15-49.

Comment No. B125-53

The proposed project does not meet Objective 4.3 of the General Plan Framework, to conserve scale and character of residential neighborhoods. According to the Planning Department's prior report,

> The Ponte Vista site is…not identified for higher-density residential land uses….is not located within a Neighborhood District, a Community Center, a Regional Center, a Downtown Center or a Mixed-Use Boulevard….the General Plan Framework does identify downtown San Pedro…and the area around the intersection of Avalon Boulevard and Anaheim Street in Wilmington…as the Regional Center and Community Centers for the Harbor area. In addition, these areas are also

[84] *www.compassblueprint.org*

identified for Mixed-Use Boulevards. Denser residential development should be focused at these locations and not at a location such as the Ponte Vista site that has limited access to services, facilities, and public transit. It also has not been identified for targeted growth in the Framework Plan….[85]

Response to Comment No. B125-53

See Response to Comment A15-50.

Comment No. B125-54

As discussed extensively elsewhere in these comments, it also does not meet Objective 3.2 "to provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Response to Comment No. B125-54

See Response to Comment A15-51.

Comment No. B125-55

San Pedro Community Plan (SPCP)

The SPCP states that while Ponte Vista "is located just outside and north of the San Pedro Community Plan Area, this approximately 60-acre site presents an opportunity for an integrated mixed use and mixed density neighborhood. Its size and proximity to San Pedro calls for a development that is physically connected to the San Pedro community and provides public facilities and amenities that serve neighboring residents. "

Land Use Policy 4.5 states, "new development at Ponte Vista should include a mix of uses and densities, a range of housing types, neighborhood services and amenities, compatible with and integrated into the adjacent San Pedro community. Development of the Ponte Vista site should be:

- Designed to provide a mix of housing types for a range of incomes;
- Compatible with a Low Medium density designation;
- Open and accessible to the community, and not developed as a gated community; and

[85] *2009 Department of City Planning Recommendation Report CPC 200608043-GPA-ZA-SP-DA, Ponte Vista Specific Plan, page F-2.*

- Developed with accessible public open space, community facilities and other public amenities."

Response to Comment No. B125-55

See Response to Comment A15-52.

Comment No. B125-56

The NWSPNC commented during the drafting process for the Community Plan Update and at the public hearing that it is inappropriate for the Planning Department to designate the area as Low Medium density in the SPCP Update as to do so would be a commitment to the designation before the environmental work had been completed and approved by the City. Since the final version of the plan has not been released, we do not know if this bullet has been removed. Nonetheless, the proposed project is in conflict with the three other policies.

Response to Comment No. B125-56

See Response to Comment A15-52.

Comment No. B125-57

Housing Types

A housing typology is a sequenced range of building types, whose design has evolved based on time-tested practices. These typically follow social and cultural norms, financial schemes, market preferences, prevailing climate and technological efficiencies. A variety of housing types can accommodate a range of incomes and family types.

The proposed project provides a very narrow range of building types. There are a number of other types and styles that should be considered such as duplex, triplex, quads, bungalow court, live-work, courtyard housing, hybrid court, and commercial flex buildings. See the also discussion of the inadequate analysis of option B and Attachment C that shows some San Pedro Building types.

Great neighborhoods possess both a distinctive public realm and a rich and complex fabric of buildings designed and built on private land. Public places depend on the incremental design of individual buildings around them. The more harmonious the choice of such buildings, the more distinguished the ultimate form of the place. Conversely, the more random the choice of buildings, the more residual the urbanism.

Response to Comment No. B125-57

See Response to Comment A15-54.

Comment No. B125-58

Open and Accessible to the Community:

The proposed gated community is not consistent with the most current vision of the City and the adjacent San Pedro Community for the site. The problem with gated communities is not the gates but the vicious cycle of attracting like-minded residents who seek shelter from outsiders and whose physical seclusion then worsens paranoia against outsiders and threatens the unity of the community. A homogenous environment diminishes awareness of all that is different and lessens concern for the two communities beyond the subdivision walls.

Response to Comment No. B125-58

See Responses to Comments A15-52 and A15-55.

Comment No. B125-59

Open Space and Public Amenities:

Among the key residential neighborhood issues and opportunity areas of the SPCP is "preserving small neighborhood-serving amenities within residential areas **[**which] serves the larger goal of reducing vehicle trips by making walking or bicycling more viable options for simple conveniences. The proposed plan fails to include any neighborhood-serving amenities.[86]

Response to Comment No. B125-59

See Responses to Comments A15-52 and A15-56.

Comment No. B125-60

As a valuable community resource, open space on this 61.5-acre site can provide visual delight and recreational opportunities while providing ecological and economic benefits. A range of open spaces close by encourages people to spend more time outside engaging in physical activity, such as walking, that reduces the risk of obesity, diabetes, heart and mental illness, while increasing social connection and a sense of community.

All of the alternatives lack a public park. Some residual parcels are called out as open space for the residents of the subdivision. This is a monumental missed opportunity for the Wilmington-Harbor and Northwest San Pedro Communities, but an even greater loss for the future residents of this subdivision.

[86] *Draft San Pedro Community Plan, August 2012, page 37.*

Open spaces must be carefully integrated with block, street, building and frontage standards to work in consort to create a unique place. Open spaces should include a diverse range of integrated public spaces at the block, neighborhood, and community level. The individual building types should also specify private open spaces at the lot and building level. This approach will allow residents access to a range of public and private open spaces.

Response to Comment No. B125-60

See Responses to Comments A15-52 and A15-57.

Comment No. B125-61

Additional Plan Considerations

The NWSPNC requested that the following four bullets be added to the discussion of the development of the Ponte Vista site in the SPCP:

- Promote home-based offices
- Encourage senior friendly facilities.
- Encourage on site businesses such as a coffee shop or convenience store.
- Through the mitigation process, this development or any single development should not be allowed to use up all of the development potential for the surrounding community.

The proposed project does not address any of these.

Response to Comment No. B125-61

See Responses to Comments A15-52 and A15-58.

Comment No. B125-62

While not specific to the Ponte Vista site, the SPCP states the "The need for affordable senior housing and assisted living facilities is a key concern due to demographic and economic trends and projections. In San Pedro, such facilities would increase the opportunities for those 'empty nest seniors' looking to downsize from large single-family homes while remaining within the community and the reach of supportive social, cultural and family networks."[87] The lack of any senior housing in this project would be a significant missed opportunity.

Response to Comment No. B125-62

See Responses to Comments A15-52 and A15-59.

[87] *Draft San Pedro Community Plan, August 2012, page 37.*

Comment No. B125-63

Wilmington-Harbor City Community Plan (WHCCP)

The proposed project does not meet the fundamental premises of the WHCCP. The first premise is limiting residential densities in various neighborhoods to the prevailing density of development in these neighborhoods. Although the six acres immediately adjacent to the South is multi-family, this is an anomaly. This property was zoned commercial with the expectation that it would be used in such a manner. Unfortunately, the same code allowed the multi-family structures to be erected in a manner that is not compatible with the surrounding community. The surrounding neighborhoods are single family R-1, with the exception of the Gardens that is 13.5 net dwelling units per acre. In fact, according to a recent study, 80% of the land along the Western Avenue corridor (Summerland to Palos Verdes Drive North) is dedicated to single-family residential lots.[88]

Response to Comment No. B125-63

See Responses to Comments A15-16, A15-17, and A15-60.

Comment No. B125-64

Furthermore, the WHCCP (1-54) designates specific areas for Low median density and this is not one of them. Instead the plan (IV – 3.8) policy is to "encourage reuse of the existing US Navy housing areas … in a manner that will provide needed housing …without adversely impacting the surrounding area." Clearly the plan did not consider this property suitable for multi-family housing.

Response to Comment No. B125-64

See Response to Comment A15-61.

Comment No. B125-65

The second and third premises are

> …the monitoring of population growth and infrastructure improvements through the City's Annual Report on Growth and Infrastructure with a report of the City Planning Commission every five years…following Plan adoption…. If this monitoring finds that population in the Plan area is occurring faster than projected, and that infrastructure resource capacities are threatened, particularly critical resources such as water and sewerage; and that there is not a clear commitment to at least begin the necessary improvements within twelve months; then building controls should be put into effect…until the land use designations…and corresponding zoning are revised to limit

[88] *Western Avenue Corridor Vision, Preliminary Analysis and Ideas, November 14, 2012.*

development.

The Annual Report on Growth and Infrastructure has not been done. The DEIR (I-103) states that the "Projects direct plus induced growth" represents about 91% of the growth forecasted within the WHCCP area, thus this single project will use virtually all of the planned for growth. Considering that there have been other residential developments in the 14 years since the WHCCP was developed, building controls should be put into place until such a study is conducted.

Response to Comment No. B125-65

See Response to Comment A15-62.

Comment No. B125-66

The proposal is not consistent with Objective 1-2 "To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities" and Policy 1-2.1 "Locate higher residential densities near commercial centers and major bus routes where public-service facilities, utilities, and topography will accommodate this development." As was pointed out in a prior Planning Department's Report:

> The Ponte Vista site is not located within reasonable walking distance to a transit station, a transit corridor, or a high-activity center. The closest commercial services are located along the east side of Western Avenue, just south of the Project site (approximately 500-feet south). However, walking or transit is generally not a viable option to access these services since they are laid out in a linear fashion within strip malls or plaza shopping centers, with large parking lots in between the sidewalk and the buildings.[89]

It is also not consistent with the new vision for Western Avenue that calls for wider sidewalks, transit, and human scaled environment that would encourage walking. As the largest new development along Western Avenue, Ponte Vista has an opportunity to set the tone for others to follow as they redevelop their properties.

Response to Comment No. B125-66

See Response to Comment A15-63.

Comment No. B125-67

The proposal is not consistent with Land Use Policy 1-1.5 to "Maintain at least 67% of residential land uses for single family." The DEIR (IV.M-24) Cumulative residential projects in the City shows 2,195

[89] *Department of City Planning Recommendation Report CPC 200608043-GPA-ZA-SP-DA, Ponte Vista Specific Plan, page F-3.*

new residential units of which only 84 (3.8%) are shown as single-family. Approval of this project would exacerbate that imbalance.

Response to Comment No. B125-67

See Response to Comment A15-64.

Comment No. B125-68

Furthermore, the proposal is not consistent with Policy 1.5.2 to promote housing in mixed-use projects in transit corridors and pedestrian oriented areas. The WHCCP only identifies one such area, Anaheim and Avalon. As discussed in our comments under transportation, Western Avenue in this area is neither a transit corridor nor a pedestrian oriented area. In fact the project is isolated and will require the use of a car for virtually any need. See also the discussion of the lack of public transportation under Traffic and Transportation.

Response to Comment No. B125-68

See Response to Comment A15-65.

Comment No. B125-69

The proposed project does not meet Objective 8-2 and policy 8-2.1 of the WHCCP which seeks "to increase the community's and the Police Department's ability to minimize crime and provide security for all residents, buildings, sites, and open spaces" and to "support and encourage community-based crime prevention efforts (such as Neighborhood Watch), through regular interaction and coordination with existing community-based policing, foot and bicycle patrols, watch programs, and regular communication with neighborhood and civic organizations."

The proposed gated environment would likely breed fear, erode social stability and shrink the notion of civic engagement by encouraging residents to retreat from civic responsibility. It creates an unsafe environment both inside and outside the gates.[90] The appropriate response to reduce crime, poverty and other social problems, as recommended by the WHCCP, is for the neighborhoods to work together. The best way to bring security to the streets is to make them delightful places that people want to walk in. The streets become, in effect, self-policing. Fences and gates exacerbate the problem.

Response to Comment No. B125-69

See Response to Comment A15-66.

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[90] *Blakely, E.J., and M.G. Snyder. (1998). "Separate places: Crime and security in gated communities." In: M. Felson and R.B. Peiser (eds.), Reducing crime through real estate development and management, pp. 53-70. Washington, D.C.: Urban Land Institute.*

Comment No. B125-70

Chapter IV of the WHCCP identifies recommended actions. For residential housing, number 11 is to "encourage the development of housing types intended to meet the special needs of senior citizens and the physically challenged." Failure to do so in the proposed project is a real missed opportunity.

Response to Comment No. B125-70

See Responses to Comments A15-59 and A15-67.

Comment No. B125-71

LA MUNICIPAL ZONING CODE

The current R-1 zoning is a combination of R-1 and open space. According to the DEIR, this zoning would permit about 385 units. Alternate C for 830 units would more than double that development intensity, and Alternate D would triple the intensity. This increased intensity would increase demands on existing community facilities such as schools, libraries, parks and recreational amenities. In an uncharitable and perverse logic, future residents of this subdivision would be able to use all San Pedro facilities but San Pedro residents would not be allowed access to parks and recreational amenities located inside the gated community.

It is not clear what the trigger is for increased intensity at this location. The zoning conditions, cost of site acquisition, and removal of existing structures are pre-existing conditions. These are not appropriate factors or justifications for increased development intensity. This is especially true for the cost of site acquisition; the fact that the applicant bank loaned the original buyer far more than the property is worth, is not an appropriate justification for failure to consider Alternative B. According to the DEIR Alternate B houses would have to sell for more than $1,000,000.

No support whatever is provided for this claim. However, using the January 2010 "Residential Building Costs" published by the State of California Board of Equalization[91] the cost of building good quality single family houses is far less than claimed by the applicant. The 216-page publication provides building cost data for a variety of residential building types, sizes and quality. The costs include entrepreneurial profit and adjustments for location where the units are to be constructed. They do not include discounts for multiple units being constructed at the same time however, which would make the cost even lower.

[91] http://www.boe.ca.gov/proptaxes/pdf/ah531.pdf

By way of example, the cost of constructing 385 good quality single-family houses on 61.5 acres with a land cost of $120 million would be $584,728.31 each, far lower than the unsupported claim of the applicant.[92]

We chose a quality level D8 home of 2000 square feet.[93] There are 10 levels of construction quality, with 10 being highest. The publication includes descriptions of each quality level and photos of each type. From observation, San Pedro would mostly consist of level D6 quality. We used level D8, a much higher quality level. A description of the characteristics of D8 quality, photos of examples of houses of that quality, and the cost of construction are attached as Attachment D. Had we used D6 quality level, the cost per house would be $474,751.31.

Response to Comment No. B125-71

See Response to Comment A15-68.

Comment No. B125-72

Further, the analysis of Alternative B claims there will be no open space even though 15 acres are zoned open space. It also claims that Mary Star will lose road access through the property. These assertions are true only if the City allows that to happen.

Response to Comment No. B125-72

See Topical Response 6.

Comment No. B125-73

URBAN DESIGN PRINCIPLES

In 2009, the City Planning Commission approved Urban Design Principles to provide guidance on how street, block and open space design can create desirable and resilient neighborhoods that instill a sense of community.

The ten Urban Design Principles are:

- Develop inviting and accessible transit areas;
- Reinforce walkability, bikeability, and wellbeing;

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[92] *385 houses at 2000 sf each, = 770,000 s.f. Cost from table $124.11 times 1.10 LA County adjustment = $136.52 psf. Total construction cost 770,000 X $136.52 = $105,120,140. Add: Land cost $120,000,000 = $225, 120,140 total cost land and construction, or $584,728.31 per house.*

[93] *The unattached houses in the Taper area, Mount Shasta area, and around Dodson Middle School are 1350 sf to 2200 s.f. with an average of 1800 sf. We use 2000 sf.*

- Nurture neighborhood character;
- Bridge the past and future;
- Produce great green streets;
- Generate public open space;
- Stimulate sustainability and innovation;
- Improve equity and opportunity for all;
- Emphasize early implementation, simple processes and maintainable long-term solutions; and
- Ensure connections.

The DEIR fails to address or evaluate whether the proposed project complies with these ten Urban Design Principles. They were adopted by the Planning Commission and should be addressed in the DEIR.

Response to Comment No. B125-73

See Response to Comment A15-70.

Comment No. B125-74

WALKABILITY CHECKLIST

Streets make up the lion's share of the public realm. It appears that streets in this subdivision are largely shaped by engineering standards intended to regulate the flow of traffic and infrastructure.

Streets are important civic spaces where the social and communal life of a neighborhood takes place. The street design inspires the context. Mobility is a means, not an end. Streets must be inviting, safe and secure place for walking, biking and transit for people of all ages, income and physical limitations. Less driving, reduces energy consumption and greenhouse emissions. Walking and biking improves overall health of the community.

The proposed site plan shows front-loaded garages with driveways. A front of a home should face another front and conversely the back should face another back. In many instances, the front frontages face the side or back of another home. These basic principles are important because they establish the context for the street and have a direct impact on walkability.

The City's Walkability Checklist is a guide for consistency with the policies contained in the General Plan Framework with respect to urban form and neighborhood design. The purpose of the Walkability

Checklist for Entitlement Review is to guide Planning staff, developers, architects, engineers, and all community members in creating enhanced pedestrian movement, access, comfort, and safety. The Checklist provides guidance on nine topics: public sidewalks, crosswalks, on-street parking, building orientation, on-site parking, landscaping, building facade, lighting and signage.

The DEIR fails to make a finding of conformance with the policies and objectives of the General Plan related to the project's walkability. Walkability conformance is potentially significant due to the exclusive and gated pattern of the proposed development.

Response to Comment No. B125-74

See Response to Comment A15-71.

Comment No. B125-75

L. POPULATION AND HOUSING

PLAN FRAMEWORK ELEMENT

Objectives

The DEIR indicates that one of the relevant objectives is:

> 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers.

The proposed project does not meet this objective. The location of the project is isolated with extremely limited public transit options as discussed in the transportation comments. Residents of the proposed development would either have very long walks (highly unlikely) or drive to everything.

Response to Comment No. B125-75

See Response to Comment A15-72.

Comment No. B125-76

Housing

The DEIR (IV.l-22) states that "The jobs-housing ratio in the City of Los Angeles Subregion – i.e., the numerical ratio of 1.34 jobs to households – was very close to the ratio for the SCAG region as a whole in 2010 (1.37)…and is therefore considered close to "balanced." By adding 490 indirect/induced jobs …the Project would have no impact on the Subregion's 2010 jobs-housing balance…. By 2017 however, the Subregion is forecasted to add households at a faster rate than jobs…such that the Subregion would be

considered "housing right/jobs poor"…. By adding 490 indirect/induced jobs…the Project would have a neutral numerical impact…."

The premise of this description is flawed leading to a false conclusion. The description fails to note that the local job/housing balance that is significantly different than that of the Subregion. According to the draft San Pedro Community Plan, San Pedro has a jobs/housing balance of 0.44. The addition of 1135 households would therefore further reduce the jobs/housing balance in the area. This is a significant negative impact and indicates that the project would be primarily a commuter community. Mitigation measures should include the creation of jobs on site.

Response to Comment No. B125-76

See Responses to Comments A8-15 and A15-73.

Comment No. B125-77

We question the SCAG growth estimates and hence the need for additional housing since the 2010 census actual population numbers are well below SCAG 2005 estimates and projections. The DEIR (IV.L-9) discusses the SCAG Regional Housing Needs Assessment that was developed for the period January 1, 2006 – June 30, 2014. This is an old document. The new version of this document should be used. Furthermore, this old version has been shown to have grossly overestimated the projected growth for Los Angeles in general and San Pedro in particular. For example, the SCAG 20005 population estimate for San Pedro was 82,112; however, according to the 2010 census there are only 76,651 persons in San Pedro, 5,461 fewer. If the 2.5% growth forecast from 2010 through 2017 were applied, this would add 1916 to the population of San Pedro by 2017 still significantly below the 2005 SCAG forecast upon which the housing needs were developed. Consequently it is in error to conclude that the project will not induce substantial population growth in an area by proposing new homes.

Response to Comment No. B125-77

See Responses to Comments A15-9 and A15-74.

Comment No. B125-78

The justification for multi-family housing types is erroneous. The surrounding area is not all multi-story, multi-family housing. About 60% of San Pedro is multi-family; there is a glut of such housing on the market in San Pedro, some of it immediately south of the project. [While some of the condo projects built in the last five years are occupied, they are rental units because the developers cannot sell them]. Single-family housing is the housing type in greatest demand.

Moreover, by building what it proposes, the applicant will undercut and greatly impact the Community Plan for San Pedro that emphasizes the rebuilding and renaissance of downtown San Pedro. The creation

of a livable, walkable downtown area has been challenged by a lack of demand for the condos that have been built there.

Response to Comment No. B125-78

See Response to Comment A15-75.

Comment No. B125-79

M. PUBLIC SERVICES

The City has the obligation and responsibility to provide the necessary services to enhance our quality of life. The City is already being challenged to do so. Ask any tax paying citizen who has had to wait for requested police or fire response or who is witnessing the decay of their neighborhood for lack of tree trimming, street sweeping, street and sidewalk repair, failing schools and the list goes on.

The Ponte Vista DEIR, with its 4,009 direct and indirect residents, seems to base its claim that the impact of the preferred plan would be 'less than significant' and 'less than significant with mitigation' on the fact that no new fire or police facilities would be required. The claim is an attempt to make a case for building as large of a project as possible without considering the real consequences it will have on the existing community; it is not just about buildings, it is about impact on the community including the availability of personnel to respond to called for services and to participate in proactive crime and fire prevention measures.

Response to Comment No. B125-79

See Response to Comment A15-76.

Comment No. B125-80

This project is being developed in an existing area that currently requires a comparatively limited number of calls for services, therefore, any increase should be considered significant. The project area is currently zoned for R-1 and open space, which would be the ideal 'fit' for the existing neighborhood community and have a minimum negative impact. This describes Alternate B, which has less of an environmental impact than Alternate C, the preferred Alternate.

Response to Comment No. B125-80

See Response to Comment A15-77.

Comment No. B125-81

Admittedly determining the anticipated impact of this project on the existing community is purely a speculative process generated by infinite unknowns. Calls for service may result from intentional and

accidental human acts and acts of nature, some minor and others more serious or even catastrophic in nature, but all significant to those impacted.

What is clear, however, is that the more people, the more buildings, the more streets, the more cars, etc., the more significant the demand for police, fire, and EMT/ambulance services and the higher the probability of an unacceptable level of service in the Harbor Area. In fact, in a recent editorial the Daily Breeze (December 31, 2012) states "Unacceptably long response times are dogging the Los Angeles Fire Department and must be addressed immediately. It's a matter of life and death, as illustrated earlier this month by the case of a 16-year-old boy who collapsed while playing soccer at Wilmington Middle School." The mitigation proposed in the DEIR relative to first responders is limited to on-site measures. In reality that's all the developer can do because they do not have the power to hire more first responders or purchase needed vehicles.

Response to Comment No. B125-81

See Response to Comment A15-78.

Comment No. B125-82

Parking in streets and parking structures vs. private garages, apartment living vs. single family residences, real park space vs. limited green space, more cars on already overburdened streets are but a few examples of conditions with the potential of having a significant impact on calls for services. The current plan is more conducive to creating a contentious rather than harmonious neighbor.

Response to Comment No. B125-82

See Response to Comment A15-79.

Comment No. B125-83

Another significant fact to consider is that the project is located at the tip of a peninsula and not adjacent to other L.A. City first responders. Needed assistance, in extreme emergencies, may or may not be available from neighboring cities or the County. Help from L.A. City Fire and Police stations are unspecific miles away depending on the availability of their first responders at the closest facility. The Harbor Area is exposed to a much higher level of hazardous sources that could result in devastating consequences and liability issues than any other part of the City. The most volatile and closest to the Ponte Vista site is Rancho LPG. The City can ill afford minimizing and ignoring the vulnerability of Ponte Vista and its 4,009 residents. According to the EPA Guidance to enforce 40 CFR Part 68, if 57,000,000 pounds of butane (roughly one of the refrigerated Rancho tanks) were released, the blast radius would be 3 miles.

Response to Comment No. B125-83

See Topical Responses 4 and 5 and Response to Comment A15-80.

Comment No. B125-84

1. FIRE PROTECTION

The analysis of fire protection and proposed mitigations is inadequate.

The DEIR states that all ***public*** street fire lane cul-de-sacs shall have the curbs painted red or be posted "No Parking Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.

The streets in the project are proposed to be ***private*** streets, so where will the "public" street fire lanes be? This contradiction should be fixed. Where will the guests park? Please state how the no-parking zones and red curbs will be enforced. What if cars are illegally parked in red zones and in private lanes making it impossible for emergency vehicles to get through?

Response to Comment No. B125-84

See Response to Comment A15-81.

Comment No. B125-85

The DEIR section on Fire Protection says that the Project is not within the maximum response distance between residential land uses and a LAFD fire station. The DEIR says that this will be mitigated by sprinkler systems installed throughout all structures to be built as part of the Project. This is taken from LAMC, but requires clarification.

The proposed mitigation states sprinklers will be installed throughout all structures but does not specify if fire sprinklers will be installed inside every residential unit. "The US Fire Administration supports the recently adopted changes to the International Residential code that require residential fire sprinklers in all new residential construction. It is the position of the U.S. Fire Administration that all Americans should be protected from death, injury, and property loss resulting from fire in their residence. All homes should be equipped with both smoke alarms and residential fire sprinklers."[94] Please clarify the DEIR and address implications if sprinklers are not installed in every residential unit.

Response to Comment No. B125-85

See Response to Comment A15-82.

[94] *Source: US Fire Administration, June 2009.*

Comment No. B125-86

The DEIR fails to address the anticipated response times for paramedic/EMS services provided by LAFD. Additionally, Western Avenue is the main access road for ambulances to the Little Company of Mary Hospital in San Pedro and an important access road to Kaiser Permanente Hospital in Harbor City. The DEIR should include mitigations for the longer response time in EMS/paramedic services. In emergency medical situations every second counts! Proposed mitigation might include, but should not be limited to, defibrillators on site. Please address this issue.

Response to Comment No. B125-86

See Topical Response 5 and Responses to Comments A15-78 and A15-83.

Comment No. B125-87

The DEIR correctly states that "The LAFD's ability to provide adequate fire protection and emergency response services…is also determined by the degree to which emergency response vehicles can successfully navigate the given access ways and adjunct circulation system, *which is largely dependent on roadway congestion and intersection level of service (LOS) along the response route."* The DEIR indicates that two of these intersections are currently operating at LOS E or F, and goes on to state that "None of the intersections that provide direct emergency access to the Project Site [Western & Green Hills, Western & john Montgomery] currently operate at LOS E or F during peak community hours." While it may be true that neither of the intersections that provide direct access currently operated at those levels on the day they were studied, the conclusion is misleading. The proposed primary entrance to the facility is at Green Hills Drive and John Montgomery Drive. When San Pedro has one of its legendary (and frequent) lengthy funeral processions (a local custom, or during Christmas shopping season, or when there is an emergency situation or road repair (not an infrequent occurrence), Western Avenue backs up for blocks. It is not unusual to see emergency vehicles trying to go against the traffic on this divided highway. In addition, what good is it if that intersection is open but Western and Palos Verdes Drive North or Western and Capitol, are blocked. The additional traffic from the proposed development will only compound this situation.

Response to Comment No. B125-87

See Topical Response 5 and Responses to Comments A15-78 and A15-84.

Comment No. B125-88

The DEIR should also address how additional residents of the Project would affect availability of EMS services.

Response to Comment No. B125-88

See Response to Comment A15-83.

Comment No. B125-89

Mitigation measure IV.M-9, Project Design Features, discusses the development of an emergency response plan and indicates that during the development of the plan the Project Applicant should consult with neighboring land uses. None of mentioned users includes the residents. Please add the Northwest San Pedro Neighborhood Council, the Harbor City Neighborhood Council, and the City of Rancho Palos Verdes to the list. Please also add a requirement that the emergency response plan should ensure that there would be no adverse impact on the evacuation of surrounding neighborhoods as a result of any evacuation of the project area. There is no guarantee of additional police or firefighters to meet the additional demands.

Additionally, the development of the Emergency Response Plan should be included Table I-I as either a Compliance Measure or a Required Mitigation Measure.

Response to Comment No. B125-89

See Response to Comment A15-86.

Comment No. B125-90

2. POLICE PROTECTION

For purposes of analysis of impact on police services and possible need for additional police officers, it is assumed that the Project would result in a net addition of 4,009 persons to the Harbor Area. Population increase in an area typically increases demand for police services. The applicant however, says that security and design features in the project should help to decrease need for police services. This may or not be true. We suggest that the Project be required to include Anti-Graffiti measures and comply with street lighting guidelines as if the streets were public streets.

Response to Comment No. B125-90

See Responses to Comments A15-77 and A15-87.

Comment No. B125-91

Additionally, the DEIR should examine the impact on police services in the event that the gated nature of the project is not approved.

Response to Comment No. B125-91

See Response to Comment A15-88.

Comment No. B125-92

3. SCHOOLS

There are several problems with the methodology used for the school impact analysis.

The student generation rates used are not consistent with those used by the City in the DEIR for the San Pedro Community Plan Update. That document says the LAUSD student generation rates for multi-family residential units are 0.2042 elementary (K-5), 0.0988 middle school, and 0.0995 high school. According to the Community Plan DEIR the "rates vary slightly with single-family, units, but provide an accurate approximation."[95] The DEIR projects two different student generation rates for Taper, a rate of .1705 per du for single family, and .1141 for the condos and townhomes. The LAUSD generation rates cited in the DEIR for the San Pedro Community Plan update should be used.

Response to Comment No. B125-92

See Response to Comment A15-89.

Comment No. B125-93

Additionally, the students generated by the approved, but not yet built Harbor Highlands development must be included in the analysis for Taper and Dodson.

Response to Comment No. B125-93

See Response to Comment A15-90.

Comment No. B125-94

The school enrollments and capacity should both use the total school capacity and enrollment. The DEIR incorrectly indicates the school enrollments for 2011-12. According to LAUSD's website, the 2011-12 enrollment was 626 at Taper, 1819 at Dodson, and 3335 at Narbonne. More current enrollments show them at 629, 1863, and 3350 respectively. (See Attachment E). According to LAUSD, these enrollment figures include both the regular school students and the magnet school students. Likewise the capacity

[95] *San Pedro Community Plan DEIR p 4.12-31.*

figures used must include both the regular and magnet school capacity. The chart below uses the current student population and capacity data obtained from LAUSD on January 4, 2013.[96]

	Current Students	Ponte Vista[97]	Harbor Highlands	Total	Capacity	Difference
Taper	629	231	27	887	804	83
Dodson	1863	112	13	1988	1892	96
Narbonne	3350	113	0[98]	3463	3531	(68)

As can be seen, if the correct, current figures are used, both Taper and Dodson would be over capacity. This is a significant impact and must be addressed.

Response to Comment No. B125-94

See Response to Comment A15-91.

Comment No. B125-95

Certainly the cumulative impact of school-related traffic is a major and possibly unmitigated consequence of any new development on the property. The reality is that children at all grade levels, particularly the elementary level, DO NOT, for the most part, walk to school anymore. They are almost exclusively driven, resulting in serious traffic tie-ups at both ends of the school day, as well as many unique trips in and out of any development. This is particularly true in San Pedro where a variety of relatives are available to pick up and deliver children to and from school. Mitigations should be proposed to encourage children to walk to Taper and Dodson.

Response to Comment No. B125-95

See Topical Response 2 and Response to Comment A15-92.

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[96] *The Current Students and School Capacity figures were obtained from Bruce Takeguma, Director, LAUSD, School Management Services (213) 241-3344.*

[97] *For Ponte Vista and Harbor Highlands the student generation rate from the San Pedro Community Plan was used.*

[98] *Although Harbor Highlands will generate 13 students, they would go to San Pedro High School, not Narbonne and therefore are not counted here.*

Comment No. B125-96

Developer fees from SB 50 would be approximately $900,000. We understand that State law concludes that the contribution meets all CEQA requirements. However, the adequacy of the contribution to provide increased need for facilities does not address the impacts on traffic and the need to protect children on the way to and from school. It would seem useful to use at least a portion of those monies to improve traffic flow and control around impacted schools, particularly Taper Ave. Elementary.

Response to Comment No. B125-96

See Response to Comment A15-93.

Comment No. B125-97

Additionally, the discussion of the Port of Los Angeles High School should be revised to indicate that the school currently has a waiting list and that admission is by lottery.

The list of high school magnet programs should be revised to include the Teacher Prep Academy located on the campus of Harbor College and Trinity Lutheran should be added to the list of Private Schools.

Response to Comment No. B125-97

See Response to Comment A15-94.

Comment No. B125-98

4. PARKS and RECREATION

The City's Public Recreation Plan calls for 10 acres of land per 1,000 persons and provides that "A minimum of 10 percent of the total land area should be in public recreation or open space. It also says that Neighborhood Parks should be provided at a minimum of two acres per 1,000 residents and be five to 10 acres in size with a service radius of approximately one-half mile." Based on this standard, a project with an estimated population of 2,923 should contain at least a 6-acre Neighborhood Park. The Recreation Plan indicates Neighborhood Recreation Sites typically include facilities for active sports such as softball, basketball, soccer, and volleyball.[99]

Currently 15 acres of the property is zoned open land (parks and recreation). It seems logical that park space (active and/or passive) should be a top priority. The DEIR is based on a project description that includes a 2.8-acre public park that even if it were built would be inadequate. Subsequent to the initial description, the applicant deleted all public park space from the proposed project.

[99] *See Los Angeles public Recreation Plan page 2 for a complete list.*

Response to Comment No. B125-98

See Response to Comment A15-95.

Comment No. B125-99

The applicant claims impacts related to parks and recreational facilities would be less than significant, as the two swimming pools on the property and what can only be described as mini-parks or "parklettes" scattered around the property will fulfill the project's residents' needs for recreation space. While these amenities are commendable, they do not constitute a Neighborhood park and do not satisfy the requirements of the City's Public Recreation Plan. The theory in the DEIR seems to be that residents will not use external truly public facilities, with the result there will be so little additional usage of public parks that impact will be insignificant. Where will the youth play basketball, football, tennis, and soccer?

The lack of adequate park space is a significant impact. It is insufficient to say that the project will pay the required Quimby fees. Quimby fees do not provide land for parks and there is no land available for purchase within the half-mile service radius.

Response to Comment No. B125-99

See Response to Comment A15-96.

Comment No. B125-100

This development team, as did the team before, predicates its plan on a truly mystifying lack of interaction between the development and the world surrounding it. No traffic, no impact on schools, no pressure on recreational facilities—no need for any improvement to infrastructure beyond the bare minimum that might be expected of a strip mall or a 6-8 home development, on a square footage basis.

The assertion that "there is no existing park area at the Project site" is at best misleading and should be deleted. Currently 15 acres of the site are zoned for open space.

Response to Comment No. B125-100

See Response to Comment A15-97.

Comment No. B125-101

5. LIBRARIES

The DEIR is not accurate in its assertion that the current San Pedro library, at 20,000 square feet, is adequate size for the population served, and should be adequate to meet the needs of the increased population added by the development. This claim is in conflict with the DEIR for the San Pedro Community Plan that states "The available public library services in the San Pedro CPA, in terms of

library space and permanent volume collection, are *currently inadequate* to meet existing demands from the community's residents based on state library standards…. of 0.5 square feet per person. "[100] The State of California Library standard requires 0.5 sq ft of library space per resident. For the existing population of 76,651 residents (2010 census data), library space available should 38,325 square feet, nearly double the existing space. Since the project would add nearly 3,000 additional residents, and it would require at least 1500 square feet of additional space.

Response to Comment No. B125-101

See Response to Comment A15-98.

Comment No. B125-102

The DEIR further asserts that the LAPL is "currently planning to build a new West San Pedro neighborhood library in the future." While it is true that LAPL has identified a need for a library in West San Pedro, it is misleading to say that they are "currently planning." The Community Plan for San Pedro recommends a new 14,500 square foot "West San Pedro" branch library, however, this would only bring library space in San Pedro to 34,500 square feet, still not meeting State of California library standards for the population of San Pedro. The San Pedro Community Plan acknowledges that no location for a "West San Pedro" library has been proposed or selected, there is no plan for selecting a site, and there is no current nor anticipated funding for building said library. The fact that one is proposed is further indication of the need for additional library services, a need that will be aggravated by the proposed project. It will have a significant impact on library services and this impact must be mitigated.

Response to Comment No. B125-102

See Response to Comment A15-99.

Comment No. B125-103

The Ponte Vista project has an opportunity to mitigate this defect by incorporating a public library into the project. The library should be at least 20,000 square feet to meet State requirements. The San Pedro Community Plan recommends integrating libraries into multi-use buildings. For reference consider the Milwaukee Public Library is moving ahead with development of two multi-use buildings including libraries: one is a proposed 16,000 square foot library topped with 92 apartments (plus parking). [101]

The San Pedro Community Plan also suggests that on-line services and virtual libraries with computer workstations that provide access to the library's on-line catalog, extensive information databases, multimedia software for students, and free Internet searching for the public may lessen the adverse

[100] *San Pedro Community Plan DEIR p 4.12-40.*

[101] *See http://urbanmilwaukee.com/2012/02/28/east-library-redevelopment-advances-at-city-plan-commission-renderings/*

impacts resulting from a mismatch between available physical library space and resources and the community's need for library facilities."[102]

Response to Comment No. B125-103

See Topical Response 6 and Response to Comment A15-100.

Comment No. B125-104

N. TRAFFIC

The entire focus of the traffic impact analysis is on measuring the number of cars moving at the intersections. While the movement of autos is important it is not sufficient. As the City has shifted its focus to mobility, so should the analysis in the DEIR. The DEIR fails to address any measured analysis of walking, biking, or transit and ignores other design features that could reduce car-usage such as on-site amenities and provisions for home-offices.

Response to Comment No. B125-104

See Topical Response 2 and Response to Comment A15-101.

Comment No. B125-105

The traffic analysis estimates the impacts on streets and intersections in and around the project. The analysis looks at the ambient growth rate of existing traffic, the traffic contributed by other projects, the traffic contributed by the project itself, and compares this traffic load to existing intersection usage, expressed as the vehicle counts compared to the intersection capacity [V/C ratio]. From this, the analysis determines the "Level of Service" [LOS] in the existing condition and compares it to the LOS if the project is built. For those intersections showing certain increases in the V/C ratio, or a decrease in the LOS, the DEIR proposes mitigation measures designed to lower the impact so that it is not significant.

We have concerns about how the variables were calculated and the accuracy of the LOS results obtained, about the way in which mitigation is determined, and the failure to address how to design the amenities on the site in order to reduce traffic generation. This should be corrected.

Response to Comment No. B125-105

See Topical Response 2 and Response to Comment A15-102.

[102] *San Pedro Community Plan DEIR p 4.12-40.*

Comment No. B125-106

1. IMPROPER CALCULATION OF THE VARIABLES

Improper Use of ITE Traffic Generation Data

The project-generated traffic is underestimated because the applicant used the midpoint data for each housing type while ignoring project characteristics.

The DEIR uses three different ITE housing classifications to predict trip generation. It uses the average trip generation figures for each classification.

ITE figures represent thousands of studies and a wide range of reported trip generation figures. In this case, there is no difference between how often residents of each different type of unit will need to use their vehicle in this project, but the analysis contains no discussion of this. Instead, the DEIR simply uses the mid-point figure. For example, the DEIR indicates that a single-family house will generate 9.57 trips per day while a three-bedroom condominium right next door will generate 5.81 trips per day. This makes no sense when residents of the project will have to drive to every destination, whether to work, school, soccer practice, the gym, church, or the market. The applicant should have selected a trip generation rate in the reported range closer to the single-family rate because the project characteristics are so similar.

Response to Comment No. B125-106

See Topical Response 2 and Response to Comment A15-103.

Comment No. B125-107

Further, each trip generation graph in the ITE Manual includes a wide range of actual trip generation numbers. To select the mid-point is difficult to justify.[103] Had the developer and the City used more appropriate data points within each classification, as they are permitted to do, and admonished to do by ITE itself, the trip-end volume would be 10,862 instead of 7,462. AM peak hour volume would increase from 571 to 851 and PM peak would increase from 669 to 1146. Using these calculations, and using normalized traffic counts, would greatly increase the V/C ratios and lower the LOS ratings at many more intersections among the 56 tested intersections.

Response to Comment No. B125-107

See Responses to Comments A15-103 and A15-104.

[103] *We suggest that perhaps the traffic problems in other areas of the City and increasingly in San Pedro, Wilmington and Harbor City, can be attributed to this practice of using mid-point calculations rather than more realistic data.*

Comment No. B125-108

The V/C Ratios Used as a Baseline Need to be Normalized

The vehicle counts used in the V/C ratios and the LOS calculations are lower than normal due to the impact of the economy on "real" traffic generation rates.

The impact is shown in the DEIR counts in 2010, which are lower than earlier counts taken by the same consultant in 2005 for the prior project, lower than the counts taken for the Target Store analysis in 2006 and lower than many of the counts for the Marymount project on Palos Verdes Drive North in 2011, after the installation of ATSAC/ATCS. For example, the V/C PM ratios for Western and PV Dr. North are

2005	1.025	[Ponte Vista I]
2006	1.078	[Target]
2010	.851	[DEIR, present project]
2011	.872	[Marymount]

This difference is noticeable at many of the intersections common to all four studies.

It is shown in concrete terms, for example, by the reports of the annual TEU[104] counts in the Port of Los Angeles (an indicator of workload for Port workers) that declined from 8.5 million TEU's in 2006 to 6.7 million TEU's in 2009. It is beginning to recover but has not reached pre-recession levels.

Our concern about the use of the October 2010 data at the height of the economic downturn has been discussed with the applicant's representative on several occasions. Normalized data is used in many, many other areas of planning, such as employment data, business valuations, and indeed, environmental tests. It is not possible to properly determine true, likely impacts if baseline data is atypical. That is a recipe for gridlock.

Response to Comment No. B125-108

See Topical Response 2 and Response to Comment A15-105.

Comment No. B125-109

Failure to Include Data from Other Projects

[104] *Twenty Foot Equivalent Units, a measure used to normalize cargo counts since not all containers are the same size.*

CEQA requires a DEIR to include traffic generated by other known projects in the traffic generation estimates. The applicant left out a number of such projects, many of which impact the studied intersections. We listed them earlier in our comments. We repeat them here:

- Southern California International Gateway (SCIG)
- APL Terminal expansion
- Ports O'Call Redevelopment
- Cabrillo Marina Phase II
- USS Iowa
- Los Angeles County Sanitation Districts Clearwater Outfall Project
- Rolling Hills Prep School build out
- VOA Navy Village
- Pacific LA Marine Terminal
- Harbor Highlands Development (under construction)
- City Dock 1
- Port Master Plan update
- San Pedro Community Plan update
- Marymount College Expansion on PV Drive North

Of particular interest is the Community Plan Update, which forecasts an almost 10% population growth for San Pedro not including Ponte Vista in the next 18 years.

Response to Comment No. B125-109

See Response to Comment A15-28.

Comment No. B125-110

The Ambient Growth Rate of 1% is not Supported by any Documentation

Both the DEIR and the Western Avenue Task Force used a 1% growth rate for Western Avenue, but CalTrans engineers opined in those meetings that the growth rate was actually much higher.

Rather than use a number obtained from MTA, as does the DEIR, we suggest that documentation be provided.

Response to Comment No. B125-110

See Response to Comment A15-107.

Comment No. B125-111

Public Transportation is Not Really Available to the Site

The DEIR (I-133) states that there are 14 buses per hour serving the project during the morning peak hour. This is misleading and should be corrected. There are four bus lines that serve the project site, none well.

Metro Bus Line 205 runs from 13th and Gaffey Streets to the Imperial Wilmington Station at Imperial Highway and Wilmington Avenue in the Watts/Willowbrook Area. The frequency varies from every 20 minutes during the am peak hour to 1 hour. This bus goes up Western and connects to the Artesia Transit Station where it is possible to transfer to another bus to go to downtown Los Angeles. Unfortunately it takes approximately 40 minutes just to get to the Artesia Transit Station; there is no incentive for future residents to be so inconvenienced.

Max Line 3 runs from 36th Street and Pacific Ave in San Pedro to LAX Green Line Station and the Airport Courthouse. It operates northbound to El Segundo in the early AM and southbound to San Pedro in the late afternoon. MAX Line 3 does not operate on major holidays or on weekends. It only makes 4 trips in am, the first at 5:36 and the last at 6:44 am and 4 in pm between the hours of 4:46 and 6:15 pm; basically 2 buses/hour. This is a viable option if your work is in El Segundo.

The remaining two lines are operated by RPV and are primarily designed to transport RPV students to RPV schools.

PV Transit Orange Line runs 2 morning buses along Western from Palos Verdes Drive North to First Street then to Palos Verdes Drive East ending at Palos Verdes High School and 3 buses in the afternoon corresponding with school start and stop times. These lines are designed to carry Palos Verdes students to Palos Verdes schools, and as such are really not useful to the residents of Ponte Vista.

PV Transit Green Line is also geared primarily to Palos Verdes schools and the Library. It runs along Western Avenue from First Street to Palos Verdes Drive North then west along Palos Verdes Drive Road ending at Ridgecrest Elementary School.

Response to Comment No. B125-111

See Response to Comment A15-108.

Comment No. B125-112

2. COMMENTS CONCERNING PROPOSED TRAFFIC MITIGATIONS

Some Offered Mitigation is Already Proposed by Marymount

Marymount College is required to implement some of these same by mitigations as part of the approval of its mitigated negative declaration for its project on Palos Verdes Drive North. It is our understanding that if any of the proposed mitigation measures are provided by another source (e.g. Marymount College), prior to being implemented by this Project, an alternate mitigation measure may be required. We request that in the event that should occur, the applicant be required to consult with the Northwest San Pedro Neighborhood Council, the Harbor City Neighborhood Council, and the City of Rancho Palos Verdes on appropriate mitigation measures.

Response to Comment No. B125-112

See Topical Response 2 and Response to Comment A15-109.

Comment No. B125-113

Other Mitigations Transfer the Traffic Burden to Wilmington and Harbor City Residents

Quite a bit of the proposed mitigation is designed to increase the overall capacity at an intersection by addressing other traffic issues and thus could potentially allow longer turn and through signals for the project traffic. In other words, traffic from Harbor City, Palos Verdes and Wilmington will be adjusted, possibly negatively impacted, in order to make more room for Ponte Vista traffic.

Response to Comment No. B125-113

See Response to Comment A15-110.

Comment No. B125-114

The Projected Routing for PM Peak Hour Traffic Does Not Seem to Have a Basis

We realize that predicting access routing is sometimes an art rather than a science. However, given the very long PM backups at the 110 Freeway off-ramps at Sepulveda, Pacific Coast Highway and Anaheim, coupled with the challenge of making a left turn across Western, it seems likely that in the evening, a large percentage of commuters will exit at Channel Street and proceed north on Gaffey to Channel, Capitol, or Westmont and then west to Western to the project entrances. This assumption is given further

credence in that virtually every place a commuter might want to stop on their way home, be it for groceries, dry cleaning, or to pick up a child, is off of either Gaffey or that portion of Western that lies between Channel and Westmont. Further, this commuter traffic will be joined by those residents who are coming home from downtown San Pedro and the San Pedro Waterfront and from Long Beach and points south via the 47. An analysis of all of this traffic should be included.

Response to Comment No. B125-114

See Topical Response 2 and Response to Comment A15-111.

Comment No. B125-115

The Proposed Project Makes No Attempt to Mitigate Project Generated Traffic Through Project Design or Project Amenities

A significant amount of project-generated traffic will be work related traffic. Other components will be taking kids to soccer practice, taking children to school, going to the markets and library, church, etc. Work-related traffic will be especially heavy, and for greater distances then normal, because the project is not really responding to local employment needs.[105] In other words, they are proposing a suburban commuter community.

What is striking about the proposed project, and the DEIR, is that it proposes nothing to mitigate trip generation by providing amenities on-site, such as work centers, library branch, parks, mini-market, better walking access to local schools, etc.

Response to Comment No. B125-115

See Response to Comment A15-112.

Comment No. B125-116

OTHER CONCERNS

The DEIR fails to analyze the impact of increased traffic on Western from the 74 driveways and non-signalized intersections on Western between Summerland and Palos Verdes Drive North. According to a recent study of the Western Avenue Corridor, there are 111 destinations on Western between Summerland and Capital Drive.[106] These grocery stores, post office, dentist offices, coffee shops, banks, etc. are accessed through the driveways. These poorly designed driveways add to the traffic flow

[105] *The DEIR for the San Pedro Community Plan Update established that the jobs per household ratio for San Pedro was 0.44 while the Los Angeles area ratio is 1.35. This means that for the 1135 households in the project, assuming two working adults, 550 will drive to local jobs and 1700 will drive a longer distance.*

[106] *Western Avenue Corridor Vision Preliminary Analysis and Vision, Nov 14, 2012.*

problems. For example, the turn lane into the shopping center nearest the project can only accommodate about 4 cars. After that, cars begin impeding the flow of traffic on Western. This is a very unique condition and an analysis should be conducted of the impact of the traffic generated by the Ponte Vista residents using these driveways.

Response to Comment No. B125-116

See Topical Response 2 and Response to Comment A15-113.

Comment No. B125-117

Additionally, the assertion that 60% of traffic will be going North and 40% south on Western does not seem credible given that virtually all amenities are located to the South.

Response to Comment No. B125-117

See Topical Response 2 and Response to Comment A15-111.

Comment No. B125-118

We are concerned about the impact on traffic flow along Western from installing additional stoplights at Fitness Drive and Peninsula Verde. Consideration should be given to a "pathway" through Ponte Vista as an alternative to a light at Fitness Drive. Additional stoplights on Western may cause more traffic congestion, not less.

Response to Comment No. B125-118

See Response to Comment A15-115.

Comment No. B125-119

Several of the proposed mitigations are subject to approval by other jurisdictions. The DEIR should address the impact on traffic if these mitigations are not approved and there should be a procedure in place for developing substitute mitigations.

Response to Comment No. B125-119

See Response to Comment A15-116.

Comment No. B125-120

Consideration should be given to creating a "walking school bus" and a bicycle path from the road at the back of the development thru Mary Star to Taper.

Response to Comment No. B125-120

See Response to Comment A15-117.

Comment No. B125-121

The DEIR failed to study the Harbor Freeway Channel Street Off-Ramp and the 47 Freeway Channel Street On-Ramp at Miraflores. The impact of increased traffic at this intersection must be studied and appropriate mitigations proposed. In addition, the full intersection including Channel and Gaffey must be re-examined. We are suspicious that the low LOS shown at that intersection was the result of southbound Gaffey traffic backed up at Miraflores and therefore not even entering the Channel and Gaffey intersection. An April 2004 baseline study, for the Port of Los Angeles found this intersection to be at an OS of E during the PM Peak Hour and the Gaffey/Miraflores intersection to be an LOS of F in the AM Peak hour and D in the PM Peak Hour.[107]

Response to Comment No. B125-121

See Response to Comment A15-118.

Comment No. B125-122

The DEIR fails to discuss the impact of the additional traffic on the freeway off-ramps at Pacific Coast Highway and Anaheim and the resulting backup on the 110 freeway.

Response to Comment No. B125-122

See Response to Comment A15-119.

Comment No. B125-123

Mary Star should have vehicular access from both Green Hills Drive and Avenida Aprenda and the internal roads should be connected at the back of the property.

Response to Comment No. B125-123

See Response to Comment A15-120.

Comment No. B125-124

The DEIR does not appear to account for the impact on traffic of the additional time required for the approximately 225 additional middle and high school students pushing the "walk" button to cross

[107] *Port of Los Angeles Baseline Transportation Study, Meyer, Mohaddes Associates. April 2004.*

Western on their way to and from school, assuming that the Dodson students walk to school and the High School students take public transportation. This must be added into the traffic study for that intersection.

Response to Comment No. B125-124

See Response to Comment A15-121.

Comment No. B125-125

It is unclear if the DEIR properly accounts for the fact that most students from the Eastview Area of Rancho Palos Verdes immediately west of Western are not attending Crestwood Elementary, Dodson Junior High, or Narbonne High School. The attendance in the Palos Verdes School District by Eastview residents is rumored to be over 90% of the local students for the area. Most students from Dodson and Crestwood are being bused in; likewise Eastview students are commuting by car and bus via Western Avenue to Dapplegray Elementary, Miraleste JHS, and Palos Verdes High School.

Response to Comment No. B125-125

See Topical Response 2 and Response to Comment A15-122.

Comment No. B125-126

The parking plan for both residents and visitors is unclear and needs to be clarified.

Response to Comment No. B125-126

See Response to Comment A15-123.

Comment No. B125-127

The Proposed Project Consumes All of the Available Infrastructure Space in the Community Plan

What is the point of having a Local Community Plan if it will be impossible to provide for projected development? As a matter of policy, we question whether a single project should be entitled to more than a pro rata amount of available infrastructure usage, in this case roadway space, at the expense of other future development as contemplated in the Wilmington Harbor City Community Plan and the San Pedro Community Plan update.

Response to Comment No. B125-127

See Response to Comment A15-124.

Comment No. B125-128

PUBLIC TRANSPORTATION

The DEIR (I-133) states that there are 14 buses per hour serving the project during the morning peak hour. This is misleading and should be corrected. There are 4 bus lines that serve the project site, none well.

Metro Bus Line 205 runs from 13th and Gaffey Streets to the Imperial Wilmington Station at Imperial Highway and Wilmington Avenue in Watts/Willowbrook Area. The frequency varies from every 20 minutes during the am peak hour to 1 hour. This bus goes up Western and connects to the Artesia Transit Station where it is possible to transfer to another bus to go to downtown Los Angeles. Unfortunately it takes approximately 40 minutes just to get to the Artesia Transit Station; there is no incentive for future residents to be so inconvenienced.

Max Line 3 runs from 36th Street and Pacific Ave in San Pedro to LAX Green Line Station and the Airport Courthouse. It operates northbound to El Segundo in the early AM and southbound to San Pedro in the late afternoon. MAX Line 3 does not operate on major holidays or on weekends. It only makes 4 trips in am, the first at 5:36 and the last at 6:44 am and 4 in pm between the hours of 4:46 and 6:15 pm; basically 2 buses/hour. This is a viable option if your work is in El Segundo.

The remaining two lines are operated by RPV and are primarily designed to transport RPV students to RPV schools.

PV Transit Orange Line – runs 2 buses along Western from PV Drive N. to First then to PV Drive East ending at PV High School in am and 3 in pm timed with school start and stop times. These lines are designed to carry Palos Verdes students to Palos Verdes schools, and as such are really not useful to the residents of Ponte Vista

PV Transit Green Line also primarily geared to PV schools and Library. Runs along Western from First to PV Drive North then west along PV Drive Road ending at Ridgecrest Elementary School.

Response to Comment No. B125-128

See Response to Comment A15-108.

Comment No. B125-129

O. UTILITIES AND SERVICE SYSTEMS

1. WATER

The DEIR states that the project's water usage will have a "less than significant impact with mitigation" on the area's infrastructure and environment (p. VI-142). A brief examination of the document raises serious questions about that conclusion and suggests that it is much too optimistic.

The developer estimates that the 1,135-unit project will use 216 acre-feet per year of water (p. I-135). That translates to 170 gallons per day per unit. However, that figure is far below what experience has shown constitutes actual use. The United States Environmental Protection Agency has found that the average American household uses 400 gallons per day.[108] In Southern California, where residents may be more sensitive about conserving fresh water, the Los Angeles Department of Water and Power (LADWP) reports that the average single-family residence consumes 359 gallons each day[109].

Response to Comment No. B125-129

See Response to Comment A15-126.

Comment No. B125-130

In other words, the developer estimates that Ponte Vista will use less than half the water that the LADWP finds real households actually use. What is more, the DEIR offers little explanation ─ beside mitigation measures such as flush-less urinals in the project's common areas and low-flow showerheads and "green" appliances in the residences (p. IV O-10) ─ for this very significant discrepancy. Yet these measures are already widely employed in the community and should therefore be reflected in the 359-gallon figure the LADWP cites.

Response to Comment No. B125-130

See Responses to Comments A15-126 and A15-127.

Comment No. B125-131

The DEIR does make reference to "purple pipe" – that is, plumbing that will capture and conserve gray water – in the project's units (p. IV O-11). As commendable as this might be, the report goes on to suggest that the infrastructure needed to collect and reuse such water is not in place. Moreover, there is no mention when, if ever, it will be.

Response to Comment No. B125-131

See Response to Comment A15-128.

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[108] *"Water Sense," an EPA Partnership Program at www.epa.gov/WaterSense/WaterUseToday*

[109] *Los Angeles Department of Water and Power, 2010 Urban Water Management Plan [hereinafter referred to as the "UWMP"], p. 43.*

Comment No. B125-132

Raising further doubts about the reliability of the project's water use estimates is the DEIR's estimate that the project will add 205,950 gallons per day to the sewage system. (p. IV O-25). The report offers no explanation why water usage – which includes water used for common area irrigation that would not flow into the sewer lines – would be less than the amounts added to the area's sewer system.

Response to Comment No. B125-132

See Response to Comment A15-129.

Comment No. B125-133

Overshadowing the DEIR's estimates regarding water usage is the fact that the LADWP projects it will encounter more difficulty obtaining fresh water supplies in the future. This is so for several reasons including: 1) population pressures throughout the Southwest, 2) increasing drought conditions in the area, 3) climate change, and 4) legal restrictions on importing water especially from Northern California and the Colorado River. (UWMP, p. ES-1). Under such circumstances, it should be imperative that water providers use considerable caution in estimating their ability to satisfy the area's future water needs. Indeed, in an effort to appear to be meeting increased future demand, the LADWP is already employing the very questionable tact of counting "conservation" as a water source. According to its own estimates, by 2035, 9 percent of the water it supplies to Southern California will be from "conservation." (UWMP, p. 19).

Freshwater is too important a resource to be the subject of guesswork. Under-estimating its usage and over-estimating its availability can have cataclysmic effects upon Southern California. Serious economic dislocation and even health issues for area citizens are just two. Given the discrepancies between the developer's estimated water use and the EPA and LADWP's experience about actual levels of consumption and further questions about the LADWP's ability to supply water in the not-too-distant future, this project's impact on the area's water infrastructure needs to be re-analyzed.

Response to Comment No. B125-133

See Response to Comment A15-130.

Comment No. B125-134

2. WASTEWATER

The project should be mandated to capture and recycle storm water and grey water on-site.

Response to Comment No. B125-134

See Response to Comment A15-131.

Comment No. B125-135

3. ENERGY

Solar or alternate energy such as Bloom Energy Servers should be required. Currently 39% of the City's energy comes from coal. This is being phased out. The City's lease for the Navajo power plant expires in 2019 and the City's contract for a coal generated plant in Utah ends in 2027. DWP has indicated that both plants will be shut down when the leases expire. In order to replace this loss, DWP is counting on, among other things, an increase from the current 20% renewable energy and 1% energy efficiency to 33% renewable energy and 10% energy efficiency.[110] These assumptions may or may not be accurate. Increased use of renewable energy is commendable but also costly to consumers. Existing ratepayers should not have to bear the costs resulting from the increased demand created by this project.

Response to Comment No. B125-135

See Response to Comment A15-132.

Comment No. B125-136

Another impact that should be analyzed is the increased need for cell transmitters. No mention of this is made in the DEIR.

Response to Comment No. B125-136

See Response to Comment A15-133.

Comment No. B125-137

PUBLIC HEALTH IMPACTS

Large-scale developments like Ponte Vista have the potential to cause substantial adverse effects on health of residents, either directly or indirectly. Therefore, the DEIR must discuss "health and safety problems caused by the physical changes"(CEQA Guidelines Section 15126.2). If the analysis identifies significant health impacts, the lead agency must adopt feasible mitigations. Important determinants of public health include the preservation of natural areas, air and water quality, community noise, housing and transportation patterns, access to food resources, public services, and economic well-being.

[110] *LADWP Presentation on Proposed Rates 2012-2014, Mandates and Reliability.*

The DEIR fails to evaluate and disclose potential health impacts resulting from lack of convenient access to daily needs. Proximity to services promotes increased walking and biking, reduced daily vehicle trips and miles traveled, increased possibilities for healthful and meaningful work, and increased interactions among neighbors. Future residents of Ponte Vista should have equal access to health resources. The more key public and retail services a neighborhood has, the greater the chance for residents and workers to walk or bike to access those services, increasing physical activity, social interactions, and "eyes on the street". Research has found the presence of a grocery store in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity. Neighborhoods with diverse and mixed land uses could create proximity between residences, employment, and goods and services, thereby reducing vehicle trips and miles traveled and as a result, reducing air and noise pollution. This is especially pronounced because of the difference between the estimates of project completion, i.e. five years or fifteen years, and the resulting impacts on construction related emissions and impacts.

Response to Comment No. B125-137

See Response to Comment A15-134.

Comment No. B125-138

The DEIR fails to address the following Public Health related questions:

- Does Ponte Vista have all of the key public and retail services that contribute to neighborhood completeness?
- Does the Ponte Vista plan advance neighborhood completeness?
- What mitigations or project design elements would advance neighborhood completeness?

Response to Comment No. B125-138

See Response to Comment A15-135.

Comment No. B125-139

SOCIAL IMPACTS

"In much of the rest of the world, rich people live in gated communities and drink bottled water. That's increasingly the case in Los Angeles where I come from. So that wealthy people in much of the world are insulated from the consequences of their actions."

- Jared Diamond, author, physiologist, evolutionary biologist and bio geographer.

A neighborhood offers the promise of belonging and call for us to recognize our interdependence. To belong is to be welcome, even if we are strangers. The sense of belonging is important because it leads us

from conversations about safety and comfort to our relatedness and willingness to be generous and hospitable. These elements seldom occur in a culture dominated by isolation, and it correlate, fear.

The proposed narrow range of housing types forestalls the socioeconomic robustness that accrues to places with a full spectrum of ages and income. The proposed gated subdivision intentionally restricts access and emphasizes social control and security over other community values, thereby shrinking the public sphere and diminishing collective responsibility for the collective safety of society.

A security gate "can provide a refuge from people who are deviant or unusual… the vigilance necessary to patrol these borders actually heightens residents' anxiety and sense of isolation, rather than making them feel safer," says Setha Low, author of *Behind the Gates, Security, and the Pursuit of Happiness in Fortress America.* The irony is that the residents, particularly kids and seniors that don't drive, become isolated and trapped behind their own gates -- instead of keeping people out, they shut themselves in. The isolation and loneliness is increasingly becoming the cause for mental illness.

Gated subdivisions gained popularity with baby boomers. The demographics have changed. Today, a large cohort of empty nesters and Generation Ys are increasingly opting out of isolated and gated subdivision to belong in an open, walkable and urban neighborhood.

The DEIR fails to discuss the social impacts of a limited access exclusive subdivision.

Response to Comment No. B125-139

See Response to Comment A15-136.

Comment No. B125-140

PROJECT ALTERNATIVES

The DEIR should analyze at least one additional alternative that better addresses the context of the community and environmental impacts of the project. We suggest a mixed-use project alternative that includes access to Mary Star, with true single-family homes on appropriate sized lots, rather than a PUD, work centers, commercial space, senior friendly facilities, a range of public open spaces including a 6-acre public park, and a library extension to meet State Guidelines for library space.

Response to Comment No. B125-140

See Topical Response 6 for a general discussion of the alternative development plan suggested by the comment.

Comment No. B125-141

Additionally, given the poor jobs housing balance, it seems remiss that none of the alternatives included a light industrial park. This is particularly true in light of the fact that the original re-use plan for this property would have resulted in significant job creation.[111]

Response to Comment No. B125-141

See Response to Comment A15-138.

LETTER NO. B126 – NAVE, DIANA

Diana Nave
President
Northwest San Pedro Neighborhood Council
diananave@earthlink.net

Comment No. B126-1

As I mentioned to you today, on behalf of the Northwest San Pedro Neighborhood Council, I would like to request an extension of time to respond to the DEIR for Ponte Vista. Currently the due date for comments is Jan. 9. Our Board Meeting is Jan 14. We need approximately two weeks after that time to discuss and incorporate any issues raised at that meeting. Therefore I am requesting that the time for comments be extended to at least January 28. Please note that this is less than the 90 days we originally asked for.

Thank you for your consideration of this request.

Response to Comment No. B126-1

See Topical Response 1.

LETTER NO. B127 – WELSTEAD, JIM

Jim Welstead
jimwelstead@aol.com

Comment No. B127-1

Just a quick comment on the proposed Ponte Vista Project. First, I wish the comment period was 90 days instead of 60 days, especially since the comment period was over the holiday season. This keeps many

[111] *According to the Draft EIR for the San Pedro Community Plan, the jobs-housing ratio for San Pedro is 0.44 while it is 1.3 for Los Angeles as a whole.*

from sending in their comments because they are busy with not just their everyday lives, but with all the holidays as well.

I believe the project must remain zoned R-1. A development of greater density does not fit the area, and will lower the quality of life for the entire community.

Traffic on Western Ave. is already overcrowded and congested.

It has been proven that the owners of the property can make a profit building an R-1 project.

The land for the project was zoned R-1 when it was purchased and should remain R-1.

Thank you for the opportunity to respond to the Draft EIR.

Response to Comment No. B127-1

With respect to the public review period for the Draft EIR, see Topical Response 1. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B128 – MARSHALL, JOHN

John Marshall
27926 Pontevedra Dr.
Rancho Palos Verdes, CA 90275

Comment No. B128-1

I support Ponte Vista "Alternate B" R-1 zoning. I cannot support any plan that would authorize the building of 800 or 1100 units (Alternates C and D) on the site as long as there is no road from the project east to Gaffey St. I also am against the building of 4 or 5 story buildings along Western Ave. Too much air and noise pollution will be caused by building C or D.

I've lived in my house on Pontevedra Dr. since 1975. I was a member of the 1998-99 San Pedro Re-Use Committee. I know what this is all about.

Response to Comment No. B128-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B129 – HERBERT, RUTH

Ruth Herbert
26824 Via Desmonde
Lomita, CA 90717

Comment No. B129-1

Response to Draft Environmental Impact Report No. ENV-2005-4516 EIR

STATE CLEARINGHOUSE NO. 2010101083

After reviewing the EIR I am still of the opinion that the Ponte Viste Project should remain R-1 zoning.

I attended many meetings last time around and still find this project this project to have to [*sic*] great an increase in traffic on Western Avenue south of Palos Drive North.

We are right around the corner from this project and know how congested it is at the traffic hours. As it is now emergency vehicles, especially, find it very difficult to maneuver on Western at the busy traffic times.

Response to Comment No. B129-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B130 – MENDOZA, IRENE

Irene Mendoza
1290 West 3rd Street
San Pedro, CA 90732

Comment No. B130-1

I am writing this letter in support for the 1135 unit plan for Ponte Vista Housing on Western Avenue in San Pedro, California.

My parents moved to San Pedro in 1942, and my husband and I have lived in our home on 3rd Street in Pedro since 1963. We raised our family in San Pedro and plan to sell our two story home and move to a one level condo or apartment.

We believe Ponte Vista's 1135 plan is the right project for San Pedro which includes single family homes as well as townhouses, condos, and apartments suitable for senior living. We support a gated secure

community with walking trails and swimming pools. It is time to improve the blighted vacant homes on Western Avenue.

I am looking forward to the Planning Commission and City Council approving the 1135 Ponte Vista project which I believe is best for Los Angeles and the Harbor Area.

Response to Comment No. B130-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B131 – MENDOZA, EPHRAIM

Ephraim Mendoza
1290 W. 3rd Street
San Pedro, CA 90732

Comment No. B131-1

I am writing this letter in support of the 1135 unit plan for the Ponte Vista development on Western Avenue in San Pedro, California.

I believe that this is the right project for the vacant land on Western Avenue. I am particularly interested in the senior units which would be the one level units. My wife and I have lived in our two story home in San Pedro since 1963 and are ready to down-size to a one story town house or condo in a secure complex. We support Ponte Vista being a gated community with walking trails and swimming pools.

I am looking forward to the Planning Commission and City Council approving the 1135 project which I feel is the best for los Angeles and the Harbor Area.

Response to Comment No. B131-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B132 – EPPERHART, DOUGLAS

Douglas Epperhart
1206 West 37th Street
San Pedro, CA 90731

Comment No. B132-1

As a resident of San Pedro who would be greatly impacted by this development, particularly with regard to traffic, I offer the following comments.

The proposed project and its smaller alternative do not appear to be a good fit for the community. There are problems with the underlying assumptions and conclusions in the DEIR, mainly relating to traffic, social services, utilities and service systems. The analysis is based on faulty assumptions and so conclusions based on the analysis are also faulty. I am also concerned with the lack of any attempt to address the substantial environmental impacts through project design.

Response to Comment No. B132-1

See Responses to Comments A8-1 and A15-3.

Comment No. B132-2

Among the fundamental deficiencies in the DEIR are the following:

- Contrary to what is presented in the DEIR, the rezoning request will impair the orderly implementation of regional plans, the city's general plan, and two community plans. Additionally it fails to evaluate public health and social impacts and conformance with the 10 urban design principles and walkability checklist.

Response to Comment No. B132-2

See Responses to Comments A15-4, A15-45, A15-70, and A15-71.

Comment No. B132-3

- The DEIR incorrectly identifies the project as conforming with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single-family homes, and instead proposes housing types that will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B132-3

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B132-4

- The proposed project is not a good fit for the location. The gated community and mix of housing types are not appropriate, it is not in a transited [*sic*] oriented area, and its development would not improve the local jobs housing balance.

Response to Comment No. B132-4

See Responses to Comments A15-6 and A15-73.

Comment No. B132-5

- Alternatives B, C, and D ignore the present zoning which includes 15 acres of open space. This is an especially egregious oversight in alternate B because if claims to be a "no project" alternative, i.e. buildable as a matter of right. In fact, units cannot be built on that portion of the property zoned as open space.

Response to Comment No. B132-5

See Response to Comment A15-7 and Topical Response 6.

Comment No. B132-6

- The traffic analysis uses incorrect assumptions about V/C ratios and traffic generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, that is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to consider traffic mitigations such as onsite work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. B132-6

See Responses to Comments A15-8 and A15-110 and Topical Responses 2 and 6.

Comment No. B132-7

- The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. B132-7

See Response to Comment A15-9.

Comment No. B132-8

- The analyses and proposed mitigations for Greenhouse Gas Emissions, Hazardous Materials, Public Services, and Utilities and Service Systems are inadequate and flawed. They must be revised.

Response to Comment No. B132-8

See Response to Comment A15-10.

Comment No. B132-9

- The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. I suggest a project alternative that includes access to Mary Star, true single-family homes rather than a PUD, with work centers, commercial space, a public park that complies with the City Recreation Plan, and a library extension to meet state guidelines for library space.

I also endorse the comments of the RNeighborsAre1 organization.

Thank you for your consideration.

Response to Comment No. B132-9

See Topical Response 6.

LETTER NO. B133 – CANTU, CATHY

Cathy Cantu
cathymonticantu@sbcglobal.net

Comment No. B133-1

We are for the plans to develop the San Pedro Ponte Vista project. Catherine A. Cantu and Frank Sardegna both living in San Pedro. Senior citizens would benefit from this.

Response to Comment No. B133-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B134 – O'DONNELL, BEVERLY AND JIM

Beverly and Jim O'Donnell
jpod6@cox.net

Comment No. B134-1

We live just across Western Ave. from the Ponte Vista property and rely completely on it as our sole vehicular access to the rest of the world. Residents of the proposed development will also be equally reliant on that street, which is the principal artery from the South Bay to all the homes, businesses and schools on the eastern and southern slopes of the Palos Verdes peninsula. Our immediate area is impacted by traffic from school busses, school parents, funeral processions to Green Hills cemetery, and commuters to work and shopping centers.

Because there is so much traffic on Western Ave. now, it is partially blocked for much of the day and clearly could not support the additional vehicular traffic from the project as presently proposed. Unless something is done to increase the capacity of Western Ave., the addition of this development would lead to gridlock.

We strongly oppose any development of the Ponte Vista property which would raise its occupancy above that allowed by the current R-1 zoning. Please restrict the development to single family homes.

Response to Comment No. B134-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. It should be noted that the Draft EIR concludes that all of the Project's significant traffic impacts can be reduced to less than significant levels through implementation of the proposed mitigation measures.

LETTER NO. B135 – YOSHIMOTO, JOY

Joy Yoshimoto
1863 Avenida Aprenda
Rancho Palos Verdes, CA 90275

Comment No. B135-1

My husband and I are residents of Rolling Hills Riviera in RPV. We are asking you to keep the zoning of the Ponte Vista property on Western Avenue zoned R1.

The high density development of the property as proposed by the Developer will impact the area and adjacent areas in so many negative ways. One of the main problems will be the heavy traffic on Western Avenue in the morning and afternoon from Dodson Middle School, the traffic from morning and evening commuters, the traffic faced by emergency vehicles using Western will also delay life-saving time, and the traffic from the cemetery from funerals. With the additional drivers from the proposed development, there will be a log jam and some of the drivers will take a shortcut through our neighborhood to bypass the traffic. This will be horrendous, since in the past Western had some roadwork done and drivers were

speeding through our neighborhood on Avenida Aprenda and Pontevedra. This resulted in accidents on our streets by reckless, impatient drivers. Please consider the safety of the many residents in the area by continuing to support the R1 zoning.

Thank you for your time.

Response to Comment No. B135-1

With respect to school traffic, see Topical Response 2. With respect to emergency vehicle access, see Topical Response 5. With respect to traffic related to funerals at Green Hills, see Response to Comment A15-84. As discussed in the Draft EIR, the Project will be able to reduce each of its significant traffic impacts to a less than significant level through the implementation of the proposed mitigation measures. Thus, the amount of future traffic diversion through adjacent neighborhoods in order to avoid congestion on Western Avenue is presumed to be the same as under existing conditions.

The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B136 – GREENE, DAVID

David Greene
969 W. 25th Street
San Pedro, CA 90731

Comment No. B136-1

My comments concern the hazardous materials stored at Rancho LPG.

The items in bold are paraphrases of statements made in the DEIR.

A potential exists for accidental releases of hazardous materials from the Rancho LPG facility to adversely impact future residents of the Proposed Project. Such accidental releases could theoretically range from on-site spills or releases of stored LPGs (in either vapor or liquid form) to on-site fires caused by the ignition of spills to catastrophic explosions of storage tanks. In addition, a smaller potential exists for risk of upset/accidental release from rail cars and/or trucks used to transport LPGs to and from the Rancho LPG facility along Gaffey Street and the adjacent (eastward) rail corridor.

TABLE B-1
POTENTIAL DISTANCES TO ENDPOINT FOR PIPE RELEASES
(for 1 psi Overpressure)

Pipe Size (inches)	HA (inches^2)	QR (pounds/minute)	Q Total Amount Released after 10 minutes (pounds)	D (Miles)
0.50	0.20	128	1,281	0.1
1	0.79	512	5,125	0.1
2	3.14	2,050	20,499	0.2
3	7.07	4,612	46,122	0.3
4	12.57	8,199	81,995	0.4
6	28.27	18,449	184,488	0.5

EPA Guidance for Propane

6" pipe release Distance to Endpoint after 10 min (0.5mi)

Cornerstone Technologies estimated worst case scenarios of 1.7 miles for a pool fire, 4.0 miles for a vapor cloud explosion, and 6.8 miles for a BLEVE based on conditions that are extremely unlikely to occur.

Yes, the worst case scenarios listed above are extremely unlikely. However, the DEIR does not say they are impossible. Accidents like those have occurred with smaller tanks. They are possible. They have happened.

An hour after winning $126,000 in the Fantasy Five game, Angelo and Maria Gallina won $17 million in SuperLotto Plus. The odds of its happening are 1 in 24 trillion.

Winning two lotteries within an hour is also possible, because it happened, though the odds make it seem impossible. The highly improbable happens every day.

A large magnitude earthquake (up to 7.3 magnitude) is likely once every 400-900 years.

Since 1993, 63-year-old Joan Ginther, has won four big prizes on the Texas Lottery, each time winning more than $1 million for a total of $20.4 million.

It is highly unlikely that the vapor cloud would distribute and ignite before reaching its maximum radius.

Edward Williams won $75,000 in September 2008 playing a scratch off ticket and he won nearly $900,000 the following August when he matched all the numbers in the "Super Kansas Cash" drawing.

There are spark generating electrical equipment on-site. It is near a frequently travelled road and two large stores. Sources of ignition are plentiful. And please refer to the pipe release numbers for the distance to endpoint of even a small pipe.

Weather conditions in the harbor typically generate consistent yet variable wind speeds that would disperse the butane vapor more rapidly to prohibit dense, overpressure conditions upon ignition.

Response to Comment No. B136-1

See Topical Responses 3 and 4 and Responses to Comments A15-36, A15-37, and B50-5.

Comment No. B136-2

Cornerstone Technologies did not consider the presence of on-site passive mitigation at the Rancho LPG facility and the analysis does not incorporate the effects of those safety features.

The on-site passive mitigation is a catch basin. They are using a basin to contain a gas.

Granted the Butane will largely be in liquid form so the basin will channel where the 200 times expanding gas will expand. But all of those places are near ignition points.

Repeatedly throughout the DEIR the risks and scenarios of Rancho LPG critics has been called unrealistic.

However, maintaining that a catch basin can contain a gas with a boiling point of 31 degrees and a 16 psig at 70 degrees is to my mind, unrealistic.

Response to Comment No. B136-2

See Response to Comment B84-5 and Topical Responses 3 and 4.

Comment No. B136-3

A variety of laws and regulations governing the management and control of hazardous substances have been established at the federal level to protect the environment. Applicable regulations and requirements have been followed and no violations were found during two inspections of the facility

Councilman Buscaino held a public hearing with all the regulating agencies for Rancho LPG and it became obvious that the patchwork of regulations cover many aspects of Rancho, but none, really deal with its explosive danger.

The fire department does to some extent, but largely for run of the mill concerns like debris, extinguishers and the like. And only the Clean Air people have any staff.

After that hearing, no reasonable person could, or did, feel that there was adequate regulation.

And there is also the threat of a deliberate attack upon the Rancho LPG facility. Unlike Conoco-Phillips, the foot print of Rancho is small and the tanks are easily accessible.

The easy access to Rancho does make it distinct and more of a risk than Conoco-Phillips.

Response to Comment No. B136-3

See Topical Responses 3 and 4. The comment expresses an opinion regarding the susceptibility of the Rancho LPG facility to deliberate attack, but does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR.

Comment No. B136-4

Based on the worst-case RMP scenario and with the more likely releases having a much smaller radius impact than 0.5 miles, there would be no impact **to the Project Site.**

It might not be estimable, but there would indeed be an impact.

As was demonstrated by the lottery results, and our own life experience, we know that improbable, almost impossible things occur.

I ask that the DEIR reflect that reality.

Further, although the report is limited to the site. The site will be used to house people.

A more likely alternative scenario for release of propane identified by the facility could result in a vapor cloud fire with an impact zone of 0.1 miles.

It would seem to be incumbent upon the developers of the project to acknowledge the risk to those people they plan to sell to as they shop, go to work, go to school, or go walk their dog, that they may do so in an area that encompasses what the DEIR considers more likely scenarios for fires, explosions, injuries, loss of property, and loss of life.

Response to Comment No. B136-4

See Topical Response 3 and Responses to Comments A8-9 and A8-10. The Draft EIR does disclose the risk of upset at the Rancho LPG facility as it pertains to the Project Site (see Section IV.H).

LETTER NO. B137 – DRAY, WINNIFRED

Winnifred Dray
wgmdray@dslextreme.com

Comment No. B137-1

I would like to strongly support Rl Zoning on the land in question and I still oppose this project as proposed in Alternatives A and C.

My home is located 3 blocks from Western Avenue, which I use very often - but at certain hours of the day ONLY - because of the PRESENT traffic congestion I shudder to imagine what havoc the proposed additional number of residents would present.

At present, the residents fear a catastrophe happening when a funeral is taking place at Green Hills. The City Planners must be out of their minds to entertain the thought of changing this zoning designation.

Hopefully, common sense will prevail.

Response to Comment No. B137-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B138 – SIERRA CLUB, PALOS VERDES-SOUTH BAY REGIONAL GROUP

Sierra Club
Palos Verdes - South Bay Group / Angeles Chapter
Alfred Sattler
Chair
PO Box 2464
Palos Verdes Peninsula, CA 90274

Comment No. B138-1

The Sierra Club finds the above-referenced Draft EIR to be seriously flawed and recommends that the DEIR for the Ponte Vista project not be approved.

The Sierra Club is opposed to the removal of the OS-1XL designation for Open Space on the project site.

The Sierra Club is also opposed to any increase in the existing R1-1XL housing density on the project site.

The DEIR purports to be using an environmentally sound principle of concentrating development in urban centers as a justification to significantly increase the zoning density of the Ponte Vista project. While Sierra Club policy does support compact development within appropriate existing urban centers as a planning tool to avoid urban sprawl that paves over natural areas, Sierra Club policy cannot be used to

justify approval of an increase in development density in an area already characterized by highly congested and often grid locked roadways as is the case along the Western Avenue corridor in San Pedro and Rancho Palos Verdes.

Barring the establishment of public transportation options that would be likely to reduce the traffic volume along this corridor, the Sierra Club cannot support an increase in zoning density in this area and therefore opposes the proposed Ponte Vista Project of 1,135 units. For the same reason, the Club opposes Project Alternatives C (830 units) and D (1,135 units).

The Sierra Club also is opposed to Alternative B (385 units) because it would not comply with the existing OS-1XL Open Space designation.

The Conceptual Site Plan for Alternative B shows a stair-stepped diagonal configuration, presumably located on the earthquake setback zone, which is labeled as "open space". This area is not as large as the currently zoned OS-1XL area, nor is it in a location contiguous with the DFSP native habitat area. Therefore the location shown is of far less potential habitat value than the existing zoned area.

Should the applicant wish to relocate the OS-1XL area on the project site, a preferred alternative would be to restore 9.1 acres including the remnant riparian area in the southwest corner of the site.

Response to Comment No. B138-1

The comment asserts that the Draft EIR is flawed but does not present any information to support this statement. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project and the DEIR Alternatives. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B138-2

While the area is not in its natural state and may currently have limited native flora and fauna, it has the potential to be restored with riparian and other native vegetation that may attract the PV blue butterfly and the California Gnatcatcher, particularly given the parcel's proximity to the Defense Fuel Supply Point. The DFSP provides a relatively small patch of habitat for the threatened Palos Verdes blue butterfly, a species rediscovered there in 1994 after it was thought to be extinct. Expanding the butterfly's host plant restoration into the Project area would enhance the potential to grow this species population thereby improving the possibility for long-term success.

Given the project proposal and Alternatives provided, the Sierra Club can only support Alternative A-no development-which offers community and environmental benefits that the Sierra Club does support.

Response to Comment No. B138-2

The Draft EIR analyzed potential impacts to the Palos Verdes blue butterfly and the coastal California gnatcatcher and found that the Project would not result in significant impacts to these federally listed species. Restoration of the site to native habitat for the Palos Verdes blue butterfly and the coastal California gnatcatcher was not an alternative that is required to be analyzed pursuant to CEQA and was therefore not considered in the Draft EIR. As such, any discussion regarding such restoration is purely speculative and beyond the scope of analysis of the Draft EIR since it was determined that the Project would not result in adverse impacts to either species. However, as noted on page IV.D-51 of the Draft EIR, the Project would include a Project Design Feature that would re-vegetate the northerly slope of the Project Site with Coastal Sage Scrub habitat at a minimum of a 2:1 ratio following completion of construction work in the area.

The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project and the DEIR Alternatives. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B139 – ALLMAN, SCOTT

Scott Allman
sra500@hotmail.com

Comment No. B139-1

Here is a list of my comments in regards to the Ponte Vista project:

The zoning should stay R1. It was zoned R1 when San Pedro had less people and it should stay that way. There are two [*sic*] many people in San Pedro as it is now.

The build out should only be for 5 years not for 15 years as iStar has requested. A build out that long will become another eye [*sic*] for the city.

A traffic study was done but there is nothing that says the city will apply funds given to the city by iStar to fix the concerns that will come with building Ponte Vista. The city has not tried to fix the current problems with traffic.

Response to Comment No. B139-1

The comment is incorrect to state that "funds given to the City" may not be applied toward addressing the traffic impacts of the Project. In fact, the Project Applicant would be required to complete installation of the traffic mitigation measures prior to Project occupancy, as per Table IV.N-36 of the Draft EIR. Thus, the roadway network would be made capable of handling Project-generated traffic without significant

impacts prior to the generation of such traffic. With respect to Project buildout, see Response to Comment A15-23.

The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B140 – VERNER, WINNIE

Winnie Verner
2133 Rockinghorse Road
Rancho Palos Verdes, CA 90275

Comment No. B140-1

My family and I as well, as many of our friends and neighbors, are very concerned about iStar Financial's plans and tactics for the Ponte Vista property. Unfortunately, with their release of the EIR report just before the holidays, not affording an adequate time for the public to become informed and respond, reminds us of Bob Bisno and his underhanded techniques.

We remain very concerned about what happens to the property. Ideally, we would love for it to become a recreational site of some sort: a park or a golf course-something open and green.

If that is not possible, then we remain firm in believing that the zoning not be changed, that the property remain zoned R1. The property was purchased as R1 and should remain so. Even keeping the property zoned R1 can't help but have a negative impact on the traffic on Western Avenue.

We live west of Toscanini and Western. There are certain times of the day we cannot turn south onto Western because the traffic is backed up solid to Caddington. Then the traffic is bumper to bumper until past First Street. Adding more cars will only be a disaster!

Response to Comment No. B140-1

With respect to the public review period for the Draft EIR, see Topical Response 1. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B140-2

What about the infrastructure? It is capable of handling added population?

Response to Comment No. B140-2

The Project's impacts on local and regional infrastructure are discussed throughout the Draft EIR, including in Sections IV.I (Hydrology and Water Quality), IV.M (Public Services), IV.N (Transportation and Traffic), and IV.O (Utilities). The Project would construct improvements to local infrastructure needed to adequately serve the site and would, through implementation of the mitigation measures proposed in the Draft EIR, provide improvements to the local roadway network needed to adequately accommodate Project traffic as well as existing and projected future traffic growth.

Comment No. B140-3

What about the Naval Depot? Has enough consideration been given to it and the hazards it imposes?

Response to Comment No. B140-3

The risk presented to the Project by potential incidents at the adjacent DFSP facility is discussed in Section IV.H (Hazards and Hazardous Materials) of the Draft EIR. The possible health consequences resulting from the release of toxic air contaminants from the DFSP are also addressed in this section of the Draft EIR. See also Topical Response 3 and Responses to Comments A11-2 through A11-17 and A13-2 through A13-14.

Comment No. B140-4

What about Mary Star? Is a permanent access in the plans?

Response to Comment No. B140-4

Both the original Proposed Project (1,135 units) and the currently preferred Project Alternative (830 units) would include a permanent access road across the Project Site for Mary Star of the Sea High School. See Section II (Project Description) and Section VI (Alternatives to the Proposed Project) for a description and site plans illustrating the location of this road.

Comment No. B140-5

What about all of the unsold properties just south of Ponte Vista?

Response to Comment No. B140-5

See Response to Comment A8-13.

Comment No. B140-6

Has any consideration been given to the wishes of the citizens of the community? Why hasn't the community been given a chance to comment? Why haven't there been open meetings? Something doesn't "smell right."

Response to Comment No. B140-6

Community input has been solicited during the Draft EIR process, starting with the circulation of the Notice of Preparation and the public EIR scoping meeting in the fall of 2010 and continuing with the 61-day public review and comment period on the Draft EIR. The Project Applicant has independently held many meetings with local citizens' groups, the Neighborhood Council, and local business organizations. Although the statutory review time for the Draft EIR has closed, the public will also have several opportunities to provide comments regarding the Project during the upcoming public hearing process.

LETTER NO. B141 – NORTON, JOHN

John Norton
JWNorton@aol.com

Comment No. B141-1

Are you really serious about wasting our money putting this on the ballot? You might be the only ones voting for it. My family and friends will never vote to raise our taxes or the school's taxes. Imagine, $8,000 for the over 400 schools in the LAUSD. You are you kidding us, right?

Response to Comment No. B141-1

This comment was received during the Draft EIR comment period for the Ponte Vista project but does not appear to pertain to the Proposed Project. Thus, no further response is required.

LETTER NO. B142 – SATTLER, BARBARA AND ALFRED

Barbara and Alfred Sattler

Comment No. B142-1

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the proposed Ponte Vista project. We have noted a number of inadequacies in the DEIR, and thus we request that the DEIR be substantially revised and not approved. Our concerns are as follows:

Impediments to Public Comment

The digital copy of the DEIR (Page I-5) represents an incorrect email address for the submission of comments. If public comments were sent to that address, it is quite possible that they would not have been received in a timely manner, and the submitter might not possibly be aware of a problem until after the submission deadline.

Although we appreciate having a public comment period of 60 days, the scheduling of the public comment period over the winter holidays is unfortunate. That scheduling may have had the effect of minimizing public comment to some extent.

Response to Comment No. B142-1

The comment identifies purported deficiencies of the Draft EIR but does not offer any specific support for the alleged deficiencies. It is understood that this is an introductory comment, however, and that later comments expand upon the issues first referenced herein. With respect to the incorrect e-mail address, the comment is correct that the digital version of the Draft EIR, while displaying the correct e-mail address for comments, actually sent them to the incorrect address. However, the incorrect address belongs to another member of the City Planning Department staff and this e-mail account was checked for any comments applicable to the Ponte Vista project. Thus, all public comments on the Draft EIR were received and have been included in this Final EIR.

With respect to the public comment period for the Draft EIR, see Topical Response 1.

Comment No. B142-2

Inherent Bias in Review Document

The DEIR seems to be biased towards maximizing the number of housing units in order to maximize the Developer's profits regardless of impacts to the surrounding community. Impacts to the neighboring communities, particularly to the Eastview neighborhood in Rancho Palos Verdes, seem to be underplayed or even ignored by the DEIR. One wonders if impacts to Eastview, which is just across the street from the proposed project, are being disregarded primarily because it is outside of the jurisdiction of the city of Los Angeles. Should that be the case, we would like to remind you that impacts to the Eastview neighborhood will also affect each and every family that has a child attending Dodson Middle School. That LAUSD school is located entirely within Eastview.

Response to Comment No. B142-2

As is required under CEQA, the Draft EIR evaluates the Project that has been proposed by the Applicant, along with a reasonable range of alternatives to the Proposed Project. The comment does not provide any evidence to support the assertion that the Draft EIR is biased toward a larger number of housing units. As is discussed in Section IV.J (Land Use and Planning) of the Draft EIR, certain City policies that encourage the provision of housing are generally more consistent with the placement of a greater number of housing units at the Project Site. This is counterbalanced by the fact that a greater number of units will

produce proportionally greater impacts with respect to such issue categories as air quality and traffic than would a smaller number of units at the Project Site.

With respect to the Project's potential to impact the Eastview neighborhood within the City of Rancho Palos Verdes, such impacts are disclosed throughout the Draft EIR. The fact that this area is located outside the City of Los Angeles was not factored into the Draft EIR's analysis of the potential for the Project to adversely impact the neighborhood. For example, impacts to Dodson Middle School are discussed in Section IV.M.3 (Schools) of the Draft EIR and traffic impacts in this area are discussed in Section IV.N (Transportation and Traffic) of the Draft EIR. The comment provides no evidence to support the assertion that potential Project impacts to the Eastview neighborhood have been ignored or glossed over in the Draft EIR. Thus, no further response is required.

Comment No. B142-3

Inadequate Representation of Cumulative Impacts

We were not able to find any mention in the DEIR of the recently constructed condominium development, Seaport Village, which is located south of and directly adjacent to the project site. It is our understanding that because that project has failed to sell many of the new condominium units, they were allowed to convert units to rentals. We do not know whether the development is currently fully occupied.

The DEIR's failure to address this adjacent development is significant because:

1. It demonstrates a lack of market demand for condominiums in the area. The proposed project design ignores that evidence, and instead proposes to further saturate the condominium construction in the area.

2. If the proposed project condominiums also prove to be undersold and are likewise converted to rental units, then the Environmental Review must appropriately analyze that possibility. The DEIR does not address that potential change in usage.

3. If the Seaport Village is not yet fully occupied, the traffic study for the current project cannot be considered valid unless it considers cumulative impacts including the eventual full occupation of that existing development.

Response to Comment No. B142-3

The comment is apparently referring to the Seaport Homes residential project located at 28000 South Western Avenue (south of the Project Site). With respect to the occupancy of this development and its implications for the Project, see Response to Comment A8-13. The Project has proposed a specific number of rental units, which are evaluated in the Draft EIR. The comment provides no support for the assertion that the Project may ultimately increase the number of rental units on-site, thus necessitating analysis in the Draft EIR. CEQA requires that EIRs evaluate the potential impacts of projects as they are

proposed. The Specific Plan for the Project will govern future buildout of the Project and will limit the number of rental and for-sale residential units to the number that is ultimately approved by the City, consistent with the analysis in the EIR.

With respect to the inclusion of the Seaport Homes development in the Project's Traffic Study, the Seaport Homes project was constructed at the time of the traffic counts for the Proposed Project. See Topical Response 2 regarding the traffic count methodology utilized for the Draft EIR. As discussed therein, to the extent that there are any vacancies at Seaport Homes, or in any other residential development in the vicinity, this additional future traffic has been accounted for through application of the ambient traffic growth factor applied to the existing traffic counts in the Traffic Study. Thus, no adjustment to the traffic numbers presented in the Draft EIR is necessary.

Comment No. B142-4

Inadequate Analysis of Traffic Impacts

As non-professionals we find it difficult to interpret the traffic data provided. We do not fully understand what is actually being identified and measured by the studies and whether such measurements are adequate and reliable enough to be used as the sole basis for traffic evaluations. As neighbors however, we are aware of the existing local traffic impacts from Western Avenue and we do not see all of those impacts addressed by the DEIR.

For instance, the DEIR selectively studies a few sample intersections along Western Avenue itself. It does not acknowledge or address the frequent gridlock situations that occur just off of Western on the various feeder streets in the adjacent neighborhoods even though increased traffic on Western will impact adjacent neighborhoods as well.

Response to Comment No. B142-4

The LADOT memorandum in Appendix IV.N-1 of the Draft EIR approves the traffic study and therefore concurs with the mitigation proposed in the Draft EIR for Project impacts. See Topical Response 2 for a discussion of how the study intersections were chosen in accordance with LADOT's *Policies and Procedures Manual* and traffic study methodology consistent with applicable CEQA EIR standards. Per CEQA, the Draft EIR is not required to identify mitigation for existing congestion or roadway deficiencies not related to and/or caused by the Project.

Comment No. B142-5

The DEIR also fails to anticipate spontaneous driver shortcuts during congested situations. One situation we can imagine with the proposed increased focus of traffic to the intersection of Avenida Aprenda and Western Avenue is southbound drivers cutting over to the small neighborhood street parallel to Western Avenue (labeled as Tarrasa Drive in the Thomas Guides and as Western Avenue on Google maps) just before Avenida Aprenda in hopes of a shortcut. This will result in them having to either make a left hand

turn onto Avenida Aprenda to return to the main artery of Western – causing congestion at the intersection of Tarrasa and Avenida Aprenda, or will result in them seeking alternative routes within the neighborhood.

Response to Comment No. B142-5

The comment appears to refer to Intersection No. 18, Western Avenue/Avenida Aprenda-South Project Access. As shown in Table IV.N-21 of the Draft EIR, the Project-related impacts at this intersection will be less than significant. Thus, there is no reasonable expectation that the Project would induce motorists to utilize local streets for shortcuts as speculated in the comment.

Comment No. B142-6

In regard to school traffic, we have noted that the traffic pattern to and from Dodson Middle School seems to shift in location somewhat from year to year. We do not know whether this might be due to scheduling changes, bus routing changes, or parents changing routes in response to congestion patterns. The pattern of change however leads us to wonder how reliable some of the intersection studies might be. Furthermore, the intersection studies seem to only count the number of cars traveling through an intersection at a given time. Do such counts really reveal gridlock situations?

Response to Comment No. B142-6

See Topical Response 2 regarding the traffic counts conducted for the Traffic Study contained in the Draft EIR. The traffic counts were conducted when local schools were in session, and therefore account for any specific traffic patterns related to Dodson Middle School. As discussed in Topical Response 2, the traffic counts are used to determine intersection Levels of Service, which describe the operations at an intersection and, consequently, would reveal any "gridlock" conditions.

Comment No. B142-7

Emergencies

The DEIR acknowledges the receipt of prior concerns regarding traffic impediments in an emergency situation. However the DEIR analysis in this regard is completely inadequate – it offers only a reference to the designation of evacuation routes by the cities of LA and RPV and then glibly concludes that since the section of Western Avenue between Summerland and Palos Verdes Drive North is not identified as an evacuation route by either city, that we residents of the Eastview neighborhood should just stay where we are. Apparently, according to this DEIR, evacuation routes are only for selected areas other than ours. (Remember, our neighborhood includes Dodson Middle School!) It seems that in this regard, the DEIR has actually identified a failure of these combined evacuation plans – but rather than so stating, the DEIR rationalizes those inadequate plans as the complete context for their analysis and does not bother to analyze any further.

Response to Comment No. B142-7

See Topical Response 5 and Responses to Comments A8-11, A15-38, A15-39, and A15-41.

Comment No. B142-8

Extension of Avenida Aprenda east of Western Avenue

The DEIR characterizes the proposed extension of Avenida Aprenda from Western Avenue to Mary Star of the Sea High School as a "benefit to the community." In actuality, such an extension has several problematic aspects.

It is our impression that the intersection of Avenida Aprenda and Western already has a rather high incidence of accidents. Adding another direction of approach to that intersection will likely increase the number of accidents there because of the need for numerous left hand turns from all directions.

Response to Comment No. B142-8

The comment refers to Intersection No. 18, Western Avenue/Avenida Aprenda-South Project Access. As shown in Table IV.N-21 of the Draft EIR, the Project-related impacts at this intersection will be less than significant. As described on page IV.N-47 of the Draft EIR, the Project proposes construct improvements to Western Avenue adjacent to the Project Site, including the installation of left-turn traffic signal phasing at the Western Avenue/Avenida Aprenda intersection (northbound and southbound), which will substantially improve the left-turn operations at the intersection.

Comment No. B142-9

Furthermore, the extension of Avenida Aprenda as proposed would simultaneously focus heavy school commute traffic for both Dodson Middle School and Mary Star of the Sea High School to a single intersection at Avenida Aprenda and Western Avenue. How can that possibly be considered a good idea? Dodson traffic alone is enough to cause gridlock. Add new high school age drivers having to make left hand turns into a congested intersection in the context of drivers frustrated by traffic delays and trying to get to school or work on time and you have a recipe for increased numbers of traffic accidents.

For these reasons, the extension of Avenida Aprenda seems to be a detriment rather than a benefit to the Eastview neighborhood. Such an extension might potentially provide some limited additional east-west ingress/egress. However, usage for such a purpose seems to be restricted to limited school access according to the DEIR.

Response to Comment No. B142-9

See Response to Comment B142-8.

Comment No. B142-10

Underrepresentation of existing traffic backups

The DEIR dismisses concerns about traffic backups from funeral processions to Green Hills Cemetery as "mere minutes." In actuality, these backups occur fairly frequently and the delays are often such that drivers turn off their engines to wait, sometimes for a considerable amount of time. For larger processions when the funeral procession is northbound and thus making a left turn into the cemetery, the southbound traffic backs up almost to Palos Verdes Drive North. This can be a dangerous situation for the last cars in line when additional cars turn onto Western from PV North at speed and because of the hill contour, do not see the backup until the last minute. Of course, traffic also backs up in the northbound direction at the same time, for comparable distances. The DEIR's assertion that these processions generally do not occur at peak commute hours does not mean that the problem is insignificant or that adding additional cars to the mix will not exacerbate the existing problem.

The DEIR also fails to address traffic backups which occur in the adjacent neighborhoods on feeder streets to and from Western Avenue.

Response to Comment No. B142-10

Page IV.N-24 of the Draft EIR discusses how funeral processions do not significantly contribute to the worsening of traffic conditions, so no additional or unique traffic analysis is required. Also, the Draft EIR is not required to analyze or mitigate existing conditions not related to and/or caused by the Proposed Project.

Comment No. B142-11

Additional traffic problems

The DEIR fails to examine potential traffic problems such as that which impacted the Eastview neighborhood several years ago when a huge sinkhole developed on Western Avenue. At that time traffic from Western was diverted into the Eastview neighborhood, particularly to Pontevedra Drive, which is a narrow winding residential street roughly parallel to Western. For several weeks, that small residential street was subject to the entirety of southbound Western Avenue traffic including multi-axle delivery trucks, buses, construction vehicles and commuter autos. We vividly recall the frustration of the Sheriff's Department who were called out after an auto accident during school commute hours at the intersection of Pontevedra Drive and Avenida Aprenda. The neighborhood streets were not designed to accommodate that intensity of traffic. Adding even more vehicles to the mix cannot be characterized as a responsible plan.

Response to Comment No. B142-11

See Topical Response 2 regarding the Traffic Study methodology. It is stated on page IV.N-168 of the Draft EIR that, with implementation of the proposed mitigation measures, the traffic impacts due to the Project are determined to be less than significant. Thus, there is no reasonable expectation that the Project would induce motorists to utilize local streets for shortcuts as speculated in the comment.

Comment No. B142-12

Inadequacy of Mitigation for Traffic Impacts

The traffic mitigation measures offered by the DEIR seem to consist only of a few dedicated turn lanes and the addition of a few signal lights. While these measures might provide some accommodations for cross traffic, they do nothing to address overall traffic congestion or emergency access.

Response to Comment No. B142-12

See Responses to Comments B142-10 and B142-11. With respect to emergency access, see Topical Response 5.

Comment No. B142-13

At the same time, the DEIR fails to consider any possible options for mass transit mitigations to traffic impacts. For example, a mitigation measure could obligate the Developer for the life of the project to pay for doubling the frequency of the Metro #205 bus, which presently runs along Western Avenue.

The DEIR fails to acknowledge that at some point an existing road infrastructure reaches capacity and that it is not reasonable to think that the traffic load can be indefinitely increased to a single artery using that existing infrastructure. Denial of the significance of impacts or band aid mitigation measures do not sufficiently or honestly address the problem.

Response to Comment No. B142-13

The Project's impact to public transit service is discussed in the Draft EIR on pages IV.N-84 and IV.N-85. The Project, under Mitigation Measures TRANS-26, TRANS-27, and TRANS-28, would employ measures to increase transit usage by Project residents and improve transit accessibility to/from the Project Site. However, the suggestion in the comment will be forwarded to the decision-making bodies for review and consideration. See also Response to Comment B142-11.

Comment No. B142-14

Project Density

The DEIR fails to transparently discuss current zoning for the project site in the early discussion of conditions and setting. It is only after delving into Volume 2 of the DEIR that the reader discovers that not only is the majority of the site zoned R-1, but that the northern portion of the site is zoned for Open Space as OS-1XL.

The DEIR seems to be biased in favor of maximizing the number of housing units and of weighing that "value" more strongly than the project's impacts to the quality of life of the surrounding community.

Increased density is not necessarily "smart growth". Without appropriate supporting infrastructure and efficient design that takes the context of the surrounding community into account, density is neither smart nor "green". Transitioning to "smart growth" within the vast sprawl of southern California is quite a challenge. Merely accumulating pockets of great density within the existing infrastructure is not a reasonable methodology for achieving a more efficient and livable urban design.

In order for a densely populated residential area to be added to the project site to be a "smart" design, there would need to be a functional network of alternative travel corridors to serve not only the project, but the surrounding neighborhoods. Such a network of corridors does not currently exist, nor does such a network seem to be locally feasible in the foreseeable future given the constraints of the surrounding properties.

Perhaps if public transportation options were improved considerably the volume of private automobiles could be reduced to a level that would improve traffic flow. However, such a change has not yet occurred, nor is it currently planned. Therefore that scenario cannot be used to justify increased population density at the project site. The existing road infrastructure was designed to serve zoning consistent with the existing R-1 zoning of the project site. Since the road system was built, more and more large projects have been implemented in the area. These cumulative increases in density have resulted in a road system that is already over-burdened and congested. It makes no sense to continue to increase density beyond the infrastructure's designed capacity. Merely adding some turn out lanes and stop lights does not mitigate the congestion and gridlock.

Response to Comment No. B142-14

The Draft EIR discusses the existing zoning of the Project Site in Section II (Project Description), as well as in more detail in Section IV.J (Land Use and Planning). With respect to the asserted bias in the Draft EIR, see Response to Comment B142-2. With respect to the ability of the existing roadway infrastructure to service Project traffic, see Topical Response 2 and Draft EIR Section IV.N (Transportation and Traffic). The remainder of this comment does not challenge the adequacy of the impact analysis of the Draft EIR, but rather expresses an opinion regarding the Proposed Project and "smart growth" planning and development. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B142-15

Impacts to the Character of the surrounding Community

The DEIR understates the impacts of adding multiple additional multi-story buildings to the project site. The fact that some such buildings were recently constructed adjacent to the proposed project site does not make a continued proliferation of buildings of such massive scale acceptable. Whether or not there is a "view" to consider, a blockade of large buildings surrounding the public corridor and facing existing neighborhoods will certainly degrade the feel and character of the surrounding community.

Response to Comment No. B142-15

This comment asserts that the Draft EIR does not adequately assess the visual impacts of the Project but does not outline any specific deficiency in the analysis. The comment expresses an opinion regarding higher density, both at the Project Site and in the area adjacent to it on the south. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B142-16

Developer Profits vs. Community Quality of Life

The Applicant's desire to maximize his financial profits from the project should not be a consideration of the DEIR. The business of the DEIR is to evaluate project impacts to the environment and the surrounding community.

We do not believe the DEIR's argument that under the R-1 designation the Applicant can only build high end homes on the site. That is merely the Applicant's argument designed to maximize profits. We suspect that it would be quite feasible to build moderate-valued homes under the R-1 designation and that such homes would be as desirable for families there as they are in the Eastview neighborhood across the street.

Response to Comment No. B142-16

The degree of profit to the Applicant is not properly a consideration under CEQA and has not been accounted for in the Draft EIR for the Proposed Project. On the other hand, under CEQA, the evaluation of project alternatives in an EIR must be limited to alternatives that are feasible to develop. Economic factors are an important component of determining the feasibility of an alternative to a proposed project and were appropriately factored into the identification of the range of alternatives that was evaluated in the Draft EIR. See also Topical Response 6.

With respect to the estimated sale price of single-family homes if the Project Site were to be developed under the existing R-1 and OS zoning, see Topical Response 6 and Responses to Comments A15-68 and A53-14.

Comment No. B142-17

Greenhouse Gas Emission Reduction and Energy Conservation

The DEIR does not consider the opportunities to reduce emissions of carbon dioxide by installing rooftop solar photovoltaic and rooftop solar hot water heating systems.

The DEIR does not consider opportunities for energy conservation by using LEDs for parking lot lighting, and indeed for interior lighting throughout the project.

Response to Comment No. B142-17

With respect to the required installation of rooftop solar panels and hot water heating systems within the Project, see Responses to Comments A12-1 and A15-30. With respect to requiring the use of LEDs for Project lighting, the Project will comply with all applicable requirements of the City's Green Building Code. Additionally, as a Project Design Feature, the Project would employ fluorescent and high-intensity-discharge (HID) lamps, which give the highest light output per watt of electricity consumed, wherever possible, including all parking lot lighting to reduce electricity consumption. As discussed in Section IV.O.4 (Energy) of the Draft EIR, the Project would not generate significant impacts with respect to energy consumption; thus, no mitigation measures are required. Nonetheless, the comment's suggestions will be forwarded to the decision-making bodies for their consideration.

Comment No. B142-18

Water conservation

The DEIR does not discuss opportunities for water conservation using greywater for landscape irrigation.

Response to Comment No. B142-18

See Responses to Comments A15-128 and B12-6.

Comment No. B142-19

Natural Space and Habitat Issues

The DEIR seems to be trying to conceal the fact that approximately nine acres of the project site is currently zoned as Open Space, OS-1XL. The DEIR does not address the proposed project's lack of compliance with that zoning designation.

There are two areas on the property of potential natural habitat value. One is the northernmost section abutting the DFSP natural area. The second is the remnant riparian area in the southwest corner of the property.

The biological reports included in the Appendices of the DEIR indicate that northern section of the property has good potential for restoration to a natural biological habitat because of its proximity to the DFSP natural area where restoration efforts have been made for the Palos Verdes Blue Butterfly and the California Gnatcatcher. Those biological reports also indicate that although the riparian area has been quite degraded by re-contouring the drainage and lining it with concrete and asphalt, it could be re-vegetated with appropriate native plants and restored to a more naturalistic configuration.

Response to Comment No. B142-19

The comment is incorrect with respect to the Draft EIR's discussion and evaluation of the proposed Zone Change. The Draft EIR discusses the existing Open Space zoning on the Project Site and evaluates the impact of the proposed Zone Change in Sections IV.J (Land Use and Planning) and IV.M.4 (Parks and Recreation).

With respect to natural habitat restoration, as a Project Design Feature, the Project would restore the sloped area along the northern boundary of the Project Site with a variety of native plant and tree species, including Coastal Sage Scrub community species. When re-vegetation of this slope area is completed, the quality and amount of available habitat for such sensitive species as CAGN and PVB would be substantially improved and increased over existing conditions. With respect to the existing drainage channel, the site plan for the Applicant's preferred reduced density Project design (Alternative C in the Draft EIR) would require that the drainage and all associated riparian habitat be removed from the site and converted to an underground storm drainage feature. In order to mitigate this significant Project impact, implementation of Mitigation Measure BIO-4 would be required.

Comment No. B142-20

Even in its currently weedy and degraded state, the open space on the project site is valuable to us as neighbors because it provides an opportunity to be able to look out onto the landscape and visualize what the original natural state of our surroundings might have been. It is interesting to consider how the remnant drainage might have originally connected from George F Canyon above Palos Verdes Drive East extending out to what is now Harbor Lake, and how that might relate to the geological contours of our neighborhood. We enjoy seeing hawks and other common wildlife in the area, although it is disturbing to see the goats which are employed for weed control to keep the weedy vegetation under control on the project property stripping the bark from the native willows while they leave some of the worst weedy grasses untouched.

Certainly from our neighborhood, we would much prefer to see, and to be able to visit a natural area that has been restored to its original native habitat function than yet another blockade of enormous three and four story buildings.

Response to Comment No. B142-20

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B142-21

Concerns Regarding Alternative B

We had hoped that Alternative B would be the best option because it does comply with the currently zoned R-1 density. However the design option for that Alternative as presented in the DEIR is at best only a grudging concession to R-1 limitations with a simplistic grid configuration designed only to maximize the number of dwelling units within the space without any other considerations, including complying with the OS-1XL zoning on the site. The design proffered for Alternative B is so bare bones that it is hard to imagine how it could possibly appeal to the upscale market it is supposedly designed to attract. Instead, it seems to be intended to be unappealing so as to force consideration to the more lucrative densely populated project Alternatives.

We believe that it would be quite possible to design a Project Alternative that meets the population densities capped by the current R-1 zoning and that incorporates the existing OS-1 zoning to include some natural habitat designation. We acknowledge that a more concentrated housing configuration than single family homes might be workable for that site, but the total number of occupants should not exceed the existing R-1 zoning.

A truly optimal design Alternative for the project site would cluster the allowable housing, retain and restore natural habitat on site, and provide additional outdoor recreational amenities to the project. We believe that such a design would be more consistent with "smart" growth and would have more market appeal than any of the Alternatives currently proposed in this DEIR.

Response to Comment No. B142-21

With respect to the evaluation of an alternative that complies with the Project Site's existing zoning, see Topical Response 6. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B142-22

Conclusion

The DEIR for the Ponte Vista project does not adequately consider or mitigate the proposed project's impacts to the surrounding community. Impacts to traffic congestion, and safety and to emergency ingress and egress in the area would be particularly severe and have not been adequately addressed by the DEIR or mitigated by the project plan. The DEIR also fails to adequately address the project's lack of compliance with the current R-1 and OS-1X land use designations.

Response to Comment No. B142-22

The comment asserts numerous deficiencies in the Draft EIR but does not provide any specific examples or support for these assertions. With respect to traffic congestion, see Responses to Comments B142-4 through B142-6. With respect to emergency access, see Response to Comments B142-7. With respect to existing zoning and land use designations, see Response to Comment B142-14.

Comment No. B142-23

Additionally, the inclusion of an incorrect address for the submission of public comments is a serious flaw. A public notice of that error and a substantial extension of public comment time should be provided to address that issue.

Although we appreciate the staff recommendation of the somewhat downsized Alternative C, given the existing context of the site, that Alternative is not downsized enough. Frankly, we find it difficult to even comfortably anticipate the increased impacts of 385 units with Alternative B. We are opposed to Alternative B because of its poor design and failure to adequately comply with the existing Open Space zoning designation.

Therefore we prefer Alternative A, the No Project Alternative, especially if the land were restored to an appropriate native habitat.

Response to Comment No. B142-23

With respect to the inadvertent error in the public comment e-mail address provided in the digital version of the Draft EIR, see Response to Comment B142-1. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project and the alternatives. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B143 – BRADLEY, SANDRA

Sandra Bradley
sbradley@ca.rr.com

Comment No. B143-1

I have lived and worked in San Pedro for over 25 years. I have been involved with and supported the Ponte Vista project since its inception and have seen many design changes and feel that the New Ponte Vista project is the best. I believe the new owners have listened to the community and have taken their ideas and concerns and incorporated them into the new plans.

I have reviewed the project and met with the outreach team and I support either the 830 units or the 1135 units, as both designs are good for San Pedro and they provide a variety of housing models to fit a variety of lifestyles and budgets.

I understand from meeting with the project team, that all the traffic impacts of the project can be fully mitigated with traffic improvements in the area. That's great as I live near Western Ave. and it is my main commuter route. I feel that getting this project completed will turn a not-very attractive part of San Pedro into a beautiful residential complex complete with open, green space.

Thank you for your consideration of my comments.

Response to Comment No. B143-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B144 – VIRAMONTES, RACHEL

Rachel Viramontes
rvira@sbcglobal.net

Comment No. B144-1

My name is Rachel Viramontes and I am in support of the new 1135 plan. I have lived in San Pedro and Rancho Palos Verdes, not far from the site, my entire life.

I have been a longtime supporter of Ponte Vista and feel the 1135 plan is a good compromise. The reason I favor the 1135 and not the 830 is because of today's economic times. Purchase costs would be higher and HOA costs would also be higher because it would be spread out over less units.

I drive through that area to drop off or pick-up my grandson and it is been a long time eyesore for our community. The Ponte Vista plan will also fill the needs for all seniors, singles and families hoping to make changes to meet their changing lifestyles. We need to have a plan that reflects the vitality, needs of our multi-age, single and family community. I believe the anticipated traffic impact can also be fully mitigated with proposed traffic improvements in the area. It will also provide a permanent road to Mary Star of the Sea High School which is much needed and wanted by our community.

I am active in our community and am President of a Senior Club with 400 members. Although there are some who don't like change or do not agree the overwhelming majority agree with this new Ponte Vista plan and are anxious to see it in our lifetime.

Let's build something great and positive for our community, again I support the 1135 plan.

Response to Comment No. B144-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B145 – RIVERA, DAVID

David Rivera
1913 Taper Avenue
San Pedro, CA 90731

Comment No. B145-1

I herby [*sic*] render my comments on the Ponte Vista EIR. It is my opinion that the developer will be creating a huge increase in traffic on Western Avenue by this project. The proposed increase in traffic signals in that area will also cause the slowing of traffic. I support that this former Naval property zoning stay at R-1, that single family homes be built on that property. The condominiums built nearby, have not been able to sell, so the developer was forced to lease or rent, which I feel will also happen with the Ponte Vista project.

As a member of the San Pedro Peninsula Homeowners United, I duly support their "Ponte Vista R-1 Comments." on this project.

Response to Comment No. B145-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B146 – HOUSKE, M.

M Houske
Houske@aol.com

Comment No. B146-1

What is severly lacking on this issue is VISION. Hundreds of studies show that one of the most important things to be created and maintained in developed areas (be they ultra-urbanized or suburban, and no matter the income level), are PARKS.

Looking back, it is easy to see that the land should not have been sold by the government. The land should have been maintained as public parkland. The South Bay once had so much open space, but it has been decimated for decades, through thoughtless planning.

Why not buy back the land and turn it into a park? How much open space IS there in the South Bay? How many parks?! Not enough! Furthermore, people need places to run their dogs, to walk and exercise and play, and to enjoy nature. Who needs more houses? The traffic on Western is frequently to bursting. And "five corners" at Anaheim and PV North is already jammed as well.

Where is it written that we must develop every square inch of open land? Open space is ultimately more valuable to the current So. Bay residents, and increases the property values as well. It is not our intrinsic obligation to create more housing, just because a developer "wants to." It is in the best interest of the public to turn this area into a wonderful park. South Bay's own "Central Park" of sorts.

The BIG VISION would be to create a wildlife bridges over Gaffey, to connect Harbor Park (aka Bixby Slough) to this proposed new park, and then a bridge over Western to connect to Green Hills/Palos Verdes/the ocean's coast. This would create a rare corridor for the little wildlife which is still in the area.

On every level of analysis, if reason prevails, this area should be a park. We have no need for more people, more traffic, and all the surrounding issues. We desparately need more open space.

Response to Comment No. B146-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B147 – DILLARD, JOYCE

Joyce Dillard
PO Box 31377
Los Angeles, CA 90031

Comment No. B147-1

The address for the applicant is not on record with the State of California Secretary of State:

SFI Bridgeview, LLC
P.O. Box 989
San Pedro, California 90733

The address on record is:

1114 Avenue of the Americas 39th Floor
New York, NY 10036

Response to Comment No. B147-1

The comment presents the correct address for the Project Applicant in San Pedro. No further response is required.

Comment No. B147-2

Reports in the document need to be updated to the current approved plans such as, but not limited to:

- SCAQMD RTP Regional Transportation Plan
- SCAQMD RHNA Regional Housing Needs Assessment
- Los Angeles Region Basin Plan for Coastal Watersheds (LA Basin Plan)
- Order R4-2012-0175 for the Final Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach MS4

Response to Comment No. B147-2

The comment asserts that the Draft EIR contains references to outdated planning documents. With respect to the Regional Transportation Plan, see Response to Comment A15-46. With respect to the Regional Housing Needs Assessment, see Response to Comment A15-74. The current version of the Basin Plan for the Los Angeles Region was adopted in 1994 and is evaluated in Section IV.I (Hydrology and Water Quality) of the Draft EIR. With respect to the current MS4 permit, the Draft EIR (on page IV.I-6) notes that the permit is currently in its third term. More recently, this permit has been updated and reissued (in 2012); however, this occurred during the final stages of Draft EIR preparation and after the NOP for the Draft EIR had been circulated. Nonetheless, the Proposed Project must comply with all

applicable requirements contained in the current version of the MS4 permit at the time of Project construction. No revisions to the Draft EIR are therefore required.

Comment No. B147-3

You omit:

- Greater Los Angeles County Integrated Regional Water Management Plan
- Los Angeles County Sediment Plan

Response to Comment No. B147-3

The purpose of the Integrated Regional Water Management Plan is to define a clear vision and direction for the sustainable management of water and land resources in the greater Los Angeles County region over the next twenty years. The Plan, adopted in December 2006, presents basic information regarding possible solutions, the costs and benefits of those solutions, quantified goals and objectives, and a list of projects that can be implemented to achieve the goals. The primary purpose of the Plan is to create a platform for leveraging funding toward improving the water resource management infrastructure within the region. The Plan was not discussed in the Draft EIR for the Proposed Project because it does not contain policies that are applicable to private property and/or private development proposals.

It is unclear what the comment is referring to by the "Los Angeles County Sediment Plan". The comment may be referring instead to the Coastal Regional Sediment Management Plan for the Los Angeles Region, which was adopted in 2012 by the U.S. Army Corps of Engineers. This plan is not applicable to the Proposed Project as it applies to shoreline/littoral areas along the coast and not to inland sites; thus, the Draft EIR did not address it. On the other hand, the comment may be referring to the Los Angeles County Flood Control District's Draft Sediment Management Strategic Plan, which was released for public comment in late 2012 and, to date, has not been formally adopted. The Draft Strategic Plan addresses the District's debris and flood control system and does not address any facilities that could be impacted by the Project; thus, the Draft EIR did not address it.

Comment No. B147-4

You also need to incorporate fault activity with condition of the Circulation System and with Water and possible contamination. The City has failed to update Elements of the General Plan including the Circulation Element.

Response to Comment No. B147-4

It is unclear what is meant by this comment. The comment does not appear to address either the Draft EIR or the Proposed Project. Thus, no further response is required.

Comment No. B147-5

TMDLs Total Daily Maximum Loads have been incorporated in the LA Basin Plan. No mention was made of Watershed Management Program and Watershed Management Areas, now part of the new MS4 Permit. Those Beneficial Uses are:

- Industrial Water Supply (IND)
- Water Contact (REC-1)
- Non-Contact Recreation (REC-2), including aesthetic enjoyment;
- Navigation (NAV)
- Commercial and Sport Fishing (COMM)
- Mariculture [*sic*]; Preservation and Enhancement of Designated Areas of Special Biological Significance (ASBS)
- Rare and Endangered Species (RARE)
- Marine Habitat (MAR)
- Fish Migration (MIGR)
- Fish Spawning (SPWN)
- Shellfish Harvesting (SHELL)

Response to Comment No. B147-5

With respect to the MS4 Permit, see Response to Comment B147-2. The Draft EIR discusses TMDLs and applicable designated Beneficial Uses in the Basin Plan in Section IV.I (Hydrology and Water Quality), specifically at page IV.I-20 and in Table IV.I-5. No further discussion is necessary.

Comment No. B147-6

Mitigation measures need to be in perpetuity with funding identified. Liabilities need to be identified.

Response to Comment No. B147-6

This Final EIR contains the required Mitigation Monitoring and Reporting Plan (MMRP) for the Project (see Section V). The MMRP outlines the parties responsible for implementation/funding and monitoring of each mitigation measure proposed in the EIR for the Proposed Project. The MMRP will be considered

at the forthcoming public hearings at which both approval of the Project and certification of the EIR will also be considered.

Comment No. B147-7

EPA has not approved the State Implementation Plan for the SCAQMD.

Response to Comment No. B147-7

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents a statement concerning the South Coast Air Basin portion of the 2012 State Implementation Plan (SIP). No further response is required.

Comment No. B147-8

You have not incorporated the Port of Los Angeles environmental needs including wetlands restoration and wetlands banking in relationship to this document. How are settlements from prior lawsuits affecting this project.

Other issues such as Migratory Birds and wildlife need addressing and mitigation.

Response to Comment No. B147-8

The comment asserts that the Draft EIR has failed to address wetland restoration and mitigation banking with respect to the Port of Los Angeles, but does not explain how these issues are germane to the Proposed Project. Section IV.D (Biological Resources) of the Draft EIR discusses the presence of jurisdictional waters, including wetlands, on the Project Site and proposes mitigation for the Project's significant impacts to these resources. There is no relationship between the Project Site and the Port of Los Angeles with respect to jurisdictional waters and wetlands, and no settlements from prior lawsuits specifically govern future actions at the Project Site. Potential Project impacts to migratory birds and other wildlife are addressed in Section IV.D of the Draft EIR and no further analysis is required.

LETTER NO. B148 – SHEA, TERRI

Terri Shea
2021 Stonewood Court
San Pedro, CA 90732

Comment No. B148-1

As a 17-year resident of San Pedro I am greatly concerned about the proposed development of Ponte Vista. I have attended the few (and I mean few) public meetings the developer has had for the public and am even more concerned than before.

San Pedro has only two main streets that lead into and out of our small community: Western Avenue and Gaffey Avenue.

The traffic on Western is already congested at rush hour and when school lets out. To add a development of this size will create major problems not to mention safety issues in an emergency.

The number of 1,135 is ridiculous and even a development of 830 homes will add too much traffic and additional residents to our already congested neighborhood.

Please do NOT approve this development until further public input can be obtained. I was disappointed that the developer held so few meetings for the public! I know it is because they know we would be against what they are proposing!

Please maintain some quality of life for those in San Pedro!!

Thank you very much for your consideration in delaying approval of their proposal!!

Response to Comment No. B148-1

With respect to emergency access and response, see Topical Response 5. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B149 – DOMINGUEZ, LUIS AND SUZANNE

Luis and Suzanne Dominguez
845 W. 30th St.
San Pedro, CA 90743

Comment No. B149-1

My name is Louis Dominguez. My wife and I have lived in San Pedro for over 40 years and I have been very active in the community, including chairing the committee that raised the funds to light the Vincent Thomas Bridge.

We support the Ponte Vista DEIR with 1135 homes. San Pedro is in desperate need of affordable housing and this is the first (and probably last) opportunity to obtain some.

We need to improve the attractiveness of San Pedro, especially at its entrances, and Western Ave. is one of the major ingresses.

Please feel free to contact us at 310-547-4145 should you need and further comments.

Response to Comment No. B149-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B150 – MOEN, KATHI

Kathi Moen
kathimia@msn.com

Comment No. B150-1

I support R1 zoning and still oppose this project as proposed in Alternatives A and C. *The Jan 7 deadline is unreasonable, and requiring comments over the holiday season does not allow sufficient time for review and comment.*

Summary of Some Principal Comments

1. The time to respond to the DEIR is too short. It should be extended. Under the circumstances, it is legally insufficient and the additional two weeks given is inadequate given that the holiday seasons were being observed for most of the reply period.

Response to Comment No. B150-1

See Topical Response 1 with respect to the Draft EIR public review period. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B150-2

2. The DEIR focuses almost exclusively on alternate D for 1135 units despite identifying alternate C for 830 units as the preferred alternative, and inadequately analyzes alternate B, for 385 units, despite being identified as having even less environmental impacts.

Response to Comment No. B150-2

See Responses to Comments A8-1 and A15-11.

Comment No. B150-3

4. The DEIR incorrectly identifies the project as being in keeping with the surrounding neighborhoods. In fact, it ignores the shortfall in San Pedro for single family homes, and instead proposes housing types that

will directly compete with unsold housing units immediately south of the project and also in downtown San Pedro in the former CRA project area.

Response to Comment No. B150-3

See Responses to Comments A15-5, A15-60, and A15-75.

Comment No. B150-4

4 generation rates, and proposes mitigations that essentially shift and increase the traffic burdens onto traffic going and coming from Wilmington, Harbor City, and Rancho Palos Verdes, and which is not related to San Pedro in any way. Further, the DEIR and the proposed Alternatives, all of them, fail to consider traffic mitigations such as on-site work centers, increased open space to address recreation trips, and additional library space.

Response to Comment No. B150-4

See Response to Comment A15-8.

Comment No. B150-5

6. The DEIR uses data that differs markedly from data included in the San Pedro Community Plan Update EIR. The two should be consistent.

Response to Comment No. B150-5

See Response to Comment A15-9.

Comment No. B150-6

7. The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. I suggest a project alternative that includes access to Mary Star, true single family homes rather than a PUD (planned unit development), with work centers, open space that complies with City Guidelines, and a library extension to meet State Guidelines for library space.

Response to Comment No. B150-6

See Topical Response 6.

Comment No. B150-7

8. There is also a concern for the increased demands on infrastructure that can it be guaranteed? LADWP already has aging equipment and facilities that needs replacement. This will only exacerbate this

condition in the area. It is hard to know what the extent of the problems will be as the City of Los Angeles has not conducted its mandated assessment of infrastructure for over a decade.

Response to Comment No. B150-7

See Response to Comment A15-7.

Comment No. B150-8

9. Emergency and police services already have a problem negotiating Western Avenue when traffic is heavy. They often can't get through. This will also make this problem worse not only during construction, but after it is built. If the Fire Department response times are inadequate now given budget restraints, how will this help?

Response to Comment No. B150-8

See Topical Response 5.

Comment No. B150-9

10. The fact that noxious fumes are emitted occasionally from the Defense Fuel Supply Point located next to the property is of particular concern as there is no plan to curtail them. That fact was made clear by the federal government when the property was originally sold.

Response to Comment No. B150-9

See Response to Comment A15-9.

Comment No. B150-10

11. The community is now planned to be gated which was an option that was rejected by the Ponte Vista committee set up by former Councilwoman Janice Hahn to review the first plan of 2300 units. Gated communities are exclusionary not inclusionary and despite there being a few built in San Pedro quite a few years ago, they are not in keeping with the nature of most of San Pedro. Who are they trying to keep out anyway?

KEEP THE PROPERTY R-1

Response to Comment No. B150-10

See Responses to Comments A15-55 and B15-10.

LETTER NO. B151 – MORGAN, BRETT

Brett Morgan
28110 S. Montereina Dr.
Rancho Palos Verdes, CA 90275

Comment No. B151-1

I'm writing to state that I am opposed to the very high densities that are proposed and am in favor of option A as set forth in the DEIR, "No Project Alternative/No Development". Instead of development, a purchaser should be sought who will hold the land in trust and preserved as open space. The Trust for Public Land and the Palos Verdes Land Conservancy are two entities who do exactly that.

Response to Comment No. B151-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B151-2

The DEIR identifies "245 vacant residential units" to be demolished. It is not prominently stated that these are each half of a duplex (two are typical per existing lot) which means that about 120 lots are currently proposed for redevelopment. Comparison between the DEIR minimum proposed development (Option B) of 385 single family homes is most accurately compared to the existing 114 lots. Option B proposes three times the number of units that already exist! This is indeed a high density and the even higher densities that are proposed in Options C and D seem even more preposterously high.

Response to Comment No. B151-2

The existing duplex housing units are described in Sections I and III of the Draft EIR. The number of existing structures on-site (122) is disclosed in Section III (Environmental Setting) of the Draft EIR. These are not individual legal parcels, however, as the comment implies. Section VI (Alternatives to the Proposed Project) discusses each of the identified alternatives and discloses that all but Alternative A would increase the number of residential units on the Project Site beyond that which formerly existed when the Naval Housing complex was operational. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B151-3

The proposed project fails to meet minimum safe distance requirements to local fire stations. Simply citing an existing mutual aid agreement between LA County and the City of LA does not provide sufficient mitigation for this safety lapse. Table IV.M-1 lists LA City Fire Stations that could serve the project. The nearest one is said to be only two miles driving distance, but Google maps suggests that the distance exceeds three miles. The nearest LA County fire stations are said to be within a two mile distance, but this also appears to be misleading. While they may be within a two mile radius as the crow flies, they are not within a two mile driving distance. LACFD #83 is located in the Miraleste neighborhood, which Google says is more than 3 miles driving distance away. If these distances are misstated, how many other points of information in the DEIR are also unreliable?

Response to Comment No. B151-3

The Draft EIR discusses the distance from the Project Site to fire and emergency services stations in the vicinity in Table IV.M-1. As noted in the Section IV.M.1 (Fire Protection) of the Draft EIR, because the Project would not be within the LAFD's required response distance of 1.5 miles for residential land uses, the installation of automatic fire sprinkler systems is required pursuant to LAMC Section 57.09.07, and the proposed structures would be equipped with sprinklers. No mitigation for the Project's impacts with respect to fire protection is required because the Project would not generate a significant impact.

The comment raises questions concerning the distances from existing fire stations in the vicinity to the Project Site as they are presented in Table IV.M-1 of the Draft EIR. According to Google Maps, the closest fire station to the site, LAFD Station No. 36 at 1005 North Gaffey Street, is exactly 2.0 miles driving distance from the site via Gaffey Street, Westmont Drive, and Western Avenue and not more than three miles, as stated by the comment.

The comment is correct to state that the distance provided in the Draft EIR for LACFD Station 83 is incorrect; while the station is located within 1.5 miles of the Project Site, this is not the driving distance. The driving distance between LACFD Station 83 and the Project Site is approximately 2.6 miles. Thus, the text of the Draft EIR on page IV.M-2 (bottom paragraph) has been revised as follows (see Section IV, Corrections and Additions to the Draft EIR):

> In addition, backup support for fire protection services in the Project area is provided through an informal mutual aid agreement between the LAFD and the Los Angeles County Fire Department (LACFD). The decision as to which agency responds to a particular emergency in any service area is made on a case-by-case basis, based on the nature and location of the emergency, and the availability of fire protection equipment at the time.[112] There are two LACFD fire stations within ~~a two-mile radius~~ the vicinity (as shown in Figure IV.M-1) of the Project Site: Station 6 located at

[112] *Mutual aid and interagency coordination is discussed on page I-2 of the Safety Element of the City of Los Angeles City General Plan: http://cityplanning.lacity.org/cwd/gnlpln/SaftyElt.pdf*

25517 S. Narbonne Avenue in Lomita (approximately two miles from the Project Site), and Station 83 located at 83 Miraleste Plaza in Rancho Palos Verdes (approximately ~~1.5~~ 2.6 miles driving distance from the Project Site).

Comment No. B151-4

At the highest proposed density levels, the DEIR states that 8,609 residents would be associated with the project. At this highest population density the proposal is for only a 2.8 acre public park and at lower density levels, the proposal threatens that there would be no park at all. The proposed park does not meet city guidelines which are stated in the DEIR: "...neighborhood parks should be provided at a minimum of two acres per 1,000 residents, be five to 10 acres in size, have a service radius of approximately one-half mile, and be pedestrian-accessible without crossing a major arterial street or highway/freeway." Implicit in the portions of the DEIR that I have read thus far is that the general public will not have access to internal open space and trail facilities that are proposed, despite the high value to project residents and to the larger community of well-connected pedestrian trails. Self-contained trails within the proposed development provide little benefit for the community compared to well-connected trails.

Response to Comment No. B151-4

The comment is incorrect with respect to the Project's estimated population, as it is presented in the Draft EIR. As is discussed on page IV.L-25 of the Draft EIR, the Proposed Project (original 1,135-unit plan) would produce a direct population of 2,923 persons at the Project Site, rather than the 8,609 stated by the comment. With respect to the Project's consistency with applicable parkland guidelines, see Responses to Comments A8-17 and A15-95. The general public would have full access to the trail proposed for the perimeter of the Project Site, but would only have pedestrian access to park and recreational facilities within the gated portion of the Project.

LETTER NO. B152 – HOLMES, VIVIAN

Vivian Holmes
26902 Circle Verde Drive
Rancho Palos Verdes, CA 90275

Comment No. B152-1

I live close to the proposed Ponte Vista project. Please keep R1 zoning.

We already have several apartments, a strip mall, and town homes, 2 high schools and college dormitories. Western is hard to drive through--please don't add to the problem. Nothing could make it easier--changing the zoning would make traffic unbearable.

Please keep R1 zoning.

Response to Comment No. B152-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B153 – SAN PEDRO PENINSULA HOMEOWNERS UNITED, INC. (#1)

Chuck Hart
President
San Pedro Peninsula Homeowners United, Inc.
det310@juno.com

Comment No. B153-1

I am the president of the San Pedro Peninsula Homeowners United, Inc. I also serve as a member of the Northwest San Pedro Neighborhood Council Committee that reviewed and formulated the comments regarding the Ponte Vista DEIR.

This is to serve as notice that SPPHU is formally adopting and signing on to the NWSPNC comment letter to the Ponte Vista DEIR.

Response to Comment No. B153-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B154 – CAMPBELL, BRIAN (RANCHO PALOS VERDES CITY COUNCILMAN)

Brian Campbell
Rancho Palos Verdes City Councilman
b.camp@cox.net

Comment No. B154-1

I currently am serving as a city councilman for Rancho Palos Verdes located just adjacent to the proposed Ponte Vista project. I apologize for not getting my comments in prior to the 4 p.m. public deadline today because of my travel schedule and an email problem.

I would like to include my comments in regards to being in agreement with the letter submittal from Ms Gunter regarding the hazards related to the LPG tanks on Gaffey street as well as other interested residents such as the Sattlers and our city of Rancho Palos Verdes own input from our professional staff.

Response to Comment No. B154-1

This comment does not challenge the adequacy of the impact analysis of the Draft EIR. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

LETTER NO. B155 – TERZOLI, PAOLA

Paola Terzoli
27669 Eldena Dr.
Rancho Palos Verdes, CA 90275

Comment No. B155-1

Please keep the development r1. Our community cannot absorb the impact.

Thank you for your time.

Response to Comment No. B155-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B156 – SCHOEN, TIM AND SARA

Tim and Sara Schoen
1927 Valleta Dr.
Rancho Palos Verdes, CA 90275

Comment No. B156-1

I am writing to support alternative A of the DEIR, keeping the Ponte Vista development project zoned R1 or no project. The current proposed 1135 unit project would have severely negative impacts to the environment, congestion and the quality of life in northwest San Pedro and the east view portion of Rancho Palos Verdes. Again, please pursue alternative A of the DEIR.

Response to Comment No. B156-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B157 – ABRAHAMS, DALE

Dale Abrahams
26233 Senator Avenue
Harbor City, CA 90710

Comment No. B157-1

Thank you for the effort that was expended on the DEIR to investigate the impacts that this project may have on the surrounding communities. The conclusions from the studies seem to indicate that the lower the density of housing that is allowed the less impact on the surrounding community. The area currently is zoned R1 and would require either rezoning or some exception based exemption like a CUP to allow for any other type of development as proposed in Alternate C-830 units or D-1,135 units. Alternate B with 385 single family dwellings seems to fit the existing zoning and has the least impact of the surrounding communities. Based solely on impact and the EIR this would seem to be the most logical choice. The preferred (recommended???) alternative (C) with 830 units would require changes to zoning and also require mitigation measures for traffic (intersection improvements) to be implemented. I would like to understand the motivation for the city to approve a plan going forward with either Alternate C or D? Is there a foreseen housing shortage for multi-unit dwellings in the area? Will there be some extra revenues generated for the city that offsets the impacts to the surrounding community? It does not seem that the EIR sufficiently explored the lifecycle impact on the infrastructure of the surrounding area. The degradation of roads from extra usage, the emissions and the utility use is not just a capacity issue but also will shorten the useable life of the existing facilities. And this is assuming the mitigation measures that are installed with the new housing are maintained or improved upon over the life of the development. We already live in a metropolitan area that is heavily developed. Is this the best use for this property?

Single family dwellings promote a sense of ownership and cohesive community that cannot be matched in mixed units.

Thank you for your consideration of the alternative that would best fit the character of the surrounding communities.

Response to Comment No. B157-1

Section VI.D (Environmentally Superior Alternative) of the Draft EIR identifies Alternative C, the 830-unit reduced density site plan, as being the environmentally superior alternative among the development alternatives that were evaluated in the Draft EIR. This alternative has subsequently been formally designated the preferred version of the Project by the Applicant, replacing the 1,135-unit plan that was evaluated as the "Proposed Project" in the Draft EIR. Although, as the comment correctly notes, Alternative B in the Draft EIR (consisting of 385 single-family homes) would result in moderately reduced impacts in comparison to Alternative C across a number of environmental issue categories due to the few number of units to be developed, the Draft EIR (see page VI-147) notes that it would be less

consistent than Alternative C with regional strategies such as the AQMP, RCPG, and *Southern California Compass Growth Vision* in terms of its ability to promote infill growth that seeks to avoid urban sprawl and the impacts to natural resources due to urban sprawl, and to diminish regional congestion, VMT, and attendant air quality impacts. Compared to Alternative C, Alternative B would represent a missed opportunity with respect to the provision of appropriate infill development and a range of housing types and units located proximate to employment centers and transit. In addition, Alternative B would involve the development of homes selling for an average of approximately $1,000,000. Thus, Alternative B would provide housing for only the most affluent segment of the housing market to the extent that demand for such housing even were to exist in 2017 and after. See also Topical Response 6.

With respect to the Project's infrastructure impacts, see Responses to Comments A15-62 and B140-2. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B158 – PAWLAK, BILL AND MARGE

Bill and Marge Pawlak
billnmarge@sbcglobal.net

Comment No. B158-1

With respect to proposed development at Ponte Vista, we urge that the development be kept at R1, as it currently stands.

We live across the street from Ponte Vista. We and our neighbors with whom we discuss the subject are very concerned about the issue, and we are all in favor of maintaining the neighborhood atmosphere that will be lost if the zoning is changed and a multitude of non-R1 structures is introduced, along with the unbearable and throughly unacceptable additional traffic that it would create on Western Avenue and other local streets.

Thank you for your understanding and consideration.

Response to Comment No. B158-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B159 – SAN PEDRO PENINSULA HOMEOWNERS UNITED, INC. (#2)

Chuck Hart
President

San Pedro Peninsula Homeowners United, Inc.
PO Box 6455
San Pedro, CA 90734

Comment No. B159-1

Ponte Vista DEIR Hazardous Materials Comments

On behalf of the San Pedro Peninsula Homeowners United, Inc., I wish to submit comments regarding the Ponte Vista Development Project DEIR. San Pedro Peninsula Homeowners United has been aware of the extreme hazard that the Rancho LPG facility, in particular, represents to our community. More population to this area will only add to the potential for a very catastrophic event because of the extreme volatility of LPG. The impact of the LPG facilities should be considered very significant. The Draft EIR conclusions are based on misleading facts.

In June of 1999, the Tosco Refinery Co., now referred to in the DEIR as ConocoPhillips, published their Butane Risk Management Plan formulated on the EPA regulations then in place. Those regulations required that a worst-case release assume that everything in their refrigerated 5,092,000 gallon tank is released instantaneously, that safety measures were not considered and that the butane complete vaporizes and explodes. Their calculations estimated a potential endpoint impact of 2.3 miles, which is well beyond the distance of the Ponte Vista site.

Response to Comment No. B159-1

See Topical Response 4 and Response to Comment B50-5.

Comment No. B159-2

The Cornerstone Technologies Risk Analysis of Rancho dated September 2010, presents a similar scenario for only one tank or 63,000,000 pounds of butane that would have an impact of 3.2 miles. Again, well past the distance of the Ponte Vista site. The DEIR considers the Cornerstone report as 'unrepresentative' and therefore concludes that there is no impact to the project. How can Rancho only claim a one-half mile worst case endpoint and the Ponte Vista DEIR justify considering the impact of these facilities less than significant? Because the EPA regulatory guidelines for reporting how a worst case release was to be calculated were changed stemming from a lawsuit against the EPA by the American Petroleum Institute. The new regulations allowed safety and passive mitigation measures, such as impound basins to enter the equation and only the amount of butane that would evaporate in 10 minutes had to be calculated into the worst case release scenario. Further, that any release model could be used. Thus, the 10 minute leak from a limited size break used by Rancho rather than a total release. These new EPA regulations were released in 1999 after Tosco Refinery had already published their public relations RMP Butane worst case document.

Response to Comment No. B159-2

See Response to Comments B84-5 and Topical Responses 3 and 4.

Comment No. B159-3

Why does it take a lawsuit or catastrophic event to get the attention of those we elect and have the power to regulate to become more proactive?

In 1972, when the 'Petrolane' LPG facility, now Rancho, was built, it was done without permit and little regulatory oversight. Little was known about the hazardous nature of LPG.

The City acknowledges they allowed this LPG facility to be built without permits.

The City acknowledges that LPG is too hazardous to the shipped through the Port.

The City is aware than Rancho LPG is adjacent to the Palos Verdes Fault and in a rupture zone.

The City is aware that when the tanks were constructed they were not built to withstand the current 7.3 magnitude earthquake, now predicted for the Palos Verdes Fault and that it is considered to be an active fault.

The City is aware of the potential hazard the Rancho LPG represents to the existing community, yet it is considering permitting thousands more potential victims to be exposed to this hazard at Ponte Vista.

The City is aware that the Rancho LPG facility would not be permitted close to a residential neighborhood today.

The City is aware that no matter the degree of probability for disaster, by accident, intentional or natural causes, such an event is possible and the probability factor becomes more likely as time passes and cannot be eliminated as long as the Rancho facility exists.

The City is aware by permitting the Ponte Vista Project, they are a willing partner to the consequences of their decision.

Therefore, it is reasonably prudent for the City to pass a decent Risk Management Ordinance, similar to the law enacted by Contra Costa Co. The hazards that Rancho represents to Ponte Vista and our communities are very real and as a mitigation measure the City should require Rancho to provide an adequate amount of insurance protection for the City and its residents encompassed within the endpoint of an actual worst possible release scenario stemming from an incident at these facilities.

Response to Comment No. B159-3

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

See also Topical Responses 3 and 4.

Comment No. B159-4

As the Lead Agency, the City should also consider a no-project alternative or at least take steps to minimize the number of potential victims by considering an alternative R-1 project with park space.

Response to Comment No. B159-4

See Response to Comment B84-3. The Draft EIR includes Alternative B, a single-family development of the site. See also Topical Response 6.

Comment No. B159-5

The R-l alternative and the hazards from these facilities were not adequately analyzed in the DEIR.

This is important because anyone of the Projects significant unavoidable impacts would require disapproval of the applicants' project unless there are no feasible mitigation measures or alternatives, and specific benefits outweigh the significant impact (Pub. Resources Code 210B1). The California Environmental Quality Act requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects (Pub. Resources Code 21002; *Sierra Club v. Gilroy City Council* (1990) 222 Cal. App. 3d 30,41). The adoption of a less damaging feasible alternative is the equivalent of the adoption of feasible mitigation (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1998) 47 Cal. 3d 376, 403). We note that such mitigation must be adopted by the Lead Agency unless the Lead Agency can demonstrate that the mitigation is truly infeasible (*City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal. 4th 341,368).

Response to Comment No. B159-5

See Response to Comment B84-3 and Topical Response 6.

Comment No. B159-6

Ponte Vista DEIR R-l Comments

On behalf of the San Pedro Peninsula Homeowners United, Inc., I wish to submit comments regarding the Ponte Vista Development project DEIR. San Pedro Peninsula Homeowners United, Inc, remains

overwhelming in favor of supporting a R-1 alternative project for the Ponte Vista site that is consistent with 5,000 square foot lots. We represent more than 1350 R-l property owners as well as residents in The Gardens. Our membership lives within the area bordered by Palos Verdes Drive North, Gaffey Street, Channel Street and Western Avenue.

Although the Proposed Ponte Vista project is currently located within the Wilmington-Harbor Community Plan, it is the San Pedro and Rancho Palos Verdes residents that will be the most impacted by the project. Hundreds of acres of open space and refineries separate the Ponte Vista site from the Harbor City-Wilmington Communities. Traffic issues will be their major concern while San Pedro and RPV will have to deal with all of the consequences. Every day, they will live, breathe and experience the impacts of overdevelopment and poor planning.

It is unfortunate that the Planning Department seems determined to try to meet the goals, objectives and policies of the City's General Plan by considering a project that will overwhelm the areas infrastructure and public services, making the Harbor Area a less desirable place to live. R-l zoning and singular family residences are the soul of our family-oriented San Pedro community. The roots of its citizens run deep, with a proud heritage and spirit to improve their community. Families are born, live and die here. That is why it is important for the City to hear their voice regarding what the Ponte Vista development should become. We are an active family-oriented community used to having family gatherings in our backyards. None of the current plans for Ponte Vista are conducive to a San Pedro lifestyle. Our children are forced from this town and required to move away from their families to find R-1 living.

Currently about 60% of San Pedro is multi-family housing. This is inconsistent with Land-Use Policy 1-1.5 which states 67% of land use should be maintained for single family. The DEIR (IV.M-24) Cumulative residential projects in the City indicates 2,195 new residential units of which only 84 (3.8%) are single family. Approval of this project would exacerbate that imbalance as none would be zoned R-l. 'One size does not fit all' when it comes to community planning. The Ponte Vista community should fit into and improve the existing community and enhance it. The proposed plans for Ponte Vista do exactly the opposite.

Response to Comment No. B159-6

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration. No further response is required.

Comment No. B159-7

The justification for multi-family housing types is erroneous. The surrounding area is not all multi-story, multi-family housing. There is a glut of such housing on the market in San Pedro, some of it immediately south of the project. While some of the condo projects built in the last five years are occupied, they are

rental units because the developers cannot sell them. Single-family housing is the housing type in greatest demand. The potential positive impacts generated by a new R-l development at Ponte Vista will greatly enhance the opportunity for the successful renaissance of the downtown area by attracting people to the area that are willing and able to invest there. The project proposed by the developer will severely undercut the San Pedro community plan which emphasizes the rebuilding of downtown San Pedro.

It is obvious that I-Star has dug itself into a financially difficult situation and understandably is trying desperately to make the most of it. But they bought in knowing the property is zoned R-1. They also knew it would be tempting for the Planning Department to try to solve L.A.'s housing issues on this rare 61 acre opportunity. I-Star's problem should not play a factor in what is approved for Ponte Vista. Neither can Los Angeles housing issues be solved by approving a project that will result in detracting from the existing community and surrounding neighborhoods.

The closest R-l neighborhood to the Ponte Vista site in the City of L.A. is the Rolling Hills Highlands tract which was built in the early 60's. It is separated from the Ponte Vista site by the Mary Star High School Campus and several multi-family projects including the 1,078 unit Gardens town homes, the 62 unit Tennis Court apartments, the 130 unit Casa Verde condos and the 136 unit Seaport Homes Apartments, which originally intended to be sold as Condos.

A modern R-1 development is what this community wants and needs to keep current families together and to attract new families that will support the revitalization of downtown including the Port related improvements to San Pedro. R-l would also have the least impact to our environment and the City's already overburdened infrastructure and public services.

Response to Comment No. B159-7

See Responses to Comments A8-13, A15-75, B74-5, and B84-2.

Comment No. B159-8

Project Alternative:

The DEIR should analyze at least one additional alternative that better addresses the environmental impacts of the project. We suggest a project alternative that includes ingress and egress to Mary Star from Western Avenue, true R-1 single-family homes and a 6 acre park.

As the Lead Agency, the City could also consider a no-project alternative and develop it for recreation or consider an alternative R-l project with park space. The R-l alternative was not adequately analyzed in the DEIR. This is important because anyone of the Project's significant unavoidable impacts would require disapproval of the applicants' project unless there are no feasible mitigation measures or alternatives, and specific benefits outweigh the significant impact (Pub. Resources Code 21081). The California Environmental Quality Act requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially

lessen such effects (Pub. Resources Code 21002: *Sierra Club v. Gilroy City Council* (1990) 222 Cal. App.3d 30,41). The adoption of a less damaging feasible alternative is the equivalent of the adoption of feasible mitigation (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Col. 3d 376,403). We note that such a mitigation must be adopted by the Lead Agency unless the Lead Agency can demonstrate that the mitigation is truly infeasible (*City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal. 4th 341, 368).

Response to Comment No. B159-8

See Response to Comment B84-3 and Topical Response 6.

LETTER NO. B160 – KURATA, YOSHIKO

Yoshiko Kurata
2072 Glentree Dr.
Lomita, CA 90717

Comment No. B160-1

I am a resident of the Lomita Pines and I am very concerned about the Ponte Vista DEIR staff recommendation. Traffic is already horrendous in the mornings and afternoons/early evenings along Western Ave Palos Verdes Dr N and the Pacific Coast Hwy. I feel a large development project with entrances and exists solely onto Western Avenue will adversely affect traffic on these main thoroughfares. I feel 263rd & 262nd Streets will also see an increase in traffic. These two neighborhood streets are already well used to avoid the Western/PCH intersection – the Ponte Vista project traffic study needs to propose reasonable mitigation to the traffic increase on 263rd & 262nd Streets. Note also that 263rd Street does not have sidewalks – there are many dog walkers in my neighborhood, and I fear for their safety.

Response to Comment No. B160-1

See Response to Comment B12-1.

LETTER NO. B161 – WELSH, RICHARD

Richard Welsh
1816 S. Anchovy Ave
San Pedro, CA 90732

Comment No. B161-1

I wish to express my support for keeping the Ponte Vista project under the single family R-1 designation. The traffic on Western Ave is already to the bursting point and adding multi family units is simply irresponsible planning. Thank you.

Response to Comment No. B161-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B162 – KHALEELI, BIZHAN

Bizhan Khaleeli
27823 South Montereina Drive
Rancho Palos Verdes, CA 90275

Comment No. B162-1

This email is in regards to the proposed development at Ponte Vista.

Single Family Zone: The property must remain zoned Single Family only. It is disingenuous of the owner to have purchased property zoned for one purpose only to immediately propose a more intensive use. It is also disingenuous to overdevelop for mere profit at the expense of the surrounding community.

Alternate B: No Project Alternative/Single Family Homes only.

Traffic: The traffic along Western Avenue in the area is already saturated, and with the proposed overdevelopment it would become gridlocked. The intersection at Western Avenue and Avenida Aprenda will become especially dangerous with the drastic increase in use. In addition there are no transportation alternatives in the area such as light rail, arterial roads or shuttle service. The bus service is especially pathetic.

Amenities: The area and specific design proposal lacks the public amenities and infrastructure for redevelopment of single family homes, let alone overdevelopment with multifamily residences. There is a lack of public open space, libraries, parks and mass transit to support the massive increase in population in the area.

Response to Comment No. B162-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B163 – BURCHETT, BOB

Bob Burchett
22826 Mariposa Avenue
Torrance, CA 90502

Comment No. B163-1

Hello and thank you for reading my proposal where I openly state that Ponte Vista needs to be 2500+ homes and I live "next door".

Consider the bad news first: Ponte Vista can't be even 300 homes if YOU DON'T SOLVE 100% OF THE PROBLEMS completely since the outdated infrastructure won't support even that size…let alone 1000 homes. The Navy residential property was built so long ago that the area had little traffic, no real load on the system and it survived for a long time due to the rudimentary lifestyle that wasn't grown up to the point it is today. Those days are GONE and it is important to take that into account NOW. No EIR is complete without realizing that if you ignore history you are doomed to repeat the mistakes. No one wants to do that.

The sewage, storm drainage, water, gas, telephone, electric, transportation, etc. infrastructure are all now well over 70 years old and deteriorating rapidly. Each year something else breaks again causing Western Ave. to be another disaster area over and over. Some of the construction/repair/rework goes on to this day at Avenida Aprenda which seems to be perpetually re-re-reworked to patch up the crisis. Don't believe me go and LOOK as I pass them and see that the contractors have been there literally for YEARS.

Adding a stripped down Ponte Vista loading to this crippled heap of crumbling ruin will insure failure and collapse. Do NOT build anything without solving the underlying problems or face catastrophic infrastructure collapse.

Response to Comment No. B163-1

With respect to the Project's infrastructure impacts, see Responses to Comments A15-62 and B140-2. This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project and existing infrastructure. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B163-2

WORSE: By just forcing another "big nasty real estate company" to go bankrupt (think Robert Bisno and Credit Suisse here) by lowering the bar to the ground with only a few hundred unprofitable and unsalable pathetic homes will only insure insolvency and further perpetual blight on Western Avenue as 60+ acres of garbage rots away while awaiting a real SOLUTION as the contractors go away unpaid and the developers seek yet more funding in a weak market. Do we really want to keep repeating failure? I think not.

The good news: You CAN resolve the problems but not piecemeal and NOT by just making 800 or 900 non-profitable loser homes that insure the collapse of the gas, water, transport and other basics that the area will not tolerate…SOLVE all of them or just have the city buy it and make it into a park.

The SOLUTION: For YEARS I have been contacting developers going back to Bisno's days; and today I hope one of you will listen to the REAL way this must be handled and that is wholesale as a single issue; not a politically motivated appease-the-crowd band-aid. I have the answers and now is the time to make this work. We only get one chance to do it right.

I sent this to Joe Buscaino and many others to no avail; now it is YOUR turn to either ignore the facts or make me PROVE what I say is true. Please read the attached proposal and give it the consideration that it is due as recapped in the letter below.

Response to Comment No. B163-2

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B163-3

Greetings;

My name is Bob Burchett and I live adjacent to the Ponte Vista project. I am as concerned as everyone else with the issues the ex-Navy property faces when developed but unlike the others I have SOLUTIONS. We are all sick of the eyesore that has been created by no one coming up with ANSWERS. Now is the time.

Please read the attached letter; it is very short (yes; engineers listen too…) but I can tell you the proverbial 'how to build the clock' so that the end result is well over the top in environmentally friendly results. This is exactly what is needed for a real blueprint to success.

Give it a moment of your time; then call me and challenge me to prove what I say.

Response to Comment No. B163-3

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B163-4

Yes, I did say that and I live "next door". Here is how I came to the conclusion and proposed solutions that will make the city fathers **demand** that you build 2500+ units when you are finished with this.

To get right to the point; you have to make them all WANT you to build it big and beautiful and we have the technology to do just that today. Further; I will bet you dinner that if you follow 100% of this proposal that you will get both the Presidential Medal of Honor and the key to the city for doing it and more development requests than your company can handle. The text is short and if I don't capture your attention in a few sentences then toss it in the trash with the other ones.

1. Convert from a "community" to a "CITY" concept by taking everything into account in one plan
2. Make it 100% "green acres" and make it pay its own way; **we already know how to do it:**
    - Utilize wind, solar heating and electric power generation for total electric independence
    - Double insulate each unit and wrap them in Tyvek for heat capture and cooling efficiency
    - Circulate pump hot water from the solar heat system so as not to waste any hot water
    - Insulate all pipes everywhere to keep cool water cool and hot water hot
    - Install light-sensing/ heat-sensing windows that react to the temperature outside & inside
    - Wire all homes for FIBER OPTIC high speed connectivity for Internet, telephone & TV
    - Connect with Cox Communications to build you a top class data delivery system for it
    - Make tele-commuting a reality for residents to reduce the traffic problems where it can
    - Make all appliances Internet connected for management, maintenance & support
    - Build a **landfill** and use STI technology for rapid-depletion to generate lots of methane gas
    - Use the gas to generate even more electricity so your CITY sells power to Edison

- Use the exhaust stack heat from the turbines to run chillers to cool water and buildings
- Use electric power for heat, cool and induction cooking to cut greenhouse gasses
- Capture all water, runoff, rain, sewage & recycle it (use **George Bush's** house as a model)
- Run a pipe the short distance from the ocean to an on-premises desalinization plant
- Design all water décor, fountains, etc. to use 100% on-premises recycled water
- Make a deal with Ford to supply their superb Fusion hybrid vehicles for the City
- Sell the same vehicles to residents at special rates and mandate 100% conversion to them
- Decree that only hybrid or cars with 35+ MPG be allowed inside the gates
- Provide electric power hookups to recharge the plug-and-drive cars
- Hybrid tram from outside parking to inside units to halt gas consumption even by visitors
- Sell natural gas to vehicles that run on it at your own filling station and make money on it
- Sell hydrogen at cost to Fuel Cell car owners to buy them as they become available
- Operate an on-premises oil change facility that recycles automotive engine oil to make $$
- Provide busses and maybe an overhead monorail to move people around the premises
- Create car and vanpool transportation systems to get people to park & ride or rail stations

That was the EASY stuff since the technology is already in place to do everything I just wrote. Now comes the harder part since you MUST have a total plan for the exodus at 7 AM weekdays with the dump onto overcrowded Western Avenue to make us all WANT you here:

- Light rail, monorail, tunnel or bus people to lower parking lots @ Marymount for exit to 5 Points
- Build a route down to Gaffey Street for traffic that can go that way (deal with DFSP for this)
- Monorail to a station at the top of Westmont where a protected lot keeps residents cars safe
- Make a deal with Conoco Phillips to traverse their facility and provide THEIR people with service

- The Westmont lot is adjacent to the 110 Freeway so build new on & off ramps for this lot there
- Provide free shuttle services for LAX and LGB airports so that they never have to drive there
- Connect with the NEW condos just south of Ponte Vista and offer them transport service too
- Build tunnels & protected 'peoplemovers' to the West side of Western for school access

You need all of the public opinion going your way that you can get. So what if the Chamber of Commerce loves you? They don't live next to you; WE do. You need ALL of the people to WANT to sell their condos and move into YOURS and you *won't be able to build enough of them* when you add in:

- Make a deal with the Albertsons/ RiteAid shopping plaza to connect with them to build support
- Build a Mini-Albertsons inside for the 100 most needed items and free delivery of the rest
- Cox Internet will connect directly with these vendors for instant-ordering and delivery
- Do the same for Rite Aid with their pharmacy services and the other vendors when they sign on
- Do a lot of 1031 exchanges with your own real estate brokerage people so you get trade-in buyers
- Operate your own mortgage lender system like the retirement communities do so you get them IN
- Operate your own alarm company and guard service so that everyone feels safe in their homes
- Wire the senior living with protective devices for fall, no-motion detection and panic buttons
- Provide them with our new personal safety I/O trackers for peace of mind while out and about
- Provide an extensive video surveillance system to insure that no trouble happens in your CITY
- Put in street corner callboxes around the City for people to call for help or to report trouble
- Wire the City for Wi Fi access everywhere in the shops, parks and recreation areas
- Put a dome over ONE field to permit a year-around outdoor recreational facility to really work
- Get Pete Dye to build you a top class golf course with clubhouse and callbox food/ drink ordering
- Put in robot delivery systems for mail and other light goods (yes, these really DO exist now)

OK, you get the idea; if you have read this far then you see the concept and you CAN do this the right way the **first and only time** you will ever get to do it and why not make money along the way?

Call on Los Angeles Community College District for budding talent as well as SCROC, Long Beach State, Dominguez College and El Camino to guest-design and provide instructional/on-the-job work. Not only will it save you money but it will put your partnering talents on the big city map. Get some time on the Cox local channels to call for talent; they will love you for it. Look up George Bush's house to see it.

You NEED to have them clamoring for MORE units and this is absolutely positively the ONLY way you can design it quietly, reveal it in an explosive public appearance and then get out of the way while they beat the door down to come IN. Note that NONE of this stuff is outlandish, far-fetched, unthinkable or unattainable. All of it is sound business practices that will change you from the most-hated-and-feared to the most-loved in one step. Nothing else can or will do this. Nothing is stronger than public opinion.

A little about me: I am a local businessman and inventor by trade, I am an answer-man who finds ways in when everyone else is looking for a way out. It only took me two hours to write up this proposal but you will have 5 years to build it and 50 years of success to show for it.

Sure, my company provides many of the products that I have outlined in the proposal and that is how I know that they work and will do exactly what I say that they will do. I also know the top eco-architect in the business and the man that invented and patented the landfill-reduction technology too. They would both love the opportunity to hook up with you to do this.

Just buy a book at Amazon.com and call in the green experts; we get a new eco-City and **you get all the credit**. Most of the rest is in a book that I bought my eco-crazy niece this past Christmas; she got a lot of things but this $30 book called "The Real Goods Solar Living Sourcebook - Special 30th Anniversary Edition: The Complete Guide To Renewable Resources" had more between its covers in terms of value to her than all of the rest combined. You can buy this book too, but the trick is to get the eco-geniuses to sign on with you for the thrill and press they will get to build an entire CITY. I bet most of them will work for nearly free just to get their name on the bronze plaque out front and the TV coverage that will come.

So call in your markers, favors and all of your friends. Call on the technology community to make this happen. Bring in the top class horsepower, close the door with this proposal on the table and watch their eyes light up. Make us ALL proud (and a bit envious) to be neighbors of **Ponte Vista Eco-CITY.**

Response to Comment No. B163-4

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B164 – HARMATZ, MITCH

Mitch Harmatz
Mitchell.harmatz@gmail.com

Comment No. B164-1

As a property and business owner on Western Ave (990 N. Western) I have watched the several design changes, as well as, ownership changes, that have occurred on this project. The new Ponte Vista fits well into our community; it provides needed housing while at the same time blends well into the needs of various sectors of our population without causing major traffic issues. The road to Mary Stat High School is much needed.

The project works with the 1135 units.

Response to Comment No. B164-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B165 – KUMAMOTO, KRIS

Kris Kumamoto
kris2k@gmail.com

Comment No. B165-1

As a resident of North San Pedro, I just can't believe the density of housing that is being proposed for the Ponte Vista Project. It is so difficult to get in and out of San Pedro along both the Western Ave and Gaffey St. corridors during rush hour that any increase in traffic would be a disaster. Personally, a non-industrial commercial project is preferable but the thought of 18 units per acre is just insane. I am so against this because the density would degrade the quality of life in San Pedro. This is a bad project period.

Thanks for your attention.

Response to Comment No. B165-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B166 – SCHAAF-GUNTER, JANET

Janet Schaaf-Gunter
PO Box 642
San Pedro, CA 90733

Comment No. B166-1

My comments on this DEIR revolve around the continued denial of extraordinary risk exposure to residents for miles due to the **Ultra Hazardous** "Rancho Liquid Petroleum Gas" storage site located less within ½ to ¾ of a mile from this new proposed housing site. The Ponte Vista DEIR fails to address this undeniable risk.

Seismic/Geologic Comments

It is ironic to me that we are sending these comments to your office. The City of Los Angeles Planning Department itself has designated the area of the hazardous Rancho LPG tank storage as an "Earthquake Rupture Zone". Yet, we find the City of LA advancing this Ponte Vista housing project as if there is no issue of safety to residents present at all. Attached is the appropriate map out of the LA City Planning Department (SAFETYLT) that identifies the problematic geologic situation. It is important to note that the area of these tanks *(located approximately ½ to ¾ mile from the proposed 1100+ homes)* is where there is a convergence of several earthquake faults, the largest one being the Palos Verdes Fault (mag. 7.3 potential). The DEIR fails to recognize either the LA City Planning Department's designation of the "Earthquake Rupture Zone" that contains these volatile tanks, or the fact that there an intersection of faults in that area that cause increased seismic concern for the location. The Rancho site is also clearly identified in LA Building and Safety documents as being located in a "Liquefaction Area", a "Landslide Area", and a "Methane Zone". These are all matters that should have provoked a prudent attitude by the City of LA toward public safety due to the hazardous massive volume and extremely volatile nature of liquefied petroleum gas being stored on the adjacent premises. This condition presents a very vulnerable safety environment for all residents both existing and proposed.

Response to Comment No. B166-1

See Topical Responses 3 and 4.

Comment No. B166-2

The latest geology report commissioned by the EPA dated December 20th, 2012 declares and grades the soil of the Rancho LPG facility as "Class D- Stiff Soil". The following information has been pulled from an Indiana website where they utilized information from the National Earthquake Hazards Reduction Program (NEHRA) that establishes this grade of soil as "Liquefaction Area".

Short description of Class D Stiff Soil:

Liquefaction Potential of Surficial Materials in Indiana, 2011 (1:500,000) - Shows shows highly generalized categories (low, moderate, and high) of liquefaction potential, based on soil classes of the National Earthquake Hazards Reduction Program (NEHRP). This data set provides a digital coverage of the predicted response of surficial geologic materials in Indiana to liquefaction induced by earthquakes. It is intended to be used by Indiana Department of Homeland Security, emergency planners, and responders

on the state and local level as a general reference guide to identify potential areas of evaluated risks of liquefaction. Low liquefaction potential includes NEHRP Soil Class B (consisting of rock: sandstone, limestone, shale). Moderate liquefaction potential includes NEHRP Soil Class C (hard or stiff soil, or gravel) and part of NEHRP Soil Class D (stiff soil, stiff clay, and some gravel). High liquefaction potential includes parts of NEHRP Soil Class D **(stiff soil, stiff clay, and some gravel**), and all of NEHRP Soil Class E (soft soil and soft to medium clay) and F (lake and river deposits of sand and mud). The following is excerpted from Indiana Geological Survey Miscellaneous Map 81: **'Liquefaction is a common ground-failure hazard associated with earthquakes. It is defined as the sudden and temporary loss of strength of a water-saturated sediment. This could result in the structural failure of buildings, bridges, and other structures.'**

Tags:

IndianaMap, IGS, Indiana, geoscienticInformation, geology, surficial geology, quaternary, stratigraphy, earthquake, ground shaking, seismic, soil classification, liquefaction, shear-wave velocity, National Earthquake Hazard Reductions Program (NEHRP)

Credits:

National Earthquake Hazard Reductions Program (NEHRP), Federal Emergency Management Agency (FEMA), Indiana Department of Homeland Security (IDHS), Indiana Geological Survey Miscellaneous Map 81 (2011)

FGDC Metadata:

Seismic_Earthquake_Liquefaction_Potential.html

Download: Download a zip file that contains an ESRI Shape File and associated metadata: Seismic_Earthquake_Liquefaction_Potential.zip

Magnifying the geologic inappropriateness of installing yet more housing to an area already exposed to elevated risk, is the antiquated infrastructure and sub-standard tank construction of the two massive 13 Million Gallon Rancho LPG tanks built to a **seismic sub-standard of only 5.5-6.0** over 40 years ago! These tanks were constructed in 1973 **without benefit of LA Building and Safety permits** which were only "certified" after their construction and while in use. The proximity of the magnitude 7.3 potential PV Fault coupled with the confirmation of the soil as "liquefaction area" at this facility makes any opinion of earthquake *safety* at this site completely reckless and illogical.

The issue of risk to residents and the Port of LA from the Petrolane/Amerigas and currently Rancho (Plains All American Pipeline) LPG facility has been raised for literally decades. Both the Port of LA and the LA City Council have gone on record in acknowledging safety concerns and a lack of wisdom in *ever locating* the facility at its current site. In spite of that, the City of LA continues to ignore the threat. Our residents and homeowners are "forced" now to comment on the irresponsible concept of the Ponte

Vista housing project in order to protect others. This housing project plans to introduce yet another 2,000+ more potential victims to a certain highly increased exposure to harm.

Also attached to this letter is the recent geology report, from Geotechnologies Inc., referenced above. This EPA hired consultant does not perform their own comprehensive exploration nor physical inspection of geologic conditions at the site. The company simply relies on prior existing information provided by the LPG company's own consultants and other sources of available information.

However, "Geotechnologies" *did* visit the location for a sight inspection and cited on page 17 of that report that *"the analysis critical for the evaluation of the seismic hazards at the site were not addressed…",* page 15, *"borings and soil samples near the tanks were never done (particularly as it relates to Lateral Spreading)"*. Also, specifically noted is a potential clear current violation described on page 9 relating to a storm drain below the Rancho tanks, *"no device exists to contain liquid butane (or other released substances) from entering the drain in the event of discharge by the tanks"*. While there are a number of deficiencies obvious in their report due to the limitation of their analysis, Geotechnologies Inc. should be credited for both recognizing and emphasizing the above facts and noting that other ***critical sites*** for geologic testing, sampling and study **necessary** to *ensure safety* have **never** been analyzed. The report urges the study of these areas and points out other vulnerabilities of the soils at the storage facility. These deficiencies **all** point to significant safety problems.

Attached you will find graphics along with maps from Cal Trans and the USGS with a Google Earth picture. This helps to show the discrepancy in the location of the Palos Verdes Fault…and how it can be manipulated slightly to whatever result might benefit someone with a an interest in deflecting the truth. According to the "Rancho consultant's report", the earthquake fault falls directly under new homes. Who is right or wrong here? It is important to remember that an earthquake fault is not a simple line in the ground…but, the fault's width itself can, at times, range in size up to 1 mile! The truth is that whatever the case, the entire area of the tanks and vicinity (as seen on the graphics) is either directly on top of, or slightly to one side or the other, of the Palos Verdes Fault. Regardless of the tanks *exact* location upon the fault or along side of it, the structures, tanks, rail cars and whatever happens to be on site during the minutes of significant earthquake, will be incredibly impacted due to landslide and liquefaction of soil. Given the volatility of liquefied petroleum gas, that translates into a cataclysmic event capable of killing thousands.

Response to Comment No. B166-2

See Topical Responses 3 and 4.

Comment No. B166-3

An issue completely **ignored** in the DEIR for Ponte Vista is the **Tsunami threat**. Due to the close proximity of the LA harbor channel, this area just a few hundred yards away from the harbor, is ripe for the effects of a tsunami. There are two nearby underwater landslide areas that could produce a significant

tsunami. Maps will show the area of North Gaffey, just south of Westmont Drive, as being in the designated **"Tsunami Inundation Zone."** Just *how* a tsunami wave is estimated to stop at that point is difficult to ascertain since there is *no* significant rise in elevation that would prevent invasion of waters. Approximately 1½ years ago, (we have photos) there was a sign posted within 200 ft. of the LPG facility that read, "You are now leaving a tsunami zone". That sign has mysteriously disappeared. The sign base remained until a Rail warning sign was recently posted in the exact same spot after a Rancho LPG rail car collided with a truck in March 2012 miraculously escaping rupture. Apparently, now, it is acknowledged as a potential "rail accident zone."

Also, it appears that the "storm drain" that leads to the directly into the LA Harbor, located right below the LPG tanks, has not been taken into "tsunami consideration". That storm drain would drive the force of any tsunami wave in the harbor directly up Westmont Drive and all along Gaffey Street. So, there are some critical questions to be raised about effects from tsunami upon local residents including any residents of the proposed Ponte Vista housing development. **The Ponte Vista EIR never responds in any way to a tsunami potential.**

Response to Comment No. B166-3

The comment is incorrect with respect to the Draft EIR's treatment of tsunami potential at the Project Site. Section IV.F (Geology and Soils) of the Draft EIR, at pages IV.F-27 through -29, discusses the potential for tsunamis to impact the Project Site and concludes that the potential risk is less than significant due to the site's ground elevation above sea level. The remainder of this comment refers to the potential for tsunamis to affect the Rancho LPG facility, which is located approximately one mile to the east of the Project Site and would not be altered as a result of the Project. Thus, no further response is required.

Comment No. B166-4

There have been numerous requests by LA City officials and neighboring Rancho Palos Verdes requesting the insurance information of Rancho LPG/Plains All American Pipeline covering this facility. This information is crucial in receiving assurance that there is adequate coverage of liability of harm to affected areas from an event stemming from Rancho LPG. Those requests, thus far, have been denied.

The following is documented in a seismic analysis provided to the EPA in May of 2012:

> *"Plains LPG has provided results of a "desktop" analysis of the earthquake loss. According to this analysis, the "probable maximum loss" is $8.4 million and the "maximum forseeable loss" is $18.6 million. These estimates were based on 250-year MRP ground shaking at the site. These estimates include ONLY the replacement value of the structures (tanks); they do* ***NOT*** *include losses from: 1) business interruption; 2) spilled contents; 3) environmental clean -up; 4) fires; 5) explosions;* ***and 6) third party liability****. Plains LPG maintains earthquake insurance up to $60*

million. It has not been demonstrated that the facility is insured up to the maximum possible earthquake loss."

It is painfully clear that regardless of the precarious nature of the geology of this site and the resulting devastation potential that exists, this Rancho LPG facility (a subsidiary and LLC of Plains All American Pipeline) carries absolutely *no insurance* that would cover the losses to *the public, the City of LA and (in particular response to this Ponte Vista EIR) the future residents of the Ponte Vista Housing project.* **The developers of Ponte Vista should be active participants along with our community in ensuring safety and protecting their own investment from the risks presented by Rancho LPG**.

Response to Comment No. B166-4

See Topical Responses 3 and 4.

Comment No. B166-5

Hazardous Materials Comments

The Ponte Vista DEIR consultant, Mary O'Neil at CAJA Environmental, gives great credibility to the risk analysis from Rancho LPG facility's consultant "Quest". Interestingly, there appears to be no real investigative work related to the discrepancies between various consultants in regard to true risk attributed to a catastrophe at Rancho or a resulting "domino effect" disaster due to the **many available fuel resources** in the area. This lack of consideration does not bode well for the potential residents of the Ponte Vista housing project.

The issue of a "domino effect" of cascading events stemming from Rancho LPG, Conoco Phillips refinery, and the Naval Fuel Depot (along with the multitude of marine oil terminals at the Port of Los Angeles) has been identified as a matter of grave concern by Professor Bob Bea from Berkeley University. Professor Bea is the renowned expert hired by the State & US government to identify the "why" of our greatest recent US catastrophes. From Columbia's fiery end, the collapse of the levees during Katrina, the Gulf oil disaster and the devastating explosion of San Bruno; all have warranted the expert investigation by Professor Bob Bea. Professor Bea has warned of the potential of extreme danger due to the existence of this Rancho LPG facility and its sheer massive volume of LPG, the facility's conditions and its close proximity to other hazardous facilities. How many times do we have a valued opinion such as Bea's PRIOR to a catastrophe??!!!! What more will it take to move us to take responsible action to protect the innocent?

Response to Comment No. B166-5

It is unclear to whom the comment is referring as the "DEIR consultant", as no individual by the cited name is employed at CAJA Environmental Services, LLC, the preparer of the Draft EIR for the City. See Topical Responses 3 and 4.

Comment No. B166-6

In the Ponte Vista EIR analysis, Ms. O'Neil (at CAJA) also underscored confidence in the EPA solicited report by Dr. Daniel Crowl that buttressed the risk analysis performed by Rancho's own consultant "Quest" pronouncing *a very minimal zone* of worst case impact. Crowl's findings were used to give greater credibility to the Quest Risk analysis over the "Cornerstone Technology" analysis commissioned by our local San Pedro Neighborhood Council. The Cornerstone Report gave a worst case blast radius of impact from at 6.8 miles. Dr. Crowl, a "chemical engineer" and instructor at Michigan Tech University presented his report on "Michigan Tech" letterhead *without authorization* of the University. The University has clearly stated that the report is Crowl's own independent analysis having nothing to do with the University and without their permission. Crowl's scope of expertise is extremely limited in his analysis of the Rancho situation. His basis for analysis was established entirely on the data provided by others. Crowl never once visited the site. Crowl dismisses the validity of the Cornerstone reporting and endorses the report of the Rancho LPG consultant. The *quality* of Crowl's report can be gleaned by his assessment that the walls of the "containment basin" at the base of the two large butane tanks will be left entirely unscathed and intact by an earthquake strong enough to rupture a 13 million gallon tank sitting on liquefaction and landslide soil. A curious conclusion at best. But, this example handily illustrates Crowl's lack of seismic and engineering education. It also reflects the deficiency of study that Ms. O'Neil (CAJA Environmental) performed in her own investigation of the hazard potential for this Ponte Vista EIR.

Response to Comment No. B166-6

See Response to Comment B166-5.

Comment No. B166-7

The Ponte Vista consultant blithe fully ignores the flagrant discrepancy in the worst case scenario results between the findings of Rancho LPG and its abutting neighbor Conoco Phillips refinery. The Conoco Phillips refinery provides a worst case scenario radius of impact from their *own* butane storage (representing a *fraction* of the volume held at Rancho) at **2.3 miles**. This impact would certainly include the residential area of Ponte Vista. Rancho LPG has disclosed a far ***less*** radius of impact from worst case scenario with an **end point of .5 mile**. This result is accepted despite Rancho having **over 4 times the volume of butane** at the Rancho facility! The question becomes why the Ponte Vista consultant found "no problem" with this assessment? Certainly, it would be more beneficial to the developer to ignore this serious discrepancy.

Response to Comment No. B166-7

See Topical Response 4 and Responses to Comments B50-5 and B84-5.

Comment No. B166-8

There continues to be an ignorance of the properties of liquefied petroleum gas and how it differs from other gasses. In **all** risk analyses of Rancho LPG and its predecessors, there is a complete disconnect of understanding when it comes to the value of a "containment basin" for leaking butane gas. The leaking gas is treated as though it will remain in its refrigerated and "cooled" tank liquid condition allowing it to be "contained" by its "one" existing containment basin. That is a ridiculous conclusion since when the liquid gas is exposed to ambient air temperature, it will vaporize and expand over 200 times its volume. Less than 1% of the LPG tanks capacity could *possibly* be "contained"! The gas will seek the lowest levels (is heavier than air) and will hug the ground until finding any ignition source whatsoever. The spark from a passing car engine could easily ignite the highly flammable gas in an instant. The resulting explosion from this would be massive. Fires from LPG burn hotter than other fuels at over 3500 degrees, igniting and gasifying all other flammables for MILES! This gasification would create a hazardous cloud with a far greater zone of threat than can be imagined.

Response to Comment No. B166-8

See Topical Responses 3 and 4.

Comment No. B166-9

In closing, it is patently immoral to encourage the growth of housing in an area that is already recognized for its elevated jeopardy to disaster. Whether the potential disaster is caused by earthquake, terrorism, antiquated infrastructure or human error, the consequences to human life and property are far too great to escape good conscience.

Mitigation that would allow the introduction of this Ponte Vista housing is the removal of the threat causing the increased risk exposure itself. Nothing else justifies gambling with the lives of innocent people. Nothing.

Response to Comment No. B166-9

See Topical Response 3.

LETTER NO. B167 – ROLLING HILLS RIVIERA HOMEOWNERS ASSOCIATION

Rolling Hills Riviera Homeowners Association
Jeanne Lacombe
President
PO Box 6164
San Pedro, CA 90734

Comment No. B167-1

Rolling Hills Riviera Homeowners Association opposes the current Ponte Vista Plan for a variety of reasons. We strongly recommend the planning department maintain the current R-1 zoning and reject the current plan.

The Ponte Vista property is currently unkempt *vacant* homes which is the responsibility of the owner to maintain. Local homeowners and business owners have had to deal with the blight for years. It is unreasonable to rezone the property "because something would be better than what is there now". If the plan was always to tear down the current homes and build new ones, then those homes should have been torn down years ago and the empty lot maintained. The lack of maintenance or solid fencing was an intentional decision to create an eyesore so the public would be more willing to accept anything over what is there now. Do not reward this type of decision by approving these plans just to get rid of an eyesore.

Response to Comment No. B167-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project and speculation concerning the motivations of the Project Applicant with respect to the current condition of the property. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B167-2

The developer purchased the property knowing the zoning was R-l. The lenders approved the loans based on the knowledge the property was zoned R-1. There is no reason other than the developer's profit margin for a zoning change.

Los Angeles for a number of years has approved more condos, apartments and town homes than single family homes by a wide margin. There are fewer single family homes available and that is what should be built on that site and the R-1 zoning should be maintained.

Response to Comment No. B167-2

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B167-3

The EIR's for the Sea Port and Casa Verde condos next to Ponte Vista were based on Ponte Vista being *vacant* and not using resources or impacting traffic and therefore those developers were able to build the maximum amount of units on the property. It is unfair and unreasonable to approve those projects based

on Ponte Vista being vacant and then allows the Ponte Vista EIR to make statements that impacts are negative or less than significant.

Response to Comment No. B167-3

Depending upon the dates of CEQA documentation and review for the two developments cited in the comment, it is likely that some level of development at the Project Site was factored into the cumulative impact analyses in the two documents. A formal development proposal for the Ponte Vista site has been on file with the City since 2005. The currently preferred development plan for the site (830 units) represents a substantially lower density than all previous iterations (which ranged up to 2,300 units). Thus, it is likely that the analyses in the environmental review documents for the referenced projects overstated, rather than understated, the cumulative impacts resulting from developing the Ponte Vista site in conjunction with either and/or both of these adjacent parcels.

Comment No. B167-4

There are serious discrepancies in the EIR, for example, the statement "The Project Site was previously developed. Therefore, in large part, reuse of the property does not raise potential impacts to natural resources." How is it possible that a property with single family homes that has been vacant since 1999 can use the same amount of water, electricity, gas and sewer facilities as 1,135 occupied condo units? It can't - therefore it does impact the natural resources.

Response to Comment No. B167-4

The Project Site has never been developed with single-family homes, contrary to the implication of the comment. The former Naval Housing complex on the Project Site consisted entirely of multi-family duplex units. The Draft EIR properly considered the Project's potential impacts with respect to natural resources, regardless of the current development status of the site. A complete assessment of the Project's impacts with respect to water, energy consumption, and wastewater/sewer facilities is presented in the Draft EIR in Section IV.O (Utilities and Service Systems). No existing usage of water, electricity, gas, and sewer lines at the Project Site was assumed in the Draft EIR's analysis of the Project's impacts to these utilities. The statement cited in the comment regarding "natural resources" refers to a comparison to a hypothetical previously undeveloped site upon which relatively pristine timber, water, and wildlife resources may exist.

Comment No. B167-5

Why are residents told by the Los Angeles Sanitation District that the sewer system is at maximum capacity and the $740 million dollar Clearwater Project is needed and must be funded with taxpayer money when this EIR states there is plenty of capacity to handle an additional 1,135 units at Ponte Vista?

Response to Comment No. B167-5

The comment raises a question regarding apparent inconsistencies with respect to the Los Angeles County Sanitation District's ability to provide wastewater treatment and sewer service to the Project Site. However, this is a question that is best directed at the County, rather than the City. As is discussed in Section IV.O.2 (Wastewater) of the Draft EIR, the Project Applicant is proposing to utilize the City's Bureau of Sanitation sewer system for wastewater service rather than the County's system. See also Response to Comment A2-1.

Comment No. B167-6

An alarming term in the EIR is the word "approximately" instead of using the term "minimum" to describe sizes. There should be a minimum of 20 ft. setback from Western Avenue with a minimum number of trees, shrubs and plants. There should be minimum sidewalk and street widths that match the surrounding area.

Response to Comment No. B167-6

The Specific Plan for the Proposed Project includes detailed specifications governing Project landscaping and sidewalk and street widths. As noted in the Draft EIR, all Project buildings would be setback from Western Avenue a minimum of 18 feet, and, in most locations, between 40 and 80 feet.

Comment No. B167-7

The developers claims there is a need for housing is incorrect, there is an over abundance of housing available for purchase or for rent in a wide variety of sizes and prices. This trend is not projected to change for a significant period of time. Adding more homes than the current R-1 zoning is unnecessary and will drive down area home prices even further. This will also cause a decrease in home values and property taxes collected for the entire area. This will hurt the local economy.

According to the current Ponte Vista Plan, 35% of the units will be rental units. This is not in keeping with the surrounding area. This number of rental units should be denied.

Response to Comment No. B167-7

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B167-8

The developer's claim that Ponte Vista is "Designed with the community" is incorrect otherwise they would have developed an R-1 community like the community has been requesting for years. "Policy **1-**

1.5 - Maintain at least 67% of designated residential lands for single family uses." However, the current Ponte Vista plan has less than 13% as single family homes. A condo or townhouse is not, in real estate terms, a single family house.

We hope the planning department does the right thing and denies a zoning change and denies this plan. Our community will be negatively impacted by the lengthy construction time, the number of units allowed, the negative impact on traffic and utilities, the poor choice of building styles and the setbacks from Western Avenue that are too small.

Response to Comment No. B167-8

The Draft EIR discloses that the Proposed Project would not be fully consistent with the Land Use Policy (in the Wilmington-Harbor City Community Plan) referenced by the comment. Under the Project Applicant's preferred reduced density site plan for the Project (830 units; Draft EIR Alternative C), 208 of the 830 units (or 25 percent) would consist of single-family homes. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B168 – MAH, EVELYN

Evelyn Mah
2004 Velez Drive
Rancho Palos Verdes, CA 90275

Comment No. B168-1

I write to you about the draft Environmental Impact Report (DEIR) which the group that seeks to develop Ponte Vista recently submitted to your department. I first learned about this report just before the Holiday Season and am concerned that the residents who may be impacted by this project are being given so little opportunity to respond to it. Accordingly, I would first ask that the city extend the time for residents to submit their comments about the project's DEIR.

Although there may well be other issues which would cause me concern if I had time to examine the DEIR in any detail, there is one which did catch my eye. It is the report's treatment of open space.

I have owned a home in the Eastview area of Rancho Palos Verdes since 1982 and have enjoyed hiking all around the area for many of those years - sometimes with groups such as the Sierra Club but more often just with friends. We continually comment among ourselves about how little open space exists in San Pedro. I was not surprised to learn that the newly drafted San Pedro Community Plan states that only about one per cent of the city's area remains open.

What I was surprised to learn is that 15 acres of the site which Ponte Vista proposes to develop are zoned as open space. Until recently, I was under the impression that the entire 60-plus acre tract is zoned R-1. That Bisno Development would purchase a tract designated R-1, with the plan to have it re-zoned for high density housing, seemed remarkably cynical to me and many others I know in the community. That the project's current developer persists in this effort to change the R-1 designation is all the more galling. However, to pursue such plans for some of the very few acres in San Pedro which are supposed to remain open space is unforgiveable. I would ask your department to refuse all efforts to change the zoning on this tract, including the 15 acres which are and should remain open space.

Please feel free to contact me at mahevelyn@yahoo.com if you have any questions about this letter.

Thank you.

Response to Comment No. B168-1

With respect to the existing Open Space zoning on the Project Site, see Response to Comment A15-7. With respect to the Draft EIR public review period, see Topical Response 1. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

LETTER NO. B169 – LACOMBE, JEANNE

Jeanne Lacombe
2052 Galerita Dr.
Rancho Palos Verdes, CA 90275

Comment No. B169-1

I oppose the current Ponte Vista project plan. The property should not be rezoned from R-l.

Ponte Vista will have a negative impact on traffic and utilities and the lengthy construction time period will decrease our quality of life. The poor mix of building styles and poor design will negatively impact our area for decades. The number of units and the number of rentals in the plan will also negatively impact our area for decades.

I believe it is irresponsible of Los Angeles Planning Department to approve the plans to build even one unit within the half mile radius of Rancho Holdings LLC at Gaffey and Westmont. You are welcome and encouraged to view this issue being discussed at the Rancho Palos Verdes City Council meeting. I was the first speaker and then Ron Conrow, Rancho Representative was the next speaker. The full meeting can be viewed at www.palosverdes.com/rpv/citycouncil/agenda videos. The Rancho subject began about I hour 44 minutes into the meeting. Please take the time to educate yourself about this subject.

Here is where the L.A. Planning Department becomes responsible. This facility was built in 1973 WITHOUT PERMITS. The permits were finally issued in 1978 after the facility was operational. According to the LA Planning Department site information, Rancho was built in a liquefaction zone, methane zone, landslide area and on an earthquake fault. It was built across the street from homes, close to three schools and dozens of business, the 110 freeway and the nations largest port. Does this sound like the best place to put 25 million gallons of butane and millions of gallons of propane? The planning department approved the use of this site. The LA Planning Department needs to correct their error in allowing this facility to be built. The LA Department of Planning has an opportunity to begin the investigation into Rancho Holding under your Nuisance Abatement program.

Response to Comment No. B169-1

With respect to the Rancho LPG facility, see Topical Responses 3 and 4. The remainder of this comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

Comment No. B169-2

In the Ponte Vista EIR regarding Ponte Vista it states *"Under the Risk Management Program, offsite consequence analysis, a worst-case release of butane would spill into an on-site containment pit and could result in a vapor cloud explosion with an impact zone of 0.5 miles. A more likely alternative scenario for release of propane identified by the facility could result in a vapor cloud fire with an impact zone of 0.1 miles. To a much lesser extent, there may be some quantifiable risk of upset from other activities such as product delivery by rail or truck. However, any such event would likely result in much smaller release amounts than quantified in the RMP, and thus, a much lower radius of impact than described in that RMP. Based on the worst-case RMP scenario, there would be no impact to the Project Site."*

Here are the problems with the above statement:

1) The Risk Management plan that is filed with the EPA (who does not verify any of the information provided from the company filing the plan) is based on just a 10 minute release of butane or propane from the largest vessel or pipeline. This is not a worst case scenario. The company admits to a half mile blast radius and that includes the Ponte Vista Site.

Response to Comment No. B169-2

See Response to Comment B50-5 and Topical Response 4.

Comment No. B169-3

2) "A more likely alternative scenario for release of propane ... with an impact of .1 miles" is incorrect. There was an accidental release of propane on Oct. 15th at the Rancho facility that had many public complaints filed with the EPA over a 5 mile radius from the facility. There have been many propane and butane accidents that have exceeded 1 mile. The Conoco Phillips refinery has a 2.3 blast radius for their Risk Management Plan and they only have 13 million gallons of butane in much smaller containers and in a safer location. The above statement in the EIR is misleading.

Response to Comment No. B169-3

The public complaints in October 2012 addressed nuisance issues from odors, not risk of explosion. The odor concentration threshold of butane is far lower than the concentration required to cause a vapor cloud explosion. From the ConocoPhillips RMP, the 2.3-mile radius to 1 psi overpressure was calculated from a worst-case release of 25,000 lbs. butane, using the RMPComp model. However, using the OCA reference tables and 30,000 lbs. butane, the radius is only 0.1 miles. From the 2009 OCA and Reference Table 13, the distance for a 30,000 lbs. release would be 0.2 miles. Therefore, the 2.3-mile radius may be a highly conservative calculation based upon using the RMPComp model. When using the OCA Reference Table 13, the worst-case impact radius for ConocoPhillips (0.2 miles for 30,000 lbs. in a vapor cloud) compares well with the impact radius estimated for Rancho LPG (0.6 miles for 570,000 lbs. in a vapor cloud).

Comment No. B169-4

3) "To a much lesser extent, there may be some quantifiable risk of upset from other activities such as product delivery by rail or truck. However, any such event would likely result in much smaller release amounts than quantified in the RMP, and thus, a much lower radius of impact than described in that RMP." This statement is also misleading and erroneous. There may be a small leak from a truck or rail car, but there have been serious accidents involving tanker trucks and rail cars carrying this material that have had blasts over 1 mile. Toronto Canada had one in Aug. 10, 2008. In China on October 2, 2012 there was one that killed 5 people. When the fire department is called regarding a tanker on fire or leaking, they evacuate a 1-mile radius at a minimum.

Response to Comment No. B169-4

The Rancho LPG RMP defines an alternative, or more likely, release scenario as a release that would occur when a truck pulls away after loading with a hose attached, with 14 lbs./min butane vapor released over a period of 10 minutes. The 140 lb. release leads to a 0.02-mile distance to overpressure of 1 psi. The alternative release scenario considers such mitigation as manual or automated shutoff procedures. This alternative case and other similar scenarios are much more realistic of the types of releases that might occur at the Rancho LPG facility, including leaks from valves, valve failures, pipe breaks, and other scenarios. In addition, these scenarios account for the agency-required safety procedures that

Rancho LPG must have in place to minimize the risk of these releases. The worst-case scenarios of total butane or propane storage tank failure lead to the furthest impacts to endpoint, but are also extremely unlikely to occur. Releases such as leaks and spills from product delivery by truck or rail are much more likely than the worst-case scenario, but exhibit significantly less chemical released over a longer period.

See also Topical Response 3.

Comment No. B169-5

4) "Based on the worst-case RMP scenario, there would be no impact to the Project Site." This statement is completely wrong since even Rancho Holdings states a half-mile blast radius and the Ponte Vista site is clearly within that half mile.

Response to Comment No. B169-5

The Project Site is located more than 0.5 mile to the west of the Rancho LPG facility. As is discussed in the Draft EIR (at page IV.H-15), the Rancho LPG storage tanks and a containment basin are located 0.65 to 0.75 miles from the Project Site. Thus, the conclusion in the Draft EIR with respect to the worst-case RMP scenario at the Rancho LPG facility is correct.

Comment No. B169-6

5) There was a study done by Cornerstone Technologies that put a worst-case scenario at a 6-mile blast radius. This is available at www.nwspnc.org.

Response to Comment No. B169-6

See Response to Comment B84-5 and Topical Responses 3 and 4.

Comment No. B169-7

6) Since 9/11 this facility poses a terrorism risk due to the size, potential impact and location of the facility. The Navy Fuel Depot and the Conoco Phillips facilities do not pose the risk this facility does.

Response to Comment No. B169-7

See Topical Response 3.

Comment No. B169-8

Butane is not like oil that will ooze out into a catch basin and then be easily cleaned up and put back into a safe container. Rancho Holdings does not have a plan in place to capture any of the escaped liquid butane and put it back into a safe container - because they can't. There is no way to put out a butane fire. The method the Fire Department follows is to evacuate and allow it to bum out.

Butane is liquid only when it is below 31 degrees. After it reaches a temperature higher than 31 degrees then it expands 250 times its weight in liquid and forms a vapor. There is no containment for the vapor. Just the air temperature would easily raise any escaped butane above the 31 degree temperature. The current containment basin is only large enough for the contents of one tank in liquid form, not the expanded vapor form. According to the Rancho representatives, just the impact from the liquid going to vapor would cause a blast that would break windows and cause partial demolition of buildings. This would result in many injuries and deaths. That does not include the potential impact if it found an ignition source like a passing car or an on-site generator at Rancho. This will tum the vapor into a 3500 degree fire cloud.

The Los Angeles Planning Department first priority is to keep the citizens safe. I do not want any unsuspecting citizens to buy a home in this area due to the risk that Rancho Holdings is to the community. The project should be put on hold until a resolution can be found regarding the Rancho facility to keep the citizens safe.

Response to Comment No. B169-8

See Topical Responses 3 and 4.

LETTER NO. B170 – CORNELL, TAYLOR

Taylor Cornell
2004 Velez Drive
Rancho Palos Verdes, CA 90275

Comment No. B170-1

I write to you about the draft Environmental Impact Report which the group that seeks to develop Ponte Vista recently submitted to your department. I am concerned that the residents who may be impacted by this project are being given so little time to respond to it. Accordingly, I would first ask that the city extend the time for residents to submit their comments about the project.

Though I suspect there are other issues which would cause me concern if I had time to examine the report in any detail, there is one which did catch my eye. It is the report's analysis and conclusions about greenhouse gases (GHGs).

I am a college student and have lived in Rancho Palos Verdes all my life. My family's home is part of a tract which lies across Western Avenue from the proposed project. Though I am on the East Coast for most of the year, I consider Rancho Palos Verdes my home and expect to return to it when I complete my studies. Development of Ponte Vista along the lines described in the report will almost certainly impact our area. What is more, contrary to the report's conclusions, this project will likely contribute to those very factors which are causing global warming and thereby leave my generation to bear its consequences and to clean up the mess.

The State of California has declared that greenhouse gases (GHGs) constitute "a serious threat to the economic well-being, public health and the environment of California." (AB 32). It recognizes that allowing them to remain at current levels will not adequately address the dangers they pose and has established instead the goal of reducing them to 1990 levels by the year 2020. (AB 32).

The City of Los Angeles has embraced the effort. It adopted "Green L.A.: An Action Plan to Lead the Nation in Fighting Global Warning" in May 2007, in which it proclaims that by 2030 it will reduce GHGs from city operations 35 percent below 1990 levels.

The primary cause of GHG pollution is the combustion of fossil fuels. (California Technical Advisory: CEQA and Climate Change, June 19, 2008- hereinafter "Technical Advisory"). In California, fossil fuel use is closely related to motor vehicle use.

17,222 Tons. This project will not reduce GHG pollution to 1990 levels. Indeed, it will not decrease GHGs at all. To the contrary, it will increase them. The developer's DEIR admits it. The site currently generates no GHGs. (p. IV G-4). Ponte Vista stands to generate, by the developer's own estimates, 15,620.55 metric tons of GHGs each year. (p. IV G-27). A metric ton weighs more than the ton most of us are used to dealing with- 2,205 pounds instead of 2,000- so 15,620.55 metric tons translates to 17,222 tons per year. That amounts to 17,222 more tons of polluting gases than are being generated now; and, if your department were to approve this project, they will be generated every year for the foreseeable future. 172,220 tons over ten years, 344.440 tons over 20 years, etc. This single fact should overshadow all others for anyone considering the project's impact on this form of pollution.

Response to Comment No. B170-1

With respect to the Draft EIR's analysis of the Project's GHG emissions, see Response to Comment A15-29. The remainder of this comment provides background information on the comment and notes concern regarding GHGs generated by the Project, the State of California, and the City of Los Angeles. While this comment notes personal concern regarding GHGs and global warming, it does not directly challenge the adequacy of the analysis or methodologies utilized in the Draft EIR. Thus, no further response is required.

Comment No. B170-2

Responsibility. The developer tries to rationalize away its need to even address the GHG problem. Hence, the DEIR's statement that no single development is likely to have a significant impact on GHGs. (pp. IV G-15 and 27). Since the problem is planet-wide, that is probably true. However, the fact remains that Ponte Vista will generate substantial amounts of GHGs each year. Moreover, the developer's attempted rationalization is that very line of reasoning which has created the problem. Since no single person, project or business can be held responsible for current levels of the world's GHGs, none takes responsibility for them. That way of thinking must stop now or there is no chance of ever dealing with

these pollutants. Only by forcing each project to confront and address the issue properly will there be any hope of reducing GHGs and the many threats they pose. I ask your department to do just that.

Please do not hesitate to contact me at taylormade8181@yahoo.com if you have any questions about this letter.

Thank you.

Response to Comment No. B170-2

See Response to Comment A15-33.

LETTER NO. B171 – MAYA, JOHN

John Maya
johnmaya@sbcglobal.net

Comment No. B171-1

Erin, If you look immediately north of Avenida Aprenda, on Western, you will see what a four story building will do to existing views for the current residents (condos, of which some are still vacant and have never been occupied). I am part of a 400+ housing association across the street in the Eastview tract. First of all, without any more traffic, Western is a nightmare, especially when signal is out or only one lane is open. This occurs frequently due to ongoing power outages and construction on Western Ave. Try to visualize yourself living here and having to deal with these situations on a regular basis. We all know something is going in at Ponte Vista, but minimally, it should be kept to two stories or less. The traffic to the high school is bad enough, then add say a thousand units with at least two occupants per unit, well you do the math. Let's not think about emergency vehicle access, transit, etc.

PLEASE think this project over carefully and as if YOU lived here. When I have more time, I will give you some more valid reasons to minimize this project.

Response to Comment No. B171-1

This comment does not present any specific challenge to the adequacy of the impact analysis of the Draft EIR, but rather presents an opinion concerning the Project. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their consideration.

IV. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

INTRODUCTION

This section presents corrections and additions that have been made to the text of the Draft EIR. These changes include revisions resulting from responses to comments and others that are necessary to provide clarifications to the project description and analysis and to correct non-substantive errors. The revisions are organized by section and page number as they appear in the Draft EIR. Text deleted from the Draft EIR is shown in ~~strikethrough~~, and new text is underlined. For corrections resulting from a response to a comment on the documents, references refer to the comment letter number and name of commenter.

Table of Contents

1. Page viii under List of Figures, revise the title of Figure VI-1 to read:

> Figure VI-1, Conceptual Site Plan - Alternative B (~~No Project Alternative/~~Single-Family Homes) VI-11

Section I Introduction/Summary

2. Page I-7, the bottom paragraph is revised to read:

> The discretionary land use approvals necessary for the Project include the following: (1) a General Plan amendment; (2) a Zone Change and Specific Plan are proposed to provide zoning, architectural, landscape and streetscape standards to guide the project's development (at residential densities ranging from 11 dwelling units per acre to approximately 34 dwelling units per acre, the project will fall within the City of Los Angeles' Low-Medium I, Low-Medium II and Medium General Plan Land Use Designations)[1]; and (3) a Vesting Tentative Tract Map~~, and (4) a Development Agreement~~. The project is anticipated to be completed within five years of the time construction has commenced.

3. Page I-10 the paragraph under the heading "E. ALTERNATIVES" is revised to read:

> In order to provide informed decision-making in accordance with Section 15126.6 of the CEQA Guidelines, this Draft EIR considers a range of alternatives to the Project. The Draft EIR analyzes the following alternatives: (A) No Project Alternative/No Development; (B) ~~No Project Alternative/~~Single-Family Homes; (C) Staff Recommendation/Reduced Density; and (D) Revised

[1] By way of comparison, the City of Los Angeles' medium-density multiple family residential zoning category, "R3", permits approximately 54 units per acre, while the City's lower density multi-family residential category, "RU 1.5", permits approximately 28 units per acre.

Site Plan. Each alternative is described in full in Section VI, Alternatives to the Project, of this Draft EIR.

4. Page I-10 the heading and paragraph describing Alternative B are revised to read:

Alternative B: ~~No Project Alternative/~~Single-Family Homes

Alternative B presumes that the Project Site would be redeveloped ~~according to existing zoning and General Plan designation allowed uses and densities~~ in order to maximize the number of single-family residences at the site. Taking site planning considerations into account, including the required seismic setback, approximately 385 single-family homes could be developed on the Project Site under the ~~site's existing~~ R1 zoning and Low Residential General Plan designation. Such a site plan would require that the existing 9.3 acres of Open Space zoning and land use designation on the Project Site be eliminated. Alternative B would not include a 2.8-acre public park or an access road to Mary Star of the Sea High School from Western Avenue.

5. Table I-1, Executive Summary of Project Impacts, Mitigation Measures, and Impacts After Mitigation – The table's "Required Mitigation Measures" column will be modified to include the changes, revisions, and additions of the mitigation measures identified below for Air Quality, Biological Resources, Noise, and Transportation/Traffic.

Section II Project Description

6. Page II-2, Table II-1 is revised as follows:

5, 6	Row Houses	5/6	0	262	262	~~22~~23/27	5.9	1,320	2.5	Alley Loaded
7	Apartments	7	392	0	392	~~24~~34	43.5	975	1.5	Walk-Up; Alley Loaded

7. Page II-17, the following is added to the end of the second full paragraph:

The Project would also provide an emergency access only lane connecting the new roadway across the Site's southern portion with the southern property boundary adjacent to the off-site Seaport Village development. All non-emergency vehicular access would be prohibited.

8. Figure II-10, Proposed Land Use Plan, is revised to remove the text paragraph discussing the Development Agreement under the heading "Requested Entitlements".

9. Page II-34, the last full paragraph is revised as follows:

While the Project Applicant intends to complete Project construction by the end of 2017, it is at least possible that the Project might not be completed until as late as 2027 due to the potential utilization of extensions that are available to the Applicant through the Vesting Tentative Tract Map process. ~~As~~

~~noted below, the Project Applicant requests approval of a Development Agreement (DA) which would confer on the Project Applicant a vested right to develop the Project throughout the term of the agreement. It is expected that the DA would be approved in 2013 and that the term of the agreement would be for a period of 15 years, thus expiring in 2027.~~ Due to the possibility of an extended Project buildout ~~during the DA period~~, an "Extended Buildout Analysis" is addressed briefly under each of the environmental issue discussions in Sections IV and VI of this Draft EIR for both the proposed Project and the alternatives to the proposed Project.

10. Page II-37, the fifth bullet under the "F. Discretionary Actions" section heading is revised as follows:

    - ~~Development Agreement between the project developer and the City of Los Angeles in order to provide reasonable assurances and certainty to the developer concerning applicable regulations while providing the City of Los Angeles with public benefits;~~

Section III Environmental Setting

11. Page III-2, the second footnote is revised as follows:

    An "Extended Buildout Analysis" is also addressed throughout this Draft EIR in order to account for the possibility that completion of the Project does not occur until as late as 2027~~, or the ending year of the Development Agreement being requested by the Project Applicant~~.

Section IV.B Aesthetics

12. In response to Comment Letter No. A8 (City of Rancho Palos Verdes), page IV.B-19, fourth and fifth paragraphs are revised to read:

    ~~Two~~ A single-family residential ~~areas~~ neighborhood within the City of Rancho Palos Verdes known as Rolling Hills Riviera is ~~are~~ located on the west side of Western Avenue, across from the Project Site, and to the south of Green Hills Memorial Park. For purposes of this analysis, the Rolling Hills Riviera neighborhood can be divided into two parts based on their respective elevations relative to the Project Site. The first of these ~~neighborhoods~~ areas is located along Redondela Drive, ~~Palondra Drive~~Palmeras Place, Tarrasa Drive, and Avenida Feliciano and is situated at a lower elevation than either Green Hills to the north or the adjacent ~~neighborhood~~ portion of the Rolling Hills Riviera neighborhood to the south. Views of and across the Project Site from this ~~neighborhood~~ area are limited due to the north-south orientation of most of the homes and the low elevation of the area. A few homes along the east side of Tarrasa Drive and ~~Palondra Drive~~Palmeras Place border Western Avenue and thus would have partial direct views of the Site's western frontage. These views are blocked to some degree by the embankment along which Western Avenue ascends the slope to the north. Where the Project Site is visible, views largely consist of the chain-link fence along its Western Avenue frontage, scattered trees, and portions of the abandoned duplexes. A few homes along ~~Palondra Drive~~Palmeras Place have

limited views of the riparian vegetation on-site. No views across the Project Site to areas beyond are available from this ~~neighborhood~~ lower elevation portion of the Rolling Hills Riviera neighborhood.

The second ~~neighborhood~~ part of the Rolling Hills Riviera neighborhood to be considered is located west of Western Avenue and south of the Redondela/Feliciano ~~neighborhood~~ area discussed above. ~~This neighborhood is~~ Homes in this area are located on a sloping hillside along Avenida Aprenda and Pontevedra Drive and ~~is~~ are situated at a substantially higher elevation (between 200 and 375 feet above sea level) than the Project Site (approximately 180 feet above sea level). Although most of the homes in this ~~neighborhood~~ area are oriented north-south and therefore do not directly overlook the Project Site, the backyards of some homes along Pontevedra Drive and the lower portion of Avenida Aprenda have direct northeasterly views of and across the Project Site. These views include the riparian vegetation on-site as well as portions of the abandoned housing complex. To the north, the hillside along the Site's northern boundary with the DFSP is visible as a low ridgeline. Due to topography, no views north onto the DFSP itself are available from this area. Views to the east across the Project Site to the harbor area are not generally available from homes in this ~~neighborhood~~ area due to their principal north-south orientation as well as to the visual blockage provided by the Seaport Homes and Casa Verde Apartment complexes adjacent to the Site's southern boundary. A representative view from this portion of the Rolling Hills Riviera neighborhood is shown in Figure IV.B-12.

13. In response to Comment Letter No. A8 (City of Rancho Palos Verdes), page IV.B-20, the first sentence of the last paragraph is revised to read:

    Direct views of the Site's frontage along Western Avenue are also available from portions of Avenida Aprenda, Tarrasa Drive, Redondela Drive, and ~~Palondra Drive~~Palmeras Place to the west.

14. In response to Comment Letter No. A8 (City of Rancho Palos Verdes), page IV.B-47, the third sentence of the last paragraph is revised to read:

    Private view locations consist of single-family residences located along portions of Tarrasa Drive, Redondela Drive, and ~~Palondra Drive~~Palmeras Place to the west of Western Avenue.

15. Page IV.B-69, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

    As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.C Air Quality

16. Page IV.C-50, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

> As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

17. In response to Comment Letter No. A12 (South Coast Air Quality Management District), the following additional mitigation measures have been added to Section IV.C, Air Quality, of the Draft EIR:

> **AQ-3:** The Project shall provide electric outlets on residential balconies and common areas for electric barbeques to the extent that such uses are permitted on balconies and common areas per the Covenants, Conditions and Restrictions recorded for the property.
>
> **AQ-4:** The Project shall use electric lawn mowers and leaf blowers, and electric or alternatively fueled sweepers with HEPA filters, for maintenance of the Project.

Section IV.D Biological Resources

18. Page IV.D-51 under the heading "Project Design Features" is revised to read:

> To this end, the following Project Design Features ~~has~~ have been identified for the Proposed Project:

19. In response to Comment Letter No. B101 (Carrolle, Victoria and John), the following additional Project Design Feature has been added to Section IV.D, Biological Resources, of the Draft EIR (at page IV.D-51):

> Prior to the start of demolition activities at the Project Site, the Project Applicant shall contract with a pest control/pest extermination company to perform a survey of potential rodent issues on the Project Site. This survey will consist of setting traps for a period of time to establish whether or not a rodent problem exists. If a rodent problem is found, remediation shall begin approximately one month prior to the start of any demolition.

20. Page IV.D-55, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

> As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the~~

~~Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

21. In Mitigation Measures BIO-1 through BIO-4, all references to the California Department of Fish and Game or "CDFG" are revised as follows:

    California Department of Fish and ~~Game~~ Wildlife

    CDF~~G~~W

Section IV.E Cultural Resources

22. Page IV.E-15, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

    As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

23. Page IV.E-22, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

    As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

24. Page IV.E-35, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

    As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.F Geology and Soils

25. In response to Comment Letters No. A11 (U.S. Department of the Navy) and A13 (U.S. Defense Logistics Agency), the following Project Design Feature has been added to Section IV.F, Geology and Soils, of the Draft EIR (at page IV.F-22):

~~No Project Design Features relating to potential impacts with respect to geology and soils have been identified for the Proposed Project.~~ The following Project Design Feature pertaining to geology and soils has been identified for the Proposed Project:

- The Project Applicant shall confer with the Navy and/or Defense Logistics Agency, as operators of the Defense Fuel Support Point (DFSP) facility, with respect to potential slope-stability-related impacts to the integrity of DFSP tanks, piping, and other infrastructure, during Project construction.

26. Page IV.F-30, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.G Greenhouse Gas Emissions

27. Page IV.G-26, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.H Hazards and Hazardous Materials

28. In response to Comment Letter No. A15 (Northwest San Pedro Neighborhood Council), the Project Design Feature under Section IV.H, Hazards and Hazardous Materials, of the Draft EIR (at page IV.H-21) is revised to read:

Prior to the initial occupancy of any residential unit in the Project, the Project Applicant would submit an emergency response plan for approval by the Los Angeles Fire Department (LAFD). The emergency response plan will include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. In developing the emergency response plan, the Project Applicant shall consult with neighboring land uses, including but not limited to the U.S. Navy Defense Fuel Support Point (DFSP), the ConocoPhillips Refinery, Rancho LPG, the Port of Los Angeles, the City of Rancho Palos Verdes, and Mary Star of the Sea High School.

29. Page IV.H-42, the second sentence of the last paragraph is revised as follows:

Emergency access to the Project Site (police, fire, and ambulance) would be provided by the two ingress/egress points on Western Avenue that would also provide general site access, as well as via an emergency-only lane connecting the southern Project roadway to the southern site boundary adjacent to the off-site Seaport Village development.

30. Page IV.H-43, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.I Hydrology and Water Quality

31. Page IV.I-56, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.J Land Use and Planning

32. Page IV.J-8, second full paragraph is revised to read:

The Project Site is presently designated a combination of "Low Residential" and "Open Space" in the Community Plan. The majority of the property is designated "Low Residential." An estimated 9.~~1~~3 acres of the ~~northwestern corner of the~~ site, generally parallel to its northern boundary with ~~(along Western Avenue and adjacent to~~ the U.S. Navy's DFSP property~~)~~ is designated "Open Space."

33. Page IV.J-13, first paragraph under the "OS-1XL" heading is revised to read:

An estimated ~~9.1~~ 9.3 acres of the northwestern corner of the Project Site (along Western Avenue and adjacent to the U.S. Navy's DFSP property) is zoned OS-1XL.[2] Generally, the City's Open Space zone is used to identify public, recreational, park, or natural resource land. At the time the

[2] Estimated using City of Los Angeles Zoning Information and Map Access System (ZIMAS), website: http://zimas.lacity.org/, August 29, 2011.

Project Site was annexed to the City of Los Angeles in 1980, it was fully developed with a Navy Housing complex (under public ownership). No portion of the Project Site was identified as a recreational, park, or natural resource area.

34. Page IV.J-17, the first paragraph is revised to read:

The Project is also located adjacent to the Navy DFSP, which is a fuel and oil storage facility. Fuel storage facilities at the DFSP primarily consist of underground tanks, with fuel transfer accomplished largely through delivery via pipeline. ~~Because the bulk of the facilities are located underground, the property, although off-limits to the public, functions in some aspects as open space, including providing protected habitat to the threatened Palos Verdes Blue Butterfly and visually natural, open space views for the community.~~[3] Other loading facilities at the DFSP are located away from the Project Site along Gaffey Street to the east. ~~Fuel and oil storage is a passive activity.~~ The risks and potential health hazards associated with the adjacent DFSP are addressed in Sections IV.C (Air Quality) and IV.H (Hazards and Hazardous Materials) of this Draft EIR.

35. Page IV.J-18, first sentence of bottom paragraph is revised to read:

An estimated ~~9.1~~ 9.3 acres of the northwestern corner of the Project Site (along Western Avenue and adjacent to the U.S. Navy's DFSP property) is zoned OS.

36. In response to Comment Letter No. A15 (Northwest San Pedro Neighborhood Council), the following discussion is added to page IV.J-55, above the "Impact Summary" subheading:

Urban Design Principles

The Proposed Project would incorporate each of the City's ten Urban Design Principles to varying degrees as follows:

- Usable and Accessible Transit Areas: The Proposed Project would help to implement this principle through the creation of a network of pedestrian and bicycle paths both within the Project and connecting the Project with Western Avenue. In addition, the Project would provide a bus turnout lane on Western Avenue and bus stop facilities at bus stops adjacent to the Project Site (see Mitigation Measure TRANS-27). Bicycle storage areas would also be provided at the Project Site, and the Project would also coordinate with local and regional transit operators to develop and implement strategies to increase transit use by Project residents (see Mitigation Measure TRANS-26), as well as coordinate with

~~[3] Palos Verdes Land Conservancy, The Defense Fuel Support Point and Nursery webpage: http://www.pvplc.org/_lands/dfspn.asp, accessed 10/12/12.~~

LADOT to potentially extend the existing San Pedro DASH route northerly on Western Avenue to serve the Project Site (see Mitigation Measure TRANS-28).

- Reinforce Walkability and Wellbeing: The Proposed Project would help to implement this principle through the creation of a network of pedestrian pathways throughout the site, including a walking/jogging path around the perimeter of the Project. These paths would connect to the existing sidewalk along Western Avenue adjacent to the site. Pedestrian access would also be provided along the new road across the site between Western Avenue and Mary Star of the Sea High School. In addition, recreational facilities for the use of Project residents would be provided within each of the housing products in the Project. All of the pedestrian areas within the Project would be landscaped.

- Bridging the Past and the Future: This principle is not directly applicable to the Project Site in that the local vicinity does not contain notable examples of historical architecture and/or historical areas.

- Accentuate Visual Interest: The Project would establish detailed design guidelines within its Specific Plan with the purpose of creating a unified, appealing, and distinct visual presentation for the Project Site. These guidelines will address building facades, awnings, signage, architectural treatments, utilities, building setbacks, and other components of the Project, including pedestrian access.

- Nurture Neighborhood Character: The Project Site is a relatively challenging location given its current isolation from surrounding land uses as well as the variety of contiguous land uses surrounding it. The Project would help to implement this design guideline by modulating development in different areas of the site, precisely to vary the density according to the context of the surrounding uses. Overall, density within the Project generally increases as one moves across the Project Site from north/northeast to south/southwest, with the lowest densities nearest the DFSP, Green Hills Memorial Park, and single-family residential communities west of Western Avenue and north of Avenida Aprenda. The Project would improve the connection of Mary Star of the Sea High School to the community, but would not provide direct connections to the multi-family developments to the south or the single-family neighborhood to the east.

- Develop Street Furnishings: The Project would help to implement this guideline by establishing consistent guidelines through its Specific Plan for landscaping, streetscaping, paving materials, lighting, and benches along the public perimeter pathway and other walking paths.

- Emphasize Early Implementation and Long Term Maintenance: This principle is not directly applicable to the Project, being directed primarily at City Planners. Nonetheless,

the Project's Specific Plan would ensure that all development at the site attains an approved standard. In addition, the Project would include a Homeowners' Association and CC&Rs to ensure maintenance of the site and Project roadways.

- Stimulate Sustainability and Innovation: The Project would help to implement this guideline through both compliance with the City's Green Building Code and the implementation of Project Design Features, including biofiltration of stormwater runoff, drought tolerant landscaping, and accessibility to reclaimed water delivery infrastructure.

- Improve Equity and Opportunity: The Project would help to partially implement this guideline by developing a range of housing product types oriented toward different segments of the market.

- Generate Public Open Space: The Project would partially implement this guideline by providing a substantial amount of open space accessible to all residents of the Project as well as to the general public via pedestrian accessways, including a central recreation area and multiple park areas, as well as additional open space accessible to the general public.

- Navigation, Connection, and Flow: The Project would help to implement this guideline by providing a network of walking, bicycle, and automobile circulation routes to be developed according to the design specifications in the Specific Plan. These routes would be signed, lighted, and treated with aesthetically consistent paving surfaces.

It should be noted that few projects will be consistent with each of these principles. The Urban Design Principles recognize that areas and communities within the City have a variety of unique elements that do not necessarily apply throughout the City and therefore should not be uniformly applied throughout the City. As noted above, the Project is either partially or fully consistent with each of the applicable Urban Design Principles. However, the Project's partial inconsistency with some of these planning objectives does not mean that the Project is necessarily inappropriate for the Project Site, nor does it constitute an adverse environmental impact. Indeed, the Urban Design Principles are presented with the caveat that not every location within the City is an appropriate site for the utilization of these planning objectives.

37. In response to Comment Letter No. A15 (Northwest San Pedro Neighborhood Council), the following discussion is added to page IV.J-55, above the "Impact Summary" subheading:

Walkability Checklist

The Proposed Project would incorporate each of the objectives presented in the City's Walkability Checklist to varying degrees as follows:

- Sidewalks: The Project would address this objective by providing pedestrian connections from the sidewalk along Western Avenue to the proposed perimeter walking/jogging path surrounding the Project Site. Benches and other amenities would be provided within this landscaped public perimeter open space. Additional pathways would connect to the interior of the Project.

- Crosswalks/Street Crossings: The Project would address this objective through its Specific Plan, which would contain guidelines for the design and placement of crosswalks and pedestrian/bicycle street crossings within the Project.

- On-Street Parking: The Project would offer a limited amount of public, on-street parking along the proposed access road to Mary Star of the Sea High School.

- Utilities: The Project would be consistent with this objective by placing all utilities underground and buffering aboveground utility extensions with landscaping.

- Building Orientation: Although this objective is primarily oriented toward retail developments, the Project would partially address the concept by making building entrances visible from pedestrian pathways and providing direct pathways from the Project's interior to the transit stops on Western Avenue. The Project would also provide architectural continuity along the Western Avenue frontage.

- Off-Street Parking and Driveways: Parking for the Project would primarily consist of off-street garages and understructure spaces. This parking would be virtually invisible from Western Avenue due both to Project buildings and landscaping. The Project would be generally consistent with this objective.

- On-Site Landscaping: The Project would be consistent with this objective by incorporating extensive, visually interesting landscaping throughout the site, including over 3,000 new trees. Pedestrian pathways would be landscaped both within the Project itself and around the site's perimeter.

- Building Façade: The Project's building design would include features intended to promote visual interest and diversity when viewed from public frontages. Views from the Western Avenue frontage into the Project interior would be available from the pedestrian pathway. Blank walls would be minimized and articulated massing would be incorporated into Project building design. The Project would be largely consistent with this objective.

- Building Signage and Lighting: The Project would provide a consistent signage theme as specified in the Specific Plan. Lighting design and placement would also be similarly coordinated for the Project via the Specific Plan. Both would be consistent with this

objective by being oriented to assist both pedestrians and automobile passengers and being "dark sky" compliant.

Notwithstanding the discussion provided above, the objectives and goals included in the Walkability Checklist are not mandatory, and not every objective or goal would be appropriate for every project. The primary objective is to achieve the implementation of some of these objectives in every project, thereby improving pedestrian access, comfort and safety. As noted above, the Project is either partially or fully consistent with applicable items of the Walkability Checklist. However, the Project's partial inconsistency with some of these planning objectives does not mean that the Project is necessarily inappropriate for the Project Site, nor does it constitute an adverse environmental impact. Indeed, the Walkability Checklist is presented with the caveat that not every location within the City is an appropriate site for the utilization of each of these planning objectives.

38. Page IV.J-55, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.K Noise

39. Page IV.K-29, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

40. In response to Comment Letter No. A5 (City of Lomita), the following mitigation measures in Section IV.K, Noise, of the Draft EIR (at page IV.K-33) have been revised as follows:

NO-6 All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible. Prior to the commencement of construction at the Project Site, a meeting shall be held with appropriate representatives of the Cities of Rancho Palos Verdes, Torrance, and Lomita. The purpose of the meeting will be to designate truck routes for off-site load hauling vehicles and other construction-related vehicles.

NO-7 Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to the immediate surrounding cities and off-site residential, school, and memorial park properties that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

Section IV.M.1 Public Services – Fire Protection

41. In response to Comment Letter No. B151 (Morgan, Brett), the text of the Draft EIR on page IV.M-2 (bottom paragraph) has been revised as follows:

In addition, backup support for fire protection services in the Project area is provided through an informal mutual aid agreement between the LAFD and the Los Angeles County Fire Department (LACFD). The decision as to which agency responds to a particular emergency in any service area is made on a case-by-case basis, based on the nature and location of the emergency, and the availability of fire protection equipment at the time.[4] There are two LACFD fire stations within ~~a two-mile radius~~ the vicinity (as shown in Figure IV.M-1) of the Project Site: Station 6 located at 25517 S. Narbonne Avenue in Lomita (approximately two miles from the Project Site), and Station 83 located at 83 Miraleste Plaza in Rancho Palos Verdes (approximately ~~1.5~~ 2.6 miles driving distance from the Project Site).

42. In response to Comment Letter No. A15 (Northwest San Pedro Neighborhood Council), the Project Design Feature under Section IV.M.1, Fire Protection, of the Draft EIR (at page IV.M-9) is revised to read:

Prior to the initial occupancy of any residential unit in the Project, the Project Applicant would submit an emergency response plan for approval by the Los Angeles Fire Department (LAFD). The emergency response plan will include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. In developing the emergency response plan, the Project Applicant shall consult with neighboring land uses, including but not limited to the U.S. Navy Defense Fuel Support Point (DFSP), the ConocoPhillips Refinery, Rancho LPG, the Port of Los Angeles, the City of Rancho Palos Verdes, and Mary Star of the Sea High School.

Section IV.L Population and Housing

43. Page IV.L-26, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

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[4] *Mutual aid and interagency coordination is discussed on page I-2 of the Safety Element of the City of Los Angeles City General Plan: http://cityplanning.lacity.org/cwd/gnlpln/SaftyElt.pdf*

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.M Public Services

44. Page IV.M-12, the first paragraph is revised as follows:

General and emergency access to the Project would be provided from Western Avenue at the two existing signalized intersections with Green Hills Drive and Avenida Aprenda on the north and south, respectively. The northern access point would be gated with restricted public access; however, the gates would be designed with key or code access for emergency vehicles. The southern access point would be a public street across the Project Site. Gated access from this street to the non-apartment residential areas of the Project would also be provided. As with the northern access point, this gate would be designed with key or code access for emergency vehicles. An additional emergency access point would be located along the Site's southern boundary and would connect the southern Project roadway to the off-site Seaport Village development. This emergency-only lane would be gated with key or code access for emergency vehicles. The Project Site's internal roadway system would enable any of these emergency access points to be reached from any location in the Project. In addition, as part of a reciprocal emergency access arrangement, the Project Site would have emergency access from its southern access point through the Mary Star of the Sea High School to Taper Avenue. Thus, the Project Site would be able to take emergency access from an additional street other than Western Avenue.[5]

45. Page IV.M-13, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

46. Page IV.M-22, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

[5] Use of the Taper Avenue emergency access would be strictly limited to emergency conditions necessitating access to the Project Site from locations other than Western Avenue. In all other circumstances, access to the Project Site would be taken from Western Avenue.

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

47. Page IV.M-35, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

48. Page IV.M-54, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

49. Page IV.M-60, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section IV.N Transportation and Traffic

50. In response to Comment Letter No. A5 (City of Lomita), the following references in the Draft EIR to the intersection of Arlington Avenue/Lomita Boulevard are revised as follows:

- Intersection No. 8 in Tables IV.N-1, IV.N-4, IV.N-6, IV.N-7, IV.N-11, IV.N-12, IV.N-13, IV.N-16, IV.N-17, IV.N-18, IV.N-19, IV.N-20, IV.N-21, IV.N-22, IV.N-23, IV.N-24, and IV.N-25 is revised as follows:

~~Arlington Avenue~~ Narbonne Avenue/Lomita Boulevard

- Intersection No. 8 on Figures IV.N-2, IV.N-3, IV.N-4, IV.N-8, IV.N-9, IV.N-10, IV.N-12, IV.N-13, IV.N-16, IV.N-17, IV.N-19, IV.N-20, IV.N-22, IV.N-23, IV.N-25, IV.N-26, IV.N-28, IV.N-29, and IV.N-31 is revised as follows:

~~Arlington Avenue~~ Narbonne Avenue/Lomita Boulevard

51. Figure IV.N-3 in Section IV.N, Transportation and Traffic, is replaced with revised Figure 5-1 from the Project Traffic Study (Appendix IV.N-1 to the Draft EIR), retaining the same figure title.

52. In response to Comment Letter No. A9 (Caltrans), the first full paragraph on page IV.N-86 is revised to read:

> Construction of the Project would not require any temporary street closures or closures of two or more traffic lanes. It is possible that portions of traffic lanes adjacent to the Project Site could be temporarily blocked off to allow for installation of utility connections. However, the Project Applicant would be required to install signage in appropriate locations to notify travelers of the temporary lane closures. The degree to which signage and/or a traffic management plan would be required of the Project Applicant to minimize temporary traffic impacts during the construction phase would be determined by LADOT, in consultation with Caltrans, at the time the Applicant applies for permits that are required for the temporary lane closure.

53. Page IV.N-86, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

> As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

54. Page IV.N-87, the last sentence of the third full paragraph is revised as follows:

> This corresponds to an annual growth rate of approximately 0.355 percent, or a total growth of 6.04 percent for the period 2010 through 2027~~ (end of the proposed Development Agreement)~~.

55. In response to Comment Letter No. A7 (Metro), sub-part (b) of Mitigation Measure TRANS-12 on page IV.N-162 of the Draft EIR is revised to read:

> Relocate the existing southbound near-side Metro bus stop on Gaffey Street to the far side of the intersection (i.e., south of the intersection) where a full bus pad is to be installed in the street;

56. Mitigation Measure TRANS-27 is revised as follows:

> In conjunction with the street widening of Western Avenue adjacent to the Project Site, the Applicant shall provide a bus turnout lane and bus stop facilities (shelter, bench and schedule information) at bus stops adjacent to the Site.

Section IV.O Utilities and Service Systems

57. Page IV.O-14, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

> As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

58. Page IV.O-22 under the heading "Current Project Site Wastewater Generation" is revised to read:

> The Project Site is currently developed with 245 residential units, a 2,161-square foot community center, and a 3,454-square foot retail convenience facility. All of the existing residences and buildings have been vacated and currently generate no wastewater. ~~Although the~~ The Project Site is ~~now~~ within the wastewater jurisdiction of the ~~City of Los Angeles Bureau of Sanitation, which is overseen by the Department of Public Works, historically it was served by the~~ Los Angeles County Sanitation Districts (LACSD) District No. 5.
>
> The LACSD are a confederation of independent special districts that provide wastewater and solid waste management for approximately 5.1 million people in Los Angeles County. The LACSD's 1,400 miles of main trunk sewers and 11 wastewater treatment plants convey and treat approximately 510 million gallons per day (mgd) of wastewater, 190 mgd of which are available for reuse.[6] The LACSD's service area covers approximately 800 square miles and encompasses 78 cities and unincorporated territory within the County. The areas ~~surrounding~~ adjacent to the Project Site on the west and south also fall~~s~~ within LACSD's District No. 5, which generally includes the Cities of Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Torrance, Gardena, Lawndale, Hawthorne, and Inglewood.
>
> ~~Although the Project Site is located within the service area of the City of Los Angeles Bureau of Sanitation, the~~ The former Navy Housing uses at the ~~site~~ Project Site did not discharge wastewater to the City Bureau of Sanitation system. Rather, as described below, wastewater was sent to the County sewer infrastructure for conveyance to LACSD treatment facilities; specifically, the Joint Water Pollution Control Plant (JWPCP) operated by the LACSD and located in the City of Carson, approximately four miles from the Project Site.

59. Page IV.O-24, add the following discussion under the heading "Project Impacts":

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[6] *Sanitation Districts of Los Angeles County, General Information, website: http://www.lacsd.org/csdinfo.htm#Wastewater%20Management, June 2011.*

As discussed above, the majority of the Project Site is located within the boundaries of LACSD District No. 5. A portion of the site is located within the sewer service area boundaries of the City's Bureau of Sanitation system. Thus, the Project would have two ultimate sewer service connection options: (1) service by the City's Bureau of Sanitation; or (2) service by the LACSD. Under the first option, the Project would connect to the existing City sewer facility located in Taper Avenue, adjacent and to the east of the Project's eastern property boundary. Under the second option, the Project would connect via a new sewer lateral to the existing LACSD facilities located across and adjacent to the site's southwest corner, within the Western Avenue right-of-way.

The Project Applicant's preferred option is to deliver all Project wastewater to the City Bureau of Sanitation's sewer system for conveyance and treatment. However, in order to connect to the City's sewer system, the Project Applicant must first pursue and perfect a de-annexation from the LACSD service area for the majority of the Project Site and, subsequently, annexation to the City Bureau of Sanitation service area. This process requires approval by the Local Agency Formation Commission (LAFCO) as well as by the two wastewater service agencies. Although the Project Applicant has initiated this process, it is not estimated to be completed until mid-2013. Although, as is discussed below, both the LACSD and City Bureau of Sanitation have opined that adequate conveyance and treatment capacity exists with which to serve the Proposed Project, in the event that the transfer of the majority of the Project Site out of the LACSD service area and into the City's service area is not approved, analyses of Project wastewater conveyance and treatment by both the City Bureau of Sanitation and the LACSD are presented in this section.

60. Page IV.O-25, under the heading "Wastewater Conveyance" is revised to read:

Proposed Sewer System

Preferred City Option

The Project Applicant's preferred proposed sewer design for the Project includes a sewer discharge connection to the existing City system at the LADPW's 8-inch gravity sewer main within the Taper Avenue right-of-way (Record Plan D-19444). Sewage effluent from the Project would be discharged into the existing 8-inch sewer main via a sewer line connection to the existing upstream terminus manhole (station number 17+25.41 per record plan D-19444). The preliminary design concept for the proposed on-site sewer system includes new sewer main infrastructure consisting of a new lift station/force main package, manholes, and 6-inch, 8-inch and 10-inch sewer piping elements. The final on-site sewer infrastructure layout and design will be a function of the sewer confluence point locations coupled with the specified pipe sloping and fall conditions.

The Project's on-site sewer system would discharge into a single connection point to the 8-inch sewer main at the end of Taper Avenue, approximately where the existing Mary Star of the Sea

High School campus abuts the eastern edge of the Project Site. This location represents the current upstream end of this sewer main; no upstream sewage effluent would exist in the main at the point where the Project would connect to it. Maintenance of the on-site portion of the Project's wastewater collection and conveyance system would eventually be the responsibility of the future homeowners' association (HOA).

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, an alternate sewer system would be developed to serve the Project. Preliminary designs for the internal Project sewer system would include new on-site sewer main infrastructure consisting of a new on-site lift station/force main package, manholes, and 6-inch, 8-inch, and 10-inch sewer piping elements. Based upon the LACDPW methodology for calculating the wastewater conveyance requirements of existing and proposed land uses, the Project would produce a daily average sewer flow of 203,100 gpd and a peak daily flow of 507,750 gpd. When combined with the existing off-site wastewater flows from the apartment and condominium units located on the adjacent tracts (45060 and 34044-C) to the south of the site, the total wastewater conveyance delivered through the existing 8-inch sewer lateral crossing Western Avenue southwest of the site would be 215,841 gpd (average daily) and 539,603 gpd (peak daily).

Off-Site Conveyance Capacity

Preferred City Option

The LADPW analyzes the impacts of a proposed development on the surrounding existing sewer infrastructure through an applicant-driven process called a Sewer Capacity Availability Request (SCAR). Through this process, the Project Applicant requested that the City analyze its existing infrastructure and issue either an agreement or a denial to service the Proposed Project's sewage effluent. A SCAR was filed with the Bureau of Sanitation requesting the City's agreement to service the Project's sewage effluent as tabulated in Table IV.O-3 above. The City then analyzed the existing sewer system and determined that sufficient residual conveyance and treatment capacity exists in the sewer lines to which the Project is proposing to discharge. Specifically, the Project's estimated wastewater flow would constitute approximately 35 percent of the available capacity in the 8-inch Taper Avenue sewer main.

Consequently, the City issued a SCAR response in essence committing to serve the Project (see Appendix IV.O-2).[7] The City's sewer system has sufficient capacity to accommodate the total

[7] *Approved SCAR, Bureau of Engineering, Department of Public Works, City of Los Angeles, May 24, 2012.*

flow for the Project, therefore Project impacts with regard to wastewater conveyance would be ***less than significant***.

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, the County system would provide off-site conveyance of Project wastewater. The LACSD's WAPP facility would serve all sewers flowing from the existing LACDPW 8-inch sewer line crossing Western Avenue, including the Project's wastewater. In terms of off-site sewer conveyance, the existing LACDPW 8-inch sewer line in Western Avenue has a "50 percent full" design flow capacity of 0.63 cfs and a "75 percent full" design flow capacity of 1.15 cfs. The existing sewer peak flow generated from the existing off-site development to the south is 0.049 cfs. When the Project's wastewater is added to this existing off-site wastewater (peak flow), the total amount requiring conveyance would be 0.835 cfs. Given the 8-inch sewer pipe's existing size slope and material, the proposed total sewer flow of 0.835 cfs would utilize 59 percent of the full pipe capacity, which is 32 percent more than would be permitted under the "50 percent full" design flow capacity. This condition would yield a flow velocity of 3.9 feet per second, which is above the 3 feet per second standard utilized by LACDPW. Because the proposed flow depth/velocity would fall under LACDPW special case consideration, specific approval from LACDPW is required. This approval was sought and granted on July 20, 2011. Therefore, Project impacts with regard to wastewater conveyance would be ***less than significant***.

61. Page IV.O-26 under the heading "Wastewater Treatment" is revised to read:

Preferred City Option

Wastewater from the Project Site would be subsequently conveyed to the TIWRP, which has a remaining treatment capacity of approximately 14 mgd. The 205,950 gpd net increase in wastewater generation that would be created by the Project represents approximately 1.5 percent of the remaining capacity at the TIWRP. Therefore, TIWRP has enough remaining capacity to accommodate treatment of Project-generated wastewater. The Project's additional wastewater flows would not substantially or incrementally exceed the future scheduled capacity of any treatment plant by generating flows greater than those anticipated in the Integrated Resources Plan, Sewer System Management Plan, or General Plan. Impacts upon wastewater treatment capacity as a result of the Project would be ***less than significant***.

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, the County system would provide off-site treatment of Project wastewater. The Joint Water Pollution Control Plant

(JWPCP) is operated by the LACSD and is located in the City of Carson, approximately four miles from the Project Site. The plant began operation in 1928 and has a permitted design treatment capacity of 400 million gallons per day (mgd) of wastewater with an approximated current average flow of 300 mgd.[8] The operation at JWPCP consists of screening, grit removal, primary sedimentation, pure oxygen activated sludge reactors, secondary clarification, and chlorination. The 205,950 gpd net increase in wastewater generation that would be created by the Project represents approximately 0.2 percent of the remaining capacity at the TIWRP. Therefore, TIWRP has enough remaining capacity to accommodate treatment of Project-generated wastewater. Impacts upon wastewater treatment capacity as a result of the Project would be ***less than significant***.

62. Page IV.O-26 under the heading "Construction Impacts" has been revised to read:

Preferred City Option

The required sewer connection and related infrastructure upgrades would not be expected to create a significant impact to the physical environment because: (1) existing service would not be disrupted; (2) replacement of the sewer lines would be within public and private rights-of-way; and (3) the existing infrastructure would be replaced with improved infrastructure in areas that have already been significantly disturbed. Furthermore, the Project Applicant would pay for needed upgrades. All of the proposed sewer improvements would occur on-site and away from existing traffic flows, with the lone exception of where the Project's new discharge connection would connect to an existing manhole located in Taper Avenue. Because the existing manhole is located at the end of a private local street (on the Mary Star of the Sea High School campus), the interim construction window of a few days to make the sewer connection would not create a disruption to the surrounding community. The proposed sewer connection to the upstream terminus end of the sewer line would not result in an interruption in service to any existing downstream properties serviced by the line. Therefore, Project impacts with regard to wastewater infrastructure installation/improvement would be ***less than significant***.

Alternative County Option

The required sewer connection and related infrastructure upgrades would not be expected to create a significant impact to the physical environment because: (1) existing service would not be disrupted; (2) replacement of the sewer lines would be within public and private rights-of-way; and (3) the existing infrastructure would be replaced with improved infrastructure in areas that have already been significantly disturbed. Furthermore, the Project Applicant would pay for

[8] *LACSD Joint Water Pollution Control Plant facility information; http://www.lacsd.org/about/wastewater_facilities/jwpcp/default.asp, accessed September 16, 2011.*

needed upgrades. Where the Project's new force main would connect to the existing manhole No. 174 located along Western Avenue, impacts to traffic flows on Western Avenue are not expected to occur because the manhole is located in the unpaved parkway area along the east side of the street rather than within the street itself. Therefore, Project impacts with regard to wastewater infrastructure installation/improvement would be ***less than significant***.

63. Page IV.O-27, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

64. Page IV.O-27 under the heading "Cumulative Impacts" has been revised to add the following sub-heading:

Preferred City Option

65. Page IV.O-28, discussion under the heading "Cumulative Impacts" and just above Table IV.O-4 is revised to read:

Alternative County Option

In the event that transfer of the majority of the Project Site from the LACSD's sewer service jurisdiction to the City Bureau of Sanitation's service area is not approved, the County system would provide off-site collection, conveyance, and treatment of Project wastewater. Thus, in order to present the most conservative cumulative impact assessment, it has been assumed that all of the 154 cumulative projects, along with the Project, would discharge to the LACSD's treatment facility at the JWPCP.

As shown in Table IV.O-4, development of the cumulative projects would increase the generation of wastewater in the Project area to approximately 1.83 mgd (average daily). Including the Project's wastewater generation to this total yields a cumulative wastewater generation of approximately 2.03 mgd (average daily). The JWPCP currently has capacity for an additional 122.5 mgd. Therefore, the JWPCP would have adequate capacity to treat cumulative wastewater flows from the Project and cumulative projects.

Furthermore, each of the individual cumulative projects would be subject to the LACDWP's determination of whether there is allotted sewer conveyance capacity available prior to the formal acceptance of plans and specifications by the construction permitting authorities within each jurisdiction where the cumulative projects are to be developed. Therefore, the cumulative impact of the cumulative and proposed projects on wastewater would be ***less than significant***.

66. Page IV.O-52, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

> As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

67. Page IV.O-69, the first sentence of the paragraph under the sub-heading "Extended Buildout Analysis" is revised as follows:

> As discussed in Section II (Project Description), the potential exists for the Project buildout year to be extended by 10 years to ~~coincide with the anticipated expiration of the term of the Development Agreement (DA) in 2027~~ accommodate potential extensions allowed under the Vesting Tentative Tract Map process.

Section VI Alternatives to the Proposed Project

68. Page VI-4 at bottom, revise Alternative B title to read:

> Alternative B: ~~No Project Alternative/Existing Zoning (~~Single-Family Homes~~)~~

69. Page VI-5 under the heading "Alternatives Considered But Rejected From Further Consideration" is revised to read:

> Alternatives that clearly would not be financially feasible to develop and market (considering such factors as the cost of site acquisition and the costs to plan, permit, and develop the project), such as public parks, were not considered. Included among such alternatives is development of the Project Site under the existing zoning and General Plan land use designations, which would retain 9.3 acres of the site as undeveloped open space and develop the remainder with 169 5,000 square foot single-family home lots consistent with the R1-1XL zoning. Such an alternative has been determined to be economically infeasible to develop at the Project Site. However, an alternative that would develop the site exclusively with single-family homes is discussed and evaluated below as Alternative B.

70. Page VI-10, revise Alternative B title and discussion to read:

> **Alternative B: ~~No Project Alternative/Existing Zoning (~~Single-Family Homes~~)~~**
>
> Under Alternative B, the Project would not be developed on the Project Site. However, the Project Site would not remain in its current condition. Under the conditions of the ownership transfer from the U.S. Department of Defense to the previous owner, all existing improvements on the Project Site must be removed. Accordingly, the existing vacant former Navy housing

complex and associated roadways and other infrastructure would be demolished and all debris removed from the Project Site under this alternative. Under the current land use designation in the *Wilmington-Harbor City Community Plan*, a majority of the Project Site is designated for Low Density Residential (4 to 9 dwelling units per acre) land uses. The Planning and Zoning Code (Los Angeles Municipal Code [LAMC], Chapter 1), zones all but 9.3 acres of the Project Site R1-1XL (One-Family Zone, Extra Limited Height District No. 1). Single-family dwellings, among other specified land uses, are permitted within the R1 zone. The Extra Limited Height District No. 1 limits the height of buildings to two stories or 30 feet. The remaining 9.3 acres of the site is zoned and designated Open Space.

If a Zone Change and General Plan Amendment were approved to remove the 9.3 acres of Open Space zoning from the Project Site, the land use and zoning designations of the Project Site would permit up to 429 single-family homes. In addition, if a single-family project were to include below-market (moderate, low, and very-low income units), a potential density bonus of 35 percent under the City's existing rules and regulations, or 579 single-family units, might be developed on the Project Site. Because of the significant site acquisition and site preparation costs related to the Project, the Applicant indicates that it is unlikely that a single-family project with below-market units would be developed.

Under City of Los Angeles zoning criteria, R1 zoning requires that each lot have a minimum area of 5,000 square feet, a minimum width of 50 feet, front yards of not less than 20 percent of the depth of the lot, and rear yards of not less than 15 feet, with resulting dwelling unit densities of approximately six units per acre (taking streets into account). Due to high land prices in infill locations within the City of Los Angeles, fewer and fewer new subdivisions are being developed in accordance with R1 zoning. Instead, homebuilders seeking to develop single-family homes in infill locations routinely propose homes on smaller lots at significantly higher densities.

In addition, the requirement to incorporate a seismic setback zone across the site, described in Section IV.F, Geology and Soils, would eliminate approximately 44 potential lots from a single-family residential site plan, reducing the total number of potential home lots from 429 to 385.

While infill housing in areas like the Project Site is not typically being developed in accordance with traditional R1 zoning criteria, ~~for the purpose of complying with Section 15126.6(e)(2) of the CEQA Guidelines,~~ this alternatives analysis assumes that, under Alternative B, the Project Site would be developed as a single-family home project in accordance with R1 zoning with approximately 385 single-family homes and that a Zone Change and General Plan Amendment would be approved to remove the current Open Space zoning/land use designation from the northerly 9.3 acres of the site. A conceptual site plan for Alternative B is shown in Figure VI-1.

The number of homes in Alternative B is below the maximum density that could be developed ~~without a General Plan amendment or rezoning~~ under the R1 zoning in order to provide a street and lot plan consistent with a move-up/high-end home plan as well as to, as described above,

incorporate the required seismic setback zone. ~~The development would be designed to be consistent with all existing planning and zoning requirements.~~

All of the homes under Alternative B would be developed for sale at market rates. Due to the same significant site acquisition and site preparation costs discussed previously, the Project Applicant indicates that it would be necessary to develop the Project Site with the maximum reasonable number of move-up/high-end single-family homes at the highest supportable prices in the market area (Los Angeles/Wilmington-Harbor City/San Pedro) that could be achieved. The Project Applicant estimates that such homes would range between 2,000 and 3,000 square feet and would need to sell for an average price ~~of~~approaching $1 million. Given the current housing market and state of the local and regional economy, there is uncertainty that such prices could be realized. However, retaining the existing 9.3 acres of zoned Open Space on the site under Alternative B would eliminate approximately 81 additional single-family home lots from the site plan, which would likely make the alternative development economically infeasible to develop. For this reason, Alternative B proposes to eliminate the 9.3 acres of Open Space zoning from the Project Site.

71. Figure VI-1, revise the figure title to read:

Conceptual Site Plan – Alternative B (~~No Project Alternative/~~Single-Family Homes)

72. Page VI-13 under the "Public Park/Open Space" subheading is revised to read:

No public park would be developed. The existing 9.3 acres of zoned Open Space on-site would be eliminated through a Zone Change and General Plan Amendment process in order to allow for development of a sufficient number of single-family homes to render the site plan potentially feasible. Although community open space and private park area would be located along the seismic setback zone crossing the center of the Site, the total amount of open space associated with Alternative B would be less than that associated with the Proposed Project due to the elimination of the public park component and existing zoned Open Space.

73. Page VI-16, the last paragraph is revised to read:

Vehicular access to the Alternative C project would be from Western Avenue at the two existing signalized intersections with Green Hills Drive and Avenida Aprenda on the north and south, respectively. The proposed southerly Project entrance at the Western Avenue/Avenida Aprenda intersection would feed into a new east-west road crossing the southern portion of the Project Site that would provide access to the Mary Star of the Sea High School campus adjacent to the Project Site on the east. As with the Proposed Project, additional emergency-only vehicular access would be provided along the Site's southern boundary adjacent to the off-site Seaport Village development.

74. Page VI-17, the second paragraph is revised to read:

> When completed, Alternative C would redevelop 100 percent of the Project Site. Alternative C would incorporate a seismic setback area along the fault splay crossing the center of the site (see Section IV.F, Geology and Soils, for more detail). Alternative C would not include the 2.8-acre public community park that is included in the Proposed Project. However, Alternative C would incorporate approximately 20 acres of total open space, consisting of approximately one acre of outdoor recreational amenity space (including a recreation center with adjacent community clubhouse and pool/event lawn area in the central portion of the site), approximately 7.1 acres of dedicated park area (including the open space/trail network around the perimeter of the Project Site), 10.2 acres of landscaped common area throughout the Project, and an additional 2.1 acres of general open space, resulting in a total amount of open space similar to that provided by the Proposed Project (20.5 acres versus 20.6 acres). All of this open space would be accessible to the general public via pedestrian access points. Additional indoor recreational amenities (e.g., rec rooms, fitness centers, etc.) would be distributed across the site and are not included in the acreages above. These recreational facilities would be for the private use of residents and their guests and would not be accessible to the general public. ~~The walking/jogging path surrounding the perimeter of the Project and extending through the landscaped open space surrounding the Site would be open to the general public, although the other open space areas of the Project would not.~~

75. Page VI-18, the paragraph under the "Public Park/Open Space" sub-heading is revised to read:

> No public park would be developed. The amount of publicly-accessible open space associated with Alternative C would be ~~less than~~ approximately the same as that associated with the Proposed Project ~~due to the elimination of the public park component and would be limited to the trail and landscaped open space area surrounding the perimeter of the Project Site~~. Alternative C would~~, however,~~ provide a greater amount of private open space for the use of Project residents.

76. Page VI-23, the second full paragraph is revised to read:

> Vehicular access to the Alternative D project would be from Western Avenue at the two existing signalized intersections with Green Hills Drive and Avenida Aprenda on the north and south, respectively. The proposed southerly Project entrance at the Western Avenue/Avenida Aprenda intersection would feed into a new east-west road crossing the southern portion of the Project Site that would provide access to the Mary Star of the Sea High School campus adjacent to the Project Site on the east. As with the Proposed Project, additional emergency-only vehicular access would be provided along the Site's southern boundary adjacent to the off-site Seaport Village development.

77. Pages VI-70 and VI-71 under the "Impacts of Alternative B" subheading are revised to read:

~~Contrary to the Proposed Project,~~ Alternative B would ~~be developed consistent with existing planning and zoning designations for the Project Site~~ require a Zone Change and a General Plan Amendment to re-designate the existing 9.3 acres of Open Space on-site to R1-1XL and Low Density Residential to match the remainder of the site's existing zoning and land use designation. Lots for the 385 single-family homes would be created through the processing and recordation of a tentative tract map. Alternative B would contribute fewer additional housing units to meet area housing needs than the Project. In addition, it is expected that the sales price of homes developed pursuant to Alternative B would ~~average approximately~~approach $1,000,000. Thus, Alternative B would provide housing for only the most affluent segment of the housing market, rather than for a broad range of potential buyers and renters. Although it would contribute additional single-family housing, Alternative B would not implement recommended air quality and regional planning strategies to increase the density of infill housing so as to reduce urban sprawl impacts on natural resources, reduce air quality emissions due to VMT for commuting purposes, and to reduce regional congestion through VMT reduction. Alternative B would fail to promote further attainment of many City and regional planning objectives and would be either inconsistent or less consistent than the Proposed Project with several of the policies contained in the General Plan, particularly those relating to the provision of a range of housing opportunities and the promotion of higher densities in locations proximate to centers of employment and transit. Alternative B would not set aside and dedicate a 2.8-acre public park as proposed by the Project. In addition, the access road across the southern portion of the Project Site connecting Western Avenue to the Mary Star of the Sea High School campus would not be provided under this alternative, creating a potential land use incompatibility with the school that did not previously exist by forcing school traffic to pass through an existing single-family residential neighborhood (Taper Avenue). In summary, impacts would be less than significant but, on balance, slightly greater than those associated with the Proposed Project.

78. Page VI-93, the first paragraph under the sub-heading "Parks and Recreation" has been revised to read:

Approximately 33 percent of Alternative C's post-development acreage (or 20.5 acres) would consist of a combination of open space, landscaped common areas, recreational amenities, and parks, as shown conceptually in Figure VI-5 and tabulated in Table VI-10. Of this total, 0.5 acre would be ~~accessible to the general public~~ located outside the gated portion of the Project and 20 acres would be ~~accessible only to the residents of the private (non-rental)~~ located inside the gated portion of the Project. Alternative C would exceed its generated private (non-rental) neighborhood park need by 4.1 acres, but would create a net unmet 0.3-acre demand for publicly accessible neighborhood park area. Non-vehicular public access to the parks and open space within the gated portion of the Project would be provided via pedestrian access points.

79. Page VI-103 under the "Impacts of Alternative B" subheading is revised to read:

Alternative B represents development under ~~the existing R-1 entitlement for the Project Site~~ R1-1XL zoning and a Low Medium Residential land use designation. ~~Under this entitlement~~ With approval of these entitlements, a total of 385 single-family homes could be constructed on the Project Site. The vehicular access associated with Alternative B is assumed to be consistent with the access scheme currently planned for the Proposed Project.

80. Table VI-19, the repeating header beginning on page VI-133, is revised for Alternative B to read:

Alternative B: ~~No Project Alternative/Existing Zoning (~~Single-Family Homes~~)~~

81. Pages VI-146 and VI-147 under the "Alternative B" subheading are revised to read:

Alternative B would redevelop the Project Site with approximately 385 single-family homes, consistent with ~~existing zoning regulations governing the site~~ R1-1XL zoning and the Low Medium Residential land use designation. As discussed at the start of this section, ~~because~~ Alternative B would ~~not~~ require a General Plan Amendment ~~or~~ and Zone Change to eliminate the existing Open Space zoning and land use designation from the northerly 9.3 acres of the site in order to be implemented~~, it is also considered to represent a "No Project" alternative, even though it would result in redevelopment of the site~~.

Appendix I-2, Responses to the NOP

82. In response to Comment Letter No. A7 (Metro), Appendix I-2 of the Draft EIR has been revised to include the November 10, 2010 NOP response letter from Metro.

REQUESTED ENTITLEMENTS

General Plan Amendment to the Wilmington - Harbor City Community Plan from "Low Residential" to "Low Medium I Residential," "Low Medium II Residential" and "Medium Residential."(Per LAMC § 11.5.6)

Zone Change from the existing R1-1XL and OS-1XL to a new Specific Plan Zone. (Per LAMC § 12.32)

Specific Plan adopted for Ponte Vista, establishing project-specific development standards and guidelines. (Per LAMC §12.32)

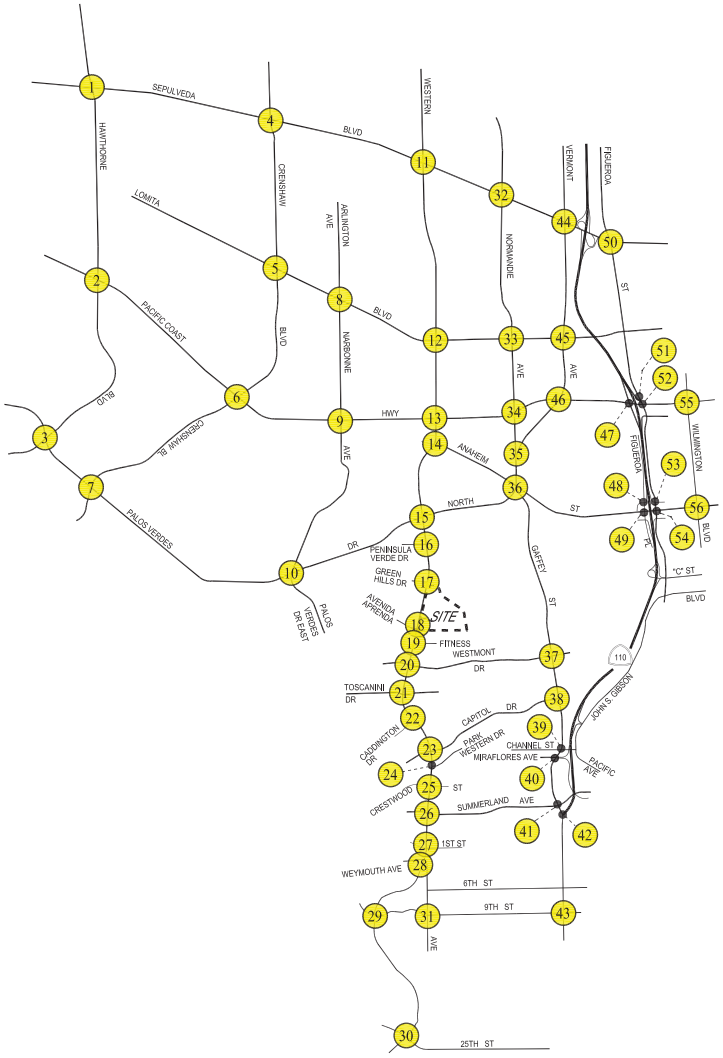
Vesting Tract Map for the development of 1,135 residential condominium units on the 61.5 acre Ponte Vista site. (LAMC § 17.00 et. seq.)

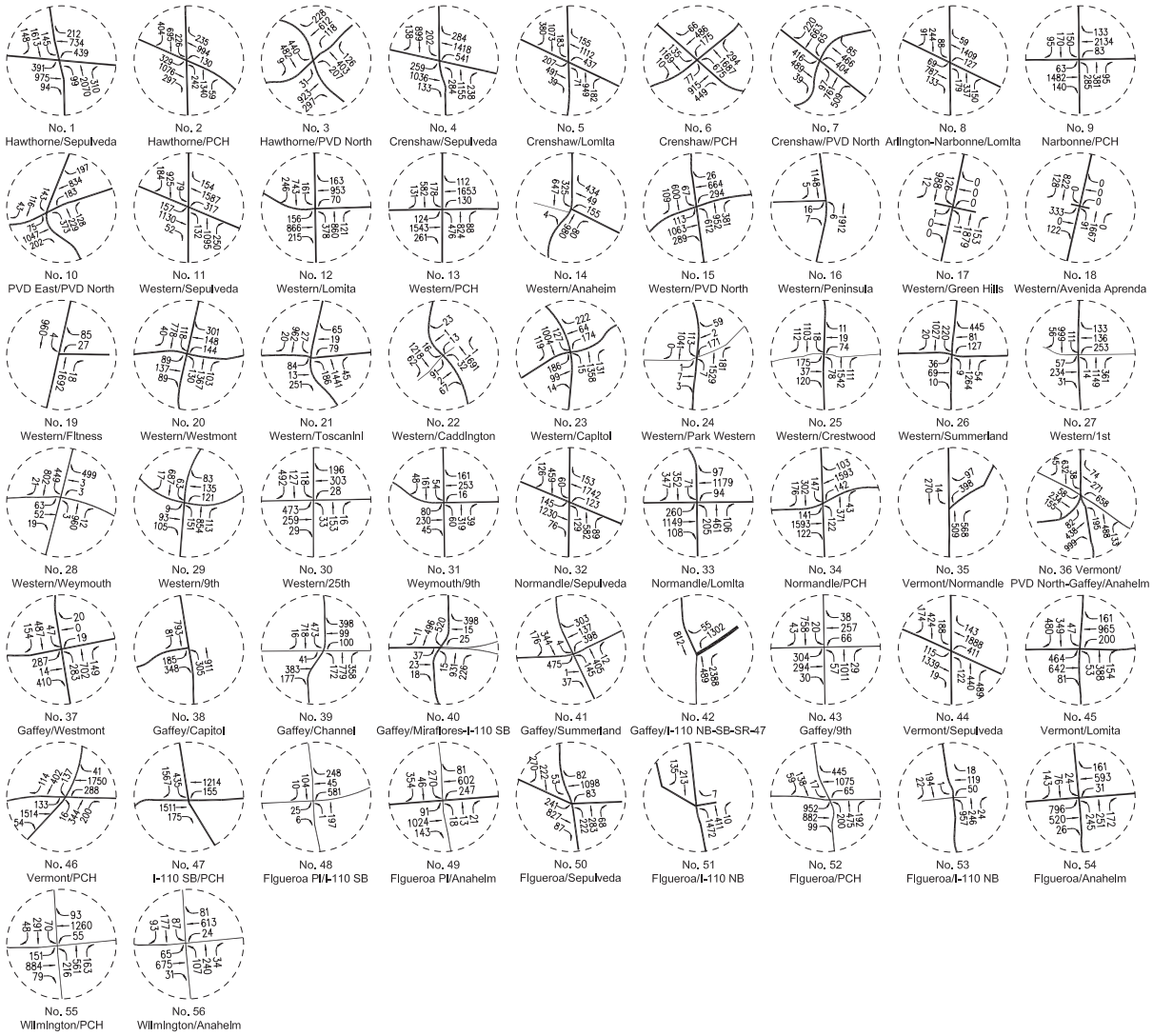
Legend

General Plan Land Use Designation	DU	AC
Low Medium I	353	27.6
Low Medium II	390	16.5
Medium	392	11.7
	1,135	55.8

Other Land Uses	
Public Park	2.8
Open Space	2.9
Total Site	61.5

Source: Ponte Vista, San Pedro, 2011.





NORTH

Not to Scale

Source: Linscott, Law & Greenspan, Engineers, 03/08/2012.

CAJA Environmental Services, LLC

Figure IV.N-3
Existing AM Traffic Volumes

Source: FUSCOE Engineering, June 18, 2012.

CAJA Environmental Services, LLC

Figure VI-1
Conceptual Site Plan - Alternative B
(Single-Family Homes)

V. MITIGATION MONITORING AND REPORTING PROGRAM

A. INTRODUCTION

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment" (Mitigation Monitoring and Reporting Program).

Section 15097 of the *CEQA Guidelines* provides additional direction on mitigation monitoring or reporting):

15097. MITIGATION MONITORING OR REPORTING.

> *(a) This section applies when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 relative to an EIR or adopted a mitigated negative declaration in conjunction with approving a project. In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.*

The City of Los Angeles is the Lead Agency for the Project. Any agency listed below is assumed to be within the City of Los Angeles, unless its jurisdiction is listed separately.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. This Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of the mitigation measures identified for the Project. The MMRP is subject to review and approval by the Lead Agency as part of the certification of the EIR and adoption of project conditions. The required mitigation measures are listed and categorized by impact area, as identified in the Draft EIR and Final EIR, with an accompanying identification of the following:

- Monitoring Phase, the phase of the Project during which the mitigation measure shall be monitored;
    - Pre-Construction, including the design phase
    - Construction
    - Pre-Occupancy (prior to issuance of a Certificate of Occupancy)

- Occupancy (post-construction)

- Enforcement Agency, the agency with the power to enforce the mitigation measure; and
- Monitoring Agency, the agency to which reports including feasibility, compliance, implementation, and development are made.
- Monitoring Frequency, the frequency at which the mitigation measure shall be monitored.
- Action(s) Indicating Compliance, the action(s) of which the Enforcement or Monitoring Agency indicates that compliance with the identified mitigation measure has been implemented.

The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted. The MMRP performance shall be monitored annually to determine the effectiveness of the measures implemented in any given year and reevaluate the mitigation needs for the upcoming year.

Program Modification

After review and approval of the MMRP by the Lead Agency, minor changes and modifications to the MMRP are permitted, but can only be made by the Applicant or its successor(s) subject to approval by the City of Los Angeles. This flexibility is necessary due to the nature of the MMRP, and the need to protect the environment with a workable program. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. No changes will be permitted unless the MMRP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

B. MITIGATION MONITORING AND REPORTING PROGRAM

Section IV.A. Impacts Found to be Less Than Significant

No mitigation measures required.

Section IV.B. Aesthetics

No mitigation measures required.

Section IV.C. Air Quality

AQ-1 The following equipment specifications shall be implemented for construction activity, consistent with recent SCAQMD recommendations.[1] If these exact specifications cannot be feasibly

[1] *Based on a review of SCAQMD Project-level comment letters published in 2011;*

attained, the Project Applicant shall include a comparable measure demonstrating an equivalent effectiveness at reducing construction related air quality emissions.

- Three excavators shall meet Tier 3 off-road emissions standards;
- One grader shall meet Tier 3 off-road emissions standards;
- Two scrapers shall meet Tier 3 off-road emissions standards; and
- Six rubber-tired dozers shall meet Tier 3 off-road emissions standards and Diesel Particulate Filters (DPF) Level 2.[2]

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Quarterly, during the time the listed equipment will be used

Action Indicating Compliance: Compliance report submitted by contractor

AQ-2 The Project Applicant shall ensure that construction contractors use super-compliant architectural coatings as defined by the SCAQMD (VOC standard of less than ten grams per liter).[3]

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once, for each phase of development

Action Indicating Compliance: Compliance report submitted by contractor prior to use

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http://www.aqmd.gov/ceqa/letters.html, accessed April 13, 2011.

[2] *SCAQMD off-road mitigation measures; http://www.aqmd.gov/ceqa/handbook/mitigation/offroad/TableII.xls; and http://www.aqmd.gov/ceqa/handbook/mitigation/offroad/TableIII.doc; accessed April 13, 2011.*

[3] *SCAQMD, Super-Compliant Architectural Coatings Manufacturers and Industrial Maintenance Coatings List, http://www.aqmd.gov/prdas/Coatings/super-compliantlist.htm.*

AQ-3 The Project shall provide electric outlets on residential balconies and common areas for electric barbeques to the extent that such uses are permitted on balconies and common areas per the Covenants, Conditions and Restrictions recorded for the property.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once, for each phase of development

Action Indicating Compliance: Compliance report submitted by contractor prior to use

AQ-4 The Project shall use electric lawn mowers and leaf blowers, and electric or alternatively fueled sweepers with HEPA filters, for maintenance of the Project.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Annual

Action Indicating Compliance: Compliance report submitted by Project Homeowners Association

Section IV.D. Biological Resources

BIO-1 Potential impacts to nesting birds, migratory birds, and raptors shall be avoided either by scheduling grading, vegetation removal and demolition during the non-nesting period (August 30th through February 14th), or if this is not feasible, by conducting a pre-construction survey for raptor nests and avoiding disturbance of active nests. Provisions of the pre-construction survey and nest avoidance, if necessary, shall include the following:

- If grading or vegetation removal is scheduled during the active nesting period (February 15th through August 31st), a qualified wildlife biologist shall conduct a pre-construction raptor and

nesting bird survey no more than 30 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity.

- If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the CDFW and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of the nest shall be deferred until the young birds have fledged. A nest-setback zone of at least 300 feet for all raptors and 100 feet for loggerhead shrike and other non-raptors shall be established within which all construction-related disturbances shall be prohibited. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel restricted from the area.

- If permanent avoidance of the nest is not feasible, impacts shall be minimized by prohibiting disturbance within the nest-setback zone until a qualified biologist verifies that the birds have either a) not begun egg-laying and incubation, or b) that the juveniles from the nest are foraging independently and capable of independent survival at an earlier date.

- A survey report by the qualified biologist verifying that the young have fledged shall be submitted to the City prior to initiation of grading in any nest-setback zone.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: California Department of Fish and Wildlife

Monitoring Frequency: Once, prior to grading or vegetation removal, if grading or vegetation removal is scheduled during the active nesting period (February 15th through August 31st), and at any time, in the event that avoidance of a nest becomes infeasible during grading or vegetation removal.

Action Indicating Compliance: Survey report by qualified biologist

BIO-2 Prior to issuance of a demolition or grading permit, the Project Applicant shall have a qualified biologist conduct Phase 3 entry surveys within the interior of all buildings at the Project Site identified as having a high to moderate potential to provide bat roost habitat. These surveys shall involve accessing the attic and other areas (if warranted) to look for evidence of bats and utilizing heterodyne-style bat detectors to aid in the acoustic detection and identification of potentially roosting bats.

If bats or bat sign are not encountered during the Phase 3 surveys, the buildings shall be daylighted prior to demolition. Daylighting includes removal of substantial portions of the roof to create a well-lit, well-ventilated attic preventing bats from establishing in these buildings. Daylighting shall occur under the supervision of a qualified biologist at least 48 hours prior to building demolition. If bats are encountered during daylighting, all disturbance activities within the structure and within 200 feet shall be halted until: (a) the roost is vacated, or (b) a qualified biologist has coordinated with CDFW to develop alternative impact avoidance measures, up to and including bat removal.

If bats or bat sign are encountered during Phase 3 Surveys, the qualified biologists shall leave the building immediately to avoid further disturbance to roosting bats and conduct an emergence survey. Emergence surveys shall be conducted at dusk to determine where bats are exiting the building. Emergence surveys shall be conducted to determine the ingress/egress location, estimate the approximate number of bats using the roost, and identify the species occupying the roost using an ultrasonic bat detector. Demolition of occupied roosts shall be postponed until appropriate exclusion and mitigation measures have been determined in consultation with CDFW. Examples of exclusion measures include one-way barriers installed at the ingress/egress site that allow bats to exit the roost but not return.

Monitoring Phase:	Pre-Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	California Department of Fish and Wildlife
Monitoring Frequency:	Once, prior to demolition or grading of each vacated housing structure Once, during an emergence survey if bats are encountered
Action Indicating Compliance:	Survey report by qualified biologist; final report upon completion of demolition

BIO-3 Palm trees at the Project Site shall have the dead frond skirts removed between October 1 and March 31 before being felled to avoid impacts to roosting Southwestern Yellow Bats. A qualified arborist shall supervise removal of palm frond skirts in a systematic manner beginning with the top fronds and working towards the base of the tree. If bats are encountered during this process, trimming should halt and remain halted until (a) the roost is confirmed to have been vacated by a qualified biologist, or (b) a qualified biologist has coordinated with CDFW to develop alternative measures up to and including bat removal from the trees.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: California Department of Fish and Wildlife

Monitoring Frequency: Daily, during removal of palm trees

Actions Indicating Compliance: Compliance report submitted by contractor;

Survey report and final report by qualified biologist, if bats are encountered

BIO-4 Prior to issuance of a grading permit, the Project Applicant shall enter into a Streambed Alteration Agreement or other documentation (satisfactory to CDFW) with CDFW to provide a 1:1 replacement of 0.86 acre of suitable streambed and associated riparian habitat either on-site as additional habitat creation, off-site either through habitat creation or purchase of credits in an approved mitigation bank in the Los Angeles Basin, or via a combination of these approaches.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: California Department of Fish and Wildlife

Monitoring Frequency: Once, prior to issuance of grading permit

Action Indicating Compliance: Streambed Alteration Agreement or other documentation to the satisfaction of the CDFW; submittal of same to Department of Building and Safety

Section IV.E.1. Cultural Resources – Archaeological Resources

CULT-1: A qualified archaeologist shall be present to monitor all ground-disturbing activities associated with the Project.

Monitoring Phase: Pre-Construction; Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Daily, during ground-disturbing activities

Action Indicating Compliance: Quarterly compliance report submitted by qualified archaeologist

CULT-2: Prior to initiation of ground-disturbing activities, the archaeological monitor shall conduct a brief awareness training session for the benefit of all construction workers and supervisory personnel. The training, which could be held in conjunction with the Project's initial on-site safety meeting, shall explain the importance of and legal basis for the protection of significant archaeological resources. Each worker shall also learn the proper procedures to follow in the event that cultural resources or human remains/burials are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection and the immediate contact of the site supervisor and the archaeological monitor. It is recommended that this worker education session include visual images of artifacts that might be found in the Project vicinity.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to ground-disturbing activities

Action Indicating Compliance: Compliance report submitted by qualified archaeologist

CULT-3: In the event that cultural resources are exposed during construction, work in the immediate vicinity of the find shall stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Daily, during ground-disturbing activities

Action Indicating Compliance: Quarterly compliance report submitted by contractor

Section IV.E.2. Cultural Resources - Paleontological Resources

CULT-4: Prior to ground disturbance, the vertebrate fossils observed at locality JLD102210-02 (see Appendix IV.E-2) shall be collected. A bulk sample of the matrix (approximately 2,000 pounds) containing the invertebrate specimens shall also be collected and screened. Following matrix sampling, this area shall be closely monitored during construction grading to ensure the recovery of any additional scientifically significant fossil specimens.

Monitoring Phase: Pre-Construction; Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to ground-disturbing activities;

Daily, during ground-disturbing activities

Action Indicating Compliance: Vertebrate fossil collected;

Compliance report for fossil collection submitted by qualified paleontologist;

Quarterly compliance report for daily monitoring

CULT-5: Prior to ground disturbance, a qualified paleontologist shall be retained to produce a Paleontological Monitoring and Mitigation Plan for the Project and to supervise monitoring of construction excavations. Paleontological resource monitoring shall include inspection of exposed rock units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert grading away from exposed fossils to professionally and efficiently recover the fossil specimens and collect associated data.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, prior to ground-disturbing activities

Action Indicating Compliance: Produce a Paleontological Monitoring and Mitigation Plan;

Quarterly compliance report submitted by qualified paleontologist per mitigation measure CULT-6, below

CULT-6: All Project-related ground disturbance that could potentially affect the San Pedro Sand and Palos Verdes Sand shall be monitored by a qualified paleontological monitor on a full-time basis. Part-time monitoring shall be conducted in all Project-related ground disturbances affecting younger Quaternary alluvium.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Daily, during ground-disturbing activities

Action Indicating Compliance: Quarterly compliance report submitted by qualified paleontologist

CULT-7: At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, and appropriate sediment samples shall be collected and submitted for analysis.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Prior to ground-disturbing activities;

Daily, during ground-disturbing activities if a new fossil locality is discovered

Action Indicating Compliance: Field data forms and sediment samples collected by qualified paleontologist

CULT-8: Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and reposited in a designated paleontological curation facility.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: As fossils are recovered

Action Indicating Compliance: Submittal of identified fossils and associated information by qualified paleontologist

CULT-9: The qualified paleontologist shall prepare a final monitoring and mitigation report to be filed with the City, the Project Applicant, and the repository.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of City Planning

Monitoring Frequency: Once, at end of the construction phase

Action Indicating Compliance: Submittal of final monitoring and mitigation report by qualified paleontologist

Section IV.E.3. Cultural Resources - Historic Resources

No mitigation measures required.

Section IV.F. Geology & Soils

GEO-1 A 50-foot wide structural setback zone shall be designated on each side of the interpreted centerline of the surface projection of Fault A (100-foot total width), as shown in Figure IV.F-4. No habitable structures shall be located within this setback zone.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once, during Plan Check

Action Indicating Compliance: Plan approval

Section IV.G. Greenhouse Gas Emissions

No mitigation measures required.

Section IV.H. Hazards and Hazardous Materials

HAZ-1 Hydrocarbon-impacted soils encountered during grading and excavation work at the Project Site shall be characterized. Any soils containing hydrocarbons at levels of concern shall be either remediated on-site prior to reuse or removed and disposed of in accordance with all applicable laws and regulations, including those promulgated by the California Department of Toxic Substances Control (DTSC). All necessary approvals shall be obtained from the lead enforcement agency including, but not limited to, the Los Angeles County Fire Department Health and Hazardous Materials Division.

Monitoring Phase: Construction

Enforcement Agency: Los Angeles County Fire Department Health and Hazardous Materials Division

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once, prior to grading and excavation work

Once, after remediation is complete, if necessary

Actions Indicating Compliance: Characterization of hydrocarbon-impacted soils by contractor;

Approvals Los Angeles County Fire Department Health and Hazardous Materials Division

HAZ-2 Prior to demolition activities, an investigation for asbestos containing materials (ACMs) shall be conducted and identified asbestos shall be abated in accordance with the South Coast Air Quality Management District (SCAQMD)'s Rule 1403, as well as all other applicable City, state, and federal regulations.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once, prior to issuance of demolition permit

Actions Indicating Compliance: Issuance of demolition permit

HAZ-3 Prior to demolition activities, an investigation for lead-based paint (LBP) shall be conducted and identified LBP shall be abated in accordance with applicable City, State, and federal regulations. Construction workers shall be properly trained in lead-related construction in order to avoid exposure of such workers to lead-containing material.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once, prior to issuance of demolition permit

Actions Indicating Compliance: Issuance of demolition permit

Section IV.I. Hydrology and Water Quality

No mitigation measures required

Section IV.J. Land Use and Planning

No mitigation measures required.

Section IV.K. Noise

NO-1 Noise and groundborne vibration construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Periodic field inspections during construction
Actions Indicating Compliance:	Field inspection sign-off; Quarterly compliance report submitted by contractor

NO-2 When possible, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Periodic field inspections during construction
Actions Indicating Compliance:	Field inspection sign-off; Quarterly compliance report submitted by contractor

NO-3 Flexible sound control curtains shall be placed around all drilling apparatuses, drill rigs, and jackhammers when in use.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Periodic field inspections during construction

Actions Indicating Compliance: Field inspection sign-off;
Quarterly compliance report submitted by contractor

NO-4 The Project contractor shall use power construction equipment fitted with the best available technology in noise shielding and muffling devices.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: At initiation of construction activities, and quarterly thereafter

Action Indicating Compliance: Quarterly compliance report submitted by contractor

NO-5 Barriers such as plywood structures or flexible sound control curtains extending eight-feet high shall be erected around the Project Site boundary to minimize the amount of noise on the surrounding noise-sensitive receptors to the maximum extent feasible during construction.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Prior to construction activities, then periodic field inspections during construction

Actions Indicating Compliance: Field inspection sign-off;

Quarterly compliance report submitted by contractor

NO-6 All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible. Prior to the commencement of construction at the Project Site, a meeting shall be held with appropriate representatives of the Cities of Rancho Palos Verdes, Torrance, and Lomita. The purpose of the meeting will be to designate truck routes for off-site load hauling vehicles and other construction-related vehicles.

Monitoring Phase: Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Approval of Haul Route; quarterly compliance report submitted by contractor

NO-7 Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to the immediate surrounding cities and off-site residential, school, and memorial park properties that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Frequency: Once, 2 weeks prior to construction

Actions Indicating Compliance: Compliance report submitted by contractor

NO-8 Equipment warm-up areas, water tanks, and equipment storage areas shall be located a minimum of 45 feet from abutting sensitive receptors.

Monitoring Phase: Construction

Enforcement Agency:	Department of Building and Safety
Monitoring Agency:	Department of Building and Safety
Monitoring Frequency:	Once, at initiation of construction; Periodic field inspections during construction
Actions Indicating Compliance:	Field inspection sign-off; Quarterly compliance report submitted by contractor

Section IV.L. Population and Housing

No mitigation measures required.

Section IV.M.1. Public Services - Fire Protection

No mitigation measures required.

Section IV.M.2. Public Services - Police Protection

No mitigation measures required.

Section IV.M.3. Public Services - Schools

No mitigation measures required.

Section IV.M.4. Public Services - Parks and Recreation

No mitigation measures required.

Section IV.M.5. Public Services - Libraries

No mitigation measures required.

Section IV.N. Transportation and Traffic

TRANS-1 Prior to the generation of 451 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Restripe the southbound approach and median islands on Crenshaw Boulevard at Pacific Coast Highway to accommodate a second left-turn lane; and

b. Modify the traffic signal to accommodate the installation of the second southbound left-turn lane.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 451 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-2 Prior to the generation of 301 PM peak hour trips at the site, the Project Applicant shall modify the existing traffic signal at the intersection of Crenshaw Boulevard and Palos Verdes Drive North to provide a northbound right-turn signal phase on Crenshaw Boulevard that would overlap with the westbound left-turn signal phase on Palos Verdes Drive North. To accommodate this signal phasing, U-turn movements on the westbound approach of Palos Verdes Drive North shall become prohibited.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of certificate of occupancy for a mix of uses that would generate 301 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-3 Prior to the generation of 151 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Restripe the southbound approach on Western Avenue at Lomita Boulevard to accommodate installation of a right-turn only lane; and

b. Modify the existing traffic signal at Western Avenue and Lomita Boulevard to provide a southbound right-turn signal phase on Western Avenue that would overlap with the eastbound left-turn signal phase on Lomita Boulevard.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 151 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-4 Prior to the generation of 1 PM peak hour trip at the site, the Project Applicant shall do the following:

a. Modify the southbound approach on Western Avenue at Pacific Coast Highway to install a second left-turn lane and a third through lane; and

b. Modify the existing traffic signal at the intersection of Western Avenue and Pacific Coast Highway to accommodate the modification to the southbound approach.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-5 Prior to the generation of 1 PM peak hour trip at the site, the Project Applicant shall do the following:

a. Modify the westbound approach on Palos Verdes Drive North at Western Avenue to install a second left-turn lane;

b. Modify the existing median on Palos Verdes Drive North and the existing traffic signal at the intersection of Palos Verdes Drive North and Western Avenue to accommodate the modification to the westbound approach;

c. Modify the existing median and restripe the northbound approach on Western Avenue at Palos Verdes Drive North to install a right-turn only lane;

d. Restripe the southbound approach on Western Avenue at Palos Verdes Drive North to install a right-turn lane.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-6 Prior to the generation of 1 PM peak hour trip at the site, the Project Applicant shall install a traffic signal at the intersection of Western Avenue and Peninsula Verde Drive.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-7 Prior to the generation of 451 PM peak hour trips at the site, the Project Applicant shall install a traffic signal at the intersection of Western Avenue and Fitness Drive.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 451 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-8 Prior to the generation of 151 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Modify the northbound approach on Western Avenue at Westmont Drive to install a right-turn only lane; and

b. Restripe the eastbound approach on Westmont Drive at Western Avenue to provide one left-turn lane.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 151 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-9 Prior to the generation of 301 PM peak hour trips at the site, the Project Applicant shall restripe the northbound approach on Western Avenue at Capitol Drive and modify the raised median to install a right-turn only lane.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 301 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-10 Prior to the generation of 451 PM peak hour trips at the site, the Project Applicant shall modify the existing traffic signal to provide a westbound right-turn signal phase on Summerland Avenue that would overlap with the southbound left-turn signal phase on Western Avenue at the Summerland Avenue intersection.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 451 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-11 Prior to the generation of 151 PM peak hour trips at the site, the Project Applicant shall widen the south side of Anaheim Street west of Vermont Avenue by approximately 12 feet to accommodate a 180-foot long turn pocket and install a right-turn only lane at the eastbound approach to the intersection.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 151 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-12 Prior to the generation of 151 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Widen Gaffey Street north of Westmont Drive to accommodate installation of a right-turn only lane at the southbound approach to the intersection;

b. Relocate the existing southbound near-side Metro bus stop on Gaffey Street to the far side of the intersection (i.e., south of the intersection) where a full bus pad is to installed in the street;

c. Modify the existing traffic signal to provide a southbound right-turn signal phase on Gaffey Street that would overlap with the eastbound left-turn signal phase on Westmont Drive at the Gaffey Street intersection; and

d. Enhanced signage shall be provided as needed to guide the right-turn motorists from the eastbound Anaheim Street approach to Gaffey Street and Palos Verdes Drive North.

It is noted that the southbound approach on Gaffey Street can be modified to include continuation of the existing bicycle lane and the southbound right-turn only lane.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 151 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-13 Prior to the generation of 301 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Restripe the southbound approach on Gaffey Street at Summerland Avenue to accommodate the installation of a right-turn only lane, and

b. Modify the existing traffic signal to provide a southbound right-turn signal phase on Gaffey Street that would overlap with the eastbound left-turn signal phase on Summerland Avenue at the Gaffey Street intersection.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 301 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-14 Prior to the generation of 451 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Modify the westbound approach on Sepulveda Boulevard to accommodate the installation of a second left-turn lane at the Vermont Avenue intersection;

b. Remove the existing raised median island on Sepulveda Boulevard, east of Vermont Avenue, to accommodate installation of the second westbound left-turn lane; and

c. Modify the traffic signal to accommodate the installation of the second westbound left-turn lane.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 451 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-15 Prior to the generation of 301 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Widen the north and south sides of Pacific Coast Highway east and west of Vermont Avenue to provide up to a 42-foot half roadway on the 50-foot half right-of-way;

b. Install a second left-turn lane at the westbound approach; and

c. Modify the existing traffic signal and roadway striping at the intersection as needed.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 301 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-16 Prior to the generation of 1 PM peak hour trip at the site, the Project Applicant shall do the following:

a. Modify the existing traffic signal at Figueroa Place/Anaheim Street to provide a southbound right-turn signal phase on Figueroa Place that would overlap with the eastbound left-turn and through phase sufficiently long enough to accommodate the southbound right-turn volumes; and

b. Install a new traffic signal at Figueroa Place/I-110 Southbound Off-ramp (north of Anaheim Street).

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-17 Prior to the generation of 301 PM peak hour trips at the site, the Project Applicant shall do the following:

a. Modify the southbound approach on Figueroa Street at the Harbor Freeway Northbound On-ramp (north of Pacific Coast Highway) to accommodate the installation of a right-turn-only lane;

b. Adjust the median to accommodate the right-turn-only lane; and

c. Modify the traffic control equipment as needed.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 301 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-18 Prior to the generation of 301 PM peak hour trips at the site, the Project Applicant shall modify the westbound approach on Pacific Coast Highway at Figueroa Street to accommodate a fourth through lane.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 301 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-19 Prior to the generation of 1 PM peak hour trip at the site, the Project Applicant shall install a traffic signal at the Figueroa Street/Harbor Freeway Northbound On-ramp intersection (north of Anaheim Street). In addition, the existing roadway striping at the northbound approach to the intersection would be adjusted based on direction from LADOT.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-20 Prior to the generation of 301 PM peak hour trips at the site, the Project Applicant shall widen the westbound approach on Anaheim Street at Figueroa Street by approximately 10 feet to accommodate a 120-foot long turn pocket and install a right-turn-only lane.

Monitoring Phase: Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for a mix of uses that would generate 301 PM peak hour trips

Action Indicating Compliance: Field inspection sign-off for the listed modifications

TRANS-21 Prior to completion of the Project, the Project Applicant shall make a fair-share payment toward the installation of the County's traffic signal synchronization system for the Normandie Avenue/Sepulveda Boulevard intersection.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Los Angeles County Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-22 Prior to completion of the Project, the Project Applicant shall make a fair-share payment toward the following:

a. Modify the northbound approach on Normandie Avenue to accommodate the installation of a second left-turn lane at the Lomita Boulevard intersection; and

b. Remove the raised median island on Normandie Avenue, south of Lomita Boulevard, to accommodate the installation of the second northbound left-turn lane.

It is noted that the northbound approach on Normandie Avenue can be modified to include continuation of the existing bicycle lane and the second northbound left-turn lane.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-23 Prior to completion of the Project, the Project Applicant shall make a fair-share payment toward the following improvements:

a. Modify the northbound and southbound approaches on Vermont Avenue at Sepulveda Boulevard to accommodate the installation of a second right-turn only lane; and

b. Remove the existing raised median island on Vermont Avenue, south of Sepulveda Boulevard, and modify the existing raised median island on Vermont Avenue, north of the intersection, to accommodate the installation of the second right-turn lane.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-24 Prior to completion of the Project, the Project Applicant shall make a fair-share payment toward the following improvements:

a. Modify the eastbound approach on Lomita Boulevard, west of Vermont Avenue, to accommodate the installation of a second left-turn lane;

b. Remove the existing raised median island on Lomita Boulevard, west of Vermont Avenue, and modify the striping on the east leg of the intersection as needed; and

c. Modify the traffic signal to accommodate the installation of the second southbound left-turn lane.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-25 Prior to the issuance of Building Permits for each residential building within the Project, the Project Applicant shall perform, to the satisfaction of LADOT, a trip generation analysis for the units to be constructed. The results of these studies shall indicate which of the intersection improvements shown above in Mitigation Measures TRANS-1 through TRANS-20 must be operational prior to the occupancy of the subject residential units.

Monitoring Phase: Pre-Construction

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Transportation

Monitoring Frequency: As specified for TRANS-1 to TRANS-24, above

Action Indicating Compliance: Trip Generation analysis approval by LADOT

TRANS-26 The Project Applicant shall coordinate with local and regional transit operators, including Metro and LADOT, to develop and implement strategies to increase transit utilization by Project residents. These transportation demand management (TDM) strategies could include, but would not be limited to, providing bus schedules and transit route information to residents, providing bicycle racks and information regarding optimal bike routes to local destinations to residents, and a carpooling information exchange.

Monitoring Phase: Pre-Occupancy, Occupancy

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of a certificate of occupancy for each residential structure;

Annually, during occupancy

Action Indicating Compliance: Annual compliance report submitted by building management

TRANS-27 In conjunction with the street widening of Western Avenue adjacent to the Project Site, the Applicant shall provide a bus turnout lane and bus stop facilities (shelter, bench and schedule information) at bus stops adjacent to the Site.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Action Indicating Compliance: Field inspection sign-off

TRANS-28 The Project Applicant shall coordinate with LADOT to potentially extend the existing San Pedro DASH route northerly on Western Avenue to serve the Project Site. If deemed

necessary, the Project Applicant shall provide appropriate turnaround facilities to allow the DASH vehicles to utilize the Project Site as an end point on the route.

Monitoring Phase: Pre-Occupancy

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

Monitoring Frequency: Once, prior to issuance of the first certificate of occupancy for the Project

Actions Indicating Compliance: Determination by LADOT regarding the DASH Route;
Field inspection sign-off

Section IV.O.1. Utilities and Service Systems - Water

UTIL-1 In the event of full or partial public street closures, the Project Applicant shall employ flagmen during the construction of new water lines, to facilitate the flow of traffic.

Monitoring Phase: Construction

Enforcement Agency: Department of Transportation

Monitoring Agency: Department of Transportation

Monitoring Frequency: Periodic field inspections during closures

Actions Indicating Compliance: Field inspection sign-off;
Compliance report submitted by contractor

Section IV.O.2. Utilities and Service Systems - Wastewater

No mitigation measures required.

Section IV.O.3. Utilities and Service Systems - Solid Waste

No mitigation measures required.

Section IV.O.4. Utilities and Service Systems - Energy

No mitigation measures required.

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