

5883 CREST ROAD PROJECT (PA-25-14)

RESPONSES TO COMMENTS ON THE

INITIAL STUDY AND PROPOSED MITIGATED NEGATIVE

DECLARATION

PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES THAT COMMENTED ON THE PROPOSED MITIGATED NEGATIVE DECLARATION

The public review period for the Initial Study and Proposed Mitigated Negative Declaration (MND) for the 5883 Crest Road Project commenced on October 9, 2014, and ended on November 24, 2014. The table below lists the persons, organizations, and public agencies that provided comments to the City of Rolling Hills Estates on the Proposed MND.

Commenters on the Proposed MND	
Agency, Organization, and/or Person	Date of Letter
Gabrieleno Band of Mission Indians – Kizh Nation Andrew Salas, Chairman	10/22/2014
County of Los Angeles Fire Department Vidales, Frank	11/6/2014
City of Rancho Palos Verdes Fox, Kit	11/17/2014

COMMENTS AND RESPONSES

The comments and recommendations received on the Proposed MND, along with the lead agency's responses to the environmental points that were raised, are presented herein. All comments on the Proposed MND were submitted in written form and are included in their entirety. Each point raised in these comment letters was assigned a number (e.g., XY-1), as noted on the comment letters included in this section. The lead agency's response to each enumerated comment is provided after the respective comment letter.

Letter AS

From: Gabrieleno Band of Mission Indians [<mailto:gabrielenoindians@yahoo.com>]
Sent: Wednesday, October 22, 2014 11:21 PM
To: Niki Wetzel; Dr. Christina Swindall Martinez; Matt Teutimez; Kizh Gabrieleno; Tim Miguel; Gary Stickle; Martha Gonzalez; Kizh Gabrieleno
Subject: four Patio-Home Development project 5883 crest road rolling Hills Estates Los Angeles County - Tribal Consultation

History [\[edit\]](#)

Native Americans [\[edit\]](#)



AS-1

The [Point Vicente Lighthouse](#) on the Palos Verdes Peninsula and the [National Register of Historic Places](#). Today Rolling Hills is a city within **Palos Verdes**, The peninsula was the homeland of the [Gabrieliño Native Americans](#) people for thousands of years. In other areas of the [Los Angeles Basin](#) archeological sites date back 8,000 years ^{ago}. Their first contact with Europeans in 1542 with [João Cabrilho](#) (*Juan Cabrillo*), the Portuguese explorer who also was the first to write of them. [Chowigna](#) and [Suangna](#) were two Tongva settlements of many in the peninsula area, which was also a departure point for their [rancherias](#) on the [Channel Islands](#).

Dear Niki Wetzel, AICP
Principle Planner

This is regards to the above project

"The project locale lies in an area where the traditional territories of the Kizh(Kitc) Gabrieleño, village of Chowi and Suangna) adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh (Kitc) Gabrieleños , probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits, often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies often left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources. Therefore

AS-2

Letter AS Continued

in order to protect our resources we would like to request one of our experienced & certified Native American monitors to be on site during any and all ground disturbances.

In all cases, when the NAHC (Native American Heritage Commission) states there are "NO" records of sacred sites" in the subject area; they always refer the contractors back to the Native American Tribes whose tribal territory is within the project area. This is due to the fact, that the NAHC is only aware of general information on each California NA Tribe they are NOT the "experts" on our Tribe. Our Elder Committee & Tribal Historians are the experts and is the reason why the NAHC will always refer contractors to the local tribes. Please contact our office regarding this project to coordinate a NA monitor to be present. Thank You

**AS-2
cont.**

AS-3

Sincerely,

Andrew Salas, Chairman
Gabrieleno Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
cell (626)926-4131
email: gabrielenoindians@yahoo.com
website: www.gabrielenoindians@yahoo.com

RESPONSES TO COMMENTS

RESPONSES

AS-1: The commenter appears to have provided a selection from the "Palos Verdes" page of the Wikipedia.org website that provides information on the history of the Palos Verdes Peninsula. This information is noted and will be provided to the decision-makers for consideration.

AS-2: The commenter provides background information about the Kizh Gabrieleño people, their territories, and types of cultural materials that could remain from their past activities. The commenter further requests that an archaeological monitor from the Gabrieleño Band of Mission Indians-Kizh Nation be present during all ground disturbance on-site. The project's potential to impact archaeological resources is evaluated in subsection VIII, Cultural Resources, of the Initial Study and proposed Mitigated Negative Declaration (IS/MND). As noted in the IS/MND, the project site lies within a Cultural Resources Overlay area depicted in the City's General Plan due to the high sensitivity of the area for archaeological resources. A Phase I archaeological survey was conducted of the site, and no resources were discovered during this field survey. Additionally, the site has been previously excavated to first install and then remove underground storage tanks associated with the former gasoline station that previously existed on-site. Nevertheless, to account for the potential for previously undiscovered archaeological resources to be encountered during construction, IS/MND Mitigation Measure CUL-1 requires construction to halt if any cultural resources are discovered and not resume until such resources are properly evaluated and recovered if appropriate. With this mitigation, the project would not have a significant impact on cultural resources pursuant to the California Environmental Quality Act (CEQA). To provide further protection for cultural resources, a Condition of Approval is being recommended to require archaeological monitoring of the project's grading activities.

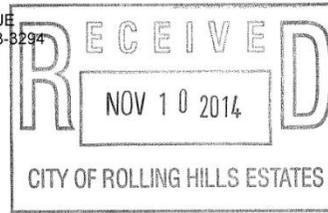
AS-3: The commenter provides background information about the Native American Heritage Commission (NAHC). This information is noted and will be provided to the decision-makers for consideration.

Letter FD
COUNTY OF LOS ANGELES



FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
 LOS ANGELES, CALIFORNIA 90063-8294



DARYL L. OSBY
 FIRE CHIEF
 FORESTER & FIRE WARDEN

November 6, 2014

Niki Wetzel, Planner
 City of Rolling Hills Estates
 Planning Department
 4045 Palos Verdes Drive North
 Rolling Hills Estates, CA 90274

Dear Ms. Wetzel:

MITIGATED NEGATIVE DECLARATION, "5833 CREST ROAD PROJECT (PA-25-14)," CONSISTS OF THE CONSTRUCTION OF FOUR TWO-STORY, DETACHED PATIO HOMES WITH A SHARED DRIVEWAY, 5833 CREST ROAD, ROLLING HILLS ESTATES (FFER #201400184)

The Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

FD-1

LAND DEVELOPMENT UNIT:

1. The statutory responsibilities of the County of Los Angeles Fire Department's Land Development Unit are to review of and comment on all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for firefighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within contract cities (cities that contract

FD-2

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

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

Letter FD Continued

Niki Wetzel, Planner
 November 6, 2014
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| <p>with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities, located within non-contract cities. The County of Los Angeles Fire Department's Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.</p> | <p>FD-2
cont.</p> |
| <p>2. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.</p> | <p>FD-3</p> |
| <p>3. This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, must be met.</p> | <p>FD-4</p> |
| <p>4. When involved with subdivision in a city contracting fire protection with the County of Los Angeles Fire Department, the requirements for access, fire flows and hydrants are addressed during the subdivision tentative map stage.</p> | <p>FD-5</p> |
| <p>5. Every building constructed shall be accessible to the Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.</p> | <p>FD-6</p> |
| <p>6. Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.</p> | <p>FD-7</p> |
| <p>7. Single family detached homes shall require a minimum fire flow of 1,250 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. Two family dwelling units (duplexes) shall require a fire flow of 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. When there are five or more units taking access on a single driveway, the minimum fire flow shall be increased to 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration.</p> | <p>FD-8</p> |

Letter FD Continued

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| <p>8. Fire hydrant spacing shall be 600 feet and shall meet the following requirements:</p> <ul style="list-style-type: none"> a) No portion of lot frontage shall be more than 450 feet via vehicular access from a public fire hydrant. b) No portion of a structure should be placed on a lot where it exceeds 750 feet via vehicular access from a properly spaced public fire hydrant. c) When cul-de-sac depth exceeds 450 feet on a residential street, hydrants shall be required at the corner and mid-block. d) Additional hydrants will be required if hydrant spacing exceeds specified distances. | <p>FD-9</p> |
| <p>9. The Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.</p> | <p>FD-10</p> |
| <p>10. Provide a minimum unobstructed width of 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.1.</p> | <p>FD-11</p> |
| <p>11. Streets or driveways within the development shall be provided with the following:</p> <ul style="list-style-type: none"> a) Provide 36 feet in width on all streets where parking is allowed on both sides. b) Provide 34 feet in width on cul-de-sacs up to 700 feet in length. This allows parking on both sides of the street. c) Provide 36 feet in width on cul-de-sacs from 701 to 1,000 feet in length. This allows parking on both sides of the street. d) For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with the Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use. - Turning radii shall not be less | <p>FD-12</p> |

Letter FD Continued

Niki Wetzel, Planner
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- than 32 feet. This measurement shall be determined at the centerline of the road. **FD-12 cont.**
12. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department's Land Development Unit Inspector, Nancy Rodeheffer, at (323) 890-4243 or at nrodeheffer@fire.lacounty.gov. **FD-13**
13. The County of Los Angeles Fire Department's Land Development Unit appreciates the opportunity to comment on this project. **FD-14**

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. **FD-15**
2. Due to the limited amount of information included in your request, we are unable to respond to specific potential impacts. **FD-16**

HEALTH HAZARDOUS MATERIALS DIVISION:

1. Per the submitted information the site was previously occupied by a gasoline service station and a commercial plant nursery. The historical site use may have contributed to onsite contaminations that may exceed the State recommended cleanup guidelines for residential use. It is requested that site is assessed and/or mitigated under oversight of a local or State jurisdictional agency and obtain a "No Further Action" letter prior to grading. **FD-17**

If you have any additional questions, please contact this office at (323) 890-4330. **FD-18**

Very truly yours,



FRANK VIDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:jl

RESPONSES

FD-1: The department's Planning Division's statement of "no comments at this time" is noted.

FD-2: The responsibilities of the department's Land Development Unit are noted.

FD-3: Requirements are noted.

FD-4: The presence of the site within a Very High Fire Hazard Severity Zone (VHFHSZ) and the corresponding code and ordinance requirements are noted.

FD-5: The comment that the requirements for access, fire flows, and hydrants are addressed during the subdivision tentative map stage is noted.

FD-6: Comment noted. The project's Conditions of Approval will include this requirement.

FD-7: The suggestion that project buildings include fire sprinkler systems is noted.

FD-8: The potential fire flow requirements are noted.

FD-9: Fire hydrant requirements are noted.

FD-10: Comment noted. The project's Conditions of Approval will include this requirement.

FD-11: Comment noted. The project's Conditions of Approval will include this requirement.

FD-12: Comment noted. The project's Conditions of Approval will include this requirement.

FD-13: Contact information is noted.

FD-14: Remarks noted.

FD-15: The responsibilities of the department's Forestry Division are noted. The project's Initial Study evaluates the project's impacts on erosion control (subsections IX and XI), watershed management (subsection XI), rare and endangered species (subsection VII), VHFHSZ concerns (subsection X), and archaeological and cultural resources (subsection VIII). The County's Oak Tree Ordinance does not apply to the project, as it lies within the incorporated City of Rolling Hills Estates.

FD-16: Comment noted. No specific request had been made of the Fire Department. The project's IS/MND provides all information and analysis required by CEQA, including a description of the project and its location, identification of the environmental setting, identification of environmental impacts, a discussion of the ways to mitigate the potentially significant effects, and an examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls.

FD-17: Section X of the IS/MND evaluates the potential for contamination of the site as a result of former gasoline station and plant nursery uses. As described in issues b and c in subsection X, Hazards and Hazardous Materials, of the project's IS/MND, "a Phase II Subsurface Investigation was conducted in May 1999 by All Environmental, Inc. (AEI) to determine the absence or presence of petroleum contamination in the soil at the project site. AEI determined that the soil samples did not contain significant concentrations of petroleum hydrocarbons. AEI further

RESPONSES TO COMMENTS

concluded that the subject property was not significantly impacted by the former gas station and recommended no further investigation."

FD-18: Concluding remarks are made. No response is required.

Letter RPV



CITY OF RANCHO PALOS VERDES

CITY MANAGER'S OFFICE
ADMINISTRATION

17 November 2014

VIA ELECTRONIC AND U.S. MAIL

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

SUBJECT: Comments in Response to the Notice of Intent to Adopt a Mitigated Negative Declaration for a 4-Unit Detached Condominium Project at 5883 Crest Road (PA No. 25-14)

Dear Ms. ^{NIKI}Wetzel:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the proposed Mitigated Negative Declaration (MND) for the above-mentioned project. We have reviewed the MND and project exhibits, and offer the following comments:

RPV-1

1. The discussion of Aesthetics in the Initial Study (pp. 22-25) notes that the proposed project is expected to have less-than-significant impacts with respect to the privacy of surrounding properties. Table III-1 makes specific reference to the impact of proposed balconies or decks upon "the existing privacy of surrounding properties." The Initial Study correctly notes that residences in Rancho Palos Verdes to the south and southwest of the project site will be separated from the project, both horizontally by the existing, improved right-of-way of Crest Road and vertically by the difference in elevation. Nevertheless, the City remains concerned about the potential for privacy infringement upon Rancho Palos Verdes residents as a result of any 2nd-floor decks or balconies along the southerly facades of proposed Units 3 and 4. It is not clear if such decks or balconies are proposed for these units or not, but if they are, the City suggests requiring them to include a solid, opaque 42-inch-tall barrier around the perimeter, measured from the surface of the deck or balcony. This will protect the privacy of downslope properties in Rancho Palos Verdes while still affording opportunities for ocean and Catalina Island views for future residents of the project.

RPV-2

2. The discussion of Transportation/Traffic in the Initial Study (pp. 26-27) concludes that the proposed project will have no significant impacts on traffic. The City concurs with this assessment. In a related matter, however, we note that the project proposes to remove and replace existing driveway approaches along Crest

RPV-3

30940 HAWTHORNE BLVD. / RANCHO PALOS VERDES, CA 90275-5391 / (310) 544-5205 / FAX (310) 544-5291
WWW.PALOSVERDES.COM/RPV
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Letter RPV Continued

Niki Wetzel
17 November 2014
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Road as a part of the project. The driveway approaches, sidewalk and other right-of-way improvements along the Crest Road frontage of the project site are located within Rancho Palos Verdes. As such the project conditions should clearly state that any proposed modifications require the approval of the Rancho Palos Verdes Public Works Department. Furthermore, any other deficiencies in these existing right-of-way improvements should be repaired by the project proponent.

**RPV-3
cont.**

3. The discussion of Air Quality and Noise impacts in the Initial Study (pp. 28-38) identify less-than-significant air quality and noise impacts during project construction. The Rancho Palos Verdes residences located closest to the project site—and, therefore, most likely to be affected by dust and noise—are located on Highridge Road in the *Seacrest* neighborhood and Sail View Avenue in the *Seabreeze* neighborhood of Rancho Palos Verdes. The City of Rancho Palos Verdes agrees that the proposed project seems unlikely to result in significant construction-related impacts to surrounding properties. However, the City of Rancho Palos Verdes asks to be kept apprised of project status as it moves through the building permit process so that we will be able to advise our residents and City Council about the project's construction status, and to refer residents to the appropriate contacts in the event of any construction-related complaints.

RPV-4

Again, thank you for the opportunity to comment upon this project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at kitt@rpv.com.

RPV-5

Sincerely,



Kit Fox, AICP
Senior Administrative Analyst

cc: Mayor Duhovic and City Council
Carolynn Petru, Acting City Manager
Joel Rojas, Director of Community Development
Michael Throne, Director of Public Works

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RESPONSES

RPV-1: Introductory remarks are made. No response is required.

RPV-2: The commenter raises privacy issues, which are beyond the scope of CEQA, but will be provided to decision-makers for their consideration. While outside of the scope of environmental impacts pursuant to CEQA, subsection III, Aesthetics, of the project's IS/MND discusses privacy in the context of the City of Rolling Hills Estates' Neighborhood Compatibility Ordinance. In regard to privacy, the IS/MND notes, "the residences to the south, across Crest Road [in the City of Rancho Palos Verdes], would be separated by a landscaped median in addition to the roadway itself and by changes in elevation." The closest residences to the south are approximately 110 feet from the project site, a sufficient distance to respect residential privacy in a suburban setting.

RPV-3: The commenter expresses concurrence with the IS/MND's conclusion that the proposed project will not cause any significant traffic impacts. The commenter further notes that Crest Road, including the sidewalk fronting the project, is within the City of Rancho Palos Verdes and requests that the project's conditions state that any proposed modification to the Crest Road right-of-way (e.g., removal of driveway approaches and sidewalk modifications) require the approval of the City of Rancho Palos Verdes Public Works Department. The project's Conditions of Approval will incorporate this suggestion.

RPV-4: The commenter expresses concurrence with the IS/MND's conclusions regarding air quality and noise impacts from project construction. The commenter further requests that the City of Rancho Palos Verdes be kept apprised of the project's construction schedule and status. This requested is noted. City of Rolling Hills Estates staff will continue to coordinate with staff from the City of Rancho Palos Verdes on this project.

RPV-5: Closing remarks are made. No response is required.