

**Final Environmental Impact Report
SCH No. 2016101016**

**Paseo Del Mar Permanent
Restoration Project**



City of Los Angeles Department of Public Works
Bureau of Engineering, Environmental Management Group
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March 2019

TRANSMITTAL NO. 2

Final Environmental Impact Report
Paseo Del Mar Permanent Restoration Project
State Clearinghouse No.: 2016101016

Prepared for:

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Bureau of Engineering, Environmental Management Group
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1.0 INTRODUCTION

This Environmental Impact Report (EIR) has been prepared by the City of Los Angeles (City) Department of Public Works, Bureau of Engineering (BOE) to evaluate potential environmental effects that would result from development of the proposed Paseo Del Mar Permanent Restoration Project (proposed project). This EIR has been prepared in conformance with the *California Environmental Quality Act of 1970* (CEQA) statutes (California Public Resources Code Section 2100 et. seq., as amended) and its implementing guidelines (California Code of Regulations., Title 14, Section 15000 et. seq., 2016). BOE is identified as the lead agency for the proposed project under CEQA. This Final EIR contains comments and responses to comments received on the Draft EIR, which was circulated for public review from April 6, 2017 to June 5, 2017. Revisions and clarifications to the Final EIR made in response to comments and information received on the Draft EIR are listed in Chapter 2, Clarifications and Modifications. The comments and responses to comments are presented in Chapter 3, Response to Comments on the Draft EIR.

1.1 SUMMARY OF THE PROPOSED PROJECT

On November 20, 2011, the White Point Landslide occurred in the community of San Pedro in the City of Los Angeles, resulting in the collapse of an approximately 400-foot-long section of the Paseo Del Mar roadway along the coast. This section of Paseo Del Mar is approximately 120 feet above sea level along a steep bluff overlooking the Pacific Ocean. During this landslide event, a large block of the bluff containing the roadway moved approximately 60 feet toward the ocean and left a large depression, or “graben”, approximately 500 feet long by 60 feet wide by 40 feet deep where the roadway used to exist.

Following the 2011 landslide event, the City initiated studies, cleanup, and stabilization of the eastern adjacent slope and introduced a street turn-around at the eastern end of the project site, near the intersection of Paseo Del Mar and Weymouth Avenue. The City also closed the road until a permanent solution was identified. The western end of the project site has been fenced off. While the process of determining the permanent solution progressed, some site work was completed in order to stabilize the project site.

BOE is considering three build alternatives for the permanent restoration of the collapsed portion of the Paseo Del Mar roadway. Additionally, an analysis of the No Project Alternative is included in the EIR pursuant to Section 15126.6(e) of the CEQA Guidelines. These four alternatives are analyzed with the same level of detail throughout this EIR, and include the following:

No Project Alternative: Under the No Project Alternative, the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to the public. The emergency measures that were implemented following the landslide event would remain in place. The additional stabilization measures in the existing landslide area described for the build alternatives would not occur under this alternative.

Alternative 1 – Bridge Spanning over Landslide: Alternative 1 would seek to limit major earthwork and remediation of the existing landslide area by constructing a single long-span bridge supported on stable ground outside the limits of the landslide area. The bridge would span approximately 400 feet. A standard barrier and railing would be installed on the edges of the bridge. The proposed project would also include the possibility of a sidewalk, up to 5 feet

wide on the north side of the roadway, in addition to the sidewalk up to 15 feet wide on the south side of the roadway. The construction of this alternative would last for approximately 15 months.

Alternative 2 – Anchored CIDH Piles with Buttress: Alternative 2 would include a single row of large diameter, Cast-in-Drilled Holes (CIDH) piles near the edge of the existing slope. After partial removal of the landslide debris to an approximate elevation of 75 feet above the beach, the piles would be drilled and installed to below the basal shear interface layer. The piles would be connected with a reinforced concrete grade beam and tied back with soil anchors. A reinforced-earth buttress located above the piles would stabilize the head scarp and support the new roadway. A barrier and railing would also be required adjacent to the sidewalk similar to Alternative 1. Additionally, rock armor (riprap) protection up to an elevation of 25 feet above the mean high tide mark would be required under this alternative to protect the slope from recession due to wave action and other erosive forces. The construction of this alternative would last for approximately 22 months.

Alternative 3 – Shear Pins with MSE Wall: Alternative 3 would be similar to Alternative 2; however, rather than being located at the face of the existing slope, a row of large diameter piles and a grid of smaller diameter piles would be constructed below the proposed roadway. The piles would handle the vertical loading of the Mechanically Stabilized Embankment (MSE) wall and mitigate lateral forces on the existing slope. The MSE-type wall utilizes a reinforcement strap tied to a segment of wall panel. The self-weight and friction of the compacted earth would keep the face of the panels in place. A barrier and railing adjacent to the sidewalk would be required, similar to Alternatives 1 and 2. Similar to Alternative 2, riprap protection up to an elevation of 15 feet above the mean high tide mark would be required under Alternative 3 to protect the slope from recession due to wave action and other erosive forces. The construction of this alternative would last for approximately 19 months.

1.2 THE CEQA ENVIRONMENTAL PROCESS

CEQA requires preparation of an EIR when there is substantial evidence supporting a fair argument that a proposed project may have a significant effect on the environment. The purpose of an EIR is to provide decision makers, public agencies, and the general public with an objective and informational document that fully discloses the environmental effects of a proposed project. The EIR process is intended to facilitate the evaluation of potentially significant direct, indirect, and cumulative environmental impacts of a proposed project, and to identify feasible mitigation measures and alternatives that might reduce or avoid the project's significant effects. In addition, CEQA specifically requires that an EIR identify those adverse impacts determined to remain significant after the application of mitigation measures.

1.2.1 Notice of Preparation and Initial Study

In accordance with the CEQA Guidelines, an Initial Study was prepared and a Notice of Preparation (NOP) was distributed on October 6, 2016, to over 250 public agencies, interested organizations, members of the general public, and adjacent residents in the project area. The purpose of the NOP was to provide notification that BOE planned to prepare an EIR for the proposed project and to solicit input on the scope and content of the EIR. Over 60 written comment letters were received from various agencies, organizations, and individuals. The Initial Study, NOP, and these comment letters are included in Appendix A to this EIR.

A scoping meeting was held near the project site at the Plaza at Cabrillo Marina in San Pedro on October 26, 2016. The purpose of this meeting was to seek input from public agencies and the general public regarding the environmental issues and concerns that may potentially result from the proposed project to be addressed in the EIR. Approximately 70 people attended the public scoping meeting. The following list summarizes the public comments and questions that were received at the scoping meeting related to environmental issues:

- **Aesthetics.** Aesthetics should be considered in the design of the build alternatives. (See Section 3.1, Aesthetics)
- **Biological Resources.** The White Point Nature Preserve contains sensitive habitat and wildlife species; impacts to these resources should be considered. Impacts to sensitive bird species and migration patterns should be analyzed. The EIR should consider mitigation measures for any impacts to the White Point Nature Preserve. (See Section 3.3, Biological Resources)
- **Cultural Resources.** History of uses in the White Point Nature Preserve and other historic and archaeological resources in the project area should be studied. (See Section 3.4, Cultural Resources)
- **Land Use and Planning.** Existing land use plans for the area should be referenced. (See Section 3.8, Land Use and Planning)
- **Noise.** The noise impacts of restoring the roadway should be considered. (See Section 3.9, Noise)
- **Recreation.** Impacts to open space areas should be considered. (See Section 3.11, Recreation)
- **Transportation and Traffic.** Post-construction traffic conditions should be analyzed in the EIR, rather than focusing only on construction impacts. Cumulative traffic impacts from other area projects should be considered, including other regional projects that may create traffic. Concerns include speeding on previous roadway and recommending the implementation of traffic calming measures into the project design. Roadway safety should be considered. Traffic analysis should consider the movement of traffic through the San Pedro community and not just along Paseo Del Mar. (See Section 3.12, Transportation and Traffic, and Chapter 4, Impact Overview)
- **Alternatives.** An analysis of the No Project Alternative should be included in the EIR. The alternative going through the White Point Nature Preserve should not be considered. More alternatives than presented in the Initial Study should be considered. (See Chapter 5, Alternatives)

The NOP included a fourth build alternative that BOE was considering for the proposed project, the Roadway Realignment Alternative. This alternative would realign the Paseo Del Mar roadway northerly into the White Point Nature Preserve. Due to feedback received during the scoping process, and the increase in significant effects associated with this alternative (biological resources, cultural resources, recreation), this alternative has been eliminated from further analysis in this EIR. Please refer to Chapter 5, Alternatives, Section 5.2.1, Alternatives Considered but Dismissed from Detailed Analysis, for more information.

1.2.2 Notice of Availability and Draft EIR

This EIR focuses on the environmental impacts identified as potentially significant during the Initial Study process, including the comments received in response to the NOP. The issue areas analyzed in detail in this EIR include aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, land use and planning, noise, paleontological resources, recreation, transportation and traffic, and tribal cultural resources. Effects not found to be significant are addressed in Section 4.2 of Chapter 4, Impact Overview, of this EIR.

The Draft EIR was circulated for 60 days for public review and comment, which included an additional 15 days over the standard 45-day public review period required in the CEQA Guidelines. The timeframe of the public review period was identified in the Notice of Availability attached to the Draft EIR. The public review period was conducted pursuant to CEQA and its implementing guidelines. The purpose of the public review period was to provide interested public agencies, organizations, and individuals the opportunity to comment on the contents and accuracy of the document. The Draft EIR and the Notice of Completion were distributed to the California Office of Planning and Research, State Clearinghouse. A Notice of Availability (NOA) was distributed to approximately 136 relevant legislators, agencies, and community stakeholders, and approximately 210 individuals. The NOA informed them of where the Draft EIR could be reviewed and how to submit comments. Copies of the Draft EIR were made available to the public for review at two local libraries, the Council District 15 Harbor District Office, and BOE Headquarters. An electronic copy of the document was also posted online.

A public meeting was held during the Draft EIR public review period to solicit comments from interested parties on the content of the Draft EIR. Information regarding the public meeting was included in the NOA, which was widely distributed, as described above. The meeting was held on May 3, 2017, at the Plaza at Cabrillo Marina in San Pedro. Approximately 47 individuals attended the Draft EIR public meeting.

1.3 FINAL EIR

This Final EIR contains comments and responses to comments received on the Draft EIR. Revisions and clarifications made in response to comments and information received on the Draft EIR are listed in Chapter 2, Clarifications and Modifications. The comments and responses to comments are presented in Chapter 3, Response to Comments on the Draft EIR.

Prior to approval of one of the alternatives for the proposed project, the City, as the lead agency and decision-making entity for the project, is required to certify that this EIR has been completed in accordance with CEQA, that the EIR reflects the independent judgment of the lead agency, and that the information in this EIR has been considered during the review of the project. CEQA also requires the City to adopt “findings” with respect to each significant environmental effect identified in the EIR (*California Public Resources Code* Section 21081; *California Code of Regulations*, Title 14, Section 15091). For each significant effect, CEQA requires the approving agency to make one or more of the following findings:

- Alterations have been made to avoid or substantially lessen significant impacts identified in the Final EIR.
- The responsibility to carry out such changes or alterations is under the jurisdiction of another agency.

- Specific economic, legal, social, technological, or other considerations make infeasible mitigation measures or project alternatives identified in the Final EIR.

If the City concludes that the proposed project would result in significant effects that have been identified in this EIR but cannot be substantially lessened or avoided by feasible mitigation measures, it must adopt a “statement of overriding considerations” in order to approve the project (*California Public Resources Code* Section 21801[b]). Such statements are intended under CEQA to provide a means by which the lead agency balances, in writing, the benefits of the proposed project with the significant and unavoidable environmental impacts. Where the lead agency concludes that the economic, legal, social, technological, or other benefits outweigh the unavoidable environmental impacts, the lead agency may find such impacts “acceptable” and approve the proposed project.

In addition, the City must also adopt a Mitigation Monitoring and Reporting Program describing the changes that were incorporated into the project or made a condition of approval in order to mitigate or avoid significant effects on the environment (*California Public Resources Code* Section 21081.6). The Mitigation Monitoring and Reporting Program is adopted at the time of project approval and is designed to ensure compliance during project implementation. Upon approval of one of the project alternatives, the lead agency will be responsible for the implementation of the Mitigation Monitoring and Reporting Program.

1.4 ORGANIZATION OF THE FINAL EIR

This Final EIR is organized as follows:

Chapter 1 (Introduction) provides a summary of the proposed project, an overview of the CEQA environmental review process, and a description of the organization of the Final EIR.

Chapter 2 (Clarifications and Modifications) provides a detailed description of all clarifications and modifications that were made to the text or graphics of the Draft EIR. Clarifications and modifications reflect changes made to the proposed project, analysis, or mitigation due to editorial changes or as a result of a comment made by an agency or individual during the public review period. These clarifications and modifications do not constitute significant new information and do not change any of the conclusions of the document. This chapter also reflects changes necessary to combine the Draft EIR into this Final EIR.

Chapter 3 (Response to Comments on the Draft EIR) provides a list of agencies, organizations, and individuals commenting on the Draft EIR, copies of the written and oral comments received during the Draft EIR public comment period, and the lead agency responses to those comments.

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2.0 CLARIFICATIONS AND MODIFICATIONS

The following clarifications and modifications are intended to update the Draft EIR in response to the comments received during the public review period. The following clarifications and modifications also show revisions made to convert the Draft EIR into this Final EIR; a single document that encompasses the final impact analysis for the proposed project. None of these revisions made to the Draft EIR have resulted in new significant impacts or mitigation measures, nor has the severity of an impact increased. None of the criteria for recirculation have been met.

The changes to the Draft EIR are listed by page number, with reference to the section or paragraph number on that page as applicable. Text which has been removed is shown with a ~~strike through~~ line, while text that has been added is shown underlined.

<u>Page</u>	<u>Clarification/Revision</u>
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ES-3	<i>An editorial change has been made to clarify the intent of the vegetation plan. The last sentence in the third paragraph on this page is modified as follows:</i>
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Additionally, each of the build alternatives would include the planting of native vegetation on the seaward side of Paseo Del Mar to further stabilize the surface of the landslide area and prevent by reducing erosion.

ES-3	<i>An editorial change has been made to clarify the width of the sidewalk on the south side of the roadway. The discussion of sidewalk width in the seventh sentence of last full paragraph on this page is modified as follows:</i>
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This alternative would include the possibility of a sidewalks of approximately 12 up to 5 feet wide on the south side and 5 feet wide on the north side of the roadway, in addition to the sidewalk up to 15 feet wide on the south side of the roadway.

ES-9	<i>In response to comment 7-2, mitigation measure BIO-B listed under Biological Resources in Table ES-1 of the Executive Summary has been modified to specifically include protocol level pre-construction surveys for gnatcatcher as follows:</i>
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BIO-B: Pre-construction surveys within potentially suitable habitats for species with a potential to occur on-site, as well as nesting birds during the bird breeding season (February 15 through September 1) shall be conducted by a qualified biologist prior to project construction. Specifically, pre-construction surveys shall be conducted for the following:

Coastal California Gnatcatcher: Impacts to coastal California gnatcatcher shall be avoided by conducting pre-construction surveys for the species to determine the current distribution of gnatcatchers in the project area in accordance with USFWS Coastal California Gnatcatcher Presence/Absence Survey Guidelines, February 28, 1997. Since this species has been detected during surveys of the project site, a qualified biologist shall identify the boundaries of the pair's territory and no construction within 500 feet of the territory would occur. If it is not feasible to maintain a buffer of 500 feet from an active gnatcatcher nest territory, construction activities within or near these areas shall be

performed outside of the breeding and nesting season (coastal California gnatcatcher breeding/nesting season is approximately February 15 through August 30), or BOE shall conduct a FESA Section 10 Consultation with USFWS to determine alternative actions.

Nesting Birds: Clearing of vegetation and construction activities shall occur outside of the peak bird nesting season (from September 1 through February 14) to avoid impacts to nesting birds. However, if construction must occur between February 15th and August 31st, the following measures shall be implemented:

- Within three days of the scheduled start of construction activity, a pre-construction survey shall be conducted by a qualified biologist to determine the presence or absence of active nests within, or adjacent to, the project site.
- If no breeding or nesting activities are detected within 500 feet of the proposed work and any staging areas, construction activities may proceed.
- If bird breeding/nesting activity is confirmed, work activities within 250 feet (or 300 feet for raptors, 500 feet for fully protected species, or a linear distance appropriate for the species approved by the project biologist) of any active nest shall be delayed until the young birds have fledged and left the nest. A work area buffer zone around any active nests shall be demarcated, indicating where work may not occur. Project activities may resume in this area once the project biologist has determined that the nest(s) is no longer active.

Bats: Within 30 days of project construction, a qualified biologist shall conduct a pre-construction survey to identify if roosting bats are present on-site. If special-status bat species are found, the following measures shall be implemented:

- If active nursery roosts are found (typically between April 15 and August 1) a work exclusion area of 500 feet shall be identified in the field, and construction activities shall be rescheduled to occur after juvenile bats are able to forage independently.
- If sensitive bat species are present but there is not an active roost, a Memorandum of Understanding (MOU) with CDFW shall be obtained in order to remove the animals prior to construction. Alternate habitat shall be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFW that includes relocating all bats found on-site to an alternate suitable habitat.
- If bat roosts are found outside the breeding season, openings to these roosts shall be blocked after the bats have emerged for their night-time feeding to prevent the bats from reentering. The bats

would be temporarily forced to find other roosting areas and other structures in the area.

- While a visual assessment of bat roost habitat does not require a permit, handling of bats for removal requires two permits from CDFW; a Scientific Collecting Permit (SCP) and an MOU. The MOU describes the type of surveys, methods, and species proposed, and purpose of bat captures. Applicants must show that they possess experience with trapping and handling bats before they are issued a MOU. Such experience is usually accumulated by working with a licensed bat worker under their permits, and demonstrating the necessary skills and abilities to CDFW.
- Prior to the start of construction, a qualified biologist shall be designated to monitor construction activities and advise construction personnel of the potential biological issues associated with project construction. The biological monitor shall attend weekly construction meetings and provide on-site direction for addressing habitat- or species-specific issues as they are encountered during construction. If as a result of pre-construction surveys the biologist establishes exclusion zones around trees or buildings to protect nesting birds or roosting bats, the biological monitor shall advise the construction crews of those areas and of the importance of respecting and maintaining those zones.
- Due to local and California Health Department restrictions, no direct contact by workers with any bat species is allowed. The project biologist, who would oversee exclusion or removal efforts, shall be contacted immediately should any bats be identified within the project's footprint. If construction is to occur in phases or over an extended period of time, multiple pre-construction surveys may be required to address seasonal bat migrants and the potential influx of new arrivals.

Special-Status Wildlife Species: A pre-construction clearance survey shall be conducted before any construction activities occur. A qualified biologist shall conduct pre-construction surveys within and adjacent to the project's construction limits no more than three days prior to the commencement of construction activities to identify any potential impacts to special-status wildlife species, if present. It is anticipated that the pre-construction survey shall focus on special-status species with a potential to occur in the BSA.

Special-status species observed shall be relocated outside of the project site by a qualified biologist, or they shall be avoided and allowed to leave of their own volition. Following the survey, a Wildlife Survey Report shall be prepared detailing the results of the field survey, including potential BMPs, if deemed necessary. Any observations of federally threatened or endangered species shall be reported to BOE, and if further directed by BOE, to USFWS and/or CDFW.

Special-Status Plant Species: A focused rare plant survey shall be conducted during the appropriate time of year for detection of special-status species (early March through June) by a qualified botanist in accordance with USFWS and CDFW survey guidelines. Following the rare plant surveys, a Rare Plant Survey Report shall be prepared detailing the results of the field surveys, including potential BMPs, if necessary. Further consultation with resource agencies shall be necessary if special-status species are observed during focused surveys.

ES-17-18 *In response to Comment 12-2, mitigation measure CR-A listed under Cultural Resources in Table ES-1 of the Executive Summary has been modified to require full-time archaeological and Native American monitoring during all ground-disturbing activities. As monitoring would occur during all ground-disturbing activities, the provision to reduce or eliminate monitoring if it is determined that there is a low sensitivity for cultural remains has been removed from the measure. Mitigation measure CR-A is modified as follows:*

CR-A: Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during initial all ground-disturbing activities ~~in undisturbed younger Quaternary deposits~~. A cultural resources monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination, monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5. ~~If the qualified archaeologist determines during the course of excavations that there is a low sensitivity for cultural remains, particularly due to disturbances or because excavations have extended below younger Quaternary deposits, monitoring in that area shall be reduced or eliminated.~~

ES-30-31 *In response to Comment 12-2, mitigation measure CR-A listed under Tribal Cultural Resources in Table ES-1 of the Executive Summary has been modified to require full-time archaeological and Native American monitoring during all ground-disturbing activities. As monitoring would occur during all ground-disturbing activities, the provision to reduce or eliminate monitoring if it is determined that there is a low sensitivity for cultural remains has been removed from the measure. Mitigation measure CR-A is modified as follows:*

CR-A: Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during initial all ground-disturbing activities ~~in undisturbed younger Quaternary deposits~~. A cultural resources monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination,

monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5. ~~If the qualified archaeologist determines during the course of excavations that there is a low sensitivity for cultural remains, particularly due to disturbances or because excavations have extended below younger Quaternary deposits, monitoring in that area shall be reduced or eliminated.~~

- 2-6 *In response to Comment 4-3, the first sentence in the second to last paragraph on this page within subsection 2.3.2 Surrounding Setting is modified as follows:*

The area south of the project site along the coastline is land owned by the County of Los Angeles and managed by the Los Angeles County Department of Beaches and Harbors.

- 2-10 *In response to comments from the public on the Draft EIR, a clarification has been made to the discussion of the baseline conditions in subsection 2.3.4 Baseline Conditions. The discussion in this section is modified as follows:*

A proposed project's baseline is typically defined as the time and conditions used as the point of comparison for determining the significance of a proposed project's environmental effects. There is no precise statutory or guideline definition; however, for many projects the baseline conditions are those conditions or environmental setting at the time of the release of the Notice of Preparation (NOP). For some projects, a deviation from this is permitted with substantial evidence, which allows the lead agency to set the appropriate baseline condition that is a time other than the release of the NOP. An example of a project where the baseline conditions may not be the time of the release of the NOP is a water infrastructure project in which the average historic water use for an area may be more representative of actual conditions than the water use in the year of the NOP. The physical conditions at the project site at the time of the NOP were not representative of the generally existing conditions of the project site and area, but that of a temporary environmental situation.

The baseline conditions for the proposed project consider the pre-landslide conditions of the project site. The existing conditions of the project area at the time of the release of the NOP include the conditions following the 2011 landslide event and the emergency stabilization measures which were implemented on the project site, and this condition is analyzed under the No Project Alternative.

- 2-11 *An editorial change has been made to clarify the intent of the vegetation plan. The last sentence in the second paragraph on this page is modified as follows:*

Additionally, each of the build alternatives would include the planting of native vegetation on the seaward side of Paseo Del Mar to further stabilize the surface of the landslide area and prevent by reducing erosion.

An editorial change has been made to clarify the width of the sidewalk on the south side of the roadway. The discussion of sidewalk width in the first paragraph under heading 2.5.2 Alternative 1 – Bridge Spanning Over Landslide on this page is modified as follows:

This alternative would include the possibility of a sidewalks of approximately 12 up to 5 feet wide on the south side and 5 feet wide on the north side of the roadway, in addition to the sidewalk up to 15 feet wide on the south side of the roadway.

- 3.2-1-2 *An editorial change has been made to the discussion of the South Coast Air Basin within Section 3.2, Air Quality to clarify the data presented in Table 3.2-1. Additionally, Table 3.2-1 has been modified to include data from the pre-landslide and intervening years (2011 through 2015). The discussion of the South Coast Air Basin is modified as follows:*

South Coast Air Basin

Ambient air pollutant concentrations in the South Coast Air Basin (SCAB) are measured at air quality monitoring stations operated by the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD). The closest and most representative SCAQMD air quality monitoring station to the project site is the Long Beach-2425 Webster Street monitoring station, approximately 8 miles northeast of the project site. However, Long Beach-2425 Webster Street monitoring station does not have data available for PM_{2.5} concentrations between 2013 and 2015. Therefore, South Long Beach monitoring station is used to supplement the data. South Long Beach monitoring station is approximately 9.6 miles northeast of the project site. Table 3.2-1 presents the most recent particulate matter (PM₁₀ and PM_{2.5}) and ozone data over the past ~~three~~ five years from the aforementioned Long Beach monitoring stations as a summary of the exceedances of standards and the highest pollutant levels recorded. ~~These concentrations represent the existing, or baseline conditions, for the proposed project. The data in Table 3.2-1 represents the background concentrations for the area surrounding the project site. This data is presented for background information only and is not used to evaluate the air quality impacts of the project, which are assessed based on the significance thresholds developed by the SCAQMD, as discussed in section 3.2.3, Environmental Impacts.~~

**Table 3.2-1
Ambient Air Quality Summary
Long Beach – 2425 Webster Street/South Long Beach Stations**

Pollutant Standards	2011	2012	2013	2014	2015
Particulate Matter (PM₁₀)					
National maximum 24-hour concentration ($\mu\text{g}/\text{m}^3$)	<u>50.0</u>	<u>54.0</u>	*	84.0	80.0
State maximum 24-hour concentration ($\mu\text{g}/\text{m}^3$)	<u>50.0</u>	<u>54.0</u>	*	84.0	79.0
State annual average concentration ($\mu\text{g}/\text{m}^3$)	<u>28.6</u>	<u>25.4</u>	*	29.5	31.3
Measured Number of Days Standard Exceeded					
NAAQS 24-hour ($>150 \mu\text{g}/\text{m}^3$)	<u>0</u>	<u>0</u>	0	0	0
CAAQS 24-hour ($>50 \mu\text{g}/\text{m}^3$)	<u>0</u>	<u>1</u>	0	3	6
Particulate Matter (PM_{2.5})					
National maximum 24-hour concentration ($\mu\text{g}/\text{m}^3$)	<u>42.0</u>	<u>46.7</u>	42.9	52.2	48.3
State maximum 24-hour concentration ($\mu\text{g}/\text{m}^3$)	<u>42.0</u>	<u>59.1</u>	42.9	61.9	62.2
National annual average concentration ($\mu\text{g}/\text{m}^3$)	<u>10.7</u>	<u>10.5</u>	10.9	*	10.2
State annual average concentration ($\mu\text{g}/\text{m}^3$)	*	*	*	14.4	13.9
Measured Number of Days Standard Exceeded					
NAAQS 24-hour ($>35 \mu\text{g}/\text{m}^3$)	<u>3</u>	<u>4</u>	1	2	4
CAAQS Annual ($>12 \mu\text{g}/\text{m}^3$)	*	*	*	14	14
Ozone					
National 8-hour average concentration (ppm)	<u>0.063</u>	<u>0.066</u>	0.069	0.072	0.066
State 8-hour average concentration (ppm)	<u>0.064</u>	<u>0.067</u>	0.070	0.072	0.067
Measured Number of Days Standard Exceeded					
NAAQS 8-hour concentration (>0.070 ppm)	<u>0</u>	<u>0</u>	0	0	0
CAAQS 8-hour concentration (>0.070 ppm)	<u>0</u>	<u>0</u>	0	1	0

Notes: *Insufficient data to determine the value.

$\mu\text{g}/\text{m}^3$ = micrograms per cubic meter; ppm = parts per million; NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards

Source: CARB 2015~~6~~ and 2017.

- 3.3-7-8 *An editorial change has been made to clarify the intent of the vegetation plan. The last sentence in the last paragraph on this page is modified as follows:*

As part of the proposed project, a vegetation plan would be developed and implemented on the seaward side of the Paseo Del Mar ROW to further stabilize the surface of the area that was disturbed by the landslide by reducing erosion.

- 3.3-10-11 *In response to comment 5-6, the regulatory setting discussion pertaining to the California Coastal Act within Section 3.3, Biological Resources has been clarified to include the following after the first paragraph on this page:*

Although not formally designated by the CCC as an Environmentally Sensitive Habitat Area (ESHA), White Point Nature Preserve provides suitable habitat for coastal California gnatcatcher, a federally listed endangered species. As previously presented, White Point Nature Preserve provides a relatively undisturbed and large patch of mixed native and non-native vegetation communities that provide resources required by this sensitive species. As a significant open area surrounded on three sides by dense residential development, the preserve provides the functions and

values that a wildlife preserve provides, supporting movement of resident wildlife, including sensitive species (i.e. gnatcatcher) between various native and ornamental habitats that support essential resources for the existence and persistence of wildlife species.

- 3.3-15 *An editorial change has been made to clarify the intent of the vegetation plan. The last sentence in the first paragraph under the discussion of construction impacts on this page is modified as follows:*

As part of the proposed project, a vegetation plan would be developed and implemented on the seaward side of the Paseo Del Mar ROW to further stabilize the surface of the area that was disturbed by the landslide by reducing erosion.

- 3.3-18 *In response to comment 7-2, mitigation measure BIO-B within Section 3.3, Biological Resources has been modified to specifically include protocol level pre-construction surveys for gnatcatcher as follows:*

BIO-B: Pre-construction surveys within potentially suitable habitats for species with a potential to occur on-site, as well as nesting birds during the bird breeding season (February 15 through September 1) shall be conducted by a qualified biologist prior to project construction. Specifically, pre-construction surveys shall be conducted for the following:

Coastal California Gnatcatcher: Impacts to coastal California gnatcatcher shall be avoided by conducting pre-construction surveys for the species to determine the current distribution of gnatcatchers in the project area in accordance with USFWS Coastal California Gnatcatcher Presence/Absence Survey Guidelines, February 28, 1997. Since this species has been detected during surveys of the project site, a qualified biologist shall identify the boundaries of the pair's territory and no construction within 500 feet of the territory would occur. If it is not feasible to maintain a buffer of 500 feet from an active gnatcatcher nest territory, construction activities within or near these areas shall be performed outside of the breeding and nesting season (coastal California gnatcatcher breeding/nesting season is approximately February 15 through August 30), or BOE shall conduct a FESA Section 10 Consultation with USFWS to determine alternative actions.

Nesting Birds: Clearing of vegetation and construction activities shall occur outside of the peak bird nesting season (from September 1 through February 14) to avoid impacts to nesting birds. However, if construction must occur between February 15th and August 31st, the following measures shall be implemented:

- Within three days of the scheduled start of construction activity, a pre-construction survey shall be conducted by a qualified biologist to determine the presence or absence of active nests within, or adjacent to, the project site.
- If no breeding or nesting activities are detected within 500 feet of the proposed work and any staging areas, construction activities may proceed.

- If bird breeding/nesting activity is confirmed, work activities within 250 feet (or 300 feet for raptors, 500 feet for fully protected species, or a linear distance appropriate for the species approved by the project biologist) of any active nest shall be delayed until the young birds have fledged and left the nest. A work area buffer zone around any active nests shall be demarcated, indicating where work may not occur. Project activities may resume in this area once the project biologist has determined that the nest(s) is no longer active.

Bats: Within 30 days of project construction, a qualified biologist shall conduct a pre-construction survey to identify if roosting bats are present on-site. If special-status bat species are found, the following measures shall be implemented:

- If active nursery roosts are found (typically between April 15 and August 1) a work exclusion area of 500 feet shall be identified in the field, and construction activities shall be rescheduled to occur after juvenile bats are able to forage independently.
- If sensitive bat species are present but there is not an active roost, a Memorandum of Understanding (MOU) with CDFW shall be obtained in order to remove the animals prior to construction. Alternate habitat shall be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFW that includes relocating all bats found on-site to an alternate suitable habitat.
- If bat roosts are found outside the breeding season, openings to these roosts shall be blocked after the bats have emerged for their night-time feeding to prevent the bats from reentering. The bats would be temporarily forced to find other roosting areas and other structures in the area.
- While a visual assessment of bat roost habitat does not require a permit, handling of bats for removal requires two permits from CDFW; a Scientific Collecting Permit (SCP) and an MOU. The MOU describes the type of surveys, methods, and species proposed, and purpose of bat captures. Applicants must show that they possess experience with trapping and handling bats before they are issued a MOU. Such experience is usually accumulated by working with a licensed bat worker under their permits, and demonstrating the necessary skills and abilities to CDFW.
- Prior to the start of construction, a qualified biologist shall be designated to monitor construction activities and advise construction personnel of the potential biological issues associated with project construction. The biological monitor shall attend weekly construction meetings and provide on-site direction for addressing habitat- or species-specific issues as they are

encountered during construction. If as a result of pre-construction surveys the biologist establishes exclusion zones around trees or buildings to protect nesting birds or roosting bats, the biological monitor shall advise the construction crews of those areas and of the importance of respecting and maintaining those zones.

- Due to local and California Health Department restrictions, no direct contact by workers with any bat species is allowed. The project biologist, who would oversee exclusion or removal efforts, shall be contacted immediately should any bats be identified within the project's footprint. If construction is to occur in phases or over an extended period of time, multiple pre-construction surveys may be required to address seasonal bat migrants and the potential influx of new arrivals.

Special-Status Wildlife Species: A pre-construction clearance survey shall be conducted before any construction activities occur. A qualified biologist shall conduct pre-construction surveys within and adjacent to the project's construction limits no more than three days prior to the commencement of construction activities to identify any potential impacts to special-status wildlife species, if present. It is anticipated that the pre-construction survey shall focus on special-status species with a potential to occur in the BSA.

Special-status species observed shall be relocated outside of the project site by a qualified biologist, or they shall be avoided and allowed to leave of their own volition. Following the survey, a Wildlife Survey Report shall be prepared detailing the results of the field survey, including potential BMPs, if deemed necessary. Any observations of federally threatened or endangered species shall be reported to BOE, and if further directed by BOE, to USFWS and/or CDFW.

Special-Status Plant Species: A focused rare plant survey shall be conducted during the appropriate time of year for detection of special-status species (early March through June) by a qualified botanist in accordance with USFWS and CDFW survey guidelines. Following the rare plant surveys, a Rare Plant Survey Report shall be prepared detailing the results of the field surveys, including potential BMPs, if necessary. Further consultation with resource agencies shall be necessary if special-status species are observed during focused surveys.

- 3.3-21 *An editorial change has been made to clarify the levels of significance after implementation of the mitigation measures proposed for potential impacts to biological resources. The final sentence on this page is modified as follows:*

However, the implementation of mitigation measures BIO-A through ~~BIO-L~~ BIO-M would reduce direct and indirect impacts to less than significant levels

- 3.4-8 *In response to Comment 12-2, mitigation measure CR-A within Section 3.4, Cultural Resources has been modified to require full-time archaeological and Native American monitoring during all ground-disturbing activities. As monitoring would occur during all ground-disturbing activities, the provision to reduce or eliminate*

monitoring if it is determined that there is a low sensitivity for cultural remains has been removed from the measure. Mitigation measure CR-A is modified as follows:

CR-A: Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during initial all ground-disturbing activities ~~in undisturbed younger Quaternary deposits~~. A cultural resources monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination, monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5. ~~If the qualified archaeologist determines during the course of excavations that there is a low sensitivity for cultural remains, particularly due to disturbances or because excavations have extended below younger Quaternary deposits, monitoring in that area shall be reduced or eliminated.~~

3.5-11 *An editorial change has been made to clarify the intent of the vegetation plan. The discussion of the vegetation plan for the No Project Alternative under GEO-3 on this page is modified as follows:*

In addition, the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion.

3.7-22 *An editorial change has been made to clarify the intent of the vegetation plan. The discussion of the vegetation plan for the No Project Alternative under HWQ-1 on this page is modified as follows:*

Additionally, the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion.

3.7-29 *An editorial change has been made to clarify the intent of the vegetation plan. The discussion of the vegetation under the No Project Alternative on this page is modified as follows:*

As such, this alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion.

3.13-7 *In response to Comment 12-2, mitigation measure CR-A within Section 3.13, Tribal Cultural Resources has been modified to require full-time archaeological and Native American monitoring during all ground-disturbing activities. As monitoring would occur during all ground-disturbing activities, the provision to reduce or eliminate*

monitoring if it is determined that there is a low sensitivity for cultural remains has been removed from the measure. Mitigation measure CR-A is modified as follows:

CR-A: Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during initial all ground-disturbing activities ~~in undisturbed younger Quaternary deposits~~. A cultural resources monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination, monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5. ~~If the qualified archaeologist determines during the course of excavations that there is a low sensitivity for cultural remains, particularly due to disturbances or because excavations have extended below younger Quaternary deposits, monitoring in that area shall be reduced or eliminated.~~

4-1-2 *An editorial change has been made to clarify the intent of the vegetation plan. The discussion of the vegetation under 4.1.2 Geology and Soils on this page is modified as follows:*

Additionally, the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion.

4-2 *An editorial change has been made to clarify the intent of the vegetation plan. The discussion of the vegetation under 4.1.3 Hydrology and Water Quality on this page is modified as follows:*

Additionally, the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion.

An editorial change has been made within Chapter 4, Impact Overview to clarify the land use and planning impacts under the No Project Alternative. The second sentence in subsection 4.1.4 Land Use and Planning is modified as follows:

The No Project Alternative would conflict with the goal of the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy of maximizing mobility and accessibility for all people and goods in the region, as well as policies and regulations in other applicable land use plans, including the General Plan, and the San Pedro Local Coastal Program Specific Plan.

- 4-3 *An editorial change has been made within Chapter 4, Impact Overview, to the discussion of air quality to clarify the area in which construction activities would occur. The fourth sentence in the final paragraph on this page is modified as follows:*

Construction would occur adjacent to ~~or within~~ the White Point Nature Preserve, and while there are residences to the west and east of the project site, construction would occur near but not within these residential areas.

- 4-8 *An editorial change has been made within Chapter 4, Impact Overview to clarify the transportation and traffic effects not found to be significant. Subsection 4.2.11, Transportation and Traffic, is modified as follows:*

4.2.11 Transportation and Traffic – Changes in Air Traffic Patterns/Hazardous Design Features/Emergency Access/Alternative Modes of Transportation

As previously discussed, the nearest public airports are Zamperini Field Airport, located approximately 5.5 miles north of the project site, and Long Beach Airport (Daugherty Field), located approximately 11 miles northeast of the project site. The nearest private airport is the Goodyear Blimp Base Airport, located approximately 9.75 miles to the north of the project site. The build alternatives would reconstruct the portion of the Paseo Del Mar ROW that was damaged by the 2011 landslide event, and would not create any new obstructions or tall structures that could be a hazard to aircraft navigation, and would not otherwise change air traffic patterns. Additionally, construction and operation of the build alternatives would not generate air traffic. Therefore, impacts related to increases in air traffic levels or changes in location that result in substantial safety risks would not occur.

The build alternatives are compatible with the historic land use at the project site, as the build alternatives would reconstruct the portion of the Paseo Del Mar ROW that was damaged by the 2011 landslide event. Additionally, the build alternatives would not change the alignment of the road ROW. Furthermore, the build alternatives would be designed and constructed in accordance with Caltrans Seismic Design Criteria. Therefore, the build alternatives would not increase hazards due to a design feature and no impact would occur.

The build alternatives would not require any road closures during construction as the existing roadway is already closed off to the east and west of the project site. During operation of the proposed project, the roadway would be restored to pre-landslide conditions and would re-establish east-west emergency access along Paseo Del Mar. Therefore, the impact to emergency access would be less than significant.

The build alternatives would not conflict with adopted policies, plans, or programs supporting alternative transportation. During operation of the proposed project alternatives, bike lanes, and pedestrian access would be restored to pre-landslide conditions. Therefore, there would be no impact to alternative modes of transportation.

5-6 *An editorial change has been made to clarify the intent of the vegetation plan. The discussion of the vegetation under the No Project Alternative on this page is modified as follows:*

Additionally, the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion

3.0 RESPONSE TO COMMENTS ON THE DRAFT EIR

The Draft EIR was distributed for public review on April 6, 2017 through June 5, 2017, pursuant to CEQA Guidelines Section 15105. A total of 46 comment letters and emails were received. Two letters were received after the close of the public review period and are included below as requested by BOE. According to CEQA Guidelines Section 15088(a), “the lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response.” This chapter provides response to written environmental comments received during and after the public comment period, as well as oral environmental comments received during the Draft EIR public meeting.

This chapter is organized into two parts: 1) responses to written comments received during and after the public review period, and 2) responses to oral comments received at the Draft EIR public meeting. Written responses are presented for all comment letters received during and after the public review period, starting with comment letters from agencies and organizations, followed by the comment letters from individuals. The responses to the oral comments received at the Draft EIR public meeting are provided at the end of this chapter.

Each letter has been assigned a number code, and individual comments in each letter have also been coded to facilitate responses. For example, the letter from the City of Los Angeles Bureau of Sanitation is identified at Comment Letter 1, with comments noted as 1-1, 1-2, etc. Copies of each comment letter are provided prior to each response. Comments that present opinions about the project or that raise issues not directly related to the substance of the environmental analysis in the Draft EIR are noted but, in accordance with CEQA, did not receive a detailed response. In response to some of the comments received, the text of the EIR has been revised. Refer to Chapter 2, Clarifications and Modifications, for a list of these changes.

3.1 RESPONSES TO WRITTEN COMMENTS RECEIVED THAT ADDRESS ENVIRONMENTAL ISSUES RAISED IN THE EIR

Table 3-1
List of Comment Letters on Draft EIR

Letter No.	Agency/Organization/Individual	Date of Letter	Page # of Response
Agencies			
1	City of Los Angeles Department of Public Works, Bureau of Sanitation, Wastewater Engineering Services Division <i>Signed: Ali Poosti</i>	April 17, 2017	3-7
2	United States Department of Homeland Security, Federal Emergency Management Agency, Region IX <i>Signed: Gregor Blackburn</i>	April 20, 2017	3-11
3	State of California Governor's Office of Planning and Research, State Clearinghouse <i>Signed: Scott Morgan</i>	May 23, 2017	3-14
4	Los Angeles County Department of Beaches and Harbors <i>Signed: Gary Jones</i>	June 1, 2017	3-18
5	California Coastal Commission <i>Signed: Caitlin Oshida</i>	June 5, 2017	3-22

Table 3-1
List of Comment Letters on Draft EIR

Letter No.	Agency/Organization/Individual	Date of Letter	Page # of Response
6	City of Los Angeles Department of Recreation and Parks <i>Signed: Elena Maggioni</i>	June 5, 2017	3-28
7	United States Fish and Wildlife Service/California Department of Fish and Wildlife <i>Signed: Karen Goebel and Betty Courtney</i>	June 5, 2017	3-33
Organizations			
8	Gabrielesño Band of Mission Indians - Kizh Nation (1) <i>Signed: Andrew Salas</i>	April 26, 2017	3-36
9	Coastal San Pedro Neighborhood Council <i>Signed: Adele Healy</i>	May 23, 2017	3-56
10	Palos Verdes Peninsula Land Conservancy <i>Signed: Adrienne Mohan</i>	June 1, 2017	3-62
11	White Point Community Group <i>Signed: Richard Wallace</i>	June 5, 2017	3-67
12	Gabrielesño Band of Mission Indians - Kizh Nation (2) <i>Signed: Andrew Salas</i>	June 7, 2017*	3-72
Individuals			
13	Boone, Kyle	April 15, 2017	3-75
14	Jones, Judi	April 15, 2017	3-77
15	Mitchell, Betsy	April 15, 2017	3-80
16	Rutkowski, Anne	April 15, 2017	3-82
17	Drake, Madeleine	April 16, 2017	3-84
18	Kordich, John	April 16, 2017	3-86
19	Armenta, M.	April 21, 2017	3-88
20	Stivason, Dean	April 21, 2017	3-90
21	Braslow, Lawrence	April 28, 2017	3-92
22	Luse, Andrea	May 3, 2017	3-95
23	Read, Stephen	May 3, 2017	3-97
24	Holwerda, Gary	May 8, 2017	3-100
25	Biazevich, Michael (1)	May 11, 2017	3-103
26	Clark, JB	May 17, 2017	3-105
27	Ryan, Madeline	May 17, 2017	3-107
28	Weaver, David	May 17, 2017	3-109
29	Jones, Melanie	May 22, 2017	3-111
30	Maese, Raymond	May 23, 2017	3-114
31	Bird, Joe and Linda	May 24, 2017	3-116
32	Cheek, Linda	May 26, 2017	3-118
33	Pentcheff, Dean (1)	May 26, 2017	3-122
34	Havenick, Richard	June 1, 2017	3-128
35	Warren, Peter	June 1, 2017	3-142
36	Biazevich, Michael (2)	June 2, 2017	3-146
37	Miller, John and Theresa	June 2, 2017	3-151
38	Kurnik, Betty	June 3, 2017	3-155
39	Kohler, Kimberly	June 4, 2017	3-157
40	Lambrichts, Jacqueline	June 4, 2017	3-160
41	Pentcheff, Dean (2)	June 4, 2017	3-178
42	Rannells, Rebecca	June 4, 2017	3-189
43	Cheek, David	June 5, 2017	3-191
44	Lindquist, Peggy	June 5, 2017	3-193

Table 3-1
List of Comment Letters on Draft EIR

Letter No.	Agency/Organization/Individual	Date of Letter	Page # of Response
45	Smith, June Burlingame	June 5, 2017	3-196
46	Holben, Carol	June 6, 2017	3-199

*Denotes comment letter received after the close of the public review period on June 5, 2017.

Comment Letter No. 1
CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: April 17, 2017

TO: William Jones, Environmental Supervisor II
Environmental Management Group
Bureau of Engineering

FROM: Ali Poosti, Division Manager
Wastewater Engineering Services Division
LA Sanitation



**SUBJECT: PASEO DEL MAR PERMANENT RESTORATION PROJECT-NOTICE
OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT
REPORT**

This is in response to your April 6, 2017 letter requesting a review of your proposed project which is bound by the White Point Nature Preserve owned by the City of Los Angeles Department of Recreation and Parks to the North and property owned by the County of Los Angeles Department of Beaches and Harbors, as well as the Pacific Ocean to the South. To the east is Weymouth Avenue and to the west is the White point-Royal Palms County Beach Park. The Bureau of Sanitation, Wastewater Engineering Services Division (WESD) has reviewed the request and found the project to be related to the permanent restoration of the collapsed portion of the Paseo Del Mar roadway only.

1-1

Based on the project description, we have determined the project is unrelated to sewer capacity availability and therefore do not have sufficient details to offer an analysis at this time. Should the project description change, please continue to send us information so that we may determine if a sewer assessment is required in the future.

1-2

If you have any questions, please call Eduardo Perez of my staff at (323) 342-6207.

STORMWATER REQUIREMENTS

LA 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

1-3

The project requires implementation of stormwater mitigation measures. These requirements are based on Stormwater Low Impact Development (LID) requirements. The projects that are subject to 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 B: 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 LID requirements be received in the early phases of the project from WPD's plan-checking staff.

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-way 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 LID requirements.

1-3
Cont'd

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 Floor, Station 18.

GROUNDWATER DEWATERING REUSE OPTIONS

The Los Angeles Department of Water and Power (LADWP) is charged with the task of supplying water and power to the residents and businesses in the City of Los Angeles. One of the sources of water includes groundwater. The majority of groundwater in the City of Los Angeles is adjudicated, and the rights of which are owned and managed by various parties. Extraction of groundwater within the City from any depth by law requires metering and regular reporting to the appropriate Court-appointed Watermaster. LADWP facilitates this reporting process, and may assess and collect associated fees for the usage of the City's water rights. The party performing the dewatering should inform the property owners about the reporting requirement and associated usage fees.

1-4

On April 22, 2016 the City of Los Angeles Council passed Ordinance 184248 amending the City of Los Angeles Building Code, requiring developers to consider beneficial reuse of groundwater as

a conservation measure and alternative to the common practice of discharging groundwater to the storm drain (SEC. 99.04.305.4). It reads as follows: "Where groundwater is being extracted and discharged, a system for onsite reuse of the groundwater, shall be developed and constructed. Alternatively, the groundwater may be discharged to the sewer."

Groundwater may be beneficially used as landscape irrigation, cooling tower make-up, and construction (dust control, concrete mixing, soil compaction, etc.). Different applications may require various levels of treatment ranging from chemical additives to filtration systems. When onsite reuse is not available the groundwater may be discharged to the sewer system. This allows the water to be potentially reused as recycled water once it has been treated at a water reclamation plant. If groundwater is discharged into the storm drain it offers no potential for reuse. The onsite beneficial reuse of groundwater can reduce or eliminate costs associated with sewer and storm drain permitting and monitoring. Opting for onsite reuse or discharge to the sewer system are the preferred methods for disposing of groundwater.

1-4
Cont'd

To help offset costs of water conservation and reuse systems, LADWP offers the Technical Assistance Program (TAP), which provides engineering and technical assistance for qualified projects. Financial incentives are also available. Currently, LADWP provides an incentive of \$1.75 for every 1,000 gallons of water saved during the first two years of a five-year conservation project. Conservation projects that last 10 years are eligible to receive the incentive during the first four years. Other water conservation assistance programs may be available from Metropolitan Water District of Southern California. To learn more about available water conservation assistance programs, please contact LADWP Rebate Programs 1-888-376-3314 and LADWP TAP 1-800-544-4498, selection "3".

For more information related to beneficial reuse of groundwater, please contact Greg Reed, Manager of Water Rights and Groundwater Management, at (213)367-2117 or greg.reed@ladwp.com.

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.

1-5

EP/AP:as

c: Kosta Kaporis, LASAN
Daniel Hackney, LASAN
Eduardo Perez, LASAN

Comment Letter 1: City of Los Angeles Department of Public Works, Bureau of Sanitation, Wastewater Engineering Services Division**Response 1-1**

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

Response 1-2

The commenter states that the proposed project alternatives would not affect sewer capacity availability and, therefore, no comments are offered on this subject. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

Response 1-3

The commenter provides City requirements that may be applicable to the proposed project alternatives related to stormwater runoff during construction and operation of the project. As discussed in Section 3.7, Hydrology and Water Quality, of the Draft EIR, construction activities under the three build alternatives would be subject to the requirements of the National Pollutant Discharge Elimination System Statewide Construction General Permit. In accordance with the requirements of the Construction General Permit, a Storm Water Pollution Prevention Plan would be developed and implemented for the build alternative that is ultimately constructed. Additionally, as discussed in Chapter 2, Project Description, of the Draft EIR, an erosion control plan would be developed and implemented for construction activities. As discussed on page 3.7-19 of the Draft EIR, stormwater Best Management Practices would control on-site runoff and compliance with the requirements of the Construction General Permit would prevent or reduce the amount of pollutants being discharged from the project site during construction. The Draft EIR concludes that, with implementation of the Storm Water Pollution Prevention Plan and the erosion control plan in accordance with the General Construction Permit, impacts related to stormwater runoff and water quality during construction would be less than significant under the build alternatives.

During project operation, the three build alternatives would be subject to the requirements of the National Pollutant Discharge Elimination System Municipal Storm Water Permit (NPDES Permit No. CAS004001). The three build alternatives would include subsurface drainage improvements. As discussed in Section 3.7, Hydrology and Water Quality, on page 3.7-20 of the Draft EIR, final drainage design would comply with applicable treatment Best Management Practices required by the Regional Water Quality Control Board, as well as mandates outlined in the Municipal Storm Water Permit. The Draft EIR concludes that, with implementation of appropriate Best Management Practices, impacts related to stormwater runoff during operation would be less than significant under the build alternatives.

Response 1-4

The commenter provides City requirements related to the consideration of beneficial reuse of groundwater. Section 3.7, Hydrology and Water Quality, of the Draft EIR discusses groundwater quality at the project site and in the vicinity. As stated on page 3.7-9 of the Draft EIR, "the [Regional Water Quality Control Board] does not designate groundwater in the Palos

Verdes Peninsula for beneficial use in the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties.” As further discussed on page 3.7-9, groundwater in the vicinity of the project site is saline or brackish in quality and no groundwater in the vicinity of the project site is used as a drinking water supply. As discussed in Chapter 2, Project Description, of the Draft EIR, a dewatering system was constructed along the east flank of the landslide area as part of the site work performed to stabilize the project site. As the groundwater in this area is not used for beneficial reuse, this drainage system discharges groundwater into the Los Angeles County storm drain system.

Response 1-5

The commenter provides City requirements for solid waste recycling for residential development. The proposed project alternatives do not include any residential uses; therefore, these requirements are not applicable.

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



April 20, 2017

William Jones, Environmental Supervisor II
City of Los Angeles, Department of Public Works
Bureau of Engineering, EMG
1149 South Broadway, Suite 600, MS 939
Los Angeles, California 90015

Dear Mr. Jones:

This is in response to your request for comments regarding the Notice of Availability of a Draft Environmental Impact Report for the Paseo Del Mar Permanent Restoration Project (SCH# 2016101016).

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County of Los Angeles (Community Number 065043), Maps revised 065043 and City of Los Angeles (Community Number 060137), Maps revised September 26, 2008. Please note that the City of Los Angeles, Los Angeles County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

2-1

- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

2-1
Con'td

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Los Angeles floodplain manager can be reached by calling Romano Galassi, City Engineer, at (213) 847-0405. The Los Angeles County floodplain manager can be reached by calling George De La O, Senior Civil Engineer, at (626) 458-7155.

If you have any questions or concerns, please do not hesitate to call Michael Hornick of the Mitigation staff at (510) 627-7260.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Romano Galassi, City Engineer, Department of Public Works, Bureau of Engineering,
Street & Flood Water Division

George De La O, Senior Civil Engineer, Watershed Management Division, Los Angeles
County

Garret Tam Sing/Salomon Miranda, State of California, Department of Water Resources,
Southern Region Office

Michael Hornick, NFIP Compliance Officer, DHS/FEMA Region IX

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

Comment Letter 2: United States Department of Homeland Security, Federal Emergency Management Agency, Region IX**Response 2-1**

The commenter provides floodplain management requirements related to development. As discussed in Section 3.7, Hydrology and Water Quality, on page 3.7-3 of the Draft EIR, “the project site is located in an area currently designated by FEMA as Zone X, Other Flood Areas, referring to areas outside of the limits of the base flood (100-year flood) and the 0.2-percent-annual-chance (or 500-year) flood. The base of the bluff below the project site is in an area currently designated by FEMA as Zone AE; therefore, it is inside the Special Flood Hazard Area and is subject to inundation by the 1-percent-annual-chance flood event (100-year flood). The shoreline beyond the bluff is designated as Zone VE, which is a coastal flood zone subject to wave velocity hazards in the event of a 100-year flood. The Base Flood Elevation, or the water surface elevation of the 1-percent-annual-chance flood, was determined to be 18 feet [above mean sea level] in the vicinity of the project site.”

As discussed in Chapter 2, Project Description, of the Draft EIR, under Alternative 1, the bridge would be located approximately 130 feet above the beach level, with the CIDH piles installed to an elevation of approximately 20 feet below the ground surface. Under Alternative 2, a reinforced earth buttress would be constructed above piles, which would be installed at an approximate elevation of 75 feet above the beach. Under Alternative 3, a concrete wall would be constructed above piles (shear pins) installed at an approximate elevation of 75 feet above the beach level. As such, the three build alternatives would be constructed well above the Base Flood Elevation of 18 feet above mean sea level.

Impacts related to flooding are discussed in Section 3.7, Hydrology and Water Quality, on pages 3.7-24 and 3.7-25 of the Draft EIR. As stated on page 3.7-24 of the Draft EIR, “the alteration in the drainage patterns under the build alternatives may result in an increased flow rate or quantity, but the change would be insignificant, as the impervious area and groundcover in the vicinity of the project area would not be significantly different from baseline conditions. Therefore, construction impacts related to flooding on- or off-site due to a change in drainage patterns or an increase in the rate or amount of surface runoff would be less than significant during construction of Alternatives 1, 2, or 3.” As discussed on pages 3.7-24 and 3.7-25 of the Draft EIR, each of the build alternatives would be designed to reduce flooding on-site by directing flows to the existing storm drainage systems in the project area. As such, the Draft EIR concludes that operational impacts related to flooding would be less than significant under the build alternatives. Therefore it is not anticipated that the build alternatives would contribute to an increase in the Base Flood Elevation established in the project area.

BOE would ensure that the build alternative that is ultimately constructed would comply with the applicable National Flood Insurance Program floodplain management building requirements.



Edmund G. Brown Jr.
Governor

Comment Letter No. 3

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

May 23, 2017

William Jones
City of Los Angeles
1149 S Broadway, Suite 600, MS 939
Los Angeles, CA 90015

Subject: Paseo Del Mar Permanent Restoration Project
SCH#: 2016101016

Dear William Jones:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 22, 2017, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

3-1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

3-2

Sincerely,

Scott Morgan
Director, State Clearinghouse

- of PLAN...

Document Details Report State Clearinghouse Data Base

SCH# 2016101016
Project Title Paseo Del Mar Permanent Restoration Project
Lead Agency Los Angeles, City of

Type EIR Draft EIR

Description On November 20, 2011, the White Point Landslide occurred in the community of San Pedro in the city of Los Angeles, resulting in the collapse of an approx 400-ft long section of the Paseo Del Mar roadway along the coast. BOE is considering three build alternatives for the permanent restoration of the collapsed portion of the Paseo Del Mar roadway, including one bridge alternative and two alternatives using either a reinforced embankment or a retaining wall. The three alternatives would include roadway and drainage design; signing, striping, and any traffic signal modifications, if needed; and planting of native vegetation on the seaward side of Paseo Del Mar to further stabilize the landslide and prevent erosion.

Lead Agency Contact

Name William Jones
Agency City of Los Angeles
Phone 213-485-5760 **Fax**
email
Address 1149 S Broadway, Suite 600, MS 939
City Los Angeles **State** CA **Zip** 90015

Project Location

County Los Angeles
City Los Angeles, City of
Region
Lat / Long
Cross Streets Paseo Del Mar and Weymouth Avenue
Parcel No.
Township **Range** **Section** **Base**

3-3

Proximity to:

Highways 47
Airports
Railways
Waterways San Ramon Creek, Pacific Ocean
Schools various, White Point ES
Land Use Open space/OS

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Recreation/Parks; Traffic/Circulation; Water Quality; Water Supply; Landuse; Aesthetic/Visual; Cumulative Effects; Drainage/Absorption

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Air Resources Board; Transportation Projects; Native American Heritage Commission; State Lands Commission

Date Received 04/06/2017 **Start of Review** 04/06/2017 **End of Review** 05/22/2017

Comment Letter 3: State of California Governor's Office of Planning and Research, State Clearinghouse

Response 3-1

The commenter states that they circulated the Draft EIR to selected state agencies for review during the public review period, and that no state agencies submitted comments to the State Clearinghouse. It should be noted that the State Clearinghouse found a 45-day public review period appropriate for the Draft EIR, which would have concluded on May 22, 2017. However, BOE provided an extended 60-day public review period and comments on the Draft EIR were accepted through June 5, 2017, as listed in the Notice of Availability circulated for the Draft EIR.

Response 3-2

The commenter acknowledges that the Lead Agency has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA. No further response to this comment is required.

Response 3-3

The Document Details Report from the State Clearinghouse database explaining the distribution of the Draft EIR is noted. No further response to this comment is required.



Comment Letter No. 4

Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

June 1, 2017

Mr. William Jones
Environmental Supervisor II
City of Los Angeles Department of Public Works
Bureau of Engineering, EMG
1149 S. Broadway, Suite 600, Mail Stop 939
Los Angeles, CA 90015

SUBJECT: PASEO DEL MAR PERMANENT RESTORATION PROJECT DRAFT EIR

Dear Mr. Jones,

The Los Angeles County Department of Beaches and Harbors (DBH) is in receipt of the City of Los Angeles' (City) Draft Environmental Impact Report (DEIR) for the Paseo Del Mar Permanent Restoration Project (Project). DBH has the following comments on the Project and the DEIR.

ROE Permit

The proposed Project includes off-site improvements on the County-owned property south of Paseo del Mar (APN# 7563-002-909), which is maintained and operated by DBH. The City cannot proceed with any work on the subject property without the issuance of a Right of Entry (ROE) permit from DBH, as indicated on page 2-26 of the DEIR. The County previously issued four ROE permits authorizing the City to conduct various emergency hillside stabilization work on the subject property following the 2011 landslide. These permits are summarized as follows: (1) RE-087-12, executed on November 1, 2012, related to debris removal and grading work, (2) RE-004-13, executed on February 6, 2013, related to dewatering work, (3) RE-039-13, executed on November 5, 2013, related to ground anchor work, and (4) RE-004-14, executed on September 10, 2014, related to ground anchor work.

Three of the permits include a special condition that the City contractually agreed to (below), which stipulates that both parties would negotiate the transfer of ownership of a portion of the subject property to the City, within six months of the ROE execution date.

"Parties agree to commence good faith negotiations as to the proposed transfer of the Premises described generally as White Point Beach, southerly of Paseo del Mar between the terminus of S. Weymouth Avenue to approximately 900 feet west of S. Weymouth Avenue from the County to Permittee and that such negotiations shall result in recommendations as to the proposed transfer to the appropriate officials, within six months from the

date of execution of this Permit. Any such transfer shall be subject to the approval of the County of Los Angeles Board of Supervisors AND the Board of City of Los Angeles' Board of Public Works and/or its City Council and Mayor."

Despite the ROE execution dates and inquiries from County staff, the City has not yet fulfilled this condition. This inaction constitutes a material breach of all four ROE permits (ROE Breaches). While such breaches persist, DBH will not approve any future ROE permits.

Coastal Development Permit

DBH recently learned that the City approved its own local Coastal Development Permit (CDP) for the proposed Project. The scope of the CDP, like the DEIR, includes off-site improvements that encroach on County-owned property. Any application for work in this area requires the County's written consent. DBH was not aware of the City's CDP application, nor was DBH invited to complete a property ownership affidavit which is a standard requirement for land use entitlement applications. Due to the ROE Breaches, DBH would not have consented to the work proposed in the local CDP.

Property Owner

The DEIR incorrectly states that "the area south of the project site along the coastline is land owned by the Los Angeles County Department of Beaches and Harbors." We recommend that you correct this statement to reflect that the land is owned by the County of Los Angeles, and managed by DBH.

Project Boundary

The Project site map and plans do not accurately depict the full scope of the Project alternatives. We recommend that the Project boundary maps be revised to include project-associated grading envelopes, excavation limits, shoreline armoring, and any other off-site improvements. Many of these off-site improvements are located on the County-owned property to the south of Paseo del Mar.

Project Renderings

The Project renderings do not depict the 25 and 15 foot tall shoreline rock armoring proposed for Alternatives 2 and 3, therefore we recommend revising these renderings to accurately depict the improvements along the base of the bluffs.

County-Operated Recreational Facilities

DBH is concerned that the Project's construction activities will negatively impact access to and use of County-operated facilities to the west of the Project site. These facilities include Fromhold Field, a recreational baseball field, and the White Point-Royal Palms Beach Park. We request that you provide more information regarding proposed construction activities as they relate to these County facilities, and provide a map of the construction staging area.

If you have any questions regarding these comments, please contact Maral Tashjian of the Planning Division staff at (424) 526-7750 or mtashjian@bh.lacounty.gov.

Sincerely,



GARY JONES
Director

GJ:BL:mmt

cc: Christina Angeles, County Counsel
Mike Feuer, Los Angeles City Attorney
Joe Buscaino, Councilmember, 15th District

Comment Letter 4: Los Angeles County Department of Beaches and Harbors

Response 4-1

The commenter provides a list of the Right of Entry (ROE) permits issued for the emergency stabilization measures implemented following the 2011 landslide event and describes the conditions of the ROE permits. The City would be required to obtain ROE permits prior to commencement of construction activities within lands under the jurisdiction of the County of Los Angeles. Coordination between the City and County regarding conditions of any ROE permits is ongoing and will continue as necessary. As part of the emergency work, the County offered to donate the parcel, south of the Paseo Del Mar ROW, West of the Royal Palms Park, and East of Weymouth to the City. The City is currently in negotiations with the County over the parcel donation.

Response 4-2

The commenter states that they have learned that a Local Coastal Development Permit has been approved by the City for the proposed project. However, no Local Coastal Development Permit has yet been issued by the City for the proposed project. Nevertheless, the Coastal Development Permit process will commence once the EIR has been certified and the design phase is nearly completed.

Response 4-3

The commenter requests a revision to the text referring to ownership of the property south of the project site. The commenter is referred to Chapter 2, Clarifications and Modifications, of this Final EIR, which includes the requested text revision.

Response 4-4

The commenter states that the project site map does not accurately depict the project boundary. As discussed in Chapter 2, Project Description, page 2-3 of the Draft EIR, the project site includes an approximately 400-foot-long segment of the Paseo Del Mar ROW. Additionally, as Alternatives 1 through 3 would include construction activities within the existing landslide area, the project site for these alternatives would also encompass that area. The commenter is referred to Figures 2-3 and 2-4 on pages 2-7 and 2-8 of the Draft EIR, which show the boundaries of the project site.

Response 4-5

The commenter states that the renderings do not depict the shoreline protection elements proposed under Alternatives 2 and 3. Detailed narrative descriptions of the estimated dimensions for the proposed shoreline protection elements under Alternatives 2 and 3 are provided in Chapter 2, Project Description, of the Draft EIR. As described on page 2-22, the proposed shoreline protection for Alternative 2 “would be approximately 100 feet wide and 800 feet long and would involve placement of an 8-foot-thick, 5-ton rock armor overlaid on a 4-foot-thick filter blanket at an elevation of approximately -10 feet to 25 feet.” As stated on page 2-23, the proposed shoreline protection for Alternative 3 “would involve placement of an approximately 8- to 10-foot-thick, 5-ton rock armor to an elevation of approximately 15 feet.” The precise location and dimensions of the proposed shoreline protection elements would be determined during the final design phase.

Response 4-6

The commenter expresses concern that construction activities would affect access to and use of County-operated facilities to the west of the project site. As discussed in the construction scenario described in Chapter 2, Project Description, on page 2-21 of the Draft EIR, the portion of the project site that is currently closed to public access would be used for construction staging and laydown areas for all three build alternatives. Construction access for Alternatives 1 through 3 would be available from both the east and west ends of the project site, and a temporary dirt road to the graben area would also be available from the west end of the landslide area, and may require minor modifications for construction use. Construction of the project site would not require the use of lands outside of the area that is already closed to public access. Thus, it is not anticipated that construction activities would affect access to Fromhold Field or the White Point-Royal Palms Beach Park, and access to these facilities would remain similar to existing conditions during construction.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 OceanGate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



June 5, 2017

Mr. William Jones, Environmental Supervisor II
City of Los Angeles Department of Public Works
Bureau of Engineering, EMG
1149 S. Broadway, Suite 600, Mail Stop 939
Los Angeles, CA 90015

**RE: Notice of Availability of Draft Environmental Impact Report for the Paseo Del Mar
Permanent Restoration Project (SCH # 2016101016)**

Dear Mr. Jones:

In response to the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Paseo Del Mar permanent restoration project, Coastal Commission staff concurs that an EIR is necessary and requests that the Final EIR analyze potential impacts to visual resources, water quality and public access associated with the proposed changes in land use designations, and consider the potential impacts of sea level rise and other potential coastal hazards.

5-1

Within the areas specified in Section 30601 of the Coastal Act, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or "dual") coastal development permit from the Coastal Commission. For projects located inland of the areas identified in Section 30601 (i.e., projects in the Single Permit Jurisdiction area), the City of Los Angeles local coastal development permit is the only coastal development permit required. Commission staff has determined that the area on which the restoration project is proposed is within the dual jurisdiction area. Therefore, the proposed project will require a local coastal development permit from the City and a coastal development permit from the Coastal Commission. Chapter 3 of the Coastal Act is the standard of review for the review of permits because section 30604(a) provides that Chapter 3 is the standard of review when issuing a coastal development permit prior to certification of a local coastal program.

5-2

The Final EIR should analyze the project for consistency with the policies of the Coastal Act (including Coastal Act Sections 30210, 30211, 30212, 30220, 30221, 30222, 30231, 30232, 30235, 30240, 30251, and 30253), and provide mitigation or alternatives for any identified impacts to visual resources, water quality, public access and recreation, alteration to natural landforms along bluffs, and potential hazards. Specifically Commission staff recommends that the Final EIR analyze the following coastal issues:

5-3

- Visual resource impacts of the project from vantage points along the public beach and along Paseo Del Mar, which the Draft EIR identifies as a designated scenic highway in the *City of Los Angeles General Plan Mobility Element* – does the project preserve or enhance identified view corridors? Would an alternative project design or location serve to preserve or enhance visual resources?

5-4

- How will water quality be protected throughout the construction of the project? How will run-off be managed after construction of the proposed project?

5-5

Paseo Del Mar Permanent Restoration Project, City of Los Angeles
Coastal Commission Staff Comments on DEIR
Page 2 of 2

- The project area is adjacent to the White Point Nature Preserve. What potential impacts to identified and potential environmentally sensitive habitat areas (ESHA) might the project present during and after construction? If ESHA is impacted, what mitigation and restoration options will be available? At what mitigation ratio will the City require? 5-6
- The project area is along a bluff. What potential impacts to natural landforms along bluffs might the project present during and after construction? If natural landforms are impacted, what mitigation and restoration options will be available? 5-7
- Alternatives 2 and 3, as indicated in the DEIR, state that they would require "rock armoring shoreline protection", such as "riprap". However, in the analysis in Appendix F: Wave Run-up Study by AECOM examined wave run-up for three different slope configurations and it also included a significant sea level rise (up to 5.5 feet) over the coming 75 or so years. For the proposed project site, the AECOM report concludes that, *"there is a considerable buffer/soil mass in front of the new structure to accommodate some erosion before it starts to impact/undermine the proposed improvements. As such it is deemed feasible to install the shore side improvements and implement a monitoring program, and as necessary implement shoreline improvements as the need arises."* Section 30235 of the Coastal Act provides the standard of review for shoreline armoring and it is often presented as a three part test. The first part is to determine if there is an existing structure; the second part is to determine whether that existing structure is in danger from erosion; and the final part is to determine whether the proposed approach to erosion is the least environmentally damaging, feasible alternative. To determine whether a protection structure is needed at this site, the City must first provide information on the structure(s) that are of concern and provide some analysis of the dangers that erosion presented to these structures. Also, the dangers need to be of sufficient immediacy that the risks are likely to occur within the next few years. Once need is established, options for response need to be analyzed. In recognition of the conclusions from the AECOM Study, one option that the City should consider is to monitor the situation and wait until shoreline protection is needed. What other alternatives are available in lieu of shoreline protective devices? 5-8

Each of the issues identified in this letter, as well as other environmental impacts identified in the Draft EIR, should be analyzed in the context of potential alternative policies.

Please note that the comments provided herein are preliminary in nature. More specific comments may be appropriate as the project develops. Coastal Commission staff requests notification of any future activity associated with this project or related projects. Additionally, the comments contained herein are those of Coastal Commission staff only and should not be construed as representing the opinion of the Coastal Commission itself. Thank you for the opportunity to comment on the Draft EIR. 5-9

Sincerely,



Caitlin Oshida
Coastal Program Analyst

Comment Letter 5: California Coastal Commission

Response 5-1

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

Response 5-2

The commenter states that the project site is located within a dual permit jurisdiction area requiring a local coastal development permit, as well as a state coastal development permit. The requirement of both the local coastal development permit and the state coastal development permits is discussed in Section 3.3, Biological Resources, and Section 3.8, Land Use and Planning, of the Draft EIR. As stated on page 3.3-11 of the Draft EIR: "Section 30601(l) of the [California Coastal Act] requires any development receiving a local coastal development permit to also obtain a second (or dual jurisdiction) coastal development permit from the [California Coastal Commission (CCC)] for proposed developments between the sea and first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the [Mean High Tide Level] of the sea where there is no beach. This project is within the area requiring the issuance of dual permits from both the City of Los Angeles and CCC. BOE would ensure that the project is in compliance with the CCA and obtain the required development permits prior to project implementation. Under Alternatives 2 and 3, which require rock armoring in tidal waters, additional coordination and consultation with the CCC would be required to permit the installation of shoreline protection."

Response 5-3

The commenter provides a summary of the topics that are covered in their subsequent comments. No further response to this comment is required.

Response 5-4

The commenter inquires about impacts to visual resources from the project. Section 3.1, Aesthetics, of the Draft EIR, discusses potential impacts to visual resources. Potential impacts to scenic vistas are discussed under impact analysis AES-1 on pages 3.1-10 through 3.1-20 of the Draft EIR. As discussed in Section 3.1, the City of Los Angeles General Plan Mobility Element designates Paseo Del Mar as a Scenic Highway from Western Avenue to Gaffey Street, which includes the project site, due to views of the Pacific Ocean and Catalina Island from the roadway. Under the No Project Alternative, the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to vehicular, bicycle, pedestrian traffic, and the public in general. Additionally, as further discussed in Section 3.8, Land Use and Planning, the No Project Alternative would conflict with the Secondary Scenic Highway land use designation under the General Plan because views from the scenic highway would be interrupted, with those views along the damaged portion of Paseo Del Mar remaining lost to the public. Therefore, the Draft EIR concludes that the No Project Alternative would result in a significant impact to scenic vistas.

As the three build alternatives would restore continued access along Paseo Del Mar, they would preserve scenic vistas from the scenic highway. Additionally, as discussed in impact analysis AES-1, Alternatives 1 through 3 would blend into the baseline condition and would not be

readily discernable from views toward the project site from the west, northwest, or northeast (identified as Key Observation Point [KOP] 1, 2, and 3). Under Alternative 1, views toward the project site from the ocean (KOP 4) would change slightly as the bridge superstructure would be discernable from that observation point, although the Draft EIR concludes that the contrast to the natural environment would be low. However, the reinforced-earth buttress under Alternative 2 and the MSE structure under Alternative 3 would represent a significant linear feature with substantial mass on the seaside cliff. While aesthetic treatment of the structures could be implemented to help them better blend with their surroundings, as discussed in Section 3.1, the linear change would be clearly evident from KOP 4 despite the use of natural coloring and patterning. These structures would be necessary under Alternatives 2 and 3, and are the result of engineering design required to support the roadway above them, thus, there is no feasible method to substantially reduce the linearity and massing of the features. Therefore, the Draft EIR concludes that Alternatives 2 and 3 would result in significant and unavoidable aesthetics impacts related to scenic vistas.

Response 5-5

The commenter inquires about how water quality during construction and the management of runoff after construction. The commenter is referred to Response 1-3 regarding construction impacts to water quality and stormwater runoff during operation of the project.

Response 5-6

The commenter inquires about potential impacts to environmentally sensitive habitat. No Environmentally Sensitive Habitat Areas (ESHA) designated by the CCC exist on or adjacent to the project site. Although not formally designated as an ESHA, the White Point Nature Preserve provides suitable habitat for coastal California gnatcatcher, a federally listed endangered species. As discussed in Section 3.3, Biological Resources, of the Draft EIR, no direct impacts to the White Point Nature Preserve would occur during construction or operation of the build alternatives. Additionally, White Point Nature Preserve is separated from the project site by a fence, providing protection from potential direct impacts to habitat in the preserve. As the build alternatives would not result in significant impacts to ESHA, no mitigation ratio is required. The commenter is referred to Chapter 2, Clarifications and Modifications, of this Final EIR, which includes revisions to Section 3.3., Biological Resources, to include a discussion on ESHA.

Response 5-7

The commenter inquires about potential impacts to the landform along the bluff in the project area. As discussed in Chapter 2, Project Description, of the Draft EIR, the three build alternatives would involve earthwork, including grading and excavation activities, at the project site within the Paseo Del Mar ROW at the top of the bluff as well as within the slope below the ROW. A discussion of the potential impacts during construction and operation at the project site, including along the bluff, is included for each alternative throughout Chapter 3, Environmental Setting, Impacts, and Mitigation, of the Draft EIR. Mitigation measures are identified throughout Chapter 3 to avoid or reduce significant impacts where feasible.

Response 5-8

The commenter summarizes the shoreline armoring review standard under the California Coastal Act. As discussed in Chapter 2, Project Description, of the Draft EIR, it is anticipated that Alternatives 2 and 3 would require shoreline protection to protect the slope from recession

due to wave action and other erosive forces. Additionally, as discussed on page 2-11 of the Draft EIR, like any structure proximal to the shoreline, ongoing monitoring would be needed and, should substantial erosion occur, protective measures would be implemented during the operation of Alternative 1. BOE would adhere to the shoreline armoring review standards outlined in the California Coastal Act for whichever of the three build alternatives is ultimately constructed.

The commenter also inquires about available alternatives in lieu of the shoreline protection proposed. The three build alternatives and the construction methods analyzed throughout the Draft EIR represent the reasonable range of feasible alternatives for the proposed project. Chapter 5, Alternatives, of the Draft EIR includes a discussion of additional alternatives that were considered during the scoping process. One of these alternatives, the Roadway Realignment Alternative, would have realigned the roadway away from the bluff into the White Point Nature Preserve. As this alternative would realign the roadway to the north of and outside of the safety buffer area around the existing landslide, no earthwork would be needed in the existing landslide area. Additionally, no shoreline protection measures would be required under this alternative. However, the Roadway Realignment Alternative was eliminated from further consideration as it would result in significant impacts to biological resources, cultural resources, and recreation that would not occur under Alternatives 1 through 3.

Response 5-9

This comment includes closing remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

CITY OF LOS ANGELES
INTERDEPARTMENTAL CORRESPONDENCE

DATE: 06/05/2017

TO: WILLIAM JONES
ENVIRONMENTAL MANAGEMENT GROUP
BUREAU OF ENGINEERING

FROM: ELENA MAGGIONI
DEPARTMENT OF RECREATION AND PARKS

Object: PASEO DEL MAR EIR

The project site includes an approximately 400-foot-long segment of the Paseo Del Mar right-of-way (ROW) that was damaged by the 2011 landslide event near the White Point area of the Palos Verdes Peninsula. The current total ROW street width is 70 feet. Based upon the ROW width, Paseo Del mar is a designated secondary highway.

The EIR of the "Paseo del Mar Permanent Restoration Project" analyzes the environmental impact of four project alternatives:

1. Bridge Spanning over Landslide: Paseo Del Mar would be located on a bridge structure that spans over the landslide area. A cast-in-place concrete box girder or double box girder bridge superstructure would be utilized supported by seat abutments. The bridge span would be approximately 400 feet long and 63 feet 5 inches wide. The bridge proposed under Alternative 1 would be located approximately 130 feet above the beach level. Stone patterning may potentially be considered for the bridge wingwalls as an aesthetic, architectural element. This alternative would include sidewalks of approximately 12 feet wide on the south side and 5 feet wide on the north side.
2. Anchored Cast-in-Drilled-Hole (CIDH) Piles with Buttress, a single row of large diameter, Cast-in-Drilled Holes (CIDH) piles near the edge of the existing slope. After partial removal of the landslide debris to an approximate elevation of 75 feet above the beach, the piles would be drilled and installed to below the basal shear interface layer. The piles would be connected with a reinforced concrete grade beam and tied back with soil anchors. A reinforced earth buttress located above the piles would stabilize the head scarp and support the new roadway.
3. Shear Pins with Mechanically Stabilized Embankment Wall; a row of large diameter piles and a grid of smaller diameter piles would be constructed below the proposed roadway. The piles would handle the vertical loading of a Mechanically Stabilized Embankment (MSE) wall and mitigate lateral forces on the existing slope. Due to the height of the wall required, traditional cantilever-type walls would not be as stable. The MSE-type wall utilizes a reinforcement strap tied to a segment of wall panel. The self-weight and friction of the compacted earth would keep the face panels in place.
4. No Project Alternative: the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to the public.

6-1

The NOP included a fourth build alternative that BOE was considering for the proposed project, the Roadway Realignment Alternative. This alternative would realign the Paseo Del Mar roadway northerly into the White Point Nature Preserve. Due to feedback received during the scoping process, and the increase in significant effects associated with this alternative (biological resources, cultural resources, recreation), this alternative has been eliminated from further analysis in this EIR.

The EIR finds that the No Built alternative would cause significant, unavoidable impacts on the following environmental factors:

- **Aesthetics:** the No Project Alternative, the lack of visual improvements and accessibility would substantially degrade the existing visual character.
- **Geology and soils:** the No Project Alternative would not provide the additional stabilization measures described for the build alternatives. Thus, there is a higher potential for an incipient landslide to jeopardize the stability of the bluff to the west of the landslide area.
- **Hydrology and water quality:** the current course of surface water through the landslide area has the potential to cause substantial erosion of the landscape over time. Considering the local geology and susceptibility of the project area to landslides, erosion of the bluff face has a significant potential to cause weakening of the slope.
- **Land use and planning:** The No Project Alternative would conflict with the goal of the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy of maximizing mobility and accessibility for all people and goods in the region.

6-1
Cont'd

For the three built alternatives, significant, unavoidable impacts would occur on:

- **Aesthetics,** because the features of the roadway components, such as the barriers, would represent a substantial visual change on the project site.
- **Noise,** because Alternatives 1 through 3 would still result in a 5 dBA increase over the ambient noise level. Furthermore, the analysis identified significant impacts associated with haul trucks on Western Avenue between West 25th Street and Paseo Del Mar. This roadway segment has been identified as the most direct route for regional access to the project site while avoiding residential neighborhoods as much as possible. However; truck noise cannot be regulated at the source, and there are no feasible mitigation measures to reduce noise along the route.

Build alternatives impacts on biological resources (monitoring before construction work), cultural and paleontological resources (archaeological monitoring), geology and soil, hydrology and water quality would be mitigated and reduced to less than significant.

This EIR has some limitations:

- It does not have a geotechnical report in the appendix. Since the project is located on an active landslide, it would be reassuring to have the opportunity to look at a geotechnical report that would describe the nature and the extent of the landslide and explain where the project would be anchored.
- It does not include an assessment of the effect of sea level rise on the project and on the potential users of the project. The project is on a bluff that is likely to be affected by

6-2

6-3

increased sea levels caused by climate change. There is no mention in the hydrology or in the geology section of the potential risk caused by such increase.	6-3 Cont'd
<ul style="list-style-type: none"> • There is no difference in air quality and traffic impacts among the three built alternatives, but the three projects would require a large difference in dirt movements (Alt. 1: only 200 cubic meters imported and no material exported; Alt. 2: 27,000 cubic meters out and 62,000 cubic meters in; Alt. 3: 27,000 cubic meters out and 47,000 cubic meters in). 	6-4
<ul style="list-style-type: none"> • Here and there in the biological resources section and in the hydrology section, the study mentions a “vegetation plan on the seaward side of the Paseo Del Mar ROW”, which would further stabilize the area disturbed by the landslide and provide protection against erosion. However, such plan is never addressed or described in the project description (only in the project objectives), it is no clear who will design such a plan and who and when will implement it (maybe LA County?); finally it is not clear whether it would be implemented with Alt. 1. 	6-5
A part from these points, the project has no impact on recreational activities in the area and is planning to stay out of the Natural Reserve, but it does not mention any relocation of the light poles that have been placed on the Natural Reserve.	6-6

S://Elena/PASEO DEL MAR/Paseo del Mar MEMO on EIR EM

Comment Letter 6: City of Los Angeles Department of Recreation and Parks

Response 6-1

The commenter summarizes the project description, some of the environmental impacts, and other project information contained in the Draft EIR. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

Response 6-2

The commenter states that a geotechnical report is not appended to the Draft EIR. As discussed in Chapter 2, Project Description, of the Draft EIR, a Pre-Design Report was prepared for the project to determine the range of feasible alternatives that could be implemented to restore roadway access along Paseo Del Mar. The Pre-Design phase included a geotechnical investigation. Figures 2-5, 2-6, and 2-7 on pages 2-13, 2-17, and 2-19 of the Draft EIR, respectively, depict the schematic plans of each of the three build alternatives. These schematic plans show the approximate locations of where each of the build alternatives would be anchored based on preliminary engineering and design, which takes into consideration the geologic and geotechnical conditions of the project site. The exact location of anchoring(s) will be determined during final design and engineering of the project based on the project site conditions. The final design process will take place once an alternative is selected for implementation.

Regarding a description of the existing landslide area, the commenter is referred to Figure 2-4, Landslide Morphology Map, on page 2-8 of the Draft EIR, which shows the extent and morphological components of the existing landslide area.

Response 6-3

The commenter states that the Draft EIR does not include an assessment of the effects of sea level rise. As discussed in Chapter 2, Project Description, of the Draft EIR, the Pre-Design phase included an evaluation of several alternatives based on cost, aesthetics, maintenance, and the requirement for shoreline protection. The requirement for shoreline protection was based on technical studies prepared for the Pre-Design Report, which included an analysis of anticipated sea level rise over the life of the project. This sea level rise analysis allowed BOE to determine the type, location, and height of shoreline protection measures proposed for the alternatives, as well as when in the life of the project these measures would need to be implemented (i.e., at the time of construction or conduct ongoing monitoring and implement during operation). Thus, although the Draft EIR does not contain a section specifically pertaining to sea level rise, sea level rise projections were used to determine the preliminary design and engineering of each of the build alternatives, and the construction and operation of these alternatives is analyzed throughout the EIR.

Response 6-4

The commenter states that the air quality and traffic impacts among the three build alternatives does not differ even though the alternatives require different amounts of material imported and exported. Regarding the air quality analysis, the commenter is referred to Section 3.2, Air Quality, of the Draft EIR. The estimated maximum daily construction emissions for each alternative were calculated based on the number and types of equipment used to construct the

alternatives. The equipment mix for Alternatives 2 and 3 would generate similar construction emissions; however, these emissions would differ from those generated by the equipment mix for Alternative 1. Therefore, as shown in Table 3.2-5, Estimated Maximum Daily Construction Emissions for Alternative 1, the construction emissions calculated for Alternative 1 differ from those calculated for Alternatives 2 and 3, shown in Table 3.2-6 and 3.2-7, respectively. The estimated construction air quality emissions for each of the build alternatives would be below the significance thresholds. Therefore, the Draft EIR concludes that the build alternatives would result in less than significant air quality impacts related to construction emissions.

The analysis of construction traffic was based on the peak construction traffic data for each of the build alternatives, rather than daily construction traffic. Although the amount of material imported to and exported from the project site would differ between the alternatives, the peak construction periods for each of the alternatives would be similar. As discussed in Section 3.12, Transportation and Traffic, the construction trip generation totals were determined based on the period that would generate the highest number of combined trips for the build alternatives. It is estimated that Alternatives 1 through 3 would require the same number of construction employees and truck trips during the peak period and, thus, would result in the generation of the same number of construction trips, which is estimated to be 73 peak-hour trips. Construction traffic estimated to be generated under Alternatives 1 through 3 would nominally degrade intersection levels of service at the three signalized intersections. As such, the Draft EIR concludes that construction activities associated with the build alternatives would result in less than significant impacts at the study intersections. An analysis of construction traffic on the study roadway segments was also conducted. Construction traffic generated by Alternatives 1 through 3 would not impact the residential neighborhoods located east of the landslide area. All construction traffic would access the construction site via Western Avenue, with most trips having origins or destinations to the north via Western Avenue. The number of construction trips is not significant on the major roadways as compared to the Future No Project scenario average daily trips (ADTs). Therefore, the Draft EIR also concludes that construction activities associated with the build alternatives would result in less than significant impacts to the study roadway segments.

Response 6-5

The commenter states that it is not clear who will be responsible for developing the vegetation plan or when this plan would be implemented. All components of the proposed project, including the development and implementation of the vegetation plan, would be the responsibility of the lead agency (BOE). Development of the vegetation plan would occur during final design of the alternative that is selected for implementation. Implementation of the vegetation plan would occur as part of the construction phase of the project.

Response 6-6

The commenter states that the project would have no impact on recreational activities. The commenter also states that there is no mention of relocation of the light poles that have been placed in the Nature Preserve. The utility poles in the area belong to the City of Los Angeles Department of Water and Power (LADWP). BOE does not have jurisdiction over these utilities and, therefore, any relocation of such facilities would be done at the discretion of LADWP, and with the approval of the City of Los Angeles Department of Recreation and Parks. Should it be determined that the utility poles should be incorporated into the restored roadway under one of the build alternatives, this activity would be completed in coordination with LADWP.

Comment Letter No. 7



U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
760-431-9440
FAX 760-431-9624



California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
858-467-4201
FAX 858-467-4299

In Reply Refer To:
FWS/CDFW-LA-16B0325-17CPA0124

June 5, 2017
Sent by Email

Mr. William Jones
Environmental Supervisor II
City of Los Angeles – Department of Public Works
Bureau of Engineering, EMG
1149 South Broadway, Suite 600, Mail Stop 939
Los Angeles, California 90015

Subject: Comments on the Draft Environmental Impact Report for the Proposed Paseo Del Mar Restoration Project, City of Los Angeles, California

Dear Mr. Jones:

The U.S Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), hereafter collectively referred to as the Wildlife Agencies, have reviewed the draft Environmental Impact Report (DEIR) for the proposed Paseo Del Mar Restoration Project in the San Pedro Community of the City of Los Angeles (City), California. We received the DEIR on April 6, 2017. The Department previously commented on the proposed project in a letter dated November 14, 2016.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. As such, the Service is responsible for administering the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712), Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c), and the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381, respectively. The Department is responsible for the conservation, protection, and management of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA) and other sections of the Fish and Game Code, and administers the Natural Community Conservation Planning (NCCP) program.

The project site is a stretch of Paseo Del Mar along the southern border of the White Point Nature Preserve in the San Pedro Community of the City of Los Angeles. The proposed project is designed to repair road damage from a landslide that occurred on November 20, 2011. Approximately 400 feet of Paseo Del Mar washed out during the landslide. Paseo Del Mar is approximately 60 feet wide at the project location.

We offer the following comments and recommendations to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources and to ensure that the Project is consistent with Federal and State laws/regulations:

1. The proposed project is adjacent to the White Point Nature Preserve, which is occupied by the coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher), a federally listed threatened species and a California Species of Special Concern. The Department's 2016 letter requested updated surveys for the gnatcatcher to help assess potential project-related impacts. The DEIR includes the results of a single day, general plant and wildlife survey conducted on July 19, 2016. This survey does not provide sufficient detail to determine the current distribution of gnatcatchers on the project site. Previous surveys, including the 2013 surveys associated with the landslide stabilization work, have documented gnatcatcher territories and a nesting location in the habitat immediately north of the project site. Despite the measures proposed to minimize impacts to gnatcatchers (e.g., avoidance of vegetation clearing during the nesting season), the noise and visual disturbance associated with the proposed project have a high potential to prevent or delay nesting of gnatcatchers in the adjacent habitat.

Section 9 of the Act prohibits the "take" (e.g., harm, harassment, pursuit, injury, kill) of federally listed wildlife. Take incidental to otherwise lawful activities can be addressed through consultation pursuant to section 7 of the Act (if the project has a Federal nexus)¹ or permitted pursuant to section 10 of the Act. Therefore, we recommend that the City coordinate with the Service to ensure that the project is implemented consistent with the Act and to discuss the appropriate regulatory process if impacts to gnatcatcher cannot be sufficiently avoided.

2. To fully analyze impacts to plants and wildlife, complete and quantitative descriptions of potential direct and indirect impacts should be provided, including anticipated staging areas and other offsite features associated with each alternative. The DEIR does not identify any impacts that may occur beyond the original road footprint, but it seems unlikely that the impacts will be limited to that area. We request that the final EIR include complete descriptions of what areas will be impacted and for what duration for each alternative. These descriptions should include quantitative details regarding impacts to specific vegetation communities and any known sensitive plants and/or wildlife. If the project will result in substantial impacts to native vegetation (e.g., greater than 1 acre), we recommend that the DEIR be recirculated with a detailed analysis of these impacts and proposed measures to avoid, minimize, and mitigate the impacts.

We recommend that temporarily impacted sensitive vegetation communities be restored following project construction. Habitat restoration within previously degraded areas may also be incorporated as mitigation for permanent impacts to sensitive resources, should the project result in any such impacts. As described in the Department's 2016

¹ A Federal nexus could include Federal funding or a required permit from another Federal agency, such as the U.S. Army Corps of Engineers.

letter, habitat restoration plans should be prepared by personnel familiar with southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

7-4
Cont'd

- a. We recommend that local onsite propagules from the project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.
- b. Restoration objectives should include providing special habitat elements where feasible to benefit key wildlife species. These physical and biological features can include, for example, retention of woody material, logs, snags, rocks and brush piles.

We appreciate the opportunity to provide comments on this project. Should you have any questions regarding this letter, please contact Andrew Valand (Department) at 562-342-2142 or Eric Porter (Service) at 760-431-9440.

Sincerely,

JONATHAN
SNYDER

Digitally signed by JONATHAN
SNYDER
Date: 2017.06.05 09:08:49 -07'00'

for Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Betty J. Courtney
Environmental Program Manager
California Department of Fish and Game

cc:
State Clearinghouse

Comment Letter 7: United States Fish and Wildlife Service/California Department of Fish and Wildlife

Response 7-1

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

Response 7-2

The commenter expresses concern that, even with implementation of mitigation measures, coastal California gnatcatcher could still be affected by the build alternatives. As presented in Section 3.3, Biological Resources, under *Federal Endangered Species Act*, on page 3.3-8 of the Draft EIR, BOE will continue consultation with the U.S. Fish and Wildlife Service (USFWS) regarding the proposed project and with the implementation of environmental protection measures, impacts to coastal California gnatcatcher would not be anticipated. Furthermore, BOE proposes to avoid impacts to coastal California gnatcatcher by conducting pre-construction surveys for the species to determine the current distribution of gnatcatchers in the project area in accordance with USFWS Coastal California Gnatcatcher Presence/Absence Survey Guidelines, February 28, 1997. In the event that the species is observed during pre-construction surveys, a qualified biologist will identify the boundaries of the pair's territory and no construction within 500 feet of the territory would occur. If it is not feasible to maintain a buffer of 500 feet from an active gnatcatcher nest territory, construction activities within or near these areas will be performed outside of the breeding and nesting season (coastal California gnatcatcher breeding/nesting season is approximately February 15 through August 30), or BOE will conduct an Endangered Species Act Section 10 Consultation with USFWS to determine alternative actions. BOE may conduct construction activities in gnatcatcher habitat during the breeding and nesting season if protocol-level surveys (conducted no later than one year prior to construction activities per protocol) confirm the absence of breeding gnatcatchers, or if the 500-foot protective buffer from all active gnatcatcher territories can be maintained. The commenter is referred to Chapter 2, Clarifications and Modifications, of this Final EIR, which includes revisions to mitigation measure BIO-B to specifically include protocol level pre-construction surveys for gnatcatcher.

Response 7-3

The commenter states that the Draft EIR does not identify impacts that may occur beyond the original road footprint. The commenter is referred to Response 4-4 regarding the boundaries of the project site. As presented in Chapter 2, Project Description, Section 2.6 Construction Scenario, and Section 3.3, Biological Resources, subsection 3.3.3 Environmental Impacts, it is anticipated that direct permanent impacts would only occur within the project site and that staging and laydown areas would be restricted to previously-disturbed areas that occur within the project site, which is currently closed to public access. This includes paved portions of Paseo del Mar that have been closed to public access.

Regarding the request for quantitative details regarding impacts to sensitive species, the commenter is referred to Section 3.3, Biological Resources, Table 3.3-2, Permanent Impacts to Vegetation Communities and Land Cover Types, on page 3.3-15 of the Draft EIR, which includes acreages of impacted area for each of the build alternatives.

Response 7-4

The commenter recommends that temporarily impacted sensitive vegetation communities be restored following project construction. Temporary impacts to sensitive vegetation communities would be limited. As described in Chapter 2, Project Description, Section 2.6 Construction Scenario, of the Draft EIR, the portion of the project site that is currently closed to public access would be used for construction staging and laydown. Additionally, the construction zone would be secured with fencing to separate the White Point Nature Preserve from construction activities. Habitat within the fenced in area consists primarily of the former roadway and ruderal vegetative cover that dominates the landslide and adjacent coastal bluff face habitats. California sagebrush scrub habitat occurs along the north side of the former roadway; however, such areas will not be utilized for staging and laydown. Additionally, as discussed in Chapter 2, Project Description, and Section 3.3, Biological Resources, of the Draft EIR, as part of the proposed project, a vegetation plan would be developed and implemented on the seaward side of the Paseo Del Mar ROW.



GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

City of Los Angeles
San Pedro, CA

April 26, 2017

Re: AB52 Consultation request for the Paseo Del Mar Permanent Restoration Project

Dear William Jones,

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning descending from, or a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission, ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. This is the reason the Native American Heritage Commission (NAHC) will always refer the lead agency to the respective Native American Tribe of the area because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. Therefore, to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

8-1

Consultation appointments are available on Wednesdays and Thursdays at our offices at 901 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email gabrielenoindians@yahoo.com to schedule an appointment.

** Prior to the first consultation with our Tribe, we require all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view the video at:
<http://nahc.ca.gov/2015/12/ab-52-tribal-training/>

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman

Albert Perez, treasurer

PO Box 393, Covina, CA 91723

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer

www.gabrielenoindians.org

Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the Council of Elders

gabrielenoindians@yahoo.com

Comment Letter 8: Gabrieleño Band of Mission Indians - Kizh Nation (1)

Response 8-1

The commenter requests tribal consultation with the lead agency under Assembly Bill (AB) 52. The requirements under AB 52 are described in Section 3.13, Tribal Cultural Resources, of the Draft EIR. As stated on page 3.13-3, the intent of AB 52 is to “set forth a process and scope that clarifies California tribal government involvement in the CEQA process, including specific requirements and timing for lead agencies to consult with tribes on avoiding or mitigating impacts to tribal cultural resources.” In response to the request for consultation, and in compliance with the requirements set forth under AB 52, BOE met with the commenter on June 7, 2017. Further, as discussed on page 3.13-7 of the Draft EIR, BOE will conduct ongoing Native American consultation throughout implementation of the proposed project as necessary.



Adele Healy

President

Brian Vassallo

Vice President

George Palaziol

Secretary

Robert Campbell

Treasurer

May 23, 2017

Mr. William Jones, Environmental Supervisor II
City of Los Angeles Department of Public Works
Bureau of Engineering, EMG
1149 S. Broadway, Suite 600, Mail Stop 939
Los Angeles, CA 90015

Re: Paseo Del Mar Permanent Restoration Project

Dear Mr. Jones,

At its publicly noticed meeting on May 15, 2017, the Board of the Coastal San Pedro Neighborhood Council unanimously passed the following resolution:

Motion recommending improved analysis in the Environmental Impact Report on the Paseo Del Mar Permanent Restoration Project.

Committee motion: Parks, Land Use and Coastline Committee

Be it resolved, that the baseline condition for the Environmental Impact Report (EIR) on the Paseo Del Mar Permanent Restoration Project should be the conditions or environmental setting at the time of the release of the Notice of Preparation (NOP), not the pre-landslide condition, and the EIR must be rewritten using the conditions at the time of the release of the NOP, because the use of multiple baselines throughout the EIR has the potential of creating predetermination of the outcome; and

Be it further resolved, that the Environmental Impact Report analysis must include an additional alternative that examines the impacts of road improvements, including traffic calming on Paseo Del Mar, without restoring the road; and

Be it further resolved, that much more extensive remediation is required in the design for the rip-rap base and walls proposed in Alternatives 2 and 3 due to extensive biological and view impacts; and

9-1

9-2

9-3




Be it further resolved that any and all alternatives must include traffic calming and beautification on Paseo Del Mar, as has been recommended by the Coastal San Pedro Neighborhood Council for years, including but not limited to the attached plan by Mia Lehrer Associates as a proposed basis for planning.

9-4

Thank you for taking the time to review our resolution. We look forward to your response.

Yours sincerely,



Adele Healy, President
Coastal San Pedro Neighborhood Council

1.0	Regional Connections
2.0	Proposed Improvements
3.0	Analysis
4.0	Existing Signage
5.0	Proposed Signage
6.0	Signage Options A
7.0	Signage Options B
8.0	Bulb-outs & Crosswalk
9.0	Expanded Sidewalk & Bulb-outs
10.0	Cross-walk Study
11.0	Inspirational Signage
12.0	Community Boards
13.0	What we heard: June 2004
14.0	What we heard: August 18
15.0	Diagonal Parking
16.0	Proposed Sidewalk Expansion



9-5
Cont'd

Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

1.0 Regional Connections

MIA LEHRER
- associates
landscape architecture





9-5
Cont'd

Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

2.0 Proposed Improvements

MIA LEHRER
associates
landscape architecture





9-5
Cont'd

Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

3.0 Analysis

MIA LEHRER
associates
landscape architecture

Coastal
Conservancy



9-5
Cont'd

Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

4.0 Existing Signage



9-5
Cont'd

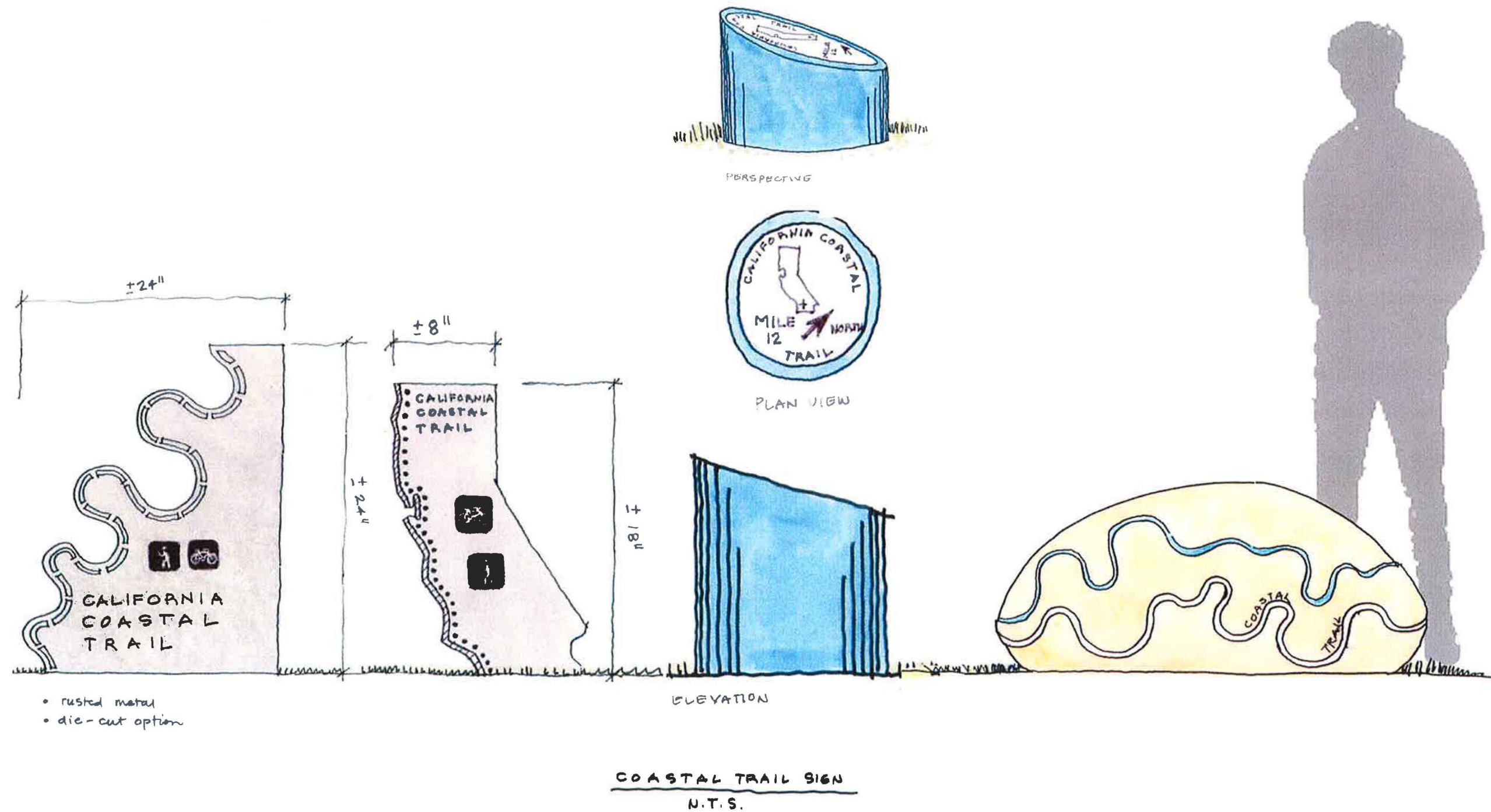
Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

5.0 Proposed Signage

MIA LEHRER
- associates
landscape architecture

Coastal
Conservancy



9-5
Cont'd

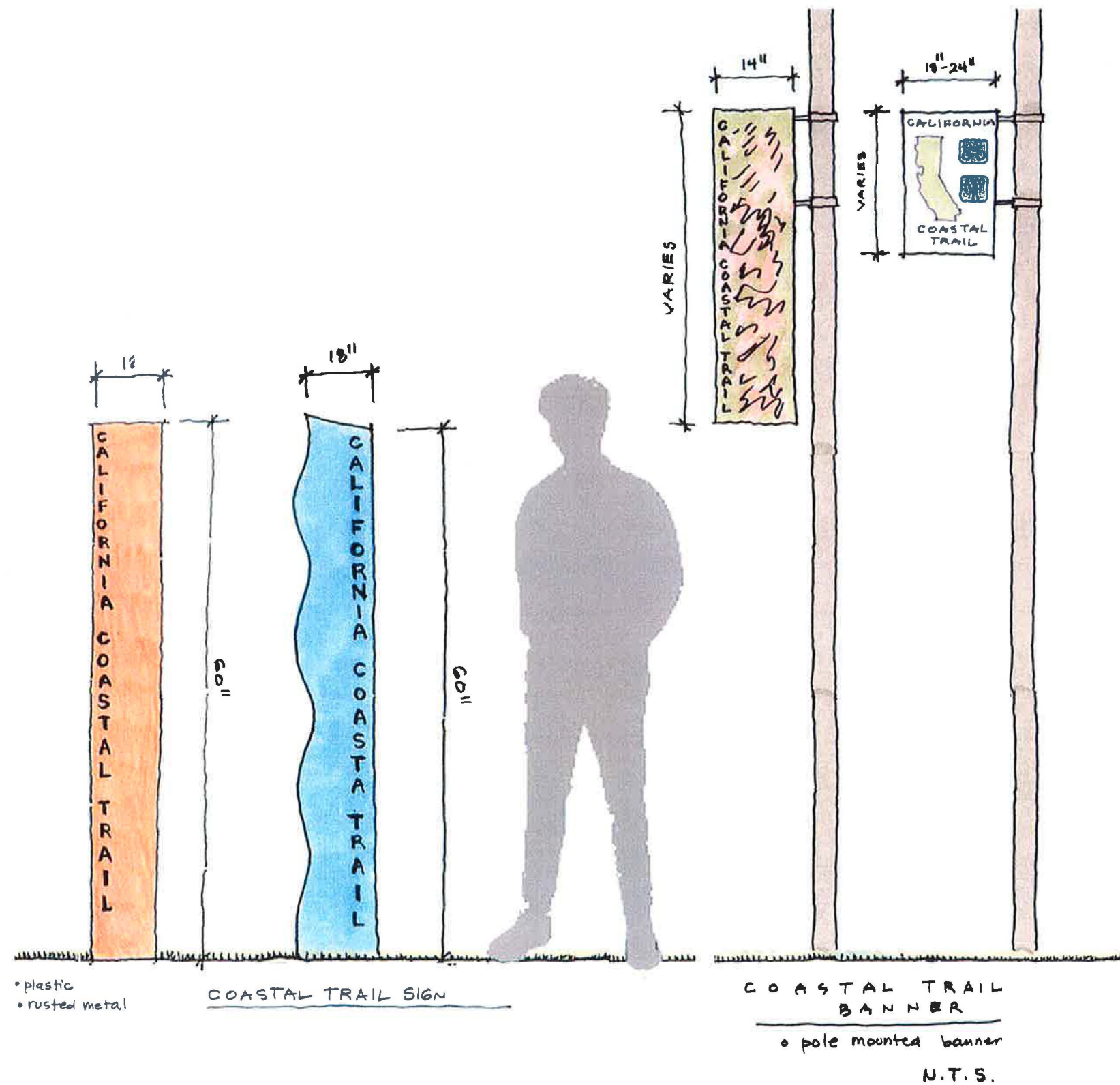
Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

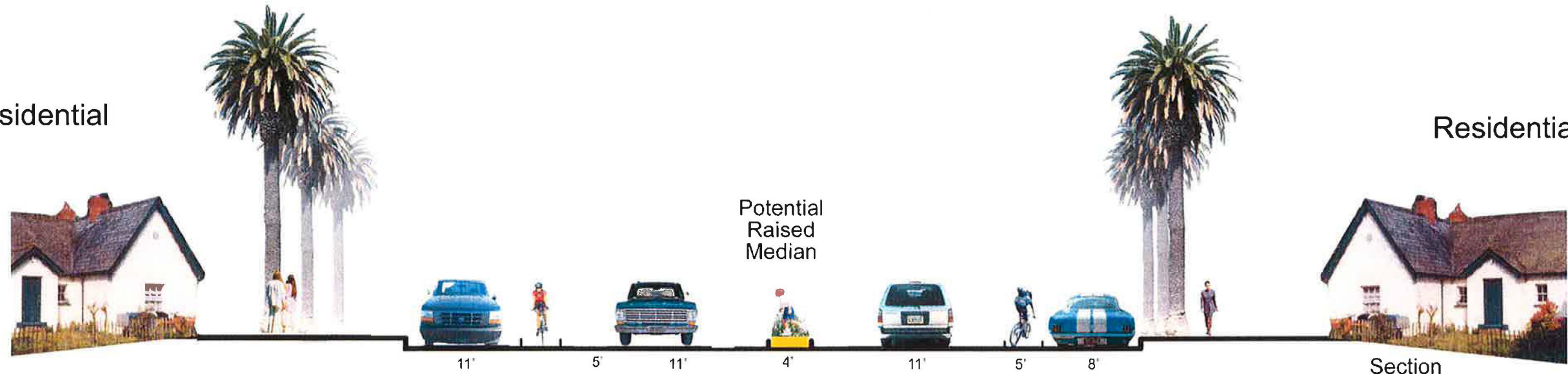
6.0 Signage Options A

MIA LEHRER
• associates
landscape architecture





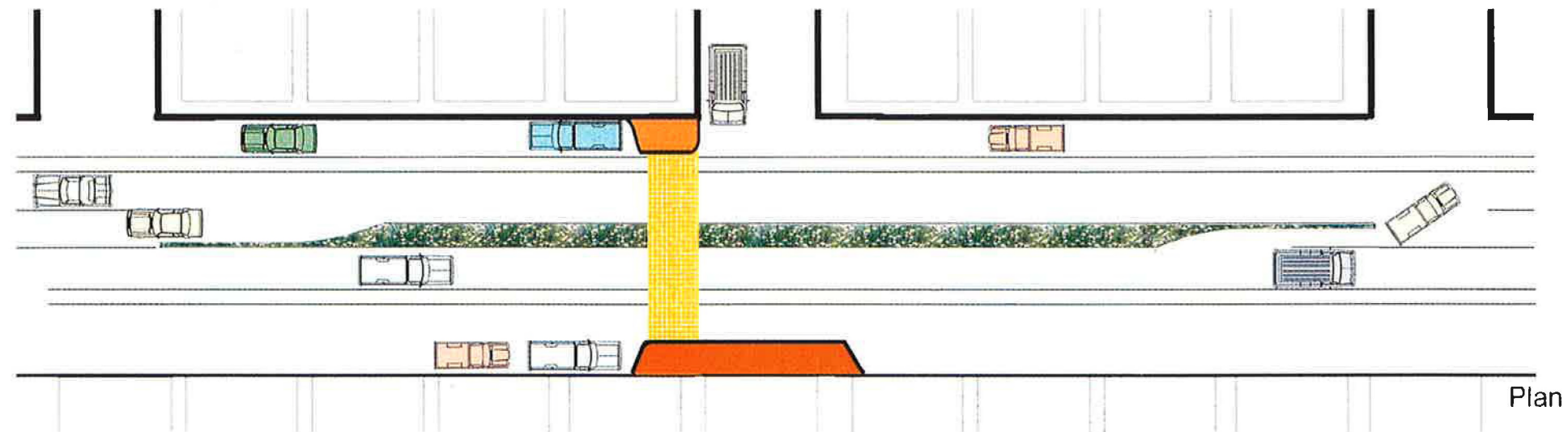
Residential



Residential

Section

9-5
Cont'd



Plan

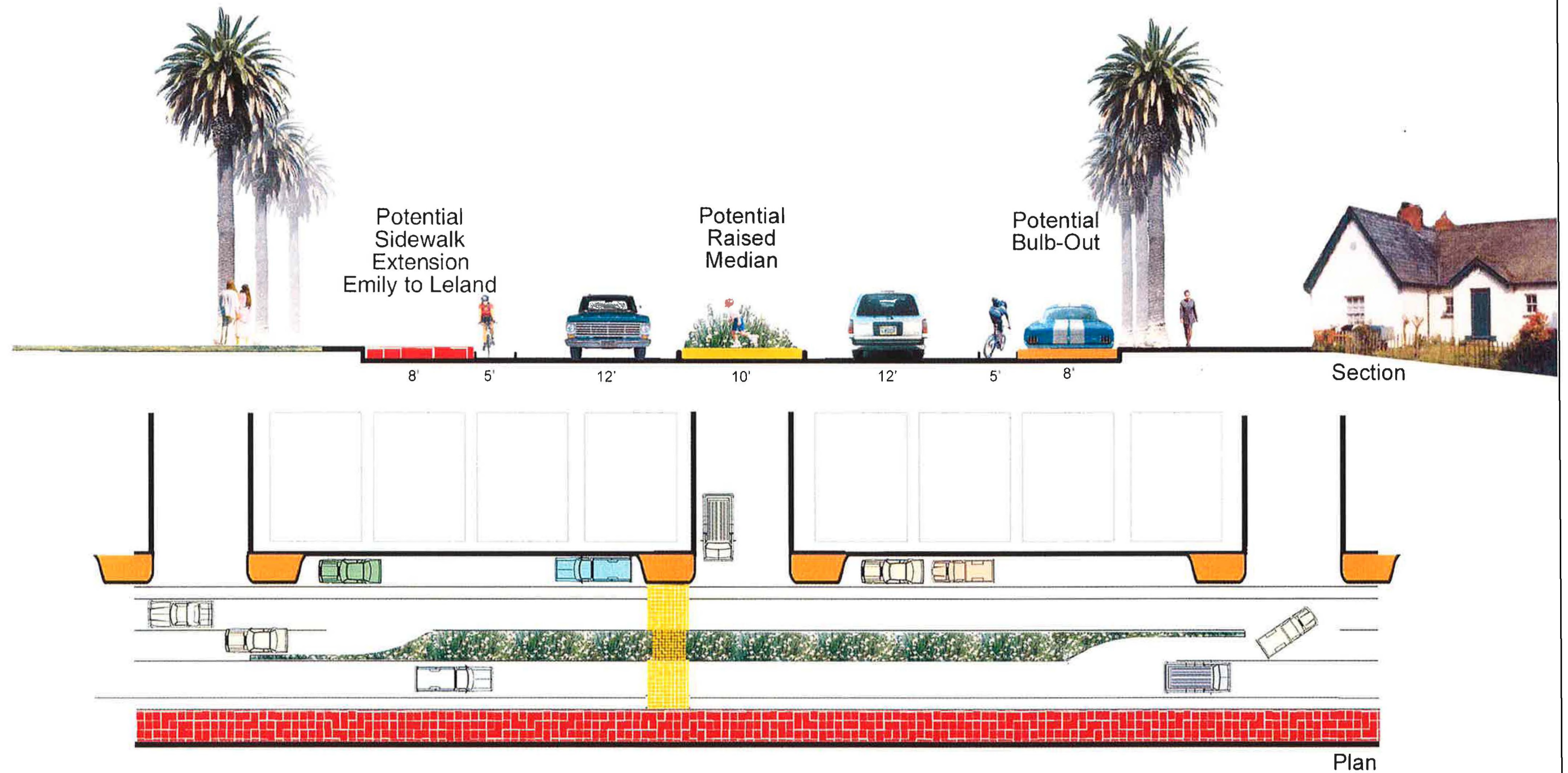
Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

8.0 Bulb-out and Crosswalk

MIA LEHRER
• associates
landscape architecture





9-5
Cont'd

Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

9.0 Expanded Sidewalk and Bulb-out

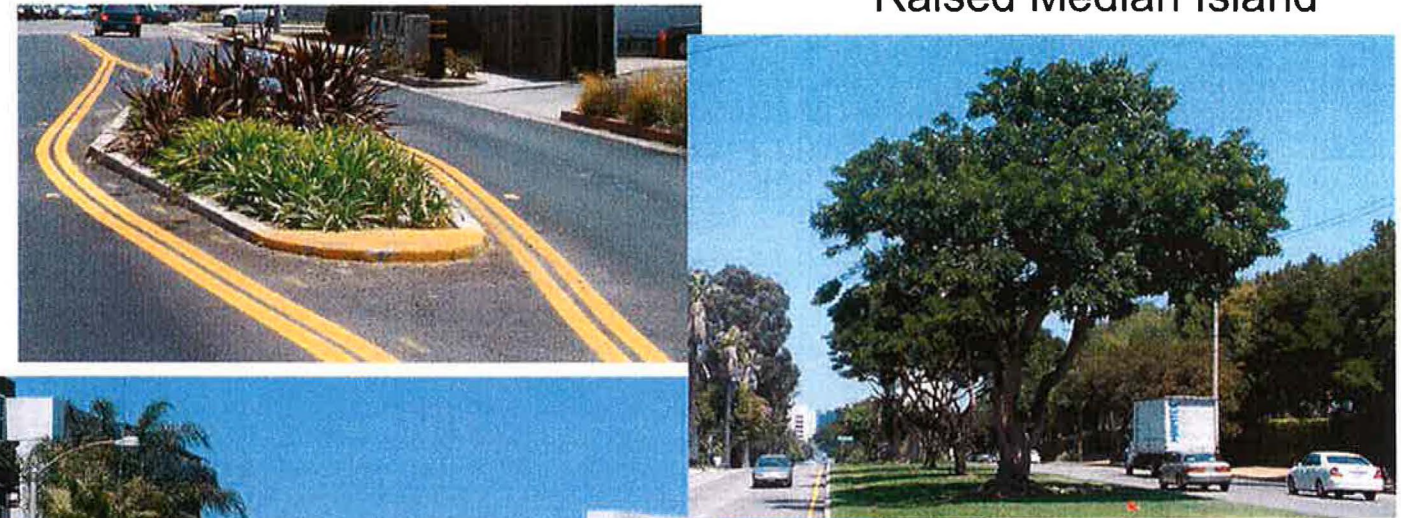
MIA LEHRER
· associates
landscape architecture



Textured Pavement and Crosswalks



Raised Median Island



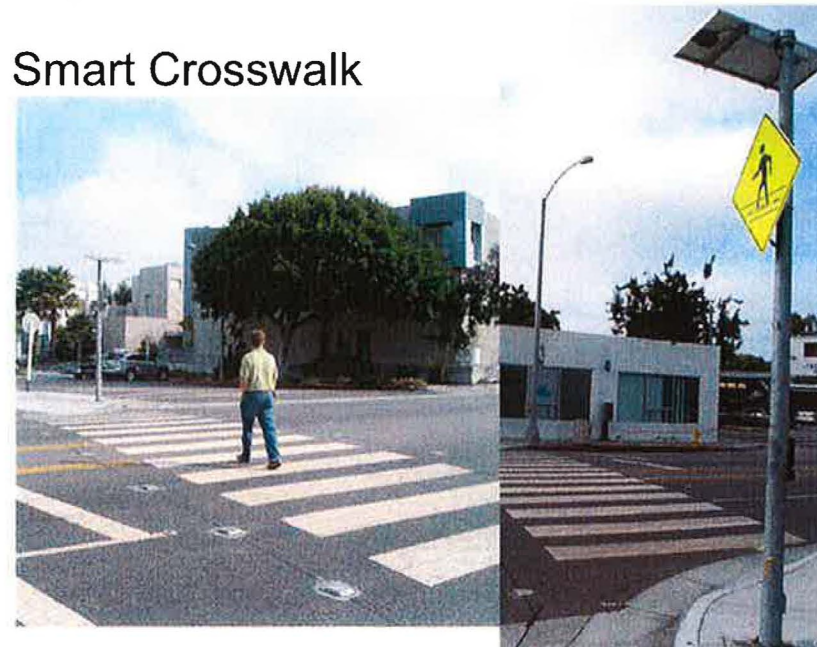
Bulb-out



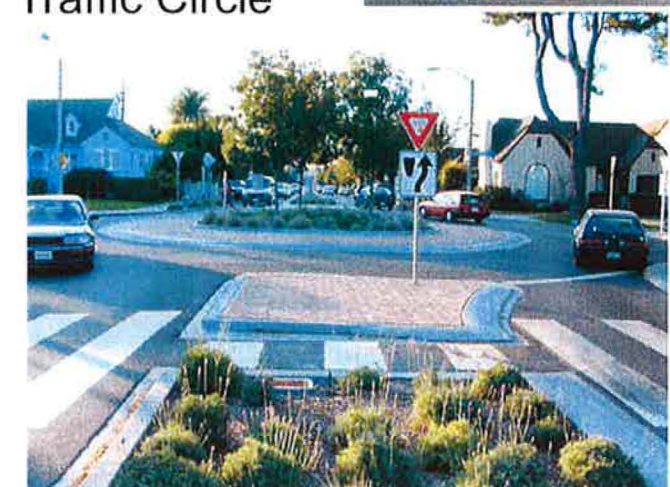
Traffic Signage



Smart Crosswalk



Traffic Circle



9-5
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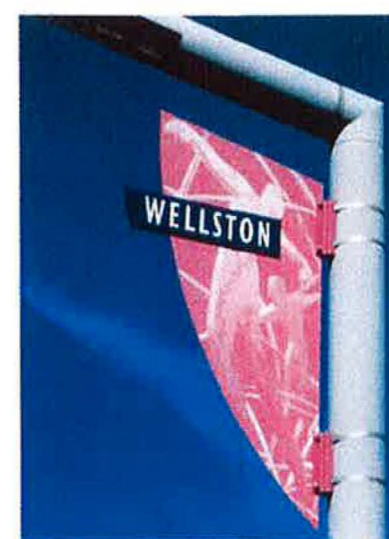
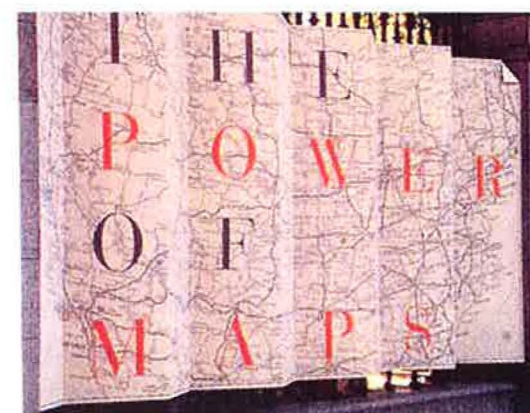
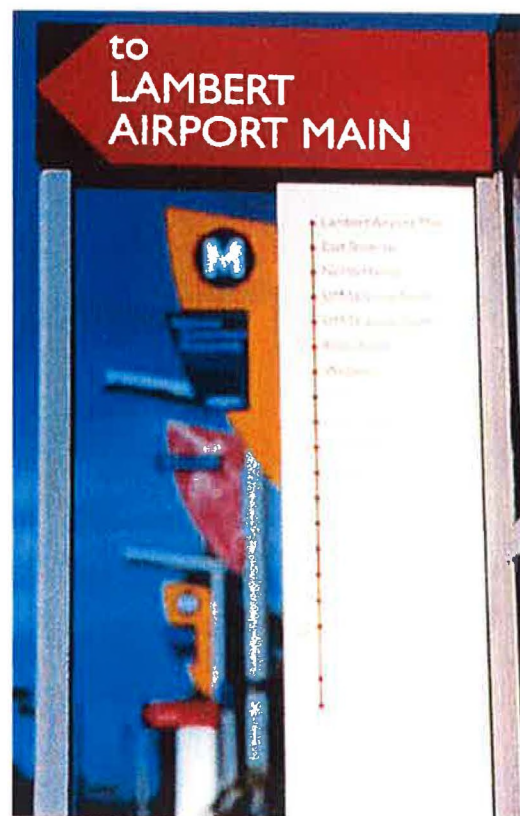
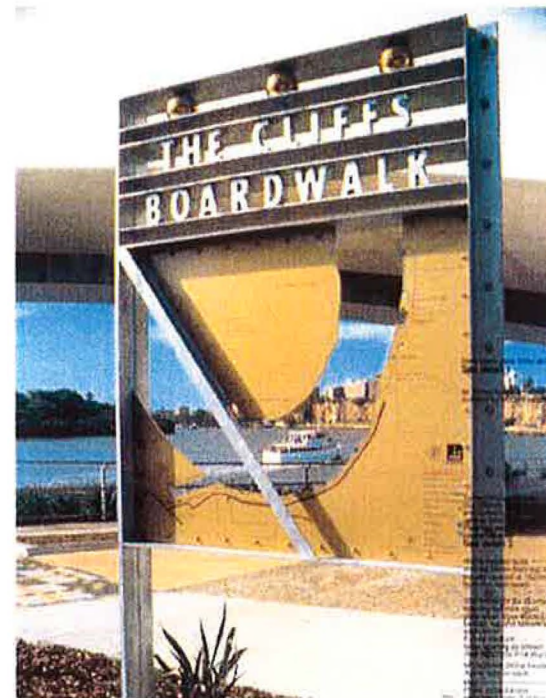
Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

10.0 Crosswalk Study

MIA LEHRER
· associates
landscape architecture

Coastal
Conservancy



9-5
Cont'd

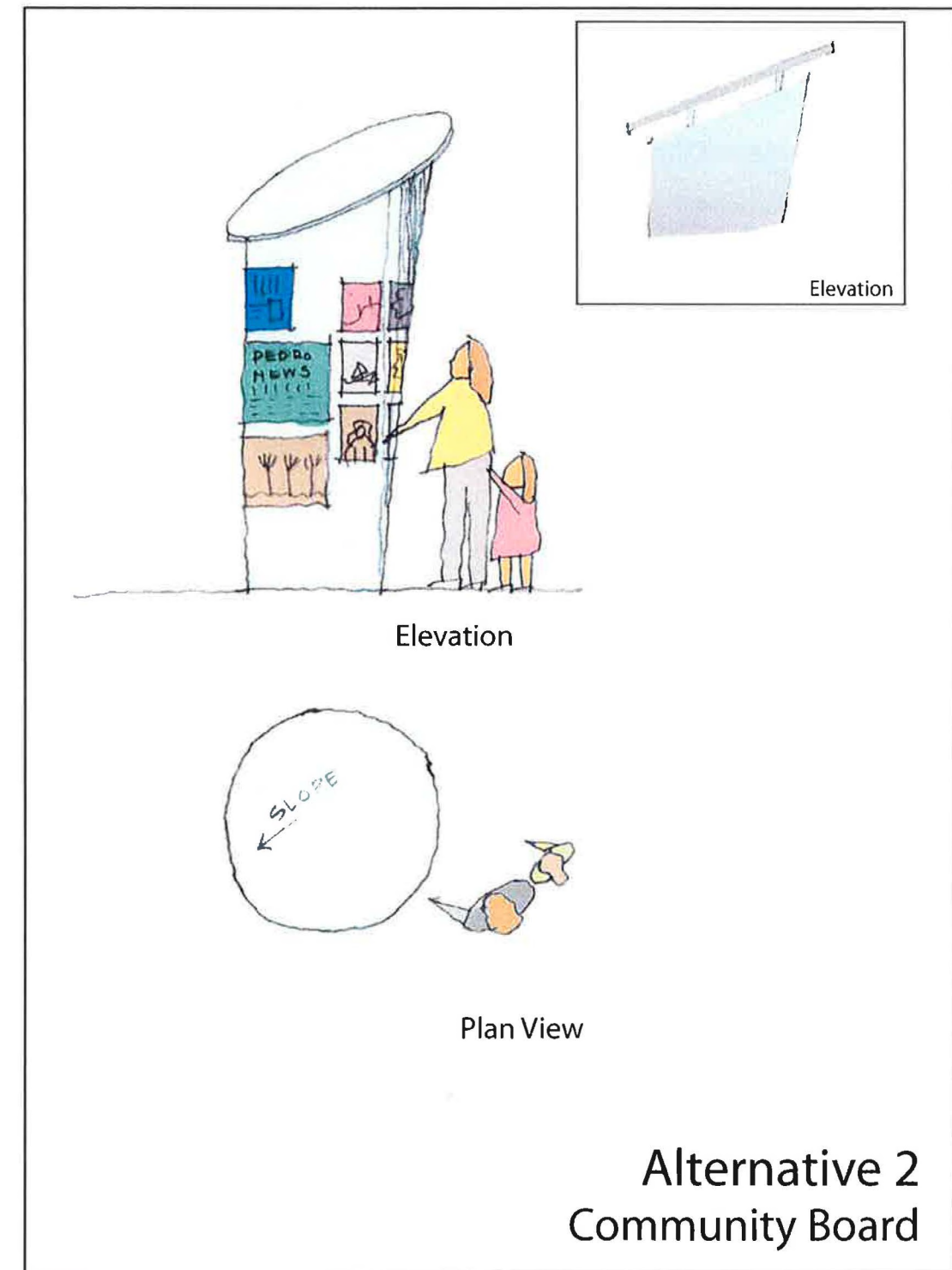
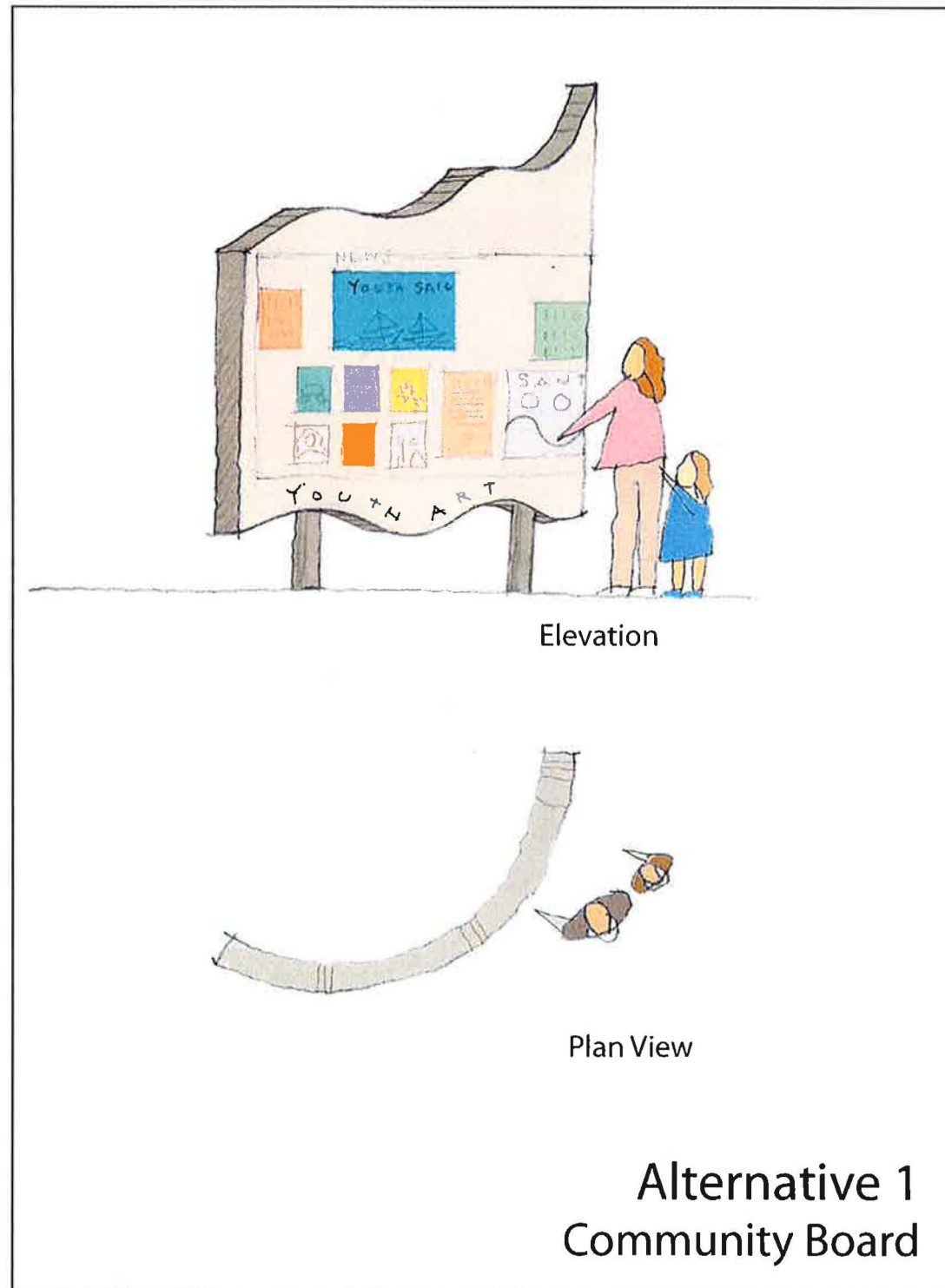
Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

11.0 Inspirational Signage

MIA LEHRER
· associates
landscape architecture

Coastal
Conservancy



9-5
Cont'd

Goals:

- Paseo Del Mar should be a linear park connecting White Point to Point Fermin
- Safe parking and crossing points
- Eliminate drag racing, speeding and noisy partying

Problems:

- Drag racing
- Traffic speeds
- Lack of defined safe crossing points
- Conflicts with beach goers, walking, biking etc.
- Parking conflicts with residents

Potential Solutions

• **Parking**

- Use existing parking areas more effectively
- Potential preferred parking for residents on weekends/holidays

• **Speeding**

- Post speed limits
- Police presence
- Camera Tickets
- Identify Residential Zones
- Potential Street Closure on Sundays= PARK

• **Traffic Calming**

- Signage identifying residential community
- Medians
- More Crosswalks
- Narrow sense of street width
- Speed bumps or humps-noise issues
- Additional stop signs - noise issues

• **General Improvements**

- Replace existing fencing
- Continuous bike trail
- Add trees where views would not be blocked.

9-5
Cont'd

Goals:

- Paseo Del Mar should be a linear park connecting White Point to Point Fermin
- Safe parking and crossing points
- Eliminate drag racing, speeding and noisy partying
- Maintain and Enhance Palisades Character
- Highlight Residential Character through Signage/Pocket Parks/Paper Streets/Traffic Circle

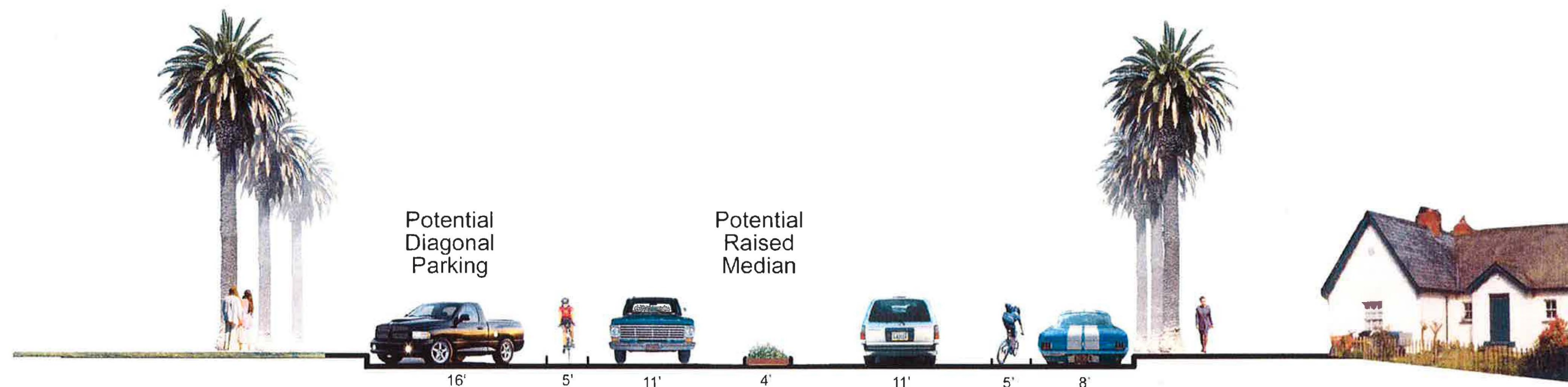
Problems:

- Drag racing
- Traffic speeds
- Lack of defined safe crossing points
- Conflicts with beach goers, walking, biking etc.
- Parking conflicts with resident

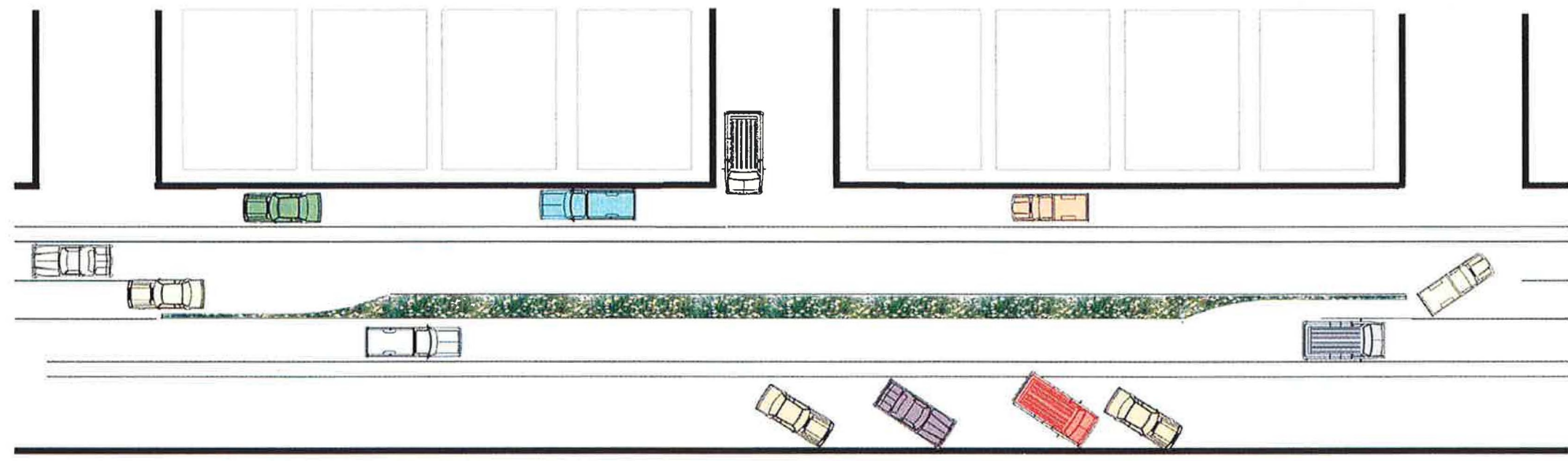
Potential Solutions

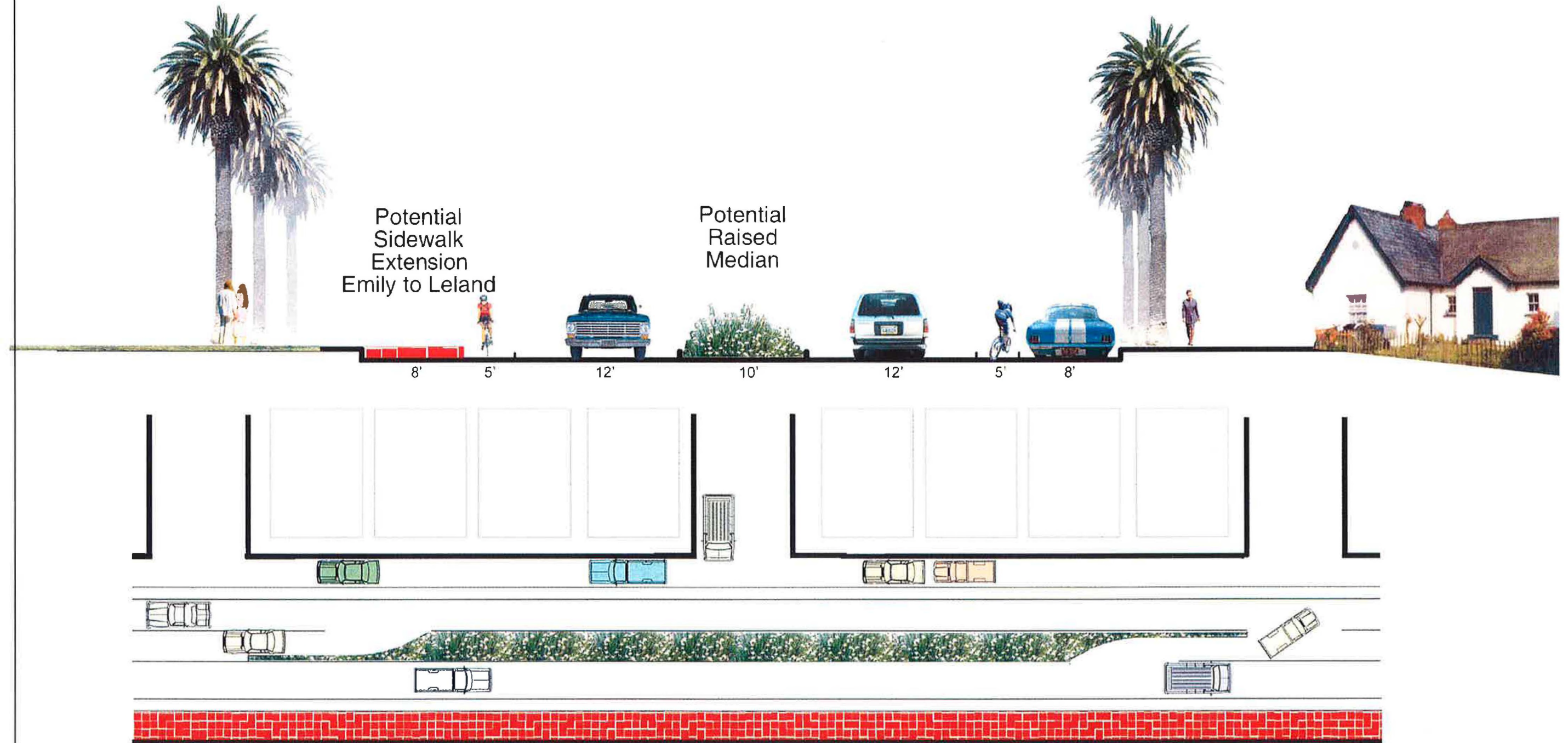
- **Safe Pedestrian Crossing**
 - Obvious Crosswalks
 - Clear Signage
 - Define Key Street In Master Plan for crosswalks
 - Smart Crosswalks
- **Beautification**
 - Change Paseo Del Mar to Residential Scale
 - Low maintenance median plantings
 - Extend plan to Western Ave & Shepard St.
- **Speed Control**
 - Extend plan to Western Ave, Shepard St. and Gaffey St.
 - Additional Police Enforcement and Notification
 - Reduce the 4 (Gaffey St. to Roxbury St.)lanes to 2
 - Post Speed Limits
 - Camera Tickets of fake camera boxes
 - Add texture to paving surface
 - Motorcycle Noise Checks
- **Signage**
 - Signage identifying residential community
 - Identify California Coastal Trail
 - Informative Plaques
 - Community Board
 - Identify Parking
- **Parking Options**
 - Potential preferred parking for residents on weekends/holidays
- **General Improvements**
 - Replace existing fencing
 - Continuous bike trail from Western Ave. to Pacific St.
 - Add trees where views would not be blocked

9-5
Cont'd



9-5
Cont'd





9-5
Cont'd

Paseo Del Mar Beautification Plan

San Pedro CA November 10, 2004

16.0 Proposed Sidewalk Expansion

MIA LEHRER
- associates
landscape architecture

Coastal
Conservancy

Comment Letter 9: Coastal San Pedro Neighborhood Council

Response 9-1

The commenter requests that the baseline condition used in the EIR be changed to those conditions at the time the NOP was released, rather than the pre-landslide conditions. The commenter also asserts that multiple baselines are used throughout the EIR.

As discussed in Chapter 2, Project Description, on page 2-10 of the Draft EIR, “a proposed project’s baseline is typically defined as the time and conditions used as the point of comparison for determining the significance of a proposed project’s environmental effects. There is no precise statutory or guideline definition; however, for many projects the baseline conditions are those conditions or environmental setting at the time of the release of the Notice of Preparation (NOP). For some projects, a deviation from this is permitted with substantial evidence, which allows the lead agency to set the appropriate baseline condition that is a time other than the release of the NOP.” The NOP for the Draft EIR was released on October 6, 2016. The physical conditions at the project site at the time of the NOP were not representative of the generally existing conditions of the project site and area, but that of an abnormal and temporary environmental situation. The physical conditions at the project site in October 2016 were the result of a geologic phenomenon, a landslide that damaged the original function of the project site as a public roadway, and the stabilization measures that were implemented following the landslide. Those conditions represented a damaged, temporary state. Due to the landslide event, the project site became inaccessible to vehicular, pedestrian, and bicycle access, thereby precipitating changes in the traffic circulation patterns in the project area. The traffic pattern changes also resulted in changes in localized air quality emissions and ambient noise levels at the project site. It should be noted that the roadway through the project site is shown on historical topographic maps as early as the 1920s.¹ Thus, the project site had been used as a roadway for at least 85 years prior to the 2011 landslide event. Changing the baseline conditions to those at the time the NOP was released would imply that the proposed project would introduce a new land use at the project site, which would result in a skewed analysis. As such, it was determined that it would be more accurate to use the functioning roadway that has historically provided continuous access in the project area, which constitutes the pre-landslide conditions, as the baseline against which the significance of the environmental impacts would be determined.

The Draft EIR uses only the pre-landslide condition as the baseline throughout the Draft EIR. It should be noted that, for some issue areas, the pre-landslide condition and the October 2016 condition may be similar, such as those based on location rather than function. For example, the landslide event did not change the land use designations or the land use plans and policies applicable to the project site. Similarly, the landslide event did not change the project site’s location in an area that could potentially contain previously undiscovered cultural or paleontological resources.

Finally, the existing conditions of the project site at the time the NOP was released were used to analyze No Project Alternative. As discussed in Chapter 2, Project Description, of the Draft EIR, under the No Project Alternative, the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to

¹ United States Geological Survey. 1925. San Pedro Hills, California 1:24000 Topographic Map. Reston, VA: United States Department of the Interior. Available online at: <https://ngmdb.usgs.gov/topoview/viewer/#15/33.7187/-118.3193>

the public. The emergency measures that were implemented following the landslide event would remain in place under the No Project Alternative. This is not a change in baseline, rather, pursuant to CEQA Guidelines Section 15126.6(e)(1), this condition was evaluated to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.

Response 9-2

The commenter requests that an additional alternative be analyzed that does not restore the roadway but implements other improvements. As discussed in Chapter 2, Project Description, the City of Los Angeles General Plan Mobility Element designates Paseo Del Mar as a Scenic Highway from Western Avenue to Gaffey Street, which includes the project site, due to views of the Pacific Ocean and Catalina Island from the roadway. Paseo Del Mar is a planned public roadway and is part of the transportation circulation network for the City of Los Angeles. Additionally, the project site is located within the boundaries of the San Pedro Local Coastal Program (LCP) Specific Plan. One of the objectives of the San Pedro LCP Specific Plan is to preserve existing scenic views of the ocean and harbor from designated Scenic Highways. Although the 2011 landslide damaged a portion of the Paseo Del Mar ROW, this event did not change the designation or planned use of the Paseo Del Mar ROW. Because of its planned use and designation as a Scenic Highway in the City of Los Angeles, the fundamental purpose of the proposed project, as stated on page 2-10 of the Draft EIR, "is to restore the section of roadway that collapsed in the 2011 landslide event to its original function". As discussed, the original and planned function of Paseo Del Mar is a City Scenic Highway that provides continuous vehicular, pedestrian, and bicycle access along its alignment while providing coastal and ocean views to travelers along the roadway. The commenter is also referred to Response 9-1 regarding the historic use of Paseo Del Mar as a roadway in the area.

Section 15126.6 of the CEQA Guidelines describes the consideration and discussion of alternatives in an EIR, stating:

"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 decision making 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."

"Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly."

Analyzing an alternative that does not reconnect the roadway and does not preserve, or reinstate, the scenic views from the designated Scenic Highway would conflict with the land use plans and policies applicable to the project site, similar to the land use and planning impacts

discussed for the No Project Alternative. Without restoring the roadway, impacts related to consistency with the applicable land use plans would remain significant and unavoidable. As discussed above, CEQA Guidelines Section 15126.6 requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The alternative proposed by the commenter would result in an increase in impacts when compared to the build alternatives presented in the Draft EIR.

Additionally, the project site is defined as the 400-foot segment of the Paseo Del Mar ROW that was damaged by the 2011 landslide event. The project site for the build alternatives also includes the existing landslide area to the south of the Paseo Del Mar ROW. The commenter is referred to Figures 2-3 and 2-4 on pages 2-7 and 2-8 of the Draft EIR, which show the boundaries of the project site. Any work done outside of the project site is not a part of this project and would not be within the purview of this EIR. Thus, any roadway improvements on the intact portions of Paseo Del Mar would be outside of the project site and would be considered a separate project from that proposed in the EIR.

Response 9-3

The commenter states that remediation is required for Alternatives 2 and 3 due to biological and view impacts. The commenter is referred to Section 3.3, Biological Resources, of the Draft EIR, which discusses potential impacts related to the proposed shoreline protection measures under Alternatives 2 and 3 located within the intertidal zone. As stated on page 3.3-14 of the Draft EIR, "Under Alternatives 2 and 3, rock armoring would be placed in intertidal areas potentially impacting fish species managed under Magnuson-Stevens. As a result, consultation with [National Marine Fisheries Service (NMFS)] regarding potential impacts associated with these alternatives on [Essential Fish Habitat (EFH)] and managed fish species would be required should they be implemented. An EFH assessment would be prepared for NMFS review and include avoidance and minimization measures through design and project implementation that would limit impacts. Consultation with NMFS regarding EFH and managed fish species would be required pursuant to issuance of a [Clean Water Act (CWA)] Section 404 permit, and would occur between [US Army Corps of Engineers (USACE)] and NMFS." Additionally, as stated on page 3.3-16 of the Draft EIR, "Jurisdictional tidal waters occur within the BSA and would be impacted by rock armoring shoreline protection proposed under Alternatives 2 and 3. Impacts to tidal waters would require issuance of a CWA Section 404 permit from USACE, CWA Section 401 permit from RWQCB, and would be addressed in a coastal development permit issued by the CCC." Thus, permits to implement the proposed shoreline protection measures would not be issued without going through the consultation, assessment, and review process with the permitting agencies as required by existing regulations. Therefore, the Draft EIR concludes that, with adherence to existing regulations, impacts to intertidal resources and jurisdictional tidal waters under Alternatives 2 and 3 would be less than significant. This is not to imply that no impact would occur, rather, that the granting of a permit to install the shoreline protection measures in consultation with regulatory agencies would be required, and that the process of adhering to such requirements would ensure that impacts would be less than significant. Additionally, as discussed on page 3.3-21 of the Draft EIR, the build alternatives may adversely impact wildlife, wildlife habitat and movement, vegetation, and sensitive natural communities due to noise and other disturbances. However, implementation of mitigation measures would reduce direct and indirect impact to less than significant levels. Therefore, all potentially significant impacts to biological resources would be reduced either by adhering to existing regulations or with implementation of mitigation measures. The Draft EIR finds that, with

implementation of mitigation measures, there would be no significant impacts to biological resources under the build alternatives.

As discussed in Section 3.1, Aesthetics, of the Draft EIR, Alternatives 2 and 3 would result in significant impacts to KOP 4 with respect to scenic vistas and changes to visual character. These impacts are associated with the reinforced-earth buttress that would be constructed under Alternative 2 and the MSE wall that would be constructed under Alternative 3, which would represent a significant linear feature with substantial mass on the seaside cliff. While aesthetic treatment of the structures could be implemented to help them better blend with their surroundings, as discussed in Section 3.1, the linear change would be clearly evident from KOP 4 despite the use of natural coloring and patterning. These structures would be necessary under Alternatives 2 and 3, and are the result of engineering design required to support the roadway above, thus, there is no feasible method to substantially reduce the linearity and massing of the features. Therefore, the Draft EIR concludes that Alternatives 2 and 3 would result in significant and unavoidable aesthetics impacts.

Response 9-4

The commenter requests that the proposed project implement traffic calming and beautification measures on Paseo Del Mar such as those in the Paseo Del Mar Beautification Plan. The proponent of the Paseo Del Mar Beautification Plan is the California Coastal Conservancy. Thus, the implementation of the beautification plan would be considered a separate project and would not be the responsibility of BOE, who is the lead agency for the proposed project described in the EIR. The commenter is referred to Response 9-2 above, which describes the boundaries of the project site. Also, the Paseo Del Mar Beautification Plan has not been implemented in the areas surrounding and adjacent to the project site. However, construction and operation of the proposed build alternatives would not preclude the implementation of traffic calming and beautification measures along Paseo Del Mar in the future.

Response 9-5

The commenter includes an attachment to their comment letter, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



PRESERVING LAND AND RESTORING HABITAT FOR THE EDUCATION AND ENJOYMENT OF ALL

June 1, 2017

Mr. William Jones, Environmental Supervisor II
City of Los Angeles Department of Public Works
Bureau of Engineering, EMG
1149 S. Broadway, Suite 600, Mail Stop 939
Los Angeles, CA 90015

Subject: Comments to the Paseo del Mar Restoration Draft EIR

Dear Mr. Jones,

The Palos Verdes Peninsula Land Conservancy (Conservancy) appreciates the opportunity to comment on the Draft Environmental Impact Review (DEIR) for the Paseo Del Mar Permanent Restoration Project (Project). The Conservancy is responding to the DEIR as the signatory to the Operating Agreement for the White Point Nature Preserve with the City of Los Angeles Department of Recreation and Parks. The Conservancy has reviewed the DEIR for the Paseo Del Mar Permanent Restoration Project and is providing the following comments for your consideration:

1. The re-establishment of the sewer connection and relocation of the power lines into the road right-of-way have been confirmed by the City of Los Angeles (insert reference here Last name, First name and "Subject heading" received by Andrea Vona and date) to be part of the scope of work for the Paseo Del Mar Permanent Restoration Project. Please ensure the re-establishment of the utilities is analyzed in the DEIR, including any required mitigation measures.
2. Mitigation requirements for coastal sage scrub and bluff scrub vegetation impacts are not specified in the DEIR. There should be a specification for the mitigation of both temporary and permanent impacts to coastal sage scrub and bluff scrub habitat. An example of appropriate mitigation for direct temporary impacts to coastal sage scrub would be to mitigate through on-site revegetation. Coastal sage scrub should be revegetated with a coastal sage scrub seed mix reflective of species within the White Point Nature Preserve area. Prior to commencing any activities that would impact coastal sage scrub habitat, a final coastal sage scrub/upland revegetation plan will be prepared by an experienced/qualified restoration ecologist-biologist to the satisfaction

10-1

10-2

of the permitting agencies. The plan should address revegetation specifications, species composition and density, and success criteria per wildlife agency standards, included in the final construction documents. This level of specificity, including timing of planting should be included in the DEIR.	10-2 Cont'd
3. Furthermore, the required mitigation for impacts to <i>Sueda taxifolia</i> that occurred due to the emergency measures implemented to stabilize the slope after the landslide have not been implemented and should be included in the required mitigation.	10-3
4. In the DEIR, the “No Alternative option” describes having “significant and unavoidable impacts to scenic vistas and that no feasible mitigation measures are available.” We do not agree with this finding. Simple measures to replace chain link fence with a permanent traffic barrier will improve scenic views even if no roadway is re-established.	10-4
5. Utility poles were rerouted through the Preserve as an emergency measure due to the landslide. The impacts associated with having the poles traverse White Point Nature Preserve were not evaluated in the “No Alternative option.” The utility poles have introduced impacts to the ecology of the site by providing additional predatory perching opportunities that impact the songbird populations, including the threatened California gnatcatcher. The utility poles were installed as a temporary measure and provisions for their removal and relocation need to be considered in each of the Alternatives 1, 2, and 3 as well as the No Alternative option.	10-5
6. The DEIR did not address impacts that night lighting on the roadway alignment will have to migratory birds. Night migrants and flyers are attracted to light which could result in multiple strikes against the new bridge structure.	10-6
7. Based on comments provided by marine biologists, we encourage more careful review of the biological impacts that Alternatives 2 and 3 may have to intertidal habitat.	10-7

Thank you for your consideration of our comments and concerns.

Sincerely,



Adrienne Mohan
Conservation Director
Palos Verdes Peninsula Land Conservancy

Comment Letter 10: Palos Verdes Peninsula Land Conservancy

Response 10-1

The commenter states that the reestablishment of utilities should be analyzed. The commenter is referred to Response 6-6 regarding the relocation of power lines. Similar to any relocation of the power lines in the project area, the relocation of sewer lines is not under the jurisdiction of BOE. If necessary, the sewer lines in the project area would be relocated in coordination with and at the direction of the City of Los Angeles Department of Public Works, Bureau of Sanitation.

Response 10-2

The commenter inquires about mitigation to coastal sage scrub and bluff scrub vegetation. Native coastal sage scrub habitat only occurs north of the former roadway, outside the right-of-way, and would be avoided during construction. The specifications for re-establishment of vegetation at the project site would be detailed in the vegetation plan prepared for the build alternative ultimately selected for implementation, and would require approval by the California Coastal Commission (CCC) during the process of obtaining a dual City of Los Angeles and CCC coastal development permit.

Response 10-3

The commenter states that mitigation for impacts to *Suaeda taxifolia* (woolly seablite) should be included. As discussed in Section 3.3, Biological Resources, on page 3.3-16 of the Draft EIR: “no special-status plant species were observed during the [most recent] field survey and the documented occurrence of woolly seablite occurs outside the footprint of the project alternatives. Indirect impacts on special-status [plant] species could result from project-related habitat loss and modification of natural communities and through the potential spread of noxious and invasive plant species into these communities. As such, significant indirect impacts to special-status plant species could occur. Implementation of mitigation measures BIO-A through BIO-M is required to reduce impacts to less than significant.” As no direct impacts to woolly seablite would occur with implementation of the build alternatives, no mitigation measures are identified specifically for this species. Mitigation measures BIO-A through BIO-M would reduce potential indirect impacts to all special-status plant species having potential to occur within the project site, including woolly seablite.

Response 10-4

The commenter states that they do not agree with the significant and unavoidable aesthetics impacts related to scenic views identified under the No Project Alternative. As discussed in Chapter 2, Project Description, the City of Los Angeles General Plan Mobility Element designates Paseo Del Mar as a Scenic Highway from Western Avenue to Gaffey Street, which includes the project site, due to views of the Pacific Ocean and Catalina Island from the roadway. As discussed in Section 3.1, Aesthetics, the Draft EIR states that the No Project Alternative would conflict with the Secondary Scenic Highway land use designation under the General Plan because views from the scenic highway would be interrupted, with those scenic views along the damaged portion of Paseo Del Mar remaining lost to the public. The impact is related to the project site’s land use designation under the City’s General Plan. The views along the scenic highway could only be restored by reconnecting the roadway. The traffic barrier recommended by the commenter would not replace the scenic highway and, thus, views along

that segment of the scenic highway would be lost to travelers along that portion of the roadway. Therefore, the Draft EIR concludes that the No Project Alternative would result in significant and unavoidable aesthetics impacts related to scenic vistas.

Response 10-5

The commenter states that utility poles were rerouted through the Preserve and their removal and relocation should be considered under the build alternatives and that these poles introduced new predatory perching locations in the area. The commenter is referred to Response 6-6 regarding the utility poles that were relocated in the Preserve. Additionally, it should be noted that these poles were previously routed parallel to the Paseo Del Mar ROW prior to the 2011 landslide event. As such, the relocation of these poles did not introduce new avian perching opportunities; rather they relocated existing perching opportunities in the area.

Response 10-6

The commenter states that the Draft EIR does not address impacts of night lighting on migratory birds. The new structure under the build alternatives would be constructed at grade, at the same grade as the top of the coastal bluffs. The structure itself would not be lit; rather, the lighting would be directed on the roadway, similar to other roadways in the project area. Due to the proposed design, night lighting on the restored roadway would not increase the potential for birds flying at night to hit the new structure.

Response 10-7

The commenter states that biological impacts of Alternatives 2 and 3 to intertidal habitat should be reviewed. The commenter is referred to Response 9-3 regarding impacts to biological resources related to the proposed shoreline protection measures under Alternatives 2 and 3.



William Jones <william.jones@lacity.org>

Paseo del Mar Comments

1 message

Richard Wallace <wallace.richard.h@gmail.com>
To: william.jones@lacity.org

Mon, Jun 5, 2017 at 1:29 PM

Dear Mr. Jones:

My name is Richard Wallace and I am the current chair of the White Point Community Group. Below and attached, please find the White Point Community Group's comments on the DEIR for the Paseo del Mar project. Thank you for the opportunity for us to comment on this important project.

White Point Community Group

1600 W. Paseo del Mar

San Pedro, CA 90731

Mr. William Jones, Environmental Supervisor II

City of Los Angeles, Department of Public Works

Bureau of Engineering, EMB

1149 S. Broadway, Suite 600, Mail Stop 939

Los Angeles, CA 90015

Via Email: William.Jones@lacity.org

June 5, 2016

Re: Paseo del Mar Comments

Dear Mr. Jones:

The White Point Community Group is composed of local citizens who have been involved with the Palos Verdes Land Conservancy's administration of the San Pedro White Point Preserve, and which meets monthly to help maintain the premises. We are a liaison between the community, the City and the administration of the Preserve, and it is our mission to help bring "grassroots" observations to current and future operations of the Preserve.

In addition to endorsing the Coastal San Pedro Neighborhood Council's resolution and the Palos Verdes Land Conservancy letter, we add the following points to consider in drafting the EIR:

- | | |
|--|------|
| 1. Mitigation requirements for coastal sage scrub and bluff scrub vegetation impacts are not specified in the EIR. | 11-2 |
| 2. Furthermore, the required mitigation for impacts to <i>Sueda taxifolia</i> that occurred due to the emergency measures implemented to stabilize the slope after the landslide have not been implemented and must be included in the required mitigation. | 11-3 |
| 3. In the DEIR, the No Alternative option describes having significant and unavoidable impacts to scenic vistas and that no feasible mitigation measures are available. We do not agree with this finding. Simple measures to replace chain link fence with a permanent traffic barrier will improve scenic views even if no roadway is re-established. | 11-4 |
| 4. Telephone poles were rerouted through the Preserve as an emergency measure after the landslide occurred, and we believe these impacts were not evaluated in the No Alternative option. They have introduced impacts to the ecology of the site by providing additional predatory perching opportunities that impact the songbird populations including the threatened California gnatcatcher. The telephone poles were installed as a temporary measure and provisions for their removal and relocation need to be considered in each of the alternatives as well as the No Alternative option. | 11-5 |
| 5. The EIR did not address impacts that night lighting on the roadway alignment will have to migratory birds. Night migrants and flyers are attracted to light which could result in multiple strikes against the bridge structure. | 11-6 |
| 6. Based on comments provided by marine biologists, we encourage more careful review of the biological impacts that Alternatives 2 and 3 may have to intertidal habitat. | 11-7 |

Thank you for considering and addressing the general concerns of the area, as expressed by the SPCNC's resolution, the Palos Verdes Land Conservancy points, and the White Point Community Group's more detailed specific items.

Sincerely,

Richard Wallace

Chair, White Point Community Group

Committee Members:

Allen Franz

Amy Friend

Bruce Biesman-Simons

Wayne Widner

Diana Bailey

Edna Bay

Heather Henderson

June Smith

Kim Kohler

Kyle Boone

Lowell Nickel

Peter Niemiec

Susan McKenna

Terry Miller

Tony Baker



Paseo del Mar DEIR Comments - White Point Community Group.pdf

614K

Comment Letter 11: White Point Community Group

Response 11-1

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

Response 11-2

The commenter inquires about mitigation to coastal sage scrub and bluff scrub vegetation. The commenter is referred to Response 10-2 regarding the re-establishment of vegetation at the project site.

Response 11-3

The commenter states that mitigation for impacts to *Suaeda taxifolia* should be included. The commenter is referred to Response 11-3 regarding impacts to this species.

Response 11-4

The commenter states that they do not agree with the significant and unavoidable aesthetics impacts related to scenic views identified under the No Project Alternative. The commenter is referred to Response 10-4 regarding impacts related to scenic views identified under the No Project Alternative.

Response 11-5

The commenter states that utility poles were rerouted through the Preserve and their removal and relocation should be considered under the build alternatives. The commenter is referred to Response 10-5 regarding the relocation of utility poles and predatory perching opportunities.

Response 11-6

The commenter states that the Draft EIR does not address impacts of night lighting on migratory birds. The commenter is referred to Response 10-6 regarding impacts from night lighting.

Response 11-7

The commenter states that biological impacts of Alternatives 2 and 3 to intertidal habitat should be reviewed. The commenter is referred to Response 9-3 regarding impacts to biological resources related to the proposed shoreline protection measures under Alternatives 2 and 3.



William Jones <william.jones@lacity.org>

Paseo Del Mar Permanent Restoration Project - Kizh Nation Concerns

1 message

Gabrieleno Band of Mission Indians <gabrielenoindians@yahoo.com>

Wed, Jun 7, 2017 at 12:47 PM

Reply-To: Gabrieleno Band of Mission Indians <gabrielenoindians@yahoo.com>

To: Billy Ho <billy.ho@lacity.org>, William Jones <william.jones@lacity.org>

Cc: Matthew Teutimez <matthew.teutimez@knrm-nsn.us>

Gentleman, we appreciate your time for the discussion today regarding the project area for Paseo Del Mar Permanent Restoration Project. To document our Tribal Government's concern for the area, please use this email for the administrative record. As we showed you in our office visit, the area of the project is within a known village area that overlapped and was surrounded by other villages in the area. The entirety of the project area was a highly utilized area for sacred ceremonies for these villages and other's within the LA Basin. Therefore, due to the high amount of human use that would have occurred over thousands of years to the area, there is a very high probability of encountering Tribal Cultural Resources within the soils that will be disturbed as part of this project. Since avoidance and alternatives are not being considered for this project, in order to protect and preserve any Tribal Cultural Resources that may still be present in the soil, we recommend one of our highly trained Native American monitors to be present on site during all construction related ground disturbance activity. We have attached mitigation text that our Tribal Government accepts, in lieu of avoidance or alternatives to the project, for the protection and preservation of our Tribal Cultural Resources. If you need copies of the documents we showed you in the office, let us know, but we ask that the specific information related to our sacred areas be kept confidential.

12-1

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.org

Kizh Nation Mitigation Measures_Arch.pdf
478K



Kizh Gabrieleno Band of Mission Indians

Re: Cultural Resources Mitigation Measures, regarding Tribal Cultural Resources and Human Remains and associated funerary objects within Kizh Gabrieleno Tribal Territory.

***Note:** The Gabrieleno Band of Mission Indians Kizh -Nation ONLY replies to projects within their ANCESTRAL territory, because it's the highest degree of relationship to the land, even over culturally or traditionally affiliated, and our Oral History and documented information pertain to our Tribe's village areas, commerce areas, recreation areas, and burial locations within our tribe's ancestral territory. Therefore, in order to protect these irreplaceable Tribal Cultural Resources within our ancestral tribal territory, Native American Monitors shall be from the Gabrieleno Band of Mission Indians Kizh -Nation.*

Retain a Qualified Principal Investigator. A qualified principal investigator, defined as an archaeologist, who meets the Secretary of the Interior's Standards for professional archaeology and has previous experience working in the Los Angeles basin within the ancestral tribal territory of the Kizh Gabrieleno. Previous experience must contain professional and/or academic expertise of prehistorical and historical (Mission era) Gabrieleno culture including but not limited to Gabrieleno place-names and locations, political and social structure, economic organization and trade, village catchment and use areas, foraging and hunting areas, identification of traditional tools and jewelry, religious beliefs and ritual practices, games, recreation, etc. The archaeologist shall provide a curriculum vitae and project experience to the Kizh Gabrieleno Tribe for concurrence of approval. The archaeologist (hereafter referred to as qualified archaeologist) shall be retained to carry out all mitigation measures related to any archaeological historic or prehistoric tribal cultural resources.

12-2

Retain a Native American Monitor: The project Applicant will be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrieleno Band of Mission Indians-Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, and trenching, within the project area. The monitor(s) must be approved by the Tribal Representatives and will be present on-site during the construction phases that involve any ground disturbing activities. The Native American Monitor(s) will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the site has a low potential for archeological resources.

*****Hazwoper is needed only if the site has hazardous concerns.***



Unanticipated Discovery of Tribal Cultural Resources: All archaeological resources unearthed by project construction activities shall be evaluated by the Qualified Archaeologist and Native Monitor. If the resources are Native American in origin, the Tribe shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If a resource is determined by the Qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or has a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

Unanticipated Discovery of Human remains and associated funerary objects: Human remains are defined as any physical remains of a human being. The term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of associated cultural resources (Funerary objects) with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. NAGPRA guidance specifically states that the federal agencies will consult with organizations on whose aboriginal lands the remains and cultural items might be discovered, who are reasonably known to have a cultural relationship to the human remains and other cultural items. Therefore, for this project site, it is appropriate to consult with the Gabrieleno Band of Mission Indians – Kizh Nation as recommended by the NAHC.

Prior to the start of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. Any discoveries of human skeletal material shall be immediately reported to the County Coroner. The monitor will immediately divert work at minimum of 50 feet and place an exclusion zone around the burial. The monitor will then notify the Qualified Archaeologist and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to

12-2
Cont'd



protect the remains. If this type of steel plate is not available, a 24 hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the Qualified Archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes 4 or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project applicant shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities are to be submitted to the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

If the coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the coroner. Reburial will be in an appropriate setting. If the coroner determines the remains to be modern, the coroner will take custody of the remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location mitigated between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Tribal Cultural Resources in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

Comment Letter 12: Gabrieleño Band of Mission Indians - Kizh Nation (2)

Response 12-1

The commenter states that the area containing the project site has a high potential for containing tribal cultural resources. Section 3.13, Tribal Cultural Resources, of the Draft EIR, acknowledges that the project area is potentially sensitive to cultural resources due to the cultural importance of the region to the Gabrieleño.

Regarding the statement that alternatives are not being considered for the project, the commenter is referred to Chapter 2, Project Description, of the Draft EIR, which describes the four project alternatives considered in the EIR, including the No Project Alternative, Alternative 1 – Bridge Spanning Over Landslide, Alternative 2 – Anchored CIDH Piles with Buttress, and Alternative 3 – Shear Pins with MSE Wall. As previously discussed, the NOP included a fourth build alternative, which would have realigned the roadway away from the bluff into the White Point Nature Preserve to the north. However, the Roadway Realignment Alternative was eliminated from further consideration as it would result in significant impacts to biological resources, cultural resources, and recreation that would not occur under Alternatives 1 through 3.

Response 12-2

The commenter includes a list of measures that they request be included as mitigation for potential impacts to tribal cultural resources, including the retention of a qualified principal investigator; retention of a Native American Monitor; measures for the unanticipated discovery of tribal cultural resources; and measures for the unanticipated discovery of human remains and associated funerary objects.

The analysis contained in Section 3.15, Tribal Cultural Resources, of the Draft EIR is based on the findings of the Cultural Resources Assessment prepared for the proposed project, which is included as Appendix D of the EIR. As discussed on page 25 of Appendix D, disturbance of the area from the landslide have reduced the project site's sensitivity for cultural resources, however, relict areas of undisturbed alluvial soils may still contain resources. As such, mitigation measure CR-A requires monitoring by an archaeologist who meets the Secretary of the Interior's Standards during initial ground-disturbing activities in undisturbed younger Quaternary deposits. As discussed in Response 8-1, BOE met with the commenter on June 7, 2017 in accordance with the requirements under AB 52. As a result of this meeting and in response to the commenter, mitigation measure CR-A has been revised to require that a Native American monitor be present during all ground-disturbing activities associated with construction of the build alternatives. The commenter is referred to Chapter 2, Clarifications and Modifications, of this Final EIR, which includes revisions to mitigation measure CR-A.



William Jones <william.jones@lacity.org>

Paseo Del Mar Roadway

1 message

Kyle Boone, Ph.D. <kboone@kyleboonephd.com>
To: William.Jones@lacity.org

Sat, Apr 15, 2017 at 8:16 AM

Hi William,

I am a resident in San Pedro near the slide area on Paseo Del Mar, and I very much am in support of the road being restored (any of the three alternatives). Paseo del Mar was a "gem" in San Pedro - a beautiful boulevard along the cliffs - and to have it disrupted serves to separate our community. I already see this going on - I rarely travel to the area on the other side of the slide because of the hassle of having to go up to 25th street and across.

13-1

Thank you!

Kyle Boone, 2729 Graysby Avenue, San Pedro, CA 90732

310 548-0304

----- Original Message -----
Subject: Read the Land Conservancy's comment letter regarding Paseo Del Mar Roadway
From: "pvplandconservancy" <pvplandconservancy@pvplc.org>
Date: Sat, April 15, 2017 7:00 am
To: kboone@kyleboonephd.com

Dear Rod and Kyle,

This message is intended to update you regarding the Paseo Del Mar Restoration Project located adjacent to the White Point Nature Preserve. The City of Los Angeles Bureau of Engineering, Department of Public Works has released the draft Environmental Impact Review (DEIR) that evaluates the environmental impact of three project alternatives to restore the right-of-way, as well as a "no project" alternative.

The three proposed project concepts to restore the roadway include one bridge that spans over the landslide and two alternatives using either a reinforced embankment or a retaining wall. These three projects and the no project alternative examine the short term construction and long term impacts to a variety of factors including biological resources, air quality, noise, traffic and more.

We are pleased that the EIR does not include a project to reroute the roadway through the Nature Preserve. Although the Initial Study circulated in November had listed this possibility, this option was excluded from the EIR because it would cause significant environmental impact to biological resources including nesting habitat for the Federally-threatened California gnatcatcher, recreational trails, historic and cultural resources and would generate construction impacts like noise and vibrations closer to homes east of the project site.

13-2

To read the EIR, click here.[http://eng.lacity.org/techdocs/emg/paseodelmar_restoration.htm] The report is also available at the San Pedro Library, Miraleste Library, Council District 15 office in San Pedro, and at the Bureau of Engineering in downtown Los Angeles.

There will be a 60-day review period from April 6th to June 5th. Public comment is encouraged. Submit comments by e-mail to William.Jones@lacity.org (Please include "Paseo Del Mar Comments" in the subject line). You can also submit comments by fax to (213) 847-0656, or in writing to the address below no later than 5:00 p.m. on June 5, 2017.

The Land Conservancy is currently reviewing the draft EIR and will be submitting written comments. We will also be attending the important public workshop hosted by the City of Los Angeles at the Cabrillo Marina on May 3rd at 6:00

p.m. and would be particularly pleased if you could mark your calendar and plan to attend.

Thank you for your continued support of the White Point Nature Preserve and the community. The PVP Land Conservancy will continue following the progress and updates carefully as the City of Los Angeles formulates its plans.

Sincerely,

Adrienne Mohan
Conservation Director

~~~~~  
Learn more and provide input into the Paseo Del Mar Project

Write your City officials:

Mr. William Jones, Environmental Supervisor II  
City of Los Angeles, Department of Public Works  
Bureau of Engineering, EMB  
1149 S. Broadway, Suite 600, Mail Stop 939  
Los Angeles, CA 90015.

Community Meeting:  
Wednesday, May 3, 2017  
6:00 p.m. to 8:00 p.m.

The Plaza at the Cabrillo Marina  
Cabrillo Marina Community Room  
2865 Via Cabrillo, San Pedro, CA 90731

~~~~~  
Please visit our website at www.pvplc.org[<http://pvplc.org/>]

~~~~~  
Remove my name from all future email correspondence  
<https://sna.etapestry.com/prod/optOut.do?databaseId=PVPLC&jobRef=1243.0.398593073&principleRef=15712.0.31833&email=kboone%40kyleboonephd.com>

Address postal inquiries to:  
Palos Verdes Peninsula Land Conservancy  
916 Silver Spur Road, Suite 207  
Palos Verdes Peninsula, CA 90274-3827

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**Comment Letter 13: Boone, Kyle**

**Response 13-1**

The commenter expresses their support for the build alternatives. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 13-2**

This commenter attaches a letter that was sent by a local organization regarding the public review period and locations for the Draft EIR. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.





William Jones <william.jones@lacity.org>

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## Paseo Del Mar reconstruction comments

1 message

**Jewell Jones** <dee.dewi8231@gmail.com>

Sat, Apr 15, 2017 at 4:11 PM

To: "William.Jones@lacity.org" <William.Jones@lacity.org>

Please weigh the cost benefits before embarking on this costly and questionable "repair". Get the answers to questions | 14-1  
such as (1) can it withstand another slide (2) how badly does the present condition impact traffic flow (3) how many  
potholes and broken sidewalks can be repaired with the funds that will be needed to fix it and what about (4) cost  
overruns.

14-2

14-4

14-5

14-3

Thank you.

Judi Jones  
San Pedro

**Comment Letter 14: Jones, Judi****Response 14-1**

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

**Response 14-2**

The commenter inquires as to whether the project site can withstand another slide. Preliminary engineering and design of the build alternatives was completed taking into consideration the geologic and geotechnical conditions of the project site. Impacts related to landslides are discussed in Section 3.5, Geology and Soils, of the Draft EIR. As discussed in impact analysis GEO-2 on pages 3.5-8 through 3.5-10 of the Draft EIR, each of the build alternatives would include structural features unique to their proposed construction method that would stabilize the project site. Additionally, mitigation measures are proposed for each of the build alternatives. The Draft EIR concludes that with implementation of structural features and mitigation measures GEO-A through GEO-R, impacts associated with landslides would be less than significant under the build alternatives.

**Response 14-3**

The commenter inquires as to how traffic flow has been affected by the landslide. As previously discussed, the No Project Alternative analyzes the conditions at the project site at the time the NOP was released. Section 3.12, Transportation and Traffic, includes an analysis of the Future No Project Alternative scenario, which discusses what would occur in the future with ambient growth if the project site were to remain inaccessible. As stated on page 3.12-13 of the Draft EIR, “the increase in vehicle volumes due to ambient growth in addition to the rerouting of traffic volumes that has occurred likely due to the 2011 landslide (see Table 3.12-4) would lead to further deterioration in levels of service at the study intersections and roadway segments under the No Project Alternative. It is also important to note that, under the No Project Alternative, vehicular, bicycle, and pedestrian circulation would continue to be diverted around the existing landslide area as access along Paseo Del Mar would not be restored under this alternative. Nonetheless, as levels of service would continue at acceptable levels (LOS C or better) under the Future No Project conditions, traffic impacts would be less than significant under the No Project Alternative.”

With implementation of Alternatives 1 through 3, the traffic volumes that have been diverted since the 2011 landslide would be redistributed along Paseo Del Mar with the restoration of continued access provided by the build alternatives. Although traffic impacts under the No Project Alternative would be less than significant, it should be noted that, as shown in Table 3.12-11, Year 2021 Alternatives 1 through 3 Study Intersection Operational Peak Hour LOS, on page 3.12-16 of the Draft EIR, some of the study intersections would experience improved levels of service following restoration of access along Paseo Del Mar as compared to the No Project Alternative.

**Response 14-4**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 14-5**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.





William Jones <william.jones@lacity.org>

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## paseo del mar

1 message

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**Beppy Michel** <beppymichel@gmail.com>  
To: William.Jones@lacity.org

Sat, Apr 15, 2017 at 9:46 AM

please don't "fix" this natural occurrence.

we enjoy the lack of thoroughfare

NO MORE MONEY SPENT--PLEASE

LET IT BE

THANKS

Betsy Mitchell

15-1

**Comment Letter 15: Mitchell, Betsy**

**Response 15-1**

The commenter requests that the road not be fixed. The commenter is referred to Response 9-2 above regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.



William Jones <william.jones@lacity.org>

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## Paseo Del Mar Comments

1 message

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**anne rutkowski** <annerutkowski@gmail.com>  
To: William.Jones@lacity.org

Sat, Apr 15, 2017 at 9:24 AM

Dear Mr Jones,

I have live in San Pedro for the last 15 years. I would like to see no project for Paseo del Mar, ie, no bridge and no roadway. As with most of LA, San Pedro has seen an increase in residents and traffic. The inadvertent fall and erosion of the cliff has provided a sanctuary for all those who crave a little less noise, a quiet place to walk or run or see wild life. I am an avid runner and used to run the road- the number of cars, motorcycles without mufflers and overall traffic was astounding on weekends. I know the road closure has affected traffic patterns for residents who live in the area. However, overall, I feel that the area has gained tremendously and re-opening a road would reverse the gains.

16-1

Best,  
Anne Rutkowski

**Comment Letter 16: Rutkowski, Anne**

**Response 16-1**

The commenter expresses their support for the No Project Alternative. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The commenter is also referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.



William Jones <william.jones@lacity.org>

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## Paseo del Mar Rebuild

1 message

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**Madeleine Drake** <maddrake3@cox.net>

Sun, Apr 16, 2017 at 7:36 AM

To: William.Jones@lacity.org

As a resident of the san Pedro Palisades I vote for the "No Project" option. Please weigh the cost benefits before embarking on this costly and questionable "repair". Get the answers to questions such as (1) can it withstand another slide (2) how badly does the present condition impact traffic flow (3) how many potholes and broken sidewalks can be repaired with the funds that will be needed to fix it and what about (4) cost overruns.

17-3

17-5

17-4

17-2

17-1

**Madeleine Drake**

**Broker**

**BRE #01231071**

**310-833-0121 Office**

**310-200-8757 Cell**

## **Comment Letter 17: Drake, Madeleine**

### **Response 17-1**

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

### **Response 17-2**

The commenter inquires as to whether the project site can withstand another slide. The commenter is referred to Response 14-2 regarding impacts related to landslides.

### **Response 17-3**

The commenter inquires as to how traffic flow has been affected by the landslide. The commenter is referred to Response 14-3 regarding impacts to traffic circulation following the 2011 landslide event.

### **Response 17-4**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Response 17-5**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



William Jones <william.jones@lacity.org>

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## Paseo Del Mar Comments

1 message

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JnJkordich@aol.com <JnJkordich@aol.com>

Sun, Apr 16, 2017 at 12:28 PM

To: william.jones@lacity.org

Cc: charlesrannells@gmail.com

Mr. Jones and other Responsible Public Officials -

I have reviewed the City of Los Angeles Draft Environmental Impact Report on the Paseo Del Mar Permanent Restoration Plan.

Without any estimates of projected costs included in the EIR, it is difficult to voice an informed preference for Alternate 1, 2, 3 or No Project Option. On the surface, I would prefer the least intrusive Alternate 1. Whatever is selected as a course of action, it must be a solution that will last. If a 400 foot bridge/walkway can be constructed spanning the slide within a reasonable cost and minimum exposure to a slide recurrence, I would be in favor.

Alternatives 2 and 3 seem of a much greater intensity level and a great deal more costly. Alternatives 2 and 3 also embrace the idea that wave action along the base of the slide was a primary cause of the collapse. That is not a believable conclusion. The collapse was likely the result of the land disturbance for drains and the road construction from Paseo Del Mar down to the rocky beach at White Point. Beach erosion was not a factor. However the beach erosion theory would absolve government agencies and officials of responsibility, so I am sure is not a popular theory at City Hall.

I am pleased that the EIR reflects the decision to remove the option of re-routing Paseo Del Mar through the Palos Verdes Land Conservancy parcel at White Point. That was a fine decision and to be applauded.

I am a current resident of the Palisades and have been a resident since 1948. I believe most residents would like to see Paseo Del Mar reconstructed and reconnected to Western Avenue. PDM is an important local landmark to residents, visitors and business interests alike.

I look forward to the next Public Meeting scheduled for Wednesday, May 3, 2017 @ the Cabrillo Marina Community Room for updates.

John M. Kordich  
1014 W. 37th Street  
San Pedro, CA 90731

18-1

18-2

18-3

18-4



### **Comment Letter 18: Kordich, John**

#### **Response 18-1**

The commenter expresses their support for Alternative 1. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for the review and consideration.

The commenter is also referred to Response 14-2 regarding impacts related to landslides.

#### **Response 18-2**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Response 18-3**

The commenter states that Alternatives 2 and 3 embrace the idea that wave action along the base of the slide was a primary cause of the collapse.

As discussed in Chapter 2, Project Description, of the Draft EIR, it is anticipated that Alternatives 2 and 3 would require shoreline protection to protect the slope from recession due to wave action and other erosive forces. The measures are proposed to protect the structural elements of these alternatives and are not intended to be used as an explanation of the cause of the 2011 landslide.

#### **Response 18-4**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



William Jones <william.jones@lacity.org>

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## Paseo Del Mar

1 message

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me **SILK** <redhottracy@yahoo.com>  
To: William.Jones@lacity.org

Fri, Apr 21, 2017 at 10:07 AM

Sir, please reconnect the east/west road asap. thats my vote. thank you. M. Armenta

| 19-1

**Comment Letter 19: Armenta, M**

**Response 19-1**

The commenter expresses their support for the build alternatives. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



William Jones <william.jones@lacity.org>

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## Paseo del Mar comments

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deanstivason@yahoo.com <deanstivason@yahoo.com>

Fri, Apr 21, 2017 at 9:05 AM

To: William.Jones@lacity.org

Who ever let rerouting the road through the Preserve be dropped from consideration needs their head examined. It's cheaper, and as a city engineer I'm sure Mr. Jones you will agree after two bridges in the same spot have failed in the last forty years, it is much safer. The land has already been stabilized to the tune of 9.14 million and that's not including the turn around cost. Just saying.

20-1

Dean Stivason  
Retired LAFD  
Fire Captain

Sent from my iPad

**Comment Letter 20: Stivason, Dean**

**Response 20-1**

The commenter questions the rationale for eliminating the Roadway Realignment Alternative from further consideration. Chapter 5, Alternatives, of the Draft EIR, includes a discussion of alternatives that were considered during the scoping process but were eliminated from further consideration in the EIR. One of the alternatives considered was the Roadway Realignment Alternative, which would have realigned the roadway away from the bluff into the White Point Nature Preserve. As the Roadway Realignment Alternative would realign the roadway to the north of and outside of the safety buffer area around the existing landslide, no earthwork would be needed in the existing landslide area. Additionally, no shoreline protection measures would be required under this alternative. As discussed on page 5-6 of the Draft EIR, “per CEQA Guidelines Section 15126.6, the discussion of alternatives considered for detailed analysis within an EIR should be focused on alternatives to the project or location that are capable of avoiding or substantially lessening any significant effects of the project and that would feasibly attain most of the project objectives. The Roadway Realignment Alternative would avoid the potentially significant geology and soils impacts associated with Alternatives 1, 2, and 3, as well as the significant and unavoidable aesthetics impacts associated with Alternatives 2 and 3. However, this alternative would increase impacts to biological resources and recreational facilities. Additionally, the Roadway Realignment Alternative would result in significant and unavoidable impacts to cultural resources and construction vibration. As such, the Roadway Realignment Alternative would result in significant impacts that would not occur under Alternatives 1 through 3. Due to these increased impacts, the Roadway Realignment Alternative was eliminated from detailed analysis.”



William Jones <william.jones@lacity.org>

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## Paseo del Mar Comments

1 message

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**lbraslow@cox.net** <lbraslow@cox.net>

Fri, Apr 28, 2017 at 1:57 PM

To: William.Jones@lacity.org

I am writing to express my support for the "No Project Alternative". | 21-1

Mr. Buscaino's "commitment" to rebuild Paseo del Mar was made to a "task force" that did not have wide community input. In fact, hundreds in the neighborhood have signed petitions urging that the roadway not be built. | 21-2

Your wording in the "No Project" proposal is misleading, implying that the area would remain "inaccessible to the public". The immediate bluff area always has been and would remain inaccessible. The preserve and the park to the east is used by people enjoying the space more than ever, without the traffic through the area. The neighborhood has been quieter, safer, and more human friendly since the slide. | 21-3

Rebuilding constitutes an enormous waste of resources at a time of great need elsewhere. It is truly a "road to nowhere." | 21-4

I, and many of my neighbors, urge that this project to rebuild Paseo del Mar not proceed. | 21-5

Thank you,

Lawrence Braslow  
1411 Silvious Ave, San Pedro 90731  
(310) 650-1569



## **Comment Letter 21: Braslow, Lawrence**

### **Response 21-1**

The commenter expresses their support for the No Project Alternative. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Response 21-2**

This comment expresses the opinion of the commenter and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Response 21-3**

The commenter states that the description of the No Project Alternative is misleading as the bluff has always been inaccessible to the public. The Draft EIR does not state that the bluff would be inaccessible, which, as the commenter noted has historically been inaccessible due to steep terrain, but specifically the damaged segment of the roadway that was previously open as a public right-of-way prior to the 2011 landslide event. The commenter is referred to Chapter 2, Project Description, page 2-11, which states that “under the No Project Alternative, the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to the public.” As such, continued vehicular, pedestrian, and bicycle access along Paseo Del Mar would not be restored. Under the No Project Alternative, people traveling along Paseo Del Mar from the east would encounter the cul-de-sac created during the stabilization work on the east side of the landslide. People traveling along Paseo Del Mar from the west would encounter a dead end where the road is blocked just east of the nearby Fromhold Field. Thus, people traveling along Paseo Del Mar would continue to be forced to change directions once they encounter the eastern and western limits of the project site. Prior to the landslide event, vehicles, bicycles, and pedestrians could travel continuously along Paseo Del Mar through the project site. As the project site would remain closed under the No Project Alternative, the Draft EIR states that the damaged portion of the Paseo Del Mar roadway would remain inaccessible to the public.

### **Response 21-4**

This comment expresses the opinion of the commenter and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Response 21-5**

This comment expresses the opinion of the commenter and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No

further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

PASEO DEL MAR PERMANENT RESTORATION PROJECT  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

(please hand in or mail back by June 5, 2017)  
(please e-mail comments to William.Jones@lacity.org by June 5, 2017)

Name: ANDREA LUSE  
Organization (if any): NATIVE OF THE PALISADES IN SAN PEDRO  
Address: 3622 S. GAFFEY ST.  
City, State, Zip: SAN PEDRO CA 90731  
Phone (optional): (310) 547-2154  
E-mail (optional): magriffegallery@yahoo.com

Comments TAKING NO ACTION SHOULD NOT BE A CONSIDERATION,  
THIS IS A MAIN THOROUGHFARE AND NEEDS TO BE RESTORED.  
THE BRIDGE OPTION IS THE MOST PRACTICAL BECAUSE IT  
A) HAS THE LEAST IMPACT WITH THE SHORTEST COMPLETION TIME-  
FRAME, B) WILL REQUIRE LESS MONITORING (WAVE ACTION IMPACT)  
AFTER COMPLETION THAN OPTIONS 2 OR 3.

THE ROAD NEEDS TO BE RESTORED FOR SAFETY REASONS—  
REDUCING EMERGENCY RESPONSE TIMES TO POINT FERMIN AND  
REESTABLISH THE EVACUATION ROUTE TO WESTERN AVE. AND TRAFFIC  
ABATEMENT ON 25TH ST, GAFFEY ST AND NEIGHBORHOOD STREETS  
NEVER INTENDED FOR THROUGH TRAFFIC

RECONNECTING PASEO DEL MAR TO THE TERMINUS OF WESTERN AVE.  
WITH A BRIDGE WILL CREATE AN ICONIC ATTRACTION  
(NOT UNLIKE THE 17 MILE DRIVE IN MONTEREY) THAT THE L.A. CONVENTION  
AND VISITORS BUREAU COULD ADD TO THEIR CATALOG OF  
POINTS OF INTEREST, AS WELL AS RESTORE EASY  
ACCESSIBILITY TO SOUTH SHORES BUSINESSES PATRONIZED  
BY PALISADES AND POINT FERMIN RESIDENTS.

**Comment Letter 22: Luse, Andrea****Response 22-1**

The commenter expresses their opposition to the No Project Alternative and their desire for the road to be restored. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 22-2**

The commenter expresses their support for Alternative 1. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 22-3**

The commenter states that emergency response time and circulation on neighborhood streets has been affected by the closure of Paseo Del Mar at the project site. Section 3.12, Transportation and Traffic, of the Draft EIR acknowledges that traffic volumes have been diverted since the 2011 landslide event. The commenter is referred to Response 14-3 regarding impacts to traffic circulation following the 2011 landslide event.

**Response 22-4**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.





William Jones <william.jones@lacity.org>

## Paseo Del Mar Comments

1 message

ReadSMD@aol.com <ReadSMD@aol.com>

Wed, May 3, 2017 at 1:38 PM

To: William.Jones@lacity.org

Cc: dlmlawfirm@msn.com, Gigi32012@outlook.com, jacksonread@msn.com

Mr. Jones--

I am a geriatric psychiatrist, resident in South Shores in San Pedro. At the time of the landslide, my elderly mother lived in an apartment in the Palisades, so we used and enjoyed short journey to see her frequently, along Paseo del Mar. This became much more difficult after the slide of course, as it remains.

My comments about the importance of restoring a route for Paseo del Mar are therefore informed by long-term considerations:

1. In the event of any disaster, e.g. earthquake or an explosion at the Port of Los Angeles, could well require exiting from the Palisades -- and the Paseo del Mar option could well be critical.

23-1

2. In addition, the failure to undertake a longer term approach to the problem in the prior small landslide illustrates the value of considering longer-term issues. Prominent among these, in my opinion, is the rise in sea level that is already underway (i.e. could well be an as yet unacknowledged factor in the landslide that occurred)--please see the recent LATimes article anticipating the prediction of ten feet increase in coming decades may well be an under-estimate! The second possible "natural" factor is the possibility of earthquake of course.

23-2

3. Accordingly, I urge your review to resist the predictable short-term, how can we do this most cheaply, considerations and to take into account the desirability of instituting a solution that acknowledges and accounts for those stresses that are inevitable in the coming 30-50 years.

23-3

Note that I write since I will be unable to attend tonight's meeting.

Thank you for considering all the community input,

Stephen Read, MD  
3607 S. Gurnard Ave.  
San Pedro, CA 90732

**Comment Letter 23: Read, Stephen****Response 23-1**

The commenter states that Paseo Del Mar is a route that could be used to exit the community in the event of a disaster. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar. The commenter is also referred to Response 14-3 regarding impacts to traffic circulation following the 2011 landslide event.

**Response 23-2**

The commenter expresses their concern of the effects of sea level rise and earthquakes. The commenter is referred to Response 6-3 regarding the consideration of sea level rise in the design and engineering of the build alternatives.

Section 3.5, Geology and Soils, of the Draft EIR, discusses impacts related to earthquakes and seismic ground shaking. As discussed on page 3.5-7 of the Draft EIR, “the project site is located in proximity to two faults and would potentially be subjected to ground shaking in the event of a major earthquake. The risk of hazard is comparable to the risk generally experienced in the surrounding project area. The project site is not located within an Alquist-Priolo Fault Zone and no active or potentially active faults capable of fault rupture are known to traverse the project site. As such, the potential for fault rupture is considered remote and impacts would be less than significant.

Although the project site is located in a seismically active area and ground shaking due to nearby and distant earthquakes would be anticipated, all structures included within the proposed project would be required to be designed and constructed in accordance with the latest bridge and roadway engineering codes. Additionally, the proposed project would be designed and constructed in accordance with the recommendations provided in the Pre-Design, Geotechnical, and Structures report prepared for the proposed project. With adherence to all applicable building codes and recommendations in the Pre-Design, Geotechnical, and Structures reports, impacts related to ground shaking would be less than significant.”

**Response 23-3**

The commenter requests that a long-term solution be instituted. Section 3.5, Geology and Soils, of the Draft EIR discusses the design life of the project alternatives. As discussed in impact analysis GEO-2, the typical design life is approximately 20 years for asphalt roadways and approximately 75 years for bridges, piles, and walls.



William Jones <william.jones@lacity.org>

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## Paseo Del Mar Comments

1 message

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**Gary Holwerda** <Gary.Holwerda@kcicorp.com>  
To: "William.Jones@lacity.org" <William.Jones@lacity.org>

Mon, May 8, 2017 at 11:07 AM

Mr. William Jones,  
  
Environmental Supervisor II,  
  
City of Los Angeles Department of Public Works,  
  
Bureau of Engineering, EMG,  
  
1149 S Broadway,  
  
Suite 600, Mail Stop 939, Los Angeles, CA 90015

Mr. Jones,

I am writing to express my opinion regarding the landslide area on Paseo Del Mar and the "Paseo Del Mar Restoration Project".

I have lived at 1217 Paseo Del Mar for over thirty years, and my family for even longer.

I can state that over the years prior to the landslide, the biggest problem we (the people living in the neighborhood) would encounter would be street racers and overcrowding on weekend. The street was very dangerous to cross at any time. Since the landslide, while not completely eliminated, racing has been drastically reduced and the overall usage has been greatly reduced. I take both of these conditions as great improvements.

Secondly, for alternatives 1, 2, and 3, it is stated that no impact would be felt by nearby housing. I fail to see how drilling into the nearby hillside cannot effect the houses adjacent to the site. The house next door to us required the drilling of 8 piles prior to construction. The drilling/vibration caused cracking in walkways on our property. Those walkways had been in existence for over 40 years – with no cracks – prior to the drilling. If the stated impact is wrong (and in my opinion, it is), then the houses adjacent to the site will be impacted. If those houses are damaged, I would fully expect legal claims against the city to be made by those home owners. I would hazard a guess that the funds to pay for those legal claims are not included in the estimated cost of the project. Where will those funds, if required, come from?

Thirdly, in today's economy, I fail to see the benefits associated with spending upwards of 20 million dollars (which in my opinion is undoubtedly a major undervaluation of the funds that will be actually required/spent) to repair the landslide area, when there are other things that these funds could be better spent on – other, more highly used, centrally located roads need repairs (for example, Grand

24-1

24-2

24-3

Avenue between 1st and 10th for years has had potholes/damage from tree roots) or other roads (i.e. Hamilton Avenue) have never been fully completed (i.e. no sidewalk on north side)

24-3  
Cont'd

My choice for the "Paseo Del Mar Restoration Project" is the **"no project" alternative.**

24-4

Thank you in advance for your time and consideration. Please feel free to contact me at your convenience should you wish to further discuss this matter.

Gary Holwerda

1217 Paseo Del Mar

San Pedro, CA 90731

(310) 831-2500



**Comment Letter 24: Holwerda, Gary**

**Response 24-1**

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 24-2**

The commenter inquires about vibration impacts of the build alternatives at nearby houses. Vibration impacts are discussed in Section 3.9, Noise, within impact analysis NOI-2 on pages 3.9-18 through 3.9-19 of the Draft EIR. Impacts from vibration are based on a variety of factors, including distance. The nearest residence to the project site is 200 feet to the east. As discussed in Section 3.9, the construction-related vibration analysis considers the potential for building damage and annoyance. Based on the published vibration guidance from the Federal Transit Administration, the build alternatives would result in a significant impact if construction vibration levels would exceed 0.3 peak particle velocity (PPV) or 72 vibration velocity in decibels (VdB) at residences. As discussed in impact analysis NOI-2, drilling activities for all three of the build alternatives would generate vibration levels of approximately 0.004 PPV or 60 VdB at 200 feet. Thus, none of the build alternatives would exceed the significance thresholds for vibration at nearby residences. Therefore, the Draft EIR concludes that the build alternatives would result in less than significant impacts related to construction vibration.

**Response 24-3**

The commenter inquires as to whether the funding for the proposed project could be used for other projects within the City. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.

**Response 24-4**

The commenter expresses their support for the No Project Alternative. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Mr. William Jones  
 Environmental Supervisor II  
 City of LA, Dept. of Public Works  
 Bureau of Engineering, EMB  
 1149 S. Broadway  
 Suite 600, Mail stop 939  
 Los Angeles, CA 90015

MAY 11, 2017

(18)

Mr. Jones:

I'm writing you this letter in order to make a comment on the upcoming decision concerning the Paseo Del Mar project in San Pedro.

In all honesty, I used to drive Paseo in my younger years regularly. I lived across town and I'd make my way out for the scenic view and the ocean breeze. When the landslide first happened, I was upset, but over time I've come to love the new status of Sunken Road Park. <sup>8</sup>

I've moved down to an apartment by Point Fermin 1.5 years ago and I try to take a walk or ride my bike down to the White Point Conservancy at least once a week. I enjoy the quiet of the area. One can actually hear the buzzing of bees and the rustling of little animals and lizards throughout the native plant fields. It's beautiful. It's calming. It's peaceful.

I've read comments by citizens who want the roads back in the Daily Breeze. I don't feel their arguments are strong enough. Nostalgia and convenience doesn't outweigh beauty and serenity. I understand our love of car culture and cruising beautiful through h-wys. But I feel years of construction and the pollution of all types (air, noise) it will bring, will do nothing to improve the beauty of the area and neighborhood.

Two deadends, quiet neighborhoods, safe places to walk and to admire nature? How many places like that are there in the Harbor/South Bay Area? At the Port? At the refineries? Alongside the freeways?

I understand the argument of neighborhoods becoming the new traffic arteries to 25<sup>th</sup>. And I definitely understand the need

25-1



for safer, quicker and easier access for emergency vehicles.  
Those two arguments I understand and I feel are valid.

But, since the road fell, has anyone's life become endangered?  
Is the area less safe? Has there been a negative economic impact?

Have you ever volunteered at the Nature preserve above the slide?  
I have. It's wonderful. The only noise you hear are the cheers from the nearby baseball field and the occasional plane or helicopter flying overhead. My biggest complaint about living 2 miles down the road by Point Fermin park is the noise of muscle car engines and motorcycles. Humans and our vanity. I'm speaking up for the coyotes, the peacocks, the native plants, the bees, the lady bugs, the endangered blue butterfly, the hawks, the foxes, the endangered great catcher and all of the kids who like walking around the area without hearing car and motorcycle noise, and who like being in the area without smelling exhaust fumes. If we want that, we go to the forsaken industrial zones in Wilmington.

So, from this concerned citizen, LEAVE it as it is!

Thank you for your time,

Michael BIAZEVICH

310-489-9477

4022 S. Gaffey St.

SAN PEDRO, CA 90731

*Michael Biazovich*

**Comment Letter 25: Biazevich, Michael (1)**

**Response 25-1**

The commenter expresses their support for the No Project Alternative. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The commenter is also referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.





William Jones <william.jones@lacity.org>

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## Paseo Del Mar landslide comments

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JB McDaniel <email@jobeth.com>

Wed, May 17, 2017 at 8:42 AM

To: william.jones@lacity.org

Dear Mr. Jones,

I live a few minutes away from the Paseo Del Mar landslide, and can't imagine why the city of Los Angeles wants to spend \$30 million or even \$3 million to "fix" what nature did there.

I spend much time in the preserve and around those bluffs, and it is infinitely better than it was before. You can now hear the surf and birdsong, and smell the coastal sage without being choked by fumes of illegal motorcycles roaring through at 80 mph.

Why not turn this lovely spot into a living museum, with trails and exhibits that explain our naturally "rolling" hills? It could be a world-class facility for research and better understanding of our unique geology.

The only people in favor of a new bridge are engineers and maybe a handful of owners who don't deserve a \$30 million bridge to shave two minutes off a commute.

If you want to spend \$30 million, there are plenty of ways those funds could be used to transform San Pedro into a lovely port city.

Best,

JB Clark

26-1

**Comment Letter 26: Clark, JB**

**Response 26-1**

The commenter suggests that funds allotted to restore the roadway could be used for other purposes. The commenter is referred to Response 9-2 above regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.



William Jones <william.jones@lacity.org>

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## Paseo del Mar Restoration Project

1 message

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**Madeline Ryan** <pvpasofino@yahoo.com>

Wed, May 17, 2017 at 11:23 AM

Reply-To: Madeline Ryan <pvpasofino@yahoo.com>

To: "William.Jones@lacity.org" <William.Jones@lacity.org>

Hello Mr. Jones

I believe the City should find the funds to restore Paseo del Mar and in exactly the same location where it once was. Please do not move inland and through the Nature Preserve. There would be tragic consequences to flora and fauna, if a 2-lane road were cut through.

27-1

As a homegrown girl and owner of a home on Paseo del Mar, it's important to have the continuity of the ocean drive along Paseo in addition to the convenience of the more direct route to shopping and dining along 25th Street and west into Palos Verdes and other beach cities.

27-2

Thank you.

Madeline Ryan  
1074 Paseo del Mar  
San Pedro, CA 90731

"May the Trails be with you..." Madeline

**Comment Letter 27: Ryan, Madeline**

**Response 27-1**

The commenter requests that the City restore Paseo Del Mar in the same location as it was prior to the landslide. The commenter is referred to Response 20-1 above regarding the elimination of the Roadway Realignment Alternative from further consideration.

**Response 27-2**

The commenter states that it is important to have continuity along Paseo Del Mar. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project.





William Jones <william.jones@lacity.org>

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## Paseo Del Mar Comments

1 message

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**DAVID WEAVER** <daw007@sbcglobal.net>

Wed, May 17, 2017 at 12:26 PM

Reply-To: DAVID WEAVER <daw007@sbcglobal.net>

To: "william.jones@lacity.org" <william.jones@lacity.org>

Mr. Jones,

Doing nothing is not an alternative in my view.

| 28-1

1) Traffic that once smoothly flowed on Paseo Del Mar has been diverted onto residential side streets and through two school zones--streets NOT designed to handle the volume or speed of traffic we are currently witnessing!

| 28-2

2) Many of these drivers are often lost and/or frustrated--weaving through narrow, steep residential streets at great speed as they attempt to reach Western Blvd or continue along the coast.

3) Indeed the biggest proponents of the "do nothing plan" will be those residents who live in South Shore and along Western Blvd--they have benefitted from the reduction of traffic along Paseo Del Mar and Western at the direct expense of their neighbors to the south.

They will be the loudest critics in the room--loudly deriding the plan to repair Paseo Del Mar. Please view their opposition in direct proportion to stress that has been passed onto the once safe neighborhoods who have absorbed the traffic-- ONLY we did not move onto a busy street--we did not opt to live along a larger street--they did. Paseo Del Mar and Western are design to handle the traffic flows efficiently and most importantly safely!!!

| 28-3

It is only a matter of time before a kid is struck by a speeding car.

David Weaver

DAW007@sbcglobal.net

(310) 308-5016 cel

**Comment Letter 28: Weaver, David**

**Response 28-1**

The commenter expresses their objection to the No Project Alternative. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 28-2**

The commenter states that traffic has been diverted onto residential streets. The commenter is referred to Response 14-3 regarding impacts to traffic circulation following the 2011 landslide event.

**Response 28-3**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



William Jones <william.jones@lacity.org>

## Paseo Del Mar DEIR comments

1 message

**Melanie Jones** <mjones1580@cox.net>  
To: William.Jones@lacity.org, Billy.Ho@lacity.org  
Cc: Melanie Jones <mjones1580@cox.net>

Mon, May 22, 2017 at 10:22 AM

Dear Sirs:

I take exception to the "no project" impacts included in the DEIR for the Paseo Del Mar permanent restoration project.

The report states that views have been lost. I contend that more people are enjoying the views, fully available to all who use the parkland at the collapse site. People who used to drive through this area were hopefully focusing on the road. Now that people take in the views while walking or biking, I expect they can actually enjoy the views as opposed to driving by them.

The report states that there is no access to the area. There is plenty of access, and citizens avail themselves of it daily, walking and biking in the area, which is now quieter and more amenable to park activities. The push to reestablish a road at this site is driven by nostalgia, not need.

The alternatives that include construction along the cliff below the road area would surely damage the coastline, the local marine life, not to mention citizens' access to the beach areas below the cliffs. These alternatives seem very invasive, ugly (has anyone rendered what they would look like from the ocean side?), expensive and unfriendly to both the environment and the local citizenry.

I, for one, feel strongly that "no project" is the sensible choice for this site. The road that would be replaced under this DEIR has been gone for over 6 years. Although some people complain about emergency vehicle access, I have seen absolutely no data to support a claim that fire and emergency service times/access have been negatively impacted by the loss of this road. The community has adjusted to changed access routes and a revitalization of this land as parkland. Moreover, Mother Earth has spoken and will continue to speak about the impermanence of these cliff areas. There is a spot farther east on Paseo del Mar that is perilously close to the edge of the land where a collapse would impact access dramatically. I suggest any money that might be raised to replace the already-lost part of Paseo del Mar be used to shore up areas that are moving precipitously towards collapse.

Thank you,

Melanie Jones  
619 W. 38th Street  
San Pedro, CA 90731

29-1

29-2

29-3

29-4

29-5

29-6

29-7

**Comment Letter 29: Jones, Melanie****Response 29-1**

The commenter objects to the impacts identified for the No Project Alternative related to views. The commenter is referred to Response 10-4 regarding impacts related to scenic views identified under the No Project Alternative.

**Response 29-2**

The commenter states that the project area is accessible and there is no need to rebuild the road. The commenter is referred to Response 21-3 regarding the accessibility of Paseo Del Mar at the project site prior to and since the 2011 landslide event. The commenter is also referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.

**Response 29-3**

The commenter states that construction along the cliff would damage the coastline, marine life, and access to the beach. The commenter is referred to Response 9-3 regarding impacts to biological resources related to the proposed shoreline protection measures under Alternatives 2 and 3. Regarding access to the beach, as stated in Chapter 2, Project Description, on page 2-6 of the Draft EIR, “the coastline below the project site is characterized by a wave-cut bench and a beach primarily composed of cobble and gravel, and it not a typical, sandy public use recreational beach.”

**Response 29-4**

The commenter inquires as to whether the build alternatives have been rendered with views from the Pacific Ocean. The commenter is referred to Response 5-4 above with respect to views from the Pacific Ocean.

This commenter also states that the alternatives seem expensive. The commenter is referred to the footnote on page 2-2 of the EIR, which explains that, “although cost was evaluated as part of the alternatives development process, it is important to note that cost is not an issue considered in the CEQA environmental review process, as CEQA is concerned with impacts to the physical environment that may result from construction and/or operation of a project. Thus, cost is not a part of the analysis contained in this EIR.”

**Response 29-5**

The commenter expresses their support for the No Project Alternative. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 29-6**

The commenter expresses that there is no data that shows emergency access has been negatively impacted by the closure of Paseo Del Mar. The commenter is referred to Response



9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar. The commenter is also referred to Response 14-3 regarding impacts to traffic circulation following the 2011 landslide event.

**Response 29-7**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



William Jones <william.jones@lacity.org>

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## Paseo Del Mar comments

1 message

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**Raymond Maese** <djrandm@yahoo.com>

Tue, May 23, 2017 at 10:14 PM

Reply-To: "djrandm@yahoo.com" <djrandm@yahoo.com>

To: "william.jones@lacity.org" <william.jones@lacity.org>

Mr. Jones,

I am writing this in support of Alternative 1, but 2 or 3 would be supported as well. Anything but "No action". | 30-1

Not having this road is causing an influx of traffic on our neighborhood streets that were not built to handle the traffic. | 30-2

There was always a road there and I feel it should be restored in some fashion to make it the major thoroughfare it once was. One that San Pedro residents deserve to gain back and enjoy. | 30-3

Please don't let the few residents who are benefiting from the closure prolong this any longer. | 30-4

Respectfully,

Raymond Maese  
1327 W. 27th Drive  
San Pedro, ca. 90731  
[310 293 5407](tel:3102935407)

Sent via DJRANDM on the move...

**Comment Letter 30: Maese, Raymond**

**Response 30-1**

The commenter expresses their support for the build alternatives. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 30-2**

The commenter states that circulation on neighborhood streets has been affected by the closure of Paseo Del Mar at the project site. Section 3.12, Transportation and Traffic, of the Draft EIR acknowledges that traffic volumes have been diverted since the 2011 landslide event. The commenter is referred to Response 14-3 regarding impacts to traffic circulation following the 2011 landslide event.

**Response 30-3**

The commenter states that the road should be restored. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project.

**Response 30-4**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.



William Jones <william.jones@lacity.org>

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## Paseo Del Mar Comments

1 message

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**Joe and Linda Bird** <landjbird@me.com>  
To: William.Jones@lacity.org

Wed, May 24, 2017 at 7:02 PM

Please count us in as two for rebuilding Paseo Del Mar.

Born (1940 & 1942) and raised here, we have walked, run, biked and driven on Paseo Del Mar a countless number of times. Each trip to a purpose and with a story of its' own.

I moved with my parents to 1454 Paseo Del Mar in 1945. Since 1971, we have lived and raised our own family in our house that backs up to Paseo Del Mar at 2216 Warmouth St..

Paseo Del Mar is of great value to the people who live in our community and the greater number of folks who enjoy visiting our area.

Respectfully,  
Joe and Linda Bird  
San Pedro, CA

31-1



**Comment Letter 31: Bird, Joe and Linda**

**Response 31-1**

The commenter expresses their support for the build alternatives. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

PASEO DEL MAR PERMANENT RESTORATION PROJECT  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

(please hand in or mail back by June 5, 2017)  
(please e-mail comments to William.Jones@lacity.org by June 5, 2017)

Name: LINDA CHEEK  
Organization (if any): \_\_\_\_\_  
Address: 3602 S. CABRILLO AVE.  
City, State, Zip: SAN PEDRO, CA 90731  
Phone (optional): \_\_\_\_\_  
E-mail (optional): \_\_\_\_\_  
Comments

Paseo del Mar in the landslide area existed before, and Paseo del Mar was a much safer alternative for ingress and egress from the neighborhood than using Alma St, Barbena St, etc. On Alma St, there is a high school and two cars cannot pass each other without one pulling to the side because the road is too narrow. Rebuilding Paseo del Mar would make it much easier for emergency vehicles to access the neighborhood.

No concerns with Draft EIR. Alternative 1 would be best but alternatives 2 & 3 would be fine as well.

Paseo del Mar had been a thoroughfare for many years before the landslide - it should be restored and rebuilt.

Thank you ☺

**Comment Letter 32: Cheek, Linda**

**Response 32-1**

The commenter expresses their support for the build alternatives. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, 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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**To:** William Jones  
**Subject:** RE: Paseo Del Mar Permanent Restoration Project

On Fri, May 26, 2017 at 11:16 AM, Dean Pentcheff <[pentcheff@gmail.com](mailto:pentcheff@gmail.com)> wrote:  
Mr. Jones,

I am requesting an extension of the comment period for the Paseo Del Mar Reconstruction project DEIR. Specifically, I request that the comment period be extended for 60 days starting today, 26 May 2017, which is the day that the entire DEIR was made available at the BOE website. That would extend the comment period to 25 July 2017.

The argument could be made that there were locations where physical copies of the DEIR could be examined, and hence legal obligations were fulfilled. In the middle of the second decade of the twenty-first century, we all understand that electronic access is the true measure of availability. Few potential commenters will physically travel to BOE or local libraries to examine paper copies. Effective review and comment by stakeholder individuals and agencies requires electronic access. The date of electronic access is the proper starting date for a comment period.

The argument could be made that I should have noticed the missing parts of the DEIR on the first day of electronic availability at BOE and reported that flaw. It is not, however, the responsibility of stakeholders to ensure complete availability of required documents. It is the responsibility of the lead agency to make materials available in complete form for review. Proper review cannot be done without the complete DEIR document, and the review period must begin when that complete document becomes available.

It is striking that this omission of material in electronic form repeats a similar problem with late electronic release of this project's Initial Study at the NOP stage of review. Given that history, it is particularly surprising that the lead agency failed to confirm full electronic availability of the DEIR. When the problem with availability of the Initial Study was discovered, the comment period was extended. In response to this similar problem with the DEIR, extending the comment period is equally appropriate.

We sincerely want to help BOE create the best possible EIR analysis for this project. Given the lack of availability of the DEIR materials (following a similar problem with the Initial Study), the best result will come from extending the comment period to 60 days following the full electronic availability of the DEIR on 26 May 2017, with comment closing on 25 July 2017.

Thank you for your attention to this matter.

-Dean  
--  
Dean Pentcheff  
[pentcheff@gmail.com](mailto:pentcheff@gmail.com)

On Fri, May 26, 2017 at 8:01 AM, Billy Ho <[billy.ho@lacity.org](mailto:billy.ho@lacity.org)> wrote:  
Good morning Mr. Pentcheff,



The complete listing of the Appendices for the Paseo Del Mar Permanent Restoration Project has been restored to the website. In case you need it, here is the direct link to the project's webpage:

[http://eng.lacity.org/techdocs/emg/paseodelmar\\_restoration.htm](http://eng.lacity.org/techdocs/emg/paseodelmar_restoration.htm)

Thank you,

On Thu, May 25, 2017 at 5:01 PM, Billy Ho <[billy.ho@lacity.org](mailto:billy.ho@lacity.org)> wrote:

Good afternoon Mr. Pentcheff,

Thank you for bringing this matter to our attention. I have notified our Information Technology Division regarding this issue; hopefully, they will resolve this issue in a timely manner.

In regards to extending the comment period by an additional 60 days, I am not authorized to make that decision. You will have to contact my supervisor, William Jones to discuss.

We apologize for any inconvenience this may have caused. If you have further questions, please do not hesitate to contact us.

Thank you,

----- Forwarded message -----

From: **Dean Pentcheff** <[pentcheff@gmail.com](mailto:pentcheff@gmail.com)>  
Date: Thu, May 25, 2017 at 2:44 PM  
Subject: Paseo Del Mar DEIR appendix availability?  
To: [William.Jones@lacity.org](mailto:William.Jones@lacity.org)

Mr. Jones,

Unfortunately, I find that, as of today (25 May 2017), I cannot locate several of the appendices for the "Paseo Del Mar Permanent Restoration Project" draft environmental impact report. Without this information, a complete review of the DEIR is impossible.

This is the first time I have tried to examine the appendices — I do not know if they were previously available.

Specifically, the following appendices are absent from the materials available at the BOE website [http://eng.lacity.org/techdocs/emg/paseodelmar\\_restoration.htm](http://eng.lacity.org/techdocs/emg/paseodelmar_restoration.htm)

- Appendix C. Biological Resources Technical Report
- Appendix D. Cultural Resources Assessment
- Appendix E. Greenhouse Gas Emissions Technical Report
- Appendix F. Storm Water Discharge Technical Memorandum
- Appendix G. Paleontological Technical Study
- Appendix H. Traffic Study

The files at the website today contain the DEIR itself, Appendix A (NOP, Initial Study, Responses), and Appendix B (Air Quality Technical Report).

1. Can these appendices please be made available through the BOE website?
2. Since the ability to analyze and productively comment on the DEIR is crippled in the absence of these appendices, can the comment period please be extended by 60 days from the time that these appendices are made electronically available? A similar extension was made during the NOP process, when a technical problem prevented availability of the Initial Study. Those of us wanting to encourage the best possible FEIR will greatly appreciate the ability to do a thorough analysis of the DEIR.

Thank you for your attention to this matter.

33-1

-Dean

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Dean Pentcheff

[pentcheff@gmail.com](mailto:pentcheff@gmail.com)

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**Billy Ho**

Environmental Management Group, Environmental Specialist II

Bureau of Engineering, Department of Public Works

[213.485.5745](tel:213.485.5745)

[Billy.Ho@lacity.org](mailto:Billy.Ho@lacity.org)

1149 S. Broadway, Ste. 600

Los Angeles, CA 90015

### **Comment Letter 33: Pentcheff, Dean (1)**

#### **Response 33-1**

The commenter states that electronic copies of some of the Draft EIR appendices were not available on the BOE website and requests that the public review period be extended by 60 days.

The Draft EIR was circulated for public review and comment beginning on April 6, 2017. CEQA Guidelines Section 15087(a) discusses the noticing requirements for public review of a Draft EIR, stating:

*“Notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and shall also be given by at least one of the following procedures:*

- (1) Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.*
- (2) Posting of notice by the public agency on and off the site in the area where the project is to be located.*
- (3) Direct mailing to the owners and occupants of property contiguous to the parcel or parcels on which the project is located. Owners of such property shall be identified as shown on the latest equalized assessment roll.*

Copies of the Draft EIR and the Notice of Availability (NOA) were distributed to all agencies, organizations, and individuals who commented on the NOP, as well as those that previously requested notification of the project through the pre-design process. A copy of the NOA was also published in the Los Angeles Times newspaper. The distribution of the NOA included approximately 136 relevant agencies and organizations, and over 200 individuals, including owners and occupants of property adjacent to the project site, as well as other interested parties. As such, the NOA was mailed to all agencies, organizations, and individuals who previously requested notice; the notice was published in the newspaper of largest circulation in the project vicinity; and the notice was directly mailed to owners and occupants of property contiguous to the parcels on which the project is located, thus fulfilling the public noticing requirements pursuant to CEQA Guidelines Section 15087(a).

Regarding the content of the NOA, CEQA Guidelines Section 15087(c), states:

*The notice shall disclose the following:*

- (1) A brief description of the proposed project and its location.*
- (2) The starting and ending dates for the review period during which the lead agency will receive comments. If the review period is shortened, the notice shall disclose that fact.*
- (3) The date, time, and place of any scheduled public meetings or hearings to be held by the lead agency on the proposed project when known to the lead agency at the time of notice.*

- (4) A list of significant environmental effects anticipated as a result of the project, to the extent which such effects are known to the lead agency at the time of the notice.*
- (5) The address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency's normal working hours.*
- (6) The presence of the site on any of the lists of sites enumerated under Section 65962.2 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.*

The NOA for the Draft EIR included the project location; project background; project description; a summary of the environmental effects anticipated to result from the proposed project; the dates of the public review period and instructions on how to provide comments; a list of all locations where the Draft EIR could be viewed, including a link to the BOE website where an electronic version of the document could be viewed; and the date, time, and location of the scheduled public meeting. As discussed in Chapter 4, Impact Overview, on page 4-4 of the Draft EIR, no hazardous materials sites are listed on or near the project site. Therefore, none such sites were listed in the NOA.

Pursuant to CEQA Guidelines Section 15105, CEQA requires that the public review period for a Draft EIR be no less than 30 days and no longer than 60 days except under unusual circumstances. When a project is submitted to the State Clearinghouse for review by State Agencies, the public review period should be no less than 45 days unless a shorter period, not less than 30 days, is approved by the State Clearinghouse. As the Draft EIR was sent to the State Clearinghouse for review, a 45-day review period was required. CEQA Guidelines Section 15087(e) further states that when a draft EIR has been submitted to the State Clearinghouse, the public review period shall be at least as long as the review period established by the State Clearinghouse. The commenter is referred to Comment Letter 3, which shows that the State Clearinghouse established a 45-day review period. Although a 45-day review period was required under CEQA and established by the State Clearinghouse, BOE circulated the Draft EIR for an extended period of 60 days. The Draft EIR was available for public review from April 6, 2017 through June 5, 2017, a 60-day time frame that exceeded the public review period requirements under CEQA.

Regarding availability of the Draft EIR for public review, CEQA Guidelines Section 15087(g) states "to make copies of EIRs available to the public, Lead Agencies should furnish copies of draft EIRs to public library systems serving the area involved. Copies should also be available in offices of the Lead Agency." As noted in the NOA distributed for the Draft EIR, copies of the Draft EIR, including the technical appendices, were made available for public review at several repositories, including the two libraries closest to the project site, the field office of the City Council District serving the project site, and at the lead agency headquarters in compliance with CEQA Guidelines Section 15087(g). Additionally, the NOA provided a lead agency contact person from whom copies of the Draft EIR could be requested, as well a link to the lead agency website where an electronic version of the document could be accessed.

Although the commenter did alert the lead agency that some of the appendices did not appear to be available on the BOE website, they did not request that the lead agency send them a copy



of the document and, instead, requested that the lead agency provide the missing appendices on the BOE website. The lead agency was able to provide the full list of appendices on their website within 24 hours of the commenter's request. Additionally, copies of the document and appendices were available at the four document repositories listed in the NOA. CEQA does not require electronic postings of documents for review. As discussed above, copies of the Draft EIR and appendices were made available at the public libraries serving the project area and at the offices of the lead agency, as well as one additional repository in the project area. As such, the public review process for the Draft EIR was conducted in compliance with the CEQA Guidelines.



William Jones <william.jones@lacity.org>

## Paseo Del Mar Comments Submittal

1 message

havenick@cox.net <havenick@cox.net>

Thu, Jun 1, 2017 at 6:22 PM

To: William.Jones@lacity.org

Cc: "adelehealy@aol.com" <adelehealy@aol.com>, billy.ho@lacity.org, avona@pvplc.org, "buscaino4@gmail.com" <buscaino4@gmail.com>

Mr William Jones,

Please see attached my Comments regarding Paseo Del Mar Restoration Draft EIR with text pasted below.

Thank you for the public outreach meetings and communications on the EIR release.

I will look forward to resolution/responses included in the Final EIR.

Thank you.

--

Richard Havenick

I will appreciate your response to the below comments and requests applicable to the Subject Environmental Impact Report for each of the respectively listed Sections.

ES.4 CHARACTERISTICS OF PROPOSED PROJECT ALTERNATIVES and 2.5 CHARACTERISTICS OF PROJECT ALTERNATIVES, Alternative 1 statement, "should erosion occur, protective measures would be implemented during operation;" and, Alternatives 2 and 3 references, "routinely inspected for damage and clogging." Please provide an estimate forecasting the potential additional costs to the public associated with the referenced "protective measures" and as may result from actions required subsequent to inspection.

34-1

ES.5 ISSUES RAISED BY THE PUBLIC AND AGENCIES, Transportation and Traffic; Sections 3.12 and Chapter 4: Please respond to Community and Neighborhood Council documented requests that (1) mitigation include traffic calming measures defined in the Paseo Del Mar Beautification Plan; and, (2) that the baseline be adjusted commensurate with business activity and residential construction in current times, not as of 2011 when the landslide occurred.

34-2

34-3

Summary of Environmental Impacts and Mitigation Measures, BIOLOGICAL RESOURCES, all references to, "a qualified biologist" and "qualified biological monitor." Please define the minimum qualifications and certification required of the biologist/monitor.

34-4

Table ES-1 Summary of Environmental Impacts and Mitigation Measures, GEO-2 through GEO-4, HWQ-3, LUP-1: The Significance Determinations as Significant and unavoidable assigned to the No Project Alternative fail to consider that minimal grading and stabilization measures with zero import or removal of material will return the slide area to a safe condition for recreation and reduce potential for harmful run-off. Completion of minor grading and stabilization effort in the affected area will reduce the referenced Significance to No impact. The DEIR greatly exaggerates the impacts of the No Project Alternative, reducing the DEIR's overall credibility. Please revise the No Project Alternative as such or add a Project Alternative to stabilize the area and remove protective fencing.

34-5

BIO-6, "other approved local regional, or state habitat conservation plan:" Provide verification that the Project will not conflict with any such plans documented by the Palos Verdes Peninsula Land Conservancy.

34-6

NOI-1, NOI-H reference to "noise disturbance coordinator:" Provide the proposed guidelines or process by which community members can effectively resolve the noted disturbances.

34-7

2.6.2, Alternatives 2 and 3 statements "would be susceptible to long-term erosion due to wave action:" Provide a financial estimate forecasting the potential additional costs to the public resulting from the noted long-term erosion.

34-8

2.8 PROJECT APPROVALS statement "These approvals and permits may include . . . the following:" Please state whether United States Army Corps of Engineers permit or approval will or will not be required.

34-9

3.1 AESTHETICS, Key Observation Point (KOP) 4 statement "View of the project site are seldom seen due to its accessibility constraints:" As the KOP 4 site was frequented by free-divers, scuba-divers, beach-goers, kayakers, and residents prior to the fence-closure for landslide, please correct the impacts resulting from Alternatives 2 and 3 to

34-10



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Significant on project completion, therefore requiring suitable mitigation. Note that the KOP 4 site would otherwise return as a gem of public recreation for the City and County of Los Angeles once the area is re-opened.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 34-10<br>Cont'd |
| 3.1.3 Environmental Impacts, Impact Analysis AES-1 and AES-3, "No Project Alternative would conflict with the Secondary Scenic Highway land use designation . . . because views from the scenic highway would be interrupted, with those scenic views along the damaged portion of Paseo Del Mar remaining lost to the public:" The DEIR requires revision to consider that minimal grading and stabilization measures with less impact than Alternatives 1 through 3 will return the No Project Alternative to a safe condition for recreation and public access. The DEIR exaggerates the impacts of the No Project Alternative, based on zero land stabilization, reducing the DEIR's overall credibility.                                                                                                                                                                                                                                                                                                                                                                                                                               | 34-11           |
| 3.1.5 Level of Significance after Mitigation, "Therefore, the No Project Alternative would result in significant and unavoidable impacts to aesthetics:" The DEIR requires revision to consider that minimal grading and stabilization measures with less impact than Alternatives 1 through 3 will return the No Project Alternative to a safe condition for recreation, public access, and natural aesthetic beauty. The DEIR exaggerates the impacts of the No Project Alternative, reducing the DEIR's overall credibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |
| 3.7.3. Environmental Impacts, HWQ-3, "No Project Alternative would result in significant and unavoidable erosion impacts due to drainage patterns:" Minimal grading, erosion-reducing diversion for drainage, and landscaping, all resulting in less impact than Alternatives 1 through 3, will return the No Project Alternative to No Impact for erosion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 34-12           |
| 3.8.3 Impact Analysis LUP-1, All statements applicable to significant impact from the No Project Alternative: The DEIR requires revision to consider that minimal grading and stabilization measures with less impact than Alternatives 1 through 3 will return the No Project Alternative to a safe condition for recreation and public access. The DEIR exaggerates the impacts of the No Project Alternative, based on zero land stabilization, reducing the DEIR's overall credibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 34-13           |
| 3.2.3 Environmental Impacts statement "Operation of Alternatives 1 through 3 would be generally similar to baseline conditions" and all references to "baseline conditions:" Significantly sized recreational and retail businesses opened and/or increased capacity in the nearby area since the 2011 road closure and will result in increased traffic volumes such that reference to the baseline requires relative adjustment to reasonably project conditions expected on project completion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 34-14           |
| Impact Analysis, BIO-1 through BIO-4 and 3.7 Hydrology and Water Quality, HWQ-1 through HWQ-6:<br>As all build alternatives will require significant earth movement, excavation, and import and will suffer the potential for "long-term erosion," and Alternatives 2 and 3 will require installation of massive riprap shoreline protection (approximately 100 feet wide and 800 feet long, 8-foot-thick 5-ton rock armor overlaid on a 4-foot-thick filter blanket at an elevation of approximately – 10 to 25 feet for Alternative 2, and an approximately 8-foot-thick 5-ton rock armor to an elevation of approximately 15 feet for Alternative 3), please re-evaluate the impacts that may result from unforeseen erosion and run-off (beyond the capacity of BIO-C; see below), potentially damaging the sea-life at and adjacent to the Project site (as tides and currents move the silted run-off up and down the coast) and please provide suitable mitigation required from the installation of the referenced riprap shoreline protection monuments which will forever degrade the natural habitat at the area noted as KOP 4. | 34-15           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 34-16           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 34-17           |
| Impact Analysis, BIO-6: Please provide verification that no alternative will conflict with any habitat conservation plan adopted by the Palos Verdes Peninsula Land Conservancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 34-18           |
| 3.3.4 Mitigation Measures, BIO-C Erosion Control measures: Please define the referenced measures intended to control surface runoff, erosion, and sedimentation outside the project footprint and provide the respective probabilities of effectiveness given that the affected area is subject to great ocean surges and waves during times of extreme weather and as resulting from offshore storms and potential seismic events, such as extreme sea-level rise during tsunami.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 34-19           |
| 3.6 Greenhouse Gas Emissions, Operational Impacts of All Build Alternatives statement "the project is intended to restore the roadway access to the pre-landslide baseline conditions and is not anticipated to generate new vehicle trips:" Significantly sized recreational and retail businesses opened and/or increased capacity in the nearby area since the 2011 road closure and will result in increased traffic volumes such that reference to the baseline requires relative adjustment to reasonably forecast conditions expected on project completion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 34-20           |
| 3.9 NOISE, NOI-3 and NOI-4 and Operational Impacts statement that all alternatives "would restore traffic levels to baseline conditions, or pre-landslide conditions:" The baseline requires significant and relative adjustment to more accurately project noise conditions expected on project completion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 34-21           |
| 3.12 TRANSPORTATION AND TRAFFIC: Please provide statement explaining the capability and credibility of the KOA Corporation in performing the referenced traffic study.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 34-22           |



3.12.3 Environmental Impacts, Methodology: Please explain why 10 percent is the correct assumption in the statement, "the highest peak hour volume would be 10 percent of the ADT volume." | 34-23

Table 3.12-10 Assessment of Traffic Pattern Changes: Please explain how Segment F, Paseo Del Mar east of Western Avenue ADT would decrease to 1,800 upon Project completion from the 2,100 expected with the No Project, a 14% reduction, where the Segment G, Paseo Del Mar east of Weymouth Avenue would increase to 1,800 upon Project completion from the 640 expected with the No Project, an almost 200% increase. | 34-24

4.0 IMPACT OVERVIEW, 4.1.1 Aesthetics: As the impact to scenic vistas and the existing visual character would be significant and unavoidable, please state the potential mitigations that may include the Traffic Calming measures previously requested by the Coastal San Pedro Neighborhood Council and as defined in the Paseo Del Mar Beautification Plan. | 34-25

Please respond to the statements below submitted on 11/04/16 in response to the Project Notice of Preparation.

1. The City of Los Angeles Coastal San Pedro Neighborhood Council, established through the Los Angeles City Charter, completed approximately 40 open public meetings in accordance with the Brown Act from March 2012 through the present to discuss and resolve issues related to the White Point landslide and which resulted in the following request applicable to any Paseo Del Mar reconstruction. The design shall include the following traffic calming elements between Gaffey Street and Western Avenue: 1) raised median strip between Roxbury Avenue and Weymouth Avenue, 2) turn-about at Roxbury, Barbara, and Weymouth, and 3) other devices such as illuminated crosswalks, bulb-outs, appropriate signage, and speed humps (NOTE: The 11/10/04 Paseo Del Mar Beautification Plan was submitted as the specific design template for the traffic calming measures). Please respect the will of the people of the City of Los Angeles who spent their time and effort participating in the City's governance process established by the City of Los Angeles. | 34-26

2. The firm that completes the Environmental review documentation and process must be distinct from the firm that performs the design and construction related to the Project to reduce any potential for conflict of interest and to prevent the appearance of a conflict of interest. | 34-27

3. Ensure that the Traffic evaluation includes consideration of the below and that Impacts and Mitigations are adjusted as applicable:

a. Planned development in San Pedro (e.g., Ports of Call) will result in increased traffic on Paseo Del Mar and any re-opening will result in significantly increased traffic requiring significant mitigations, such as the above referenced traffic calming measures and Beautification Plan.  
b. People are drawn to the coastal route rather than taking more direct routes, such as 25th Street between Western and San Pedro's waterfront, as voiced by community members in their interest to "drive on Paseo Del Mar again to get a view of the ocean." Due to the expressed demand to drive on Paseo Del Mar for the scenic beauty, please recognize that any re-opening will result in significantly increased traffic requiring significant mitigations, such as the above referenced traffic calming measures and Beautification Plan. | 34-28



**Comment Letter 34: Havenick, Richard**

**Response 34-1**

The commenter requests information related to costs for the alternatives. The commenter is referred to the footnote on page 2-2 of the EIR, which explains that, “although cost was evaluated as part of the alternatives development process, it is important to note that cost is not an issue considered in the CEQA environmental review process, as CEQA is concerned with impacts to the physical environment that may result from construction and/or operation of a project. Thus, cost is not a part of the analysis contained in this EIR.”

**Response 34-2**

The commenter requests that the proposed project implement traffic calming and beautification measures as mitigation. Pursuant to CEQA Guidelines Section 15370, mitigation measures are implemented to avoid, minimize, rectify, reduce, eliminate, or compensate for an identified significant impact that could result from a project. As discussed in Section 3.12, Transportation and Traffic, of the Draft EIR, no significant impacts to transportation and traffic have been identified for any of the project alternatives. Therefore, no mitigation measures are required.

The commenter is also referred to Response 9-4 regarding the Paseo Del Mar Beautification Plan.

**Response 34-3**

The commenter requests that the baseline condition used in the EIR be changed to those conditions at the time the NOP was released, rather than the pre-landslide conditions. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR.

**Response 34-4**

The commenter requests clarification regarding the terms qualified biologist and qualified biological monitor used in the biological resources mitigation measures. A qualified biologist or qualified biological monitor is someone who has a background and expertise in working with and/or identifying a particular biological resource (e.g., a type of habitat, specific wildlife or plant species, vegetation type, habitat, etc.). In cases of sensitive plant or animal species, this person may also be required to hold licences or permits related to the particular resource they are monitoring.

**Response 34-5**

The commenter asserts that minimal grading and stabilization measures could reduce the impacts related to the No Project Alternative. As discussed in Chapter 2, Project Description, of the Draft EIR, under the No Project Alternative, the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to the public. The emergency measures that were implemented following the landslide event would remain in place under the No Project Alternative. The additional stabilization measures in the existing landslide area described for the build alternatives would not occur under this alternative.

Regarding Geology and Soils impacts under the No Project Alternative, the Draft EIR acknowledges that the project site has been stabilized with the measures put in place following the 2011 landslide. As stated in Section 3.5, Geology and Soils, on page 3.5-8 of the Draft EIR, “the City of Los Angeles has stabilized portions of the project area from further landslides and seismic hazards. The bluff located east of the landslide area has been stabilized with the installation of permanent anchors and horizontal drains. However, the No Project Alternative would not provide the additional stabilization measures described for the build alternatives. Thus, there is a higher potential for an incipient landslide to jeopardize the stability of the bluff to the west of the landslide area under this alternative as compared to the build alternatives.” The build alternatives would include structural design elements that would support a reconstructed roadway and further stabilize the existing landslide area. The build alternatives would also include the preparation and implementation of a vegetation plan on the seaward side of Paseo Del Mar, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion. Thus, the measures that would be installed under the build alternatives would stabilize the project site to a greater degree than the No Project Alternative. Therefore, the Draft EIR concludes that the No Project Alternative, when compared to the build alternatives, would expose people in the project area, particularly recreational users of the beach area located south of the project site, to potentially significant impacts associated with landslides, potentially resulting in a significant unavoidable impact.

Impacts of the No Project Alternative related to Hydrology and Water Quality are discussed in Section 3.7, Hydrology and Water Quality, of the Draft EIR. As discussed in Section 3.7, Hydrology and Water Quality, the current course of surface water through the landslide area has the potential to cause substantial erosion of the landscape over time. Considering the local geology and susceptibility of the project area to landslides, erosion of the bluff face has a significant potential to cause weakening of the slope. Additionally, the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the surface of the area disturbed by the landslide and provide protection against erosion. Since the No Project Alternative would not implement the additional erosion control features that the build alternatives would, no feasible mitigation measures are available to reduce this significant impact. As such, the impact would remain significant and unavoidable under the No Project Alternative.

Impacts to Land Use and Planning under the No Project Alternative are discussed in Section 3.8, Land Use and Planning, of the Draft EIR. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar. As discussed in Section 3.8 of the Draft EIR, as the No Project Alternative would not restore access to the scenic highway, it would conflict with several policies and regulations contained within the applicable land use plans, including the *2016-2040 RTP/SCS*, the *General Plan*, and the *San Pedro Local Coastal Program Specific Plan*. As such, the No Project Alternative would result in significant impacts related to consistency with these land use plans. These conflicts could be mitigated through restoration of continued access along Paseo Del Mar at the project site. However, by definition, the No Project Alternative would not restore the roadway through the project site. Thus, there are no feasible mitigation measures available to reduce the significant land use consistency impacts under the No Project Alternative. Therefore, the Draft EIR concludes that impacts to land use and planning under the No Project Alternative would remain significant and unavoidable.

#### **Response 34-6**

The commenter requests verification that the proposed project would not conflict with any habitat conservation plan. Impacts to habitat conservation plans are discussed in Section 3.3, Biological Resources, in impact analysis BIO-6. Page 3.3-18 of the Draft EIR states:

*“There are no adopted habitat or natural community conservation plans applicable to the project site. The closest conservation plan area is that of the Rancho Palos Verdes Natural Community Conservation Plan/Habitat Conservation Plan in the City of Rancho Palos Verdes, approximately 1.2 miles northwest of the project site. Under the No Project Alternative, no development activities would occur; thus, this alternative would not have the capacity to conflict with the Rancho Palos Verdes conservation plan, and no impact would occur. Due to the distance of the project site from the nearest conservation plan area, development of the three build alternatives would not disturb lands within the boundaries of the plan area. Therefore, neither the No Project Alternative nor Alternatives 1 through 3 would conflict with the provisions of a habitat or natural community conservation plan. No impact would occur.”*

#### **Response 34-7**

The commenter requests information regarding the resolution of noise disturbance issues that may be voiced by community members. Mitigation measure NOI-H requires the establishment of a noise disturbance coordinator that would be responsible for responding to local complaints about construction noise. Mitigation measure NOI-H further outlines that “the noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the noise disturbance coordinator.” As outlined in mitigation measure NOI-H, the phone number the community member can use to contact the noise disturbance coordinator will be provided in a notice sent out to residences within 500 feet of the construction site, as well as on signs posted at the construction site. The notices providing the construction information to nearby residences would be distributed prior to the start of construction.

#### **Response 34-8**

The commenter requests information related to costs for the build alternatives. The commenter is referred to Response 34-1 regarding costs associated with the build alternatives.

#### **Response 34-9**

The commenter inquires as to whether a permit or approval from the United States Army Corps of Engineers (USACE) would or would not be required. Section 2.8, Project Approvals, in Chapter 2, Project Description, of the Draft EIR lists the permits and/or approvals that are anticipated to be required to implement the proposed project. As discussed in Section 3.3, Biological Resources, on page 3.3-9 of the Draft EIR, the shoreline protection measures proposed for Alternatives 2 and 3 would occur within Essential Fish Habitat within the intertidal zone. If one of these alternatives is selected for implementation, consultation with the National Marine Fisheries Service regarding Essential Fish Habitat and managed fish species would be

required, as well as a Clean Water Act Section 404 permit, which would be issued by USACE. Thus, depending on the alternative selected, a permit from the USACE could be required.

**Response 34-10**

The commenter objects to the description of KOP 4 in the Draft EIR, which states that views of the project site are seldom seen due to its accessibility constraints. This statement is used to describe KOP 4 because the view from this KOP is not from the beach but from the Pacific Ocean. Therefore, the viewer group accessing this view requires special equipment (i.e., a boat). The views from the other three KOPs identified in the Draft EIR are accessible to a much larger viewer group as they occur on land. As such, the views from KOP 4 are seldom seen in comparison to the views from the other three KOPs. Additionally, the commenter is referred to impact analyses AES-1 and AES-3 in Section 3.1, Aesthetics, of the Draft EIR, which acknowledge that implementation of Alternatives 2 and 3 would result in significant impacts aesthetics impacts related to KOP 4.

**Response 34-11**

The commenter objects to aesthetics impacts identified in the Draft EIR for the No Project Alternative. As discussed in Chapter 2, Project Description, the City of Los Angeles General Plan Mobility Element designates Paseo Del Mar as a Scenic Highway from Western Avenue to Gaffey Street, which includes the project site, due to views of the Pacific Ocean and Catalina Island from the roadway. As noted by the commenter, the Draft EIR states that the No Project Alternative would conflict with the Secondary Scenic Highway land use designation under the General Plan because views from the scenic highway would be interrupted, with those scenic views along the damaged portion of Paseo Del Mar remaining lost to the public. The impact is related to the project site's land use designation under the City's General Plan. The views along the scenic highway could only be restored by reconnecting the roadway. The minimal grading and stabilization measures recommended by the commenter would not replace the scenic highway and, thus, views along that segment of the scenic highway would be lost to travelers along that portion of the roadway. Additionally, as discussed in impact analysis AES-3 on page 3.1-22 of the Draft EIR, visual character of the project site from the view of KOPs 1 and 4 would be substantially degraded by the No Project Alternative, due to the lack of visual improvements and accessibility implemented at the project site, and to the landslide area itself. Therefore, the Draft EIR concludes that the No Project Alternative would result in significant and unavoidable aesthetics impacts.

Additionally, the commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar. The commenter is also referred to Response 34-5 regarding the acknowledgement in the Draft EIR that the project site has been stabilized.

**Response 34-12**

The commenter is referred to Response 34-5 regarding hydrology and water quality impacts under the No Project Alternative.

**Response 34-13**

The commenter is referred to Response 34-5 regarding land use and planning impacts under the No Project Alternative.



#### **Response 34-14**

The commenter requests that traffic volumes upon project completion be included. As discussed in Section 3.12, Transportation and Traffic, of the Draft EIR, an analysis of the future operational year (2021) without the proposed project was performed by applying a 2 percent annual ambient growth rate to the traffic counts. This constitutes the Future No Project Alternative scenario presented in the Draft EIR. Additionally, an analysis of future (2021) conditions with implementation of the project alternatives was performed by adding the ambient growth rate to the anticipated redistribution of traffic trips that would occur as a result of restoration of access along the roadway. This is presented in the Draft EIR as the Future With Project Alternatives scenario. Therefore, the ambient growth projections for traffic volumes for the future buildout (operational) year of the build alternatives was included in the analysis presented in the Draft EIR.

The commenter is also referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

#### **Response 34-15**

The commenter requests an evaluation of impacts related to the shoreline protection measures proposed for Alternatives 2 and 3. The impact analysis presented throughout Chapter 3, Environmental Setting, Impacts, and Mitigation, of the Draft EIR includes an evaluation of the construction and operation impacts of all components of each of the alternatives, including the shoreline protection measures proposed for Alternatives 2 and 3.

#### **Response 34-16**

The commenter is referred to Response 34-15 regarding the analysis of all components of each of the alternatives presented in the Draft EIR.

#### **Response 34-17**

The commenter is referred to Response 34-15 regarding the analysis of all components of each of the alternatives presented in the Draft EIR.

#### **Response 34-18**

The commenter requests verification that the proposed project would not conflict with any habitat conservation plan. The commenter is referred to Response 34-6 regarding impacts to habitat conservation plans.

#### **Response 34-19**

The commenter requests a definition of the erosion control measures referenced in mitigation measure BIO-C and a discussion of the effectiveness of such measures. As discussed throughout the Draft EIR, the proposed project would require the development and implementation of an erosion control plan. Chapter 2, Project Description, section 2.6.4, Construction Best Management Practices, on pages 2-24 and 2-25 of the Draft EIR lists examples of erosion control measures that could be implemented, stating:

- “Erosion control and grading plans may include, but would not be limited to, the following:
  - Minimizing the extent of disturbed areas and duration of exposure;
  - Stabilizing and protecting disturbed areas;
  - Keeping runoff velocities low; and
  - Retaining sediment within the construction area.
  - Construction erosion control Best Management Practices may include the following:
    - a. Temporary desilting basins;
    - b. Silt fences;
    - c. Gravel bag barriers;
    - d. Temporary soil stabilization with mattresses and mulching;
    - e. Temporary drainage inlet protection; and
    - f. Diversion dikes and interceptor swales.”

The erosion control plan would be developed after the final design phase and would be tailored to the alternative selected. This plan would be implemented during construction of the project.

Regarding the effectiveness the erosion control measures, the Draft EIR concludes that with implementation of the proposed mitigation measures, all potential impacts to biological resources would be reduced to a less than significant level.

#### **Response 34-20**

The commenter requests an adjustment to the baseline. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

#### **Response 34-21**

The commenter requests an adjustment to the baseline. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR.

#### **Response 34-22**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Response 34-23**

The commenter requests an explanation of the assumption used to calculate the highest peak hour volume. The California Department of Transportation (Caltrans) publishes, via their Traffic Census Program, freeway mainline and ramp volumes for all State facilities. Within the volume summary report, there are directional volume factors and peak volume factors. The peak volume factors are generally between 8 and 12 percent. As such, it is general engineering practice to assume, when volume estimating or factoring is necessary, each peak hour (AM/PM) of weekday traffic is generally 10 percent of daily traffic. Therefore, 10 percent is an acceptable factor for daily/peak volume conversion.

### **Response 34-24**

The commenter requests clarification on the information presented in Table 3.12-10, Assessment of Traffic Pattern Changes, in the Draft EIR. As discussed in Section 3.12, Transportation and Traffic, of the Draft EIR, operation of Alternatives 1 through 3 would result in a restoration of continued access along Paseo Del Mar. As such, the traffic volumes that have been diverted since the 2011 landslide would be redistributed along Paseo Del Mar with the restoration of continued access provided by the build alternatives. Table 3.12-10 shows an analysis of traffic pattern distribution estimated to result from the restoration of continued access along Paseo Del Mar with operation of any of the build alternatives. It should be noted that the traffic volumes shown for the “Year 2021 Traffic Diversion (ADT) Upon Operation of Alts. 1-3” indicate the change in volumes from the “Year 2021 No Project ADT” volumes. In other words, volumes shown in negative numbers, those with a “-” in front of the volume, indicate the amount by which volumes would decrease along a segment, while volumes shown in positive numbers indicate the amount by which volumes would increase along a segment. Thus, Table 3.12-10 shows that segments F and G would be estimated to experience an increase in volumes of approximately 1,800 average daily trips over the Year 2021 No Project scenario upon restoration of the roadway.

A summary of the traffic redistribution indicated in Table 3.12-10 is provided on page 3.12-16 of the Draft EIR, which states:

- “East-west traffic volumes would decrease along 25th Street as the east-west access along the Paseo Del Mar right-of-way was restored;
- North-south traffic volumes on the residential streets east of the landslide area would be reduced, as a contiguous Paseo Del Mar roadway would make residential “cut-through” routes unnecessary; and
- Traffic would increase along Paseo Del Mar as would traffic on Western Avenue from Paseo Del Mar to 25th Street.”

The traffic redistribution discussed above would occur regardless of which build alternative is ultimately constructed.

### **Response 34-25**

The commenter is referred to Response 34-11 regarding aesthetics impacts under the No Project Alternative. The commenter is also referred to Response 9-2 regarding the boundaries of the project site. Finally, the commenter is referred to Response 9-4 regarding the implementation of traffic calming and beautification measures on Paseo Del Mar.

### **Response 34-26**

The commenter is referred to Response 9-2 regarding the boundaries of the project site. The commenter is also referred to Response 9-4 regarding the implementation of traffic calming and beautification measures on Paseo Del Mar.

**Response 34-27**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 34-28**

The commenter expresses their concern that restoration of the roadway would result in significantly increased traffic. As previously discussed, the traffic volumes that have been diverted since the 2011 landslide would be redistributed along Paseo Del Mar with the restoration of continued access provided by the build alternatives. As discussed in Section 3.12, Transportation and Traffic, on page 3.12-16 of the Draft EIR, operation of the build alternatives would nominally change area traffic patterns; however, the study intersections would continue to operate at acceptable levels of service. Therefore, the Draft EIR concludes that operational traffic impacts would be less than significant under all of the build alternatives. Additionally, as no significant impacts to transportation and traffic have been identified for any of the project alternatives, no mitigation measures are required.





William Jones <william.jones@lacity.org>

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**Paseo Del Mar COMMENTS -- PETER M WARREN**

1 message

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**Peter Warren** <pmwarren@cox.net>  
To: william.jones@lacity.org, billy.ho@lacity.org

Thu, Jun 1, 2017 at 3:34 PM

William Jones and Billy Ho

June 1, 2017

Department of Public Works

Bureau of Engineering, Environmental Management Group

City of Los Angeles

1149 South Broadway, Suite 600

Los Angeles, CA 90015

Dear Mr. Jones and Mr. Ho:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Paseo Del Mar Permanent Restoration Project.

While I appreciate the effort put into the DEIR process, I note that it fails proper and legal analysis on a number of grounds, including failure to use a proper baseline; failure to analyze or even measure the project's impacts on more than a dozen environmental issues as they have existed since November 21, 2011, almost six years ago; failure to propose or analyze varied alternative projects; and failure to analyze or discuss obvious and much-needed traffic calming measures should a two-lane road project be undertaken and the road restored to its previous condition.

35-1

The key failure of the DEIR is selection of the baseline, which the DEIR defines as the conditions that existed before the landslide of Nov. 20, 2011. The DEIR admits that its choice for the baseline is unusual. It notes that commonly the choice for a baseline are the "conditions or environmental setting at the time of the release of the Notice of Preparation" and notes that "deviation from this is permitted with *substantial evidence*, which allows the lead agency to set the appropriate baseline

35-2

condition that is a time other than the release of the NOP.” The NOP was issued in the fall of 2016, five years after the road collapsed.

The DEIR offers no explanation for the baseline choice. In fact, the DEIR offers no evidence, let alone “substantial evidence” for this choice. The entire DEIR – hundreds of pages with hundreds of pages of addendum – is silent with regard to the justification for choosing this baseline. As a result, the public is precluded from responding because the “evidence” is missing. This act, in itself, renders the subsequent EIR void and requires a reissue of the DEIR to include such “substantial evidence,” if it even exists.

35-2  
Cont'd

Environmental lawyers and online environmental law websites cite case law where future baselines are justified rather than the date of the NOP, but I could find no case where a baseline in the past was cited in a court decision.

Furthermore, the selection of this baseline ignores current conditions, which will be substantially impacted by road restoration. These current conditions will be the existing conditions for a period of six years by the time a final EIR is released. Why is this flawed baseline being deployed? The reason for selecting an out-of-date and out-of-time baseline is apparent: by selecting a baseline that predates the landslide the agency is able to write a DEIR that analyzes none – let me repeat that, NONE – of the impacts of the roadway will have on current environmental conditions or other legally pertinent issues and conditions. Among these conditions that are being ignored are: aesthetics, geology, hydrology, water quality, soils, land use and planning, noise, crime, public safety, air quality, population, housing, public services, utilities, cultural resources, recreation, growth, and others.

35-3

A proper baseline and accompanying data would show that that traffic, air pollution, crime, accidents and noise are all sharply reduced since the landslide in the vast majority of homes, apartments, streets, parks and other areas from Paseo Del Mar all the way north to 25<sup>th</sup> and 22<sup>nd</sup> streets. (The exceptions are 25<sup>th</sup> Street and several north-south streets that locals are using to access Paseo Del Mar from 25<sup>th</sup> Street.)

35-4

Essentially, this DEIR prejudged the outcome of the analysis. The City Councilman has been vocal in his support for the roadway restoration. The agency is acceding to that point of view and picked a baseline that allows the lead agency to falsely state there are no environmental impacts or conditions to analyze, to ignore

35-5



significant impacts, to provide no analysis of the levels of significance of these impacts, and to propose no mitigation for these impacts.

This is illegal, arrogant and at odds with the spirit and letter of California environmental law. The point of an EIR is to discuss what impacts a project would have, discuss their significance and propose ways to mitigate these impacts. Picking a time before the road's collapse is the bureaucratic equivalent of waving a magic wand and eliminating all the impacts the project will have, and to do so even though these conditions that have existed for almost six years. It fails to fulfill the purpose of the EIR and is illegal.

35-5  
Cont'd

To make clear how improper this is, consider that at the public meeting lead agency officials and/or their representatives stated and/or displayed charts stating that there are no funds available now for the design phase or the construction phase of the project. Then why do the DEIR at this time? Because to wait until funding exists or even the likelihood of funding exists would make even more obvious and further emphasize that the baseline is out-of-date, improper and was chosen without support of the required "substantial evidence." This is a Potemkin EIR, a dead-EIR walking.

35-6

If funding does not appear until 2021 – or later as some officials suggested is possible – then the baseline will be 10 years or more out of date. Let me emphasize that the current conditions exist. They are real. The DEIR ignores them. People who live, use or frequent the area are doing so under these conditions and have been doing so for more than 5.5 years. How old can a baseline be before it is too old? 3 years? 5 years? 8 years? 10 years? 20 years?

Because air quality and impacts on air quality are so important in the Harbor Area, I want to emphasize how significant, serious and substantial this error is by highlighting one area of environmental impact among the many that have been ignored. The Los Angeles basin and the Harbor Area, in particular, are now and have been for years continually in violation of federal clean air standards for ozone and particulate matter and are declared federal non-attainment zones for particulate matter and ozone. Because of the flawed baseline, the DEIR has ignored the impact a through-road will have on the air quality in this key recreational and residential area. There are many parks that abut, surround or are near Paseo Del Mar, as well as tens of thousands of people living there, and several schools and school playgrounds. The MATES air quality studies by the AQMD analyze air quality in the port region. They show that they're are serious and numerous air quality

35-7



issues in and around southern San Pedro, including the area south of 22<sup>nd</sup> Street to Paseo Del Mar. The DEIR makes a serious and important error when it ignores these air quality impacts through such bureaucratic trickery. The employing of a fake and illegal baseline is unsupportable. It must be corrected and the DEIR redone.

35-7  
Cont'd

I serve on the Angels Gate Park Advisory Board, was a member of the Coastal San Pedro Neighborhood council for 14 years, live in the area off Cabrillo Beach for more than 33 years, am treasurer of the San Pedro & Peninsula Homeowners Coalition. I am not taking a position for those organizations but note these associations to make clear that I have substantial interest and familiarity with the area.

The AGPark Advisory Board is a city board that oversees all the parks from White Point to Point Fermin to Angels Gate Park/Cultural Center and includes the area where the slide occurred. There has been substantial improvement to the public and recreational enjoyment of those facilities by the elimination of through traffic. Everything that one can do in that area and at those parks and along Paseo Del Mar has been enhanced. The lone exception is the ability to drive through it at 35-40 mph. Even the ocean view you get when driving south down Western Avenue from 25<sup>th</sup> Street is still there. You can still enjoy it; you simply have to turn around once they get past the ball field.

35-8

In addition to these issues, the report misstates the impacts of the no-project alternative, incorrectly stating that there are "significant and unavoidable impacts" on aesthetics, including scenic vistas, scenic resources, and visual character, among others. Simply put, this is false. You can walk, run, bike and drive to the landslide area. You can walk around it and almost up to it. There is a public path used by walkers and cyclists that runs past it and through White Point Nature Preserve. This pathway connects the two areas on either side of the landslide. There is complete access to all of the landslide adjacent areas except for the few hundred feet where the city has chosen not to provide permanent, safe access because it anticipates building a through-road.

35-9

This brings me to the DEIR's failure to properly analyze and offer feasible alternatives for the restoration project. The DEIR analyzes only projects that INCLUDE a two-lane roadway. It ignores the fact that restoration of Paseo Del Mar can include non-car-centric restorations. This violates the law. It is essential that the project look at a restoration that provides for full and safe public access to the area, but does not include a two-lane road. The agency must analyze, and the city

35-10



should build, a view area and landslide overlook with appropriate amenities. Such restoration would include a two-way bike path, and could also include a fire road with a locked gate that allows limited emergency vehicle access, should that be shown to be necessary by analysis of run-times or other suitable data.

35-10  
Cont'd

Further, let me point out that there have been numerous public meetings and discussions about installing traffic calming measures along Paseo Del Mar. These go back decades and include my 14 years on the CSPNC. There historically have been traffic fatalities and numerous car crashes along Paseo Del Mar because the pre-landslide road was often turned into a speedway by motorists. The Coastal CSPNC itself is on record as supporting these traffic-calming measures as part of any road restoration. Indeed, some of these measures were supported regardless of whether the road is restored. Accordingly, the DEIR and any set of project alternatives is incomplete and seriously flawed without recognition that restoration of two-lane road will recreate the unsafe traffic conditions that existed pre-landslide for pedestrians, bicyclists and drivers.

35-11

Mother Nature has shown us the way to improving the recreational and park-loving aspects of this unique and special area. If we wish to attract tourists and others to San Pedro, we can do it by seizing the unique opportunity to create a better recreational space along this archipelago of coastal parks and beaches. There are plenty of places where cars rule in Los Angeles. Increasingly, the public values places that are removed from the din and pollution of cars and other vehicles, but that also have good access. This is what is happening here. All we need to do is acknowledge and enhance it.

35-12

Finally, I want to support complaints from others about the failure to provide public access to the report with its many tables and appendices. I support the request from Dean Pentcheff, a member of the Coastal San Pedro Neighborhood Council and a biologist, for an extension of the comment period for the Paseo Del Mar project DEIR. I quote from his letter here:

"Specifically, I request that the comment period be extended for 60 days starting today, 26 May 2017, which is the day that the entire DEIR was made available at the BOE website. That would extend the comment period to 25 July 2017.

35-13

"The argument could be made that there were locations where physical copies of the DEIR could be examined, and hence legal obligations were fulfilled. In the middle of the second decade of the twenty-first century, we all understand that electronic access is the true measure of availability. Few potential commenters will physically

travel to BOE or local libraries to examine paper copies. Effective review and comment by stakeholder individuals and agencies requires electronic access. The date of electronic access is the proper starting date for a comment period.

"It is striking that this omission of material in electronic form repeats a similar problem with late electronic release of this project's Initial Study at the NOP stage of review. Given that history, it is particularly surprising that the lead agency failed to confirm full electronic availability of the DEIR. When the problem with availability of the initial Study was discovered, the comment period was extended. In response to this similar problem with the DEIR, extending the comment period is equally appropriate."

35-13  
Cont'd

Sincerely,

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**Comment Letter 35: Warren, Peter**

**Response 35-1**

This comment includes introductory remarks that summarize the detailed comments provided in the comment letter. No further response to this comment is required.

**Response 35-2**

The commenter states that the Draft EIR does not include an explanation for the baseline. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR.

**Response 35-3**

The commenter states that the baseline ignores current conditions. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 35-4**

The commenter asserts that a baseline other than that used in the Draft EIR would show that some issues have been reduced since the landslide. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 35-5**

The commenter states that the baseline used in the Draft EIR indicates that the project would have no environmental impacts and no mitigation. Chapter 3, Environmental Setting, Impacts, and Mitigation, of the Draft EIR contains an analysis, by issue area, of the project's potential environmental effects and provides mitigation measures, where feasible, to reduce those potential impacts. Additionally, Chapter 4, Impact Overview, of the Draft EIR provides brief discussions for impacts not found to be significant. The NOA distributed for the Draft EIR included a summary of the environmental impacts identified in the Draft EIR for the build alternatives and the No Project Alternative:

“No impacts to agricultural resources, mineral resources, population and housing, or public services would occur as a result of the proposed project alternatives. Additionally, the Draft EIR identifies no impacts under the No Project Alternative to air quality, biological resources, cultural resources, greenhouse gas emissions, noise, paleontological resources, recreation, and tribal cultural resources. Aesthetics impacts under Alternative 1 would be less than significant. Impacts to air quality, greenhouse gas emissions, hydrology and water quality, hazards and hazardous materials, land use and planning, recreation, and utilities and service systems would be less than significant under Alternatives 1, 2, and 3. Additionally, impacts to transportation and traffic would be less than significant under all four alternatives. Impacts to biological resources, cultural resources, geology and soils, paleontological resources, and tribal cultural resources would be reduced to a less than significant level with implementation of mitigation measures under Alternatives 1, 2, and 3. Significant and unavoidable impacts would occur for the following: aesthetics under the No Project Alternative and



Alternatives 2 and 3; geology and soils, hydrology and water quality, and land use and planning under the No Project Alternative; and construction noise under Alternatives 1, 2, and 3.”

As shown in this summary, significant impacts were identified in the Draft EIR for the build alternatives and, where feasible, mitigation measures were provided.

Additionally, the commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

#### **Response 35-6**

The commenter states that the Draft EIR does not consider current conditions. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

#### **Response 35-7**

The commenter states that the baseline used in the Draft EIR affects the air quality analysis. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR. As traffic patterns have been diverted around the project site there are no current air quality emissions that can be attributed to traffic circulation through the project site. Thus, it is more appropriate to analyze the air quality impacts associated with the project alternatives using the planned and designated use of the project site as a scenic highway, rather than using existing conditions. It should be noted that, as discussed in Response 9-1, the existing conditions of the project site are used to analyze the No Project Alternative.

#### **Response 35-8**

The commenter states that improvement to the adjacent recreational use has occurred with the elimination of through traffic. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar.

#### **Response 35-9**

The commenter objects to the significant and unavoidable aesthetics impacts identified for the No Project Alternative. The commenter is referred to Response 34-11 regarding aesthetics impacts under the No Project Alternative.

#### **Response 35-10**

The commenter requests that an additional alternative be analyzed that does not restore the roadway but implements other improvements. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

#### **Response 35-11**

The commenter states that there is community support for the implementation of traffic calming measures along Paseo Del Mar. The commenter is referred to Response 9-2 regarding the



fundamental purpose of the proposed project. The commenter is also referred to Response 9-4 regarding the implementation of traffic calming measures along Paseo Del Mar.

**Response 35-12**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 35-13**

The commenter expresses concerns over the public review period and the accessibility of the Draft EIR. The commenter is referred to Response 33-1 regarding the public review period and accessibility of the Draft EIR.



William Jones <william.jones@lacity.org>

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## 'Paseo Del Mar' comments

1 message

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Michael Biazevich <mikebiaz@hotmail.com>

Fri, Jun 2, 2017 at 5:26 PM

To: "William.Jones@lacity.org" <William.Jones@lacity.org>

Mr. William Jones

Hello,

My name is Michael Biazevich and I'm writing you this email to let you know that I am against the rebuilding of Paseo Del Mar in San Pedro. I recently sent you a written letter and never received a response. I hope, at least, you received the letter, read it and have taken my comments into consideration. This is email is a follow-up reminder to you since Monday, June 5th will be the last day you receive comments.

I enjoy the new, peace and quiet at White Point. I live within 2 miles of the landslide area and I ride my bike to the preserve, frequently, at least once a week. I really appreciate the clean air. I'd prefer that construction, cars, trucks and motorcycles does not make it's way on that stretch of land. Unless the cars were electric and emitted no pollution, I want that stretch to stay as is. Mother Nature gave us a gift.

Thank you for reading this email and taking my comments into consideration.

Have a great weekend!

Michael Biazevich

4022 S. Gaffey St.

San Pedro, CA 90731

36-1

**Comment Letter 36: Biazevich, Michael (2)**

**Response 36-1**

The commenter expresses their support for the No Project Alternative. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, 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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## Paseo Del Mar Comments

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**Miller Terry and John** <igornla@cox.net>  
To: William.Jones@lacity.org

Fri, Jun 2, 2017 at 4:06 PM

Dear Mr. jones,

Attached are our comments regarding the Paseo del Mar, permanent restoration project.

Please let us know if you have any problem accessing our comments.

Thanks

John and Theresa Miller

37-1

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 **Paseo Del Mar Update**  
1K



June 2, 2017

Mr. William Jones, Environmental Supervisor II  
City OF Los Angeles, Dept. of Public Works  
Bureau of Engineering, Environmental Management Group  
1149 South Broadway, Suite 600, Mail Stop 939  
Los Angeles CA 90015

Dear Mr. Jones,

The following are our comments on the DEIR regarding the Paseo del Mar Permanent Restoration Project (SCH#2016101016). Thank you for the opportunity to comment on this DEIR.

## **1. INCORRECT CHOICE OF BASELINE CONDITIONS**

As noted in Section 2.3.4 “For many projects the baseline conditions are those conditions or environmental setting at the time of the release of the NOP. For some projects a deviation is permitted with substantial evidence which allows the lead agency to set the appropriate baseline condition that is a time other than the release of the NOP”.

Your agency has chosen, as a baseline, conditions that existed at the project site in the pre-landslide era of 2011. The DEIR offers no “substantial evidence” or any evidence whatsoever that this is the correct baseline for the analysis contained in the DEIR. There is no evidence presented that supports this major deviation from standard CEQA practice.

We contend that the proper baseline is in fact the conditions existing at the time of the issuance of the NOP which would be 2016. We contend that a baseline using conditions that existed half a decade ago appears to be intended to defeat the spirit and purpose of CEQA. It appears to have been chosen to facilitate incomplete and incorrect analyses by the lead agency in this DEIR.

We agree with Mr. Peter Warren’s comments that “A proper baseline and accompanying data would show that that traffic, air pollution, crime, accidents and noise are all sharply reduced since the landslide in the vast majority of homes, apartments, streets, parks and other areas from Paseo Del Mar all the way north to 25<sup>th</sup> and 22<sup>nd</sup> streets. (The exceptions are 25<sup>th</sup> Street and several north-south streets that locals are using to access Paseo Del Mar from 25<sup>th</sup> Street.)

Essentially, this DEIR has prejudged the outcome of the analysis. The City Councilman has been vocal in his support for the roadway restoration. The agency is acceding to that point of view and picked a baseline that allows the lead agency to falsely state there are

37-2



no environmental impacts or conditions to analyze, to ignore significant impacts, to provide no analysis of the levels of significance of these impacts, and to propose no mitigation for these impacts.

This is illegal, arrogant and at odds with the spirit and letter of California environmental law. The point of an EIR is to discuss what impacts a project would have, discuss their significance and propose ways to mitigate these impacts. Picking a time before the road's collapse is the bureaucratic equivalent of waving a magic wand and eliminating all the impacts the project will have, and to do so even though these conditions that have existed for almost six years. It fails to fulfill the purpose of the EIR and is illegal".

37-3

Because of this apparently conveniently selected improper baseline, the DEIR can be challenged. Because this improper baseline has been selected, the entire DEIR is non informational to a concerned public and decision makers.

The improper baseline means that essentially all the analyses of impacts in the DEIR are incorrect.

## **2. THE DEIR MUST BE REVISED AND RECIRCULATED.**

37-4

This is due to the systemic fundamental flaw in this DEIR as noted above.

## **3. THE PROJECT APPEARS TO BE PREDETERMINED.**

In the sense that some sort of roadway reconnection seems to be the choice for restoration of "continued access along Paseo del Mar along the landslide" with no consideration for an alternative that allows access for pedestrians, bicyclists and other forms of recreation but not for automobiles, this project appears to be predetermined. A simple bicycle and foot path closer to the bluff edge would suffice for all view access except for that from a passing automobile. This should be analyzed in the revised and re-circulated DEIR.

37-5

The closure of Paseo del Mar due to the landslide has not diminished access to residences at either end of the landslide as stated at multiple community meetings by emergency personnel such as paramedics and firemen.

## **4. THE FINANCIAL IMPACT OF ANY OF THE THREE ALTERNATIVES WILL BE MAJOR.**

It has been estimated that costs of any of these projects will vary from 35 to 70 million dollars. This is an enormous amount of money being spent on a non-essential roadway. As Angelenos and taxpayers, this cost seems exceptionally high for something that benefits only a small part of Los Angeles' community members. Our city has major thoroughfares in very poor condition where this money would be better spent. Apparently the city does not have the money to make the repairs on essential streets.

37-6

Considering the budget shortfalls for police, fire, EMS, and essential city infrastructure, we feel the money could be much better spent elsewhere.

We doubt that the majority of Angelenos would approve of this huge expenditure for a road rarely accessed by most Angelenos if they became aware of it. We suspect that they would choose projects that would benefit a larger public. This 400 feet of non-essential roadway restoration will simply cost too much.

37-6  
Cont'd

## **5. CONTINUED STABILITY OF THE PROJECT AREA IS NOT ASSURED.**

The DEIR offers no assurance that there will not be further landslides in the area of the project. After all, there have been two recent landslides in this area, the 2009 and 2011 slide. We understand from the DEIR and recent history that this is a slide prone area. What assures us that there will be no expansion and continuation of this landslide as has occurred in the Portuguese Bend Landslide?

37-7

There has been no report or investigation by the city as to why the water table in this area had become so extraordinarily high even in the context of an ongoing drought. This high water table was reported to be a contributing factor to the landslide. The sources of the excess water in this area have not been investigated, determined or at least not disclosed.

37-8

Thank you for your serious attention to these comments.

John G. Miller MD FACEP

Theresa Miller

**Comment Letter 37: Miller, John and Theresa****Response 37-1**

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

**Response 37-2**

The commenter states that the baseline is incorrect. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 37-3**

The commenter states that the Draft EIR must be recirculated. As stated in Section 15088.5 of the CEQA Guidelines, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review, but before the Final EIR is certified. In accordance with CEQA Guidelines Section 15088.5, new information includes “changes in the project or environmental setting, as well as additional data or other information.” However, new information “is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment.” No changes to the project, environmental setting, or other project information contained in the Draft EIR have been identified, thus, recirculation of the Draft EIR is not required. The commenter is also referred to Response 9-1 regarding the baseline used in the Draft EIR.

**Response 37-4**

The commenter requests that an additional alternative be analyzed that does not restore the roadway but implements other improvements. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

**Response 37-5**

The commenter states that the closure of Paseo Del Mar has not diminished access. The commenter is referred to Response 21-3 regarding the accessibility of Paseo Del Mar at the project site prior to and since the 2011 landslide event.

**Response 37-6**

The commenter states that the cost associated with the project alternatives is high. The commenter is referred to Response 34-1 regarding costs associated with the alternatives. Additionally, the commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar. As discussed in Response 9-2, Paseo Del Mar is a planned public roadway and is part of the transportation circulation network for the City of Los Angeles.



### **Response 37-7**

The commenter states that no assurances have been made that there will not be further landslides. The commenter is referred to Response 14-2 regarding impacts associated with landslides.

### **Response 37-8**

The commenter states that there has been no investigation regarding the level of the water table in the area. Groundwater in the project area is discussed in Section 3.7, Hydrology and Water Quality, of the Draft EIR. Groundwater occurrence is discussed on pages 3.7-6 and 3.7-7 of the Draft EIR, which state:

*“A study of the 2011 landslide event indicates that ‘the hydrostratigraphy in the landslide area is characterized by a complex sequence of variably-fractured siltstone and sandstone units that contain a water table (unconfined) aquifer and multiple confined aquifers.’ These confined aquifers are most-likely thin in nature. Groundwater units in the vicinity of the landslide event are a shallow and deeper sequence, separated by a low permeability bentonite unit. Groundwater elevations in the study area range between 25 feet and 65 feet, indicating that some degree of offset-faulting of water-bearing zones and/or local fracture zone drainage likely exists.*

*Excess groundwater pressure conditions were found to exist within the bedrock in the vicinity of the landslide area. These conditions exist where groundwater is under sufficient hydrostatic pressure (or head) to rise above the point at which it is encountered in wells. Excess hydrostatic head can contribute to instability by creating uplift pressures, reducing effective overburden stress, and decreasing shear strength in the underlying rock and soil.*

*The effect from precipitation on the groundwater levels at the project site has been observed and found to be substantial. The project area usually experiences high precipitation levels between November and March. Nearly two inches of precipitation fell between October 2011 and November 20, 2011, just prior to the 2011 landslide event. Increased groundwater levels resulting from precipitation are believed to have increased the hydrostatic pressure (driving force) in the soil mass, contributing to the mobilization of the landslide event.*

*During the dry season, possible explanations for elevated groundwater levels include: (1) irrigation and pipe leakage from underground utilities, and (2) groundwater ‘mounds’ that remain at elevated levels for extended periods of time following above-average infiltration.”*

Groundwater levels are discussed on page 3.7-8:

*“The most recent groundwater elevation data in the project area was presented in the May 2016 Pre-Design Geotechnical Memorandum for the Paseo Del Mar Restoration Project. Groundwater levels ranged from 25 to 27 feet [above mean seal level (amsl)] at boring locations within the depression of the landslide, and 41 to 48 feet amsl at borings along the slidescarp. Additionally, according to a previous geotechnical study conducted by [Shannon and Wilson, Inc. (S&W)],*

*groundwater elevations in 2012 were approximately 26 feet amsl to the northeast of the landslide limits, 74.5 feet amsl to the northwest of the landslide, and 90.2 feet amsl approximately 300 feet north of the landslide limits.*

*Groundwater monitoring wells were completed by IT Corporation between 1994 and 1995 as a part of a site investigation of the White Point Nike Missile Site to the northwest of the project site. Three wells, MW-5 through MW-7, were drilled within the White Point Nature Preserve within approximately 1,000 feet of the landslide limits. These wells were not found during geotechnical studies conducted by S&W in 2012; hence, no recent groundwater data is available for these three monitoring wells. Well construction logs for these wells indicate that groundwater was reached at depths of 110 to 138 feet below ground surface at the time of drilling in 1994. However, groundwater recharge in these wells more than 9 months later (October of 1994) varied greatly, with groundwater depths of 12.4 and 14.4 feet below ground surface in two of the wells and a groundwater depth of 128.14 feet below ground surface in the remaining well."*

As shown in these discussions, an investigation of the groundwater conditions at the project site has been conducted and possible explanations for groundwater levels during the dry season are provided in the Draft EIR.



William Jones <william.jones@lacity.org>

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## Paseo del Mar Comments

1 message

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**Betty Ciuchta** <relate2@gmail.com>  
To: William.Jones@lacity.org

Sat, Jun 3, 2017 at 10:43 AM

Dear Mr. Jones,

I have been a resident of San Pedro since 1989. Given the instability of the land, its previous use as a military site, the roads' non-essential nature for services such as Fire and Police, I see no reason to do anything but leave it as a cul-de-sac.

You've heard the old saying "don't mess with Mother Nature". Well, I believe we should listen and take this as a for-warning. Leave well enough alone and use the intended money wisely for projects that are really necessary. There is NOTHING essential, nor based in common sense for the "common good" here in this project. Please spend our tax money wisely....this is not WISE.

Betty Kurnik  
(310) 514-1685

38-1

**Comment Letter 38: Kurnick, Betty**

**Response 38-1**

This commenter states that the proposed project is not essential. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.





William Jones <william.jones@lacity.org>

## White Point EIR Comment

Kim Kohler <kkohler@chadwickschool.org>

Sun, Jun 4, 2017 at 12:14 PM

To: William.Jones@lacity.org

Cc: Miller Terry and John <lgornla@cox.net>, Adrienne Mohan <amohan@pvplc.org>, Allen Franz <afranz@pacbell.net>, Allen Franz <allenfranz@yahoo.com>, Amy Friend <abfriend@yahoo.com>, Andrea Vona <avona@pvplc.org>, Brittany Goldsmith <bgoldsmith@pvplc.org>, Bruce Biesman-Simons <bbs.aia@gmail.com>, Carolyn & Wayne Widner <cwwidner@cox.net>, Diana Bailey <dianalisab.rhe@gmail.com>, Edna Bay <ednabay@icloud.com>, Heather Henderson <zalophus@yahoo.com>, June Burlingame Smith <burling102@aol.com>, Kyle Boone <kboone@kyleboonephd.com>, Lowell Nickel <lowellnickel@gmail.com>, Peter Niemiec <peter@peterniemiec.com>, Susan McKenna <susan.mckenna@me.com>, Tony Baker <tbake377@gmail.com>, Rick Wallace <wallace.richard.h@gmail.com>

Dear Mr. Jones,

I wish to add my thoughts to the volatile subject matter before you and others. Outside all the legal issues that remain, and the many thoughtful ideas proposed by San Pedrans, the fact is, White Point is one of the last remaining wild places both on the coast of Los Angeles County and in the community of San Pedro.

39-1

We, and you, are stewards for a place that needs a clear cut solution that not only protects all of the flora, fauna and geology mentioned by others, but also is retained not as another thoroughfare from one place to another but as a calming and pristine nature preserve. It is not only the right thing to do, it is prudent and cost effective to limit roadbuilding. Except for improving the parking area, restoration of habitat should be the focus.

39-2

The landslide has given us a chance to take stock of what we have at White Point and how best to move into the future as we figure out the best solutions for this unique resource. We will never have another chance to do the right thing, for the land and for the people, if engineers and bureaucrats rule the day. White Point is a fragile environment that is worth protecting. I feel that the emphasis should be on valuing the wild aspects of the habitat, thus improving the chance of its lasting existence.

39-3

As a many year's long resident of the community of San Pedro, and a member of the WP committee, I have gained immeasurable respect and gratitude to the people who selfishly work toward the goal of protection of the land. I hope you will consider the comments of our group, and others in the community, who have worked for years attempting to stave off over-development of this priceless place.

Very Sincerely,  
Kim Kohler

—  
**Kimberly Kohler**  
Middle and Upper School Art  
Studio 213/214  
Director - Arts Unlimited (Summer)

**CHADWICK SCHOOL**  
26800 South Academy Drive  
Palos Verdes Peninsula CA 90274  
310.541.6763  
Ext. 4099

kkohler@chadwickschool.org

**Comment Letter 39: Kohler, Kimberly**

**Response 39-1**

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

**Response 39-2**

The commenter states that roadbuilding should be limited and the focus should be on restoration of habitat. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project, the boundaries of the project site, and the planned function and designation of Paseo Del Mar.

**Response 39-3**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

June 4, 2017

Mr. William Jones, Environmental Supervisor II  
City of Los Angeles Department of Public Works  
Bureau of Engineering, EMG  
1149 S. Broadway, Suite 600, Mail Stop 939  
Los Angeles, CA 90015

RE: Paseo Del Mar Comments

Dear Mr. Jones,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for Paseo Del Mar Permanent Restoration Project (E1907791). The California Environmental Quality Act requires that an Environmental Impact report identify and mitigate foreseeable impacts resulting from the project. The Draft EIR fails to identify or mitigate the significant quality of life impacts to the residents resulting from speeding, vehicular noise violations, cursing and crime. The restoration of Paseo Del Mar will increase the volume of traffic and further exacerbate quality of life impacts. This problem has been identified in the past, as shown in the resolution of the Coastal San Pedro Neighborhood Council passed on November 16, 2015. The resolution states:

40-1

**Whereas**, the White Point Community Advisory Committee formed by Councilman Buscaino voted to rebuild Paseo Del Mar and part of that decision was to also resolve the ongoing and long term traffic and safety issues on Paseo Del Mar; and,

40-2

**Whereas**, the rebuilding of Paseo Del Mar over the White Point Landslide will greatly increase the volume of traffic and related noise and potential increase of traffic offenses and collisions in the Lower Palisades area; and,

40-3

**Whereas**, prior to the White Point Landslide and closure of Paseo Del Mar at Weymouth Avenue, the residents and stakeholders of the Lower Palisades area suffered from speeding and racing vehicles and general degradation of reasonable expectations of quality of life; and,

40-4

**Whereas**, residents of Lower Palisades submitted in 2004 a detailed traffic plan (Paseo Del Mar Beautification Plan) to the City containing specific traffic calming measures to reduce the speeding and other negative traffic impacts on Paseo Del Mar and the Coastal San Pedro Neighborhood Council moved forward for consideration by the City of Los Angeles no less than five (5) Motions intended to improve traffic conditions on Paseo Del Mar and to reduce the significant quality of life impacts to Paseo Del Mar residents/stakeholders resulting from speeding, vehicular noise violations, cruising, and crime;

40-5

**Therefore be it resolved**, the Coastal San Pedro Neighborhood Council requests that the City develop a detailed traffic plan including but not limited to the below traffic calming elements in the design of Paseo Del Mar between Gaffey Street and Western Ave and this plan be implemented in conjunction with the City's plan to rebuild Paseo Del Mar: 1) Raised median strip between Roxbury Avenue and Weymouth Avenue.

40-6



2) Turnabouts or stop-signs on Paseo Del Mar at the following avenue intersections: Roxbury, Barbara, and Weymouth. 3) And other traffic calming devices such as illuminated crosswalks, bulb-outs, appropriate signage and speed humps.

40-6  
Cont'd

No matter which alternative is chosen, including the No Action alternative, the final EIR must include mitigation for these known impacts incorporation of current storm water mitigation design measures.

40-7

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacqueline Lambrichts', with a stylized flourish at the end.

Jacqueline Lambrichts  
Angels Gate Park Advisory Board Member  
736 Shepard Street #2  
San Pedro, CA 90731  
TheJLamb@aol.com



**Comment Letter 40: Lambrichts, Jacqueline****Response 40-1**

The commenter asserts that the Draft EIR fails to identify and mitigate significant impacts. The commenter is referred to Response 35-5 regarding the impacts identified in the Draft EIR and the fact that, where feasible, mitigation measures have been provided.

Additionally, the commenter states that the restoration of Paseo Del Mar will increase traffic volumes. The commenter is referred to 34-28 regarding traffic impacts resulting from operation of the build alternatives.

**Response 40-3**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 40-4**

The commenter expresses concern that restoration of Paseo Del Mar would increase traffic volumes and noise. The commenter is referred to Response 34-28 regarding traffic impacts resulting from operation of the build alternatives. Noise impacts related to operation of the build alternatives are discussed Section 3.9, Noise, of the Draft EIR. As discussed in Section 3.9, operational noise impacts would be considered significant if the proposed project would result in an increase in ambient noise levels by 3 dBA. The build alternatives would restore traffic levels to baseline conditions, or pre-landslide conditions. Mobile source noise levels (i.e., noise from cars) are presented in Table 3.9-9 on page 3.9-15 of the Draft EIR:

**Table 3.9-9  
Mobile Source Noise Levels - Alternatives 1 through 3**

| <b>Roadway Segment</b>                               | <b>Estimated dBA, CNEL</b>  |                                      |                                  |                                                     |                                                              |
|------------------------------------------------------|-----------------------------|--------------------------------------|----------------------------------|-----------------------------------------------------|--------------------------------------------------------------|
|                                                      | <b>CEQA Baseline (2011)</b> | <b>No Project Alternative (2021)</b> | <b>Build Alternatives (2021)</b> | <b>Build Alternatives Compared to CEQA Baseline</b> | <b>Build Alternatives Compared to No Project Alternative</b> |
| Paseo Del Mar between Weymouth Ave. and Western Ave. | 54.3                        | 54.6                                 | 57.2                             | 2.9                                                 | 2.6                                                          |
| Western Ave. between W. 25th St. and Paseo Del Mar   | 60.4                        | 61.3                                 | 61.3                             | 0.9                                                 | 0.0                                                          |
| W. 25th St between Patton Ave and Western Ave.       | 65.8                        | 66.8                                 | 66.6                             | 0.8                                                 | -0.2                                                         |
| W. 25th St between Alma St. and Patton Ave.          | 66.8                        | 67.5                                 | 67.4                             | 0.6                                                 | -0.1                                                         |
| Walker Ave. between Paseo Del Mar and Silvius Ave.   | 57.0                        | 61.7                                 | 58.8                             | 1.8                                                 | -2.9                                                         |

Source: Terry A. Hayes Associates, 2016.

As shown in Table 3.9-9, the highest noise level increase would occur along Paseo Del Mar between Weymouth and Western Avenues. The 2.9-dBA increase from the baseline condition would entirely result from annual traffic growth unrelated to the build alternatives. As shown in Table 3.9-9, the noise level increases would be less than 3 dBA and would not exceed the significance threshold. Therefore, the Draft EIR concludes that the build alternatives would result in a less than significant impact related to operational noise.

As further explained on page 3.9-16 of the Draft EIR, Table 3.9-9 also compares mobile sources noise levels from the build alternatives to the No Project Alternative, which, as previously discussed, represents the existing conditions. This comparison is presented for disclosure and informational purposes and not used for the impact assessment. The comparison shows that the build alternatives would redistribute trips throughout the roadway network, resulting in a combination of decreases in noise levels in some areas, and increases in noise levels in other areas. For example, traffic volumes and associated noise levels would decrease along 25th Street but would increase along Paseo Del Mar. It should be noted that, even when compared to existing conditions (as presented in the No Project Alternative), the noise levels due to traffic trips during operation of build alternatives would not exceed the 3dBA significance threshold.

#### **Response 40-5**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Response 40-6**

The commenter states that residents submitted the Paseo Del Mar Beautification Plan to the City in 2004. The commenter is referred to Response 9-4 regarding the Paseo Del Mar Beautification Plan.

#### **Response 40-7**

The commenter requests that traffic calming elements be developed for Paseo Del Mar and lists the locations where such elements should be implemented. The commenter is referred to Response 9-2, which describes the boundaries of the project site.

#### **Response 40-8**

The commenter states that the EIR must include mitigation for known impacts. The commenter is referred to Response 35-5 regarding the impacts identified in the Draft EIR and the fact that, where feasible, mitigation measures have been provided. The commenter is also referred to Response 1-3 regarding impacts related to stormwater runoff.

N. Dean Pentcheff  
677 W 38th St.  
San Pedro, CA 90731  
pentcheff@gmail.com

4 June 2017

Mr. William Jones, Environmental Supervisor II  
City of Los Angeles Department of Public Works  
Bureau of Engineering, EMG  
1149 S. Broadway, Suite 600, Mail Stop 939  
Los Angeles, CA 90015

Dear Mr. Jones

I thank you for the opportunity to comment on the *Draft Environmental Impact Report SCH No 2016101016 Paseo Del Mar Permanent Restoration Project*.

For convenience of review, these comments follow the section headings and order of the DEIR.

## ES Executive Summary

In general, the *Executive Summary* does not provide novel content, but summarizes the substantive sections of the DEIR. However some overriding issues are appropriate to raise in the context of the *Executive Summary*.

### ES.3 PROJECT OBJECTIVES

This section states the following:

*The fundamental purpose of the proposed project is to restore the section of roadway that collapsed in the 2011 landslide event to its original function.*

**The chosen purpose for the project (and therefore the project's scope) is incorrect. Instead, the appropriate project purpose should be to improve San Pedro roadways in response to the Paseo Del Mar landslide of 2011.** Nowhere in the NOP or DEIR is there a discussion of why the project was scoped to exclude any consideration other than restoring the road to its original function. Given that there has been no road at the site for over half a decade and (at least partially) effective accommodations have been developed during that time, this is a glaring omission.

Because of the incorrect scope, **an obviously important alternative was never considered: improvements to the landslide area and existing streets without restoring the collapsed section of Paseo Del Mar roadway.** That alternative would examine traffic, aesthetic, and other impacts of performing mitigation of the landslide area to minimize erosion and restore full pedestrian and bicycle access, along with improvements to the local street network to optimize traffic flow and residential quality of life.

By being scoped as a road restoration, rather than a response to the landslide, only major-construction alternatives are analyzed, since all alternatives must restore the road. The *No Project*

41-1

41-2

*Alternative* (by definition) excludes any mitigation work. Hence no consideration of mitigation work other than major-construction alternatives was included in any analysis.

**Therefore this DEIR incorrectly predetermines a major construction outcome (any one of Alternatives 1–3) by failing to analyze an obvious alternative that could respond to the landslide without major construction.**

41-2  
Cont'd

## ES.5 ISSUES RAISED BY THE PUBLIC AND AGENCIES

The misdefinition of scope (see comments above) was pointed out in multiple responses to the NOP during the scoping phase (most notably and completely by Frank O'Brien, comments of 3 November 2016, included in DEIR *Appendix A*). This was an important and substantive comment that was appropriately made during the response to the NOP.

41-3

The text of the DEIR does not mention this concern.

This would have been the appropriate section to justify the chosen project scope by making an argument defending the chosen scope against the comments. **No argument was made here or in any other section to justify the chosen scope or to justify ignoring the comments about scoping problems raised during the scoping phase.**

## 2.0 Project Description

### 2.3 PHYSICAL ENVIRONMENTAL SETTING

#### 2.3.4 Baseline Conditions

The baseline condition for (much of) the DEIR analysis is chosen as:

*The baseline conditions for the proposed project consider the pre-landslide conditions of the project site.*

**This baseline is not the correct or appropriate baseline for analysis.** This baseline does not reflect the environmental setting as it has become established in mid-2017 during the years following the 2011 landslide. The DEIR itself, in text just prior to the quote above, states:

41-4

*There is no precise statutory or guideline definition; however, for many projects the baseline conditions are those conditions or environmental setting at the time of the release of the Notice of Preparation (NOP). For some projects, a deviation from this is permitted with substantial evidence, which allows the lead agency to set the appropriate baseline condition that is a time other than the release of the NOP.*

Therefore, **the baseline condition for all EIR analyses should be the environmental setting at the time of the release of the NOP.**

This problem with the choice of an incorrect baseline was pointed out in multiple responses to the NOP at the scoping phase (see comments by Frank O'Brien of 3 November 2016, and by Richard Havenick of 4 November 2016, both included in DEIR *Appendix A*). No justification whatsoever (let alone "... substantial evidence...") is provided for choosing a baseline contrary to



generally accepted CEQA practice: the environmental setting at the time of the release of the NOP.

In fact, the DEIR documents the extensive remediation at the site that has been done since the landslide (section 2.1.1 *Emergency Stabilization Measures*), making it even more difficult to understand why the proper baseline (current environmental setting) was not chosen.

Confusingly, the section goes on to say:

*The existing conditions of the project area at the time of the release of the NOP include the conditions following the 2011 landslide event and the emergency stabilization measures which were implemented on the project site, and this condition is analyzed under the No Project Alternative.*

Hence the DEIR analyses impacts of the three construction alternatives relative to the pre-2011 situation, but analyzes the *No Project Alternative* relative to the very different environmental setting at the time of the release of the NOP.

Therefore the effects of the construction alternatives can not be properly compared with the *No Project Alternative*, since they were analyzed using different baselines.

This problem would be eliminated by choosing the single, correct baseline for all alternatives. **The baseline condition for all EIR analyses should be the environmental setting at the time of the release of the NOP.**

41-4  
Cont'd

## 3.0 Environmental Setting, Impacts, and Mitigation

### 3.1 AESTHETICS

#### 3.1.1 Environmental Setting

Key Observation Point 4 (KOP 4) "... offers an unobstructed view from the Pacific Ocean to the coastal bluffs..." Analysis of this observation point is incorrectly stated as "Views of the project site are in the seldom seen distance zone of this KOP due to its accessibility constraints." This presupposes that views from boats, ships, and aircraft suffer from an "accessibility constraint" and hence the site is "seldom seen". No evidence is provided that this viewpoint is less accessible than KOPs 1–3. Given that it is clearly visible across the Pacific Ocean for miles from nearly a 180° perspective, this assertion seems unsupportable.

In the absence of evidence to the contrary, **the Sensitivity Level Rating of KOP 4 should be upgraded considerably as follows: Types of Users: M; Amount of Use: M; Public Interest: H; Distance Zone: FM.**

#### 3.1.3 Environmental Impacts

*AES-1: Would the project have a substantial adverse effect on a scenic vista?*

The analysis of the *No Project Alternative* for this section is typical of the analysis of this alternative in multiple places through the DEIR:

41-5

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*Under the No Project Alternative, the portion of the roadway damaged by the 2011 landslide event would not be restored and this segment of Paseo Del Mar would remain inaccessible to vehicular, bicycle, pedestrian traffic, and the public in general. As discussed in Chapter 3.8, Land Use and Planning, the No Project Alternative would conflict with the Secondary Scenic Highway land use designation under the General Plan because views from the scenic highway would be interrupted, with those scenic views along the damaged portion of Paseo Del Mar remaining lost to the public. This would be considered a substantial adverse effect on a scenic vista. Therefore, the No Project Alternative would result in a significant impact to scenic vistas.*

These conclusions are incorrect and provide misleading analysis for evaluation of how to mitigate the landslide loss of Paseo Del Mar. These conclusions could appear in the DEIR only under the most legalistically constricted interpretation issuing from the incorrect choice of baseline (as the pre-landslide rather than current environmental setting).

This analysis incorrectly assumes that only access and views from moving vehicles matter at all and, furthermore, that only restoration of vehicular access can restore access and views of any sort.

It is factually incorrect that the site and its views are inaccessible to bicycle, pedestrian traffic, and the public in general in the event that none of the construction alternatives are chosen. That access is available today and has been for years since the landslide in 2011.

**The potential aesthetic effect on scenic vistas of the No Project Alternative, and similar analyses of the No Project Alternative throughout the EIR, must be reanalyzed in light of the actual, demonstrated bicycle, pedestrian, and public access to the site and to views of it. Adopting the correct baseline condition of the current environmental setting would obviously require this reanalysis, but the analyses should be corrected regardless of whether the baseline is changed or not.**

The analysis of *Alternative 2 — Anchored CIDH Piles with Buttress* entirely omits consideration of one of the alternative's largest elements: the riprap shoreline protection. Furthermore, this feature is omitted from the visual simulation on page 3.1-16. In Section 2.6.2, this feature is described:

*The proposed shoreline protection would be approximately 100 feet wide and 800 feet long and would involve placement of an 8-foot-thick, 5-ton rock armor overlaid on a 4-foot-thick filter blanket at an elevation of approximately -10 feet to 25 feet.*

The scale of this feature and its discordance in material with the surrounding cliff environment make it imperative that it be considered in detail for its potential adverse effect on scenic vistas.

**The potential adverse effects on scenic vistas of Alternative 2 — Anchored CIDH Piles with Buttress must be reanalyzed to include the extensive riprap shore armoring.**

Similarly, analysis of *Alternative 3 — Shear Pins with MSE Wall* omits consideration of the riprap shoreline protection, described in Section 2.6.3:

*...riprap shoreline protection is recommended and would be implemented under this alternative. The proposed shoreline protection would involve placement of an approximately 8- to 10-foot-thick, 5-ton rock armor to an elevation of approximately 15 feet.*

41-6  
Cont'd

41-7

**The potential adverse effects on scenic vistas of *Alternative 3 — Shear Pins with MSE Wall* must be reanalyzed to include the extensive riprap shore armoring.**

41-7  
Cont'd

*AES-3: Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

Analysis of the *No Project Alternative* is a nearly-perverse interpretation of “degradation of visual character”, taking the position that a shoreline without concrete walls, CIDH piles, shear pins, and MSE walls is necessarily inaccessible and is aesthetically degraded due to a lack of visual improvements. This result is incorrect on two levels: (a) even from the incorrect (pre-2011) baseline, this analysis is indefensible from an aesthetic perspective — the coastal area and shoreline are currently accessible and their aesthetic qualities are high and highly consistent with neighboring shore areas; (b) with the correct baseline (current environmental setting), this analysis is completely incorrect, since the current conditions would constitute the baseline, which would be the *No Project Alternative*, hence the *No Project Alternative* would make no positive or negative change to the visual character or quality.

41-8

**The analysis of degradation of the existing visual character or quality of the site under the *No Project Alternative* must be reanalyzed to reflect the reality that the current conditions, in the absence of major construction engineering, do not constitute visual degradation, and the site and shoreline are accessible.**

*AES-4 Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

The analyses in this section jump between two different baselines. The effect is to achieve “no” or “less than significant” impacts for all four alternatives (*No Project* and *1–3*) despite the contradiction that no lights are added in the *No Project Alternative* and lights are added in *Alternatives 1–3*. This cherry-picking of baselines prevents reasonable comparisons. You can’t have it both ways: pick one baseline and analyze from there for all options.

Specifically, analysis of the *No Project Alternative* notes that the existing site situation has had no lighting since the landslide, and *No Project* would add no lighting, so there is are “no impacts”. Analyses of *Alternatives 1–3* note that the pre-2011 baseline conditions had streetlights, and similar streetlights will be installed, so there will be “less than significant impact”.

41-9

**The consideration of light or glare impacts must be reanalyzed using one baseline for all alternatives (including *No Project Alternative*) so that the effects can reasonably be compared between alternatives.**

### *3.1.5 Level of Significance after Mitigation*

Analysis of aesthetic impacts of the *No Project Alternative* after mitigation is flawed for the reasons detailed above in comments on section 3.1.3. **This summary of level of significance after mitigation for the *No Project Alternative* must be revised in light of correcting *AES-1*, *AES-3*, and *AES-4* in section 3.1.3.**

41-10

## 3.2 AIR QUALITY

The entirety of *Section 3.2 AIR QUALITY* provides an incorrect analysis, since it is based on assessing construction and operational effects from a baseline of air quality measurements from 2013, 2014, and 2015:

*Table 3.2-1 presents the most recent particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and ozone data over the past three years [2013–2015] from the aforementioned Long Beach monitoring stations as a summary of the exceedances of standards and the highest pollutant levels recorded. These concentrations represent the existing, or baseline conditions, for the proposed project.*

Those dates are not the time adopted as the baseline for the EIR in *Section 2.3.4 Baseline Conditions*:

*The baseline conditions for the proposed project consider the pre-landslide conditions of the project site.*

That baseline choice for the EIR necessitates using air quality measurements from 2011 or before to determine impacts of construction and operation for all alternatives (including *No Project Alternative*).

No justification is given for this arbitrary change of baseline partway through the EIR, either in section 3.2 or in *Appendix B. Air Quality Technical Report*, upon which section 3.2 is based.

It is notable that comparable air quality measurements from 2011 and before are available. According to ARB documents, the selected monitoring station (Long Beach-2425 Webster Street) began sampling in February of 2007, well before the 2011 baseline date (see: [https://www.arb.ca.gov/research/mobile/hcm/presentations\\_april17\\_2008/scaqmd\\_mon\\_report.pdf](https://www.arb.ca.gov/research/mobile/hcm/presentations_april17_2008/scaqmd_mon_report.pdf)).

**The analyses of *Section 3.2 AIR QUALITY* must be performed using the baseline adopted for the EIR (2011 or before) and should analyze project effects based on deviation from baseline air quality data of that time, not from an arbitrarily chosen set of dates from 2013–2015.**

**Alternatively, the baseline for the rest of the EIR could be changed to the conventionally-adopted CEQA baseline of the environmental setting at the time of the release of the Notice of Preparation (NOP), making it appropriate to analyze air quality effects as a deviation from the 2013–2015 timeframe.**

### 3.2.3 Environmental Impacts

The *Methodology* section concerning operational impacts declines to do any analysis:

*Operation of the proposed project build alternatives would be generally similar to [2013–2015] baseline conditions. As such, the proposed project build alternatives would not substantially increase the generation or use of on-road motor vehicles or off-road equipment relative to baseline conditions. Thus, operational impacts of the proposed project build alternatives are evaluated qualitatively, and no operational emissions were estimated.*

This analysis is incorrect, given the EIR's arbitrary change of baseline for air quality to the 2013–2015 timeframe. The statement above seems to have been written with the assumption that the

41-11

41-12



baseline was the pre-landslide 2011 condition, and hence that restoring road operation would be equivalent to the baseline.

In fact, the choice of the 2013–2015 baseline is an operational condition (road absent) entirely different from the pre-landslide or post-build (road present) operational conditions.

**Operational impacts on air quality for all build alternatives must be fully analyzed if the EIR chooses to use an air quality baseline of 2013–2015 instead of the pre-landslide 2011 baseline, since operational conditions with a road present (all build alternatives) differ substantially from having a road absent (2013–2015).**

**Alternately, if the EIR chooses to use an air quality baseline consistent with the baseline for the rest of the EIR (pre-landslide 2011), then operational impacts on air quality for the *No Project Alternative* must be fully analyzed, since lack of a road unequivocally changes operational characteristics of the area from pre-landslide conditions with a road present.**

41-12  
Cont'd

### 3.3 BIOLOGICAL RESOURCES

#### 3.3.3 Environmental Impacts

*BIO-3: Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The claim is made:

*Jurisdictional tidal waters occur within the BSA and would be impacted by rock armoring shoreline protection proposed under Alternatives 2 and 3... With adherence to existing regulations, impacts to jurisdictional tidal waters would be less than significant under Alternatives 2 and 3.*

These alternatives propose to emplace hundreds of feet of 8-foot thick 5 ton rock armor from the intertidal zone to above the high tide line. To assert that this will have a “less than significant” impact on marine and coastal life beggars the mind.

The existing environment consists of consolidated bedrock and shelf in the lower- to mid-intertidal, with cobble from the mid- and high-intertidal to above the high tide line. This differs radically from the proposed riprap environment that would be in place for *Alternatives 2–3*. The riprap proposed is CalTrans rock slope protection (RSP) rock gradation class “4T” (4–8 ton rocks). In contrast, the cobble on site falls in classes “Facing” and “Backing No. 1–3” (75 pound down to 5 pound or smaller rocks). (RSP size classes are based on *Standard Specifications, State of California, California State Transportation Agency, Department of Transportation 2015, Division VIII Miscellaneous Construction, 72 Slope Protection, 72-2 Rock Slope Protection*.)

Rock shelf and cobble provide a very different abiotic environmental context than a pile of 4 ton rocks, leading to very different biological communities. The species composition and biomass of the proposed riprap environment would be expected to be very different from the existing environment.

Applying the proposed riprap for *Alternative 2* and *Alternative 3* will destructively replace the entire ecosystem from above the high tide line down through the shallow subtidal zone with a completely new environment.

41-13

**The potential for adverse effects on the coastal zone due to the riprap in *Alternative 2* and *Alternative 3* must be reanalyzed to reflect the complete destruction of the existing intertidal ecology and its expected replacement with a radically different biotic community, the effects of which cannot be summarized as “less than significant”.**

41-13  
Cont'd

## 3.5 GEOLOGY AND SOILS

### 3.5.3 Environmental Impacts

*GEO-2: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

The operational impact analysis of *Alternatives 1–3* all cite a “typical design life” for their respective structures of “75 years” (excluding the expected 20 year design life of the asphalt roadway itself).

Each of these alternatives depends entirely on the stability and persistence of its footing down to the base of the cliff, a footing which is subject to erosion by ocean waves. That erosion is acknowledged, and is the reason for the rock armor in *Alternatives 2–3*.

However, the analysis of potential adverse effects does not, at any point, acknowledge the need to account for historical rates of cliff retreat or accelerated rates from projected sea level rise (SLR). This failure to analyze ignores the recommendations of the *State of California Sea-Level Rise Guidance Document* (see: [http://www.opc.ca.gov/webmaster/ftp/pdf/docs/2013\\_SLR\\_Guidance\\_Update\\_FINAL1.pdf](http://www.opc.ca.gov/webmaster/ftp/pdf/docs/2013_SLR_Guidance_Update_FINAL1.pdf)). That document specifies a planning projection of sea level rise between 1.38 and 5.48 ft between 2000 and 2100 (roughly the design life of the proposed projects). It specifically also contains this recommendation:

*6. Consider changing shorelines. California's very dynamic coast will evolve under rising sea level and assessments of impacts from SLR to shoreline projects must address local shoreline changes.*

That recommendation, in turn, references *U.S. Geological Survey Open File Report 2007-1133: National Assessment of Shoreline Change Part 4: Historical Coastal Cliff Retreat along the California Coast*. The USGS report particularly points out the Palos Verdes Peninsula and Pt. Fermin areas as having the highest cliff retreat rates between the Santa Monica and Oceanside Regions. The average retreat rate is 0.2 m/year. Because of SLR, this must be considered a lower bound, and retreat rates must be expected to be higher.

Therefore, based on historical rates, the cliff is expected to retreat (at a minimum) 50 feet during the 75 year design life of the proposals. Nowhere in the EIR is there any analysis incorporating expected cliff retreat rates, either in the discussion of rock armoring, or the discussion of the lack of need to armor *Alternative 1*. Nor is there any consideration of vulnerabilities caused by uncontrolled cliff retreat at the edges of the constructed and armored sections.

**The analysis of potential adverse effects from landslides must incorporate expected levels of cliff retreat, conditioned on projected sea level rise over the 75 year design life, and must consider vulnerabilities of the proposed structures themselves as well as vulnerabilities caused by cliff retreat at unarmored edges of the structures.**

41-14

GEO-3: Would the project result in substantial soil erosion or the loss of topsoil?

The *No Project Alternative* analysis concludes:

*... the No Project Alternative would not implement the vegetation plan on the seaward side of the Paseo Del Mar ROW, which would further stabilize the area disturbed by the landslide and provide protection against erosion. Therefore, the No Project Alternative, when compared to the build alternatives, would expose people, particularly recreational users of the beach area south of the project site, to potentially significant impacts associated with soil erosion, potentially resulting in significant unavoidable impacts.*

This is, again, a legalistically constricted interpretation that stems from the assumption that there is no possible alternative besides the three major-construction alternatives of the EIR. Of course it would be possible to plant vegetation (and take other remediation) to minimize erosion, avoiding significant impacts.

**Analysis of the *No Project Alternative*, here and elsewhere in the EIR, must not take an unrealistically blinkered view of what will happen in the event that none of the three proposed construction alternatives are taken. Simple remediations would inevitably be proposed and executed. The implications of the *No Project Alternative* should take those inevitabilities into account, even in the absence of a proper alternative proposing improvements to the landslide area and existing streets without restoring the collapsed section of Paseo Del Mar roadway.**

41-15

## 3.6 GREENHOUSE GAS EMISSIONS

### 3.6.3 Environmental Impacts

In its statement of *Methodology*, the EIR declines to analyze any operational emissions of greenhouse gasses:

*Operation of the build alternatives would be generally similar to baseline conditions. As such, the build alternatives would not substantially increase the generation or use of electricity, water, wastewater, or solid waste relative to baseline conditions. Thus, operational impacts of the build alternatives are evaluated qualitatively, and no operational GHG emissions were estimated.*

This completely ignores the population, commercial, and traffic changes that have occurred in the area since the EIR's selected baseline (pre-2011). Operational GHG emissions cannot be assumed to be unchanged in the area over this period.

**The analysis of GHG emissions for all project alternatives (including *No Project Alternative*) must be performed, taking into account the the selected project baseline of pre-2011 environmental conditions.**

In its statement of *Thresholds of Significance*, the EIR chooses as follows:

*The project type is closest to an industrial project (i.e., does not contain residential or commercial land uses), and therefore, this analysis compares the annual construction and operational emissions to the threshold of 10,000 MT CO<sub>2</sub>e per year.*

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It is incorrect to conclude that the property is industrial because it is not residential or commercial. These are alternatives for a road next to uninhabited, restored coastal sage scrub and coastal prairie habitat (as described in *Section 2.3.2 Surrounding Setting*). In no sense can this be interpreted as “industrial” land use.

Selecting the “industrial” category yields the highest available significance threshold, biasing all analyses towards minimal impact.

**At the very least, the threshold of significance for GHG emissions should be the “residential” category at 3,000 MT CO<sub>2</sub>e per year.** However, we do acknowledge that, even with that more conservative category, GHG emissions still fall below threshold.

*GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

The analysis of the *No Project Alternative* is incorrect, since it assumes that the present environmental setting is identical to the EIR’s selected baseline (pre-2011). *Section 1.1 Summary of the Proposed Project* points out a relevant change that occurred over that time:

*On November 20, 2011, the White Point Landslide occurred in the community of San Pedro in the City of Los Angeles, resulting in the collapse of an approximately 400-foot-long section of the Paseo Del Mar roadway along the coast.*

In the baseline condition (pre-2011) there was a road. Now there is not. Therefore traffic and operational conditions of the area have changed.

**Analysis of the *No Project Alternative* must take into account operational changes that have resulted since the EIR’s selected baseline (pre-2011), notably the loss of a section of roadway on Paseo Del Mar.**

## 3.7 HYDROLOGY AND WATER QUALITY

### 3.7.3 Environmental Impacts

*HWQ-3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

Analysis of the *No Project Alternative* is substantively similar to *Section 3.5 Geology and Soils, GEO-3: Would the project result in substantial soil erosion or the loss of topsoil?* (this section was commented on above). This section suffers from the same flaw: it unreasonably constrains the analysis to an assumption that no reasonable remediation can be performed in the absence of the proposed major-construction alternatives. This predetermines a finding of significant impacts for everything other than major-construction alternatives. As stated earlier, analysis of these implications of the *No Project Alternative* must take into account a realistic future of minor remediations.

## 3.8 LAND USE AND PLANNING

In *Table 3.8-1 Project Consistency with Applicable General Plan Policies*, the three sections addressing *Mobility Element Policy 2.16, Land Use Element — San Pedro Community Plan Policy*

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LU18.1 Maintain Visual Resources, and LU18.2 Preserve Access to Coastal Views all repeat the claim that, in the absence of *Alternatives 1–3*, the area remains inaccessible to bicycle and pedestrian traffic, with “... views along the damaged portion of Paseo Del Mar remaining lost to the public.”

This is factually incorrect. Views from vehicles in that section would, indeed, remain lost. However, views would be (and are today) available to bicycle and pedestrian traffic.

**Analysis of project consistency with applicable general plan policies must be revised to reflect the accessibility of views to bicycle and pedestrian traffic in the *No Project Alternative*.**

In the same table, the analysis of *Mobility Policy M4.1 Priority Bikeways* assumes that it will not be possible to restore a bikeway in the absence of *Alternatives 1–3*. This is incorrect. It would be entirely practical to provide bicycle access around the landslide area even in the absence of any of the major-construction alternatives.

**Analysis of project consistency with applicable general plan policies must be revised to reflect the easy possibility that bicycle access can be provided in the absence of vehicular access.**

41-20  
Cont'd

### 3.10. PALEONTOLOGICAL RESOURCES

#### *Mitigation Measures Common to All Build Alternatives: PR-A*

The analysis of paleontological resources (including *Appendix G: Paleontological Technical Study* and the records search of NHMLA by Sam McLeod), though mentioning invertebrate paleontological (IP) resources, focusses nearly exclusively on vertebrate paleontology (VP) resources. Although NHMLA's VP records were searched, there is no note that IP records were consulted (this could be done by contacting IP Collections Manager Dr. Austin Hendy). The formations found in this site are particularly rich in invertebrate fossils, and that should be taken into account in the paleontological mitigation measures.

**Ensure that the paleontological monitoring plan includes expertise in both vertebrate and invertebrate paleontology.**

The paleontology remediation specifies developing a “...a curation agreement with NHM[LA]” for deposition of specimens. The Palos Verdes Land Conservancy maintains the White Point Nature Preserve & Education Center immediately adjacent to the project site.

**In creating the paleontology curation agreement, encourage joint negotiation between the Natural History Museum of Los Angeles and the Palos Verdes Land Conservancy, given the high potential for public exhibit and interpretation at the White Point Nature Preserve & Education Center.**

41-21

41-22

### 3.12 TRANSPORTATION AND TRAFFIC

In this entire section, no consideration is given to incorporating designs for traffic calming or other traffic-related modifications to the pre-existing road design. This ignores numerous public comments regarding these problems that were submitted at the NOP scoping phase.

41-23

Beyond all other considerations, this is a road planning EIR. That makes it imperative that the EIR carefully consider plans for the roadway itself, and the potential environmental and human health impacts of those designs.

**As pointed out in detail during the NOP scoping phase, the community has long recognized and made clear to government agencies the profound safety and aesthetic problems with the existing (and pre-landslide) design of Paseo Del Mar. To be a responsible analysis, this EIR must examine the relative impacts of road design options that incorporate traffic calming and aesthetic improvement measures.**

41-23  
Cont'd

### 3.12.1 Environmental Setting

#### *Trip Redistribution due to Landslide Event*

The methodology for the analyses of trip redistribution due to the landslide event is not consistent with the methodology used to project future trip effects due to the project. The text acknowledges that:

*Many of the volume changes [since the landslide] can potentially be linked to area traffic growth, making it difficult to discern any direct traffic distribution changes directly attributable to the landslide event; however, these percentage changes were, nonetheless, considered in the analysis of estimated traffic diversion resulting from the landslide event.*

This methodology of ignoring area traffic growth is inconsistent with the methodology that is stated later in *Section 3.12.3 Environmental Impacts*, used for projecting project effects:

*To account for traffic growth in the study area, an ambient traffic growth rate was applied to the existing (2016) traffic counts. It was assumed that the base volumes would increase by two percent per year, or 10 percent total, between the year 2016 and the year 2021.*

41-24

This quote comes from the section on *Future (2021) No Project Conditions*, but seems to apply to the *Future (2012) With Build Alternatives Conditions* as well. *Appendix H — Traffic Study* appears to use the 2% annual growth assumption for all projections of project effects.

Therefore, the calculations for *Section 3.12.1* should also have incorporated the same 2% annual growth assumption in trying to estimate redistribution effects of the landslide. Any use of the redistribution estimates from *Section 3.12.1* later in the analysis (for example, in estimating the redistribution effects of the *No Project* vs. *Build Alternatives*) must be recalculated based on those corrected estimates of landslide effect.

As one example, we can reexamine the 2008-to-2016 change at Western Avenue and 25th Street, based on data from *Appendix H*. The DEIR states that these numbers are one of the elements considered in the analysis of estimated traffic diversion resulting from the landslide event. The table below replicates the calculation reported in *Appendix H* and *Section 3.12.3*. The numbers in italics show the results reported in the DEIR as an estimate of trip redistribution due to the landslide: a 35% increase in AM Peak and a 1% decrease in PM Peak. The numbers in boldface have been recalculated to reflect the 2% annual growth methodology used in project projections, yielding very different estimates of trip redistribution due to the landslide: a 16% increase in AM Peak and a 15% decrease in PM Peak. A box highlights the results to compare.

|                | NB Peak | SB Peak | EB Peak | WB Peak | Total as used<br>in EIR | Adjustment for<br>2% expected<br>annual growth |
|----------------|---------|---------|---------|---------|-------------------------|------------------------------------------------|
| 2008 AM Peak   | 176     | 576     | 726     | 531     | 2009                    | 2330.4                                         |
| 2008 PM Peak   | 224     | 952     | 1049    | 617     | 2842                    | 3296.7                                         |
|                |         |         |         |         |                         |                                                |
| 2016 AM Peak   | 151     | 977     | 787     | 797     | 2712                    | 2712.0                                         |
| 2016 PM Peak   | 248     | 970     | 945     | 650     | 2813                    | 2813.0                                         |
|                |         |         |         |         |                         |                                                |
| AM Peak Change | -14.2   | 69.6    | 8.4     | 50.1    | 35.0                    | 16.4                                           |
| PM Peak Change | 10.7    | 1.9     | -9.9    | 5.3     | -1.0                    | -14.7                                          |

41-24  
Cont'd

**Each of the estimates of traffic redistribution due to the landslide in *Appendix H* and *Section 3.12.3* must be recalculated (as shown in the example above) to reflect the same 2% growth estimate methodology that is used in projecting the future traffic effects of the project. The corrected results should be used as the basis for projecting effects of the project.**

### 3.12.2 Regulatory Setting

Missing from the list of “Local” concerns is consideration of the *L.A. Vision Zero* plan to improve traffic safety (see: [https://www.lamayor.org/mayor\\_garcetti\\_s\\_executive\\_directives](https://www.lamayor.org/mayor_garcetti_s_executive_directives)). The road construction and engineering aspects of this EIR should certainly be evaluated in the light of this Citywide directive.

41-25

**The following questions must be addressed: How is the engineering plan for road restoration of Paseo Del Mar consistent with advancing the *Vision Zero* objectives? If it is not, why not? If *Vision Zero* safety objectives do not need to be considered, why not?**

It is possible that this consideration is more appropriate in *Section 3.8 LAND USE AND PLANNING*, but it should be considered somewhere.

## 3.13 TRIBAL CULTURAL RESOURCES

### *Mitigation Measures Common to All Build Alternatives: CR-A*

Earlier in this section (*3.13.1 Environmental Setting*) three out of three responses from Gabriolino representatives “... recommended monitoring from both a Gabriolino representative and qualified archaeologist that meets the Secretary of the Interior’s Standards.” It is appropriate to honor this request.

41-26

**Explicitly add invitation to a Gabriolino representative (in addition to the State qualified archaeologist) to the mitigation measures for archaeological monitoring.**

## 4.0 Impact Overview

Some of this section reiterates points made earlier in the DEIR, so only brief comments will be made here, reiterating some of the most significant earlier comments. Comment on *Section*

41-27

4.3 *Cumulative Impacts*, however, contains new material, since this is the only place this content appears in the EIR.

41-27  
Cont'd

## 4.1 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

### 4.1.1 *Aesthetics*

Again, the idea that failure to install massive engineered structures on the coast and shore can be interpreted to "... degrade the existing visual character" is conceivable only under the most perversely constrained interpretation of this project's scope. Any reasonable individual outside of the EIR development process, presented with either the natural cliff of the *No Project Alternative* or any of the build alternatives, would conclude that every build alternative has far greater impacts on aesthetics than the natural cliff. This conclusion that the *No Project Alternative* has similarly high impact on aesthetics as the major-build alternatives is not reasonable and must be revised.

41-28

### 4.1.2 *Geology and Soils* and 4.1.3 *Hydrology and Water Quality*

The error in scoping of this project that constrains it to road restoration instead of response to the landslide predetermines a low-impact conclusion for the major-construction build alternatives relative to the impact of the *No Project Alternative*. Of course there are reasonable mitigations that could be performed to prevent the landslide and soil erosion impacts of the *No Project Alternative*, but those options remain unexamined since there is no alternative that would analyze them in the absence of a major-construction alternative. That makes this conclusion incorrect as a reasonable analysis of possibilities. Therefore the DEIR fails to present and analyze all reasonable alternatives for planning consideration. This analysis must be revised to include consideration of reasonable mitigations in the absence of major-construction alternatives.

41-29

### 4.1.4 *Land Use and Planning*

The conclusion that the area remains inaccessible to bicycle and pedestrian traffic in the *No Project Alternative* is incorrect. The area has been and continues to be accessible to both. That renders this analysis of the *No Project Alternative* incorrect because it is based on factually incorrect assertions.

41-30

## 4.3 CUMULATIVE IMPACTS

The analysis of cumulative impacts is fatally inadequate because of a failure to properly choose resource study areas for the various elements of the analysis and, hence, it fails to include appropriate projects in the analysis.

The EIR chooses the "list" approach for analysis of cumulative impacts (as contrasted with the "projection" approach) and bases all its analysis on a list of projects in a two-mile radius provided by the Los Angeles Department of Transportation. This yielded two small projects for all consideration of cumulative impacts in the area: the Gaffey Street Pool and Bathhouse, and a 600-student charter high school.

41-31

This is contrary to California State recommendations for CEQA cumulative analysis (see: *California Department of Transportation, Standard Environmental Reference, CEQA Guidelines for*



*Cumulative and Indirect Impacts* at [http://www.dot.ca.gov/ser/cumulative\\_guidance/ceqa\\_guidelines.htm](http://www.dot.ca.gov/ser/cumulative_guidance/ceqa_guidelines.htm)), which states:

*The list approach identifies all of the past, present, and probable future projects contributing to the cumulative impact, including projects that are outside of the control of Caltrans. As described in the Defining Resource Study Areas issue paper, you should be prepared to have project lists that differ from subject to subject. (For example, water-type projects for effects related to fish may differ from traffic-type projects for effects related to traffic, air, and noise.)*

This EIR fails to consider projects other than the two suggested by LADOT. Furthermore, no attempt is made to define appropriate resource study areas (RSAs) for the various elements of the impact analysis (e.g., traffic, air, noise, etc.) as described in State guidelines on *Defining Resource Study Areas* (see: [http://www.dot.ca.gov/ser/cumulative\\_guidance/defining\\_resource.htm](http://www.dot.ca.gov/ser/cumulative_guidance/defining_resource.htm)). Examples of appropriate RSAs in CEQA guidance documents provide stark contrast to the arbitrary two-mile radius chosen by this DEIR for all resource study areas:

| <b>Resource</b>               | <b>Resource Study Area</b>                                                                                  |
|-------------------------------|-------------------------------------------------------------------------------------------------------------|
| <i>Land Use</i>               | <i>Community, metropolitan area, county, sphere of influence</i>                                            |
| <i>Air Quality</i>            | <i>Metropolitan area, air basin</i>                                                                         |
| <i>Traffic/Transportation</i> | <i>Transportation network for a city or community, corridor, "commute shed" boundary, or traffic zones.</i> |

It is trivial to list projects whose potential for cumulative impact with this project are far higher than the two that were chosen. An analysis that is compliant with recommendations (as described above) would certainly include at least the following projects:

*Highpark at San Pedro (formerly Ponte Vista)* — This is a 675 unit housing development being constructed on Western Avenue in San Pedro. It is expected to add considerably to traffic in the area (and hence has potential cumulative impacts with air quality, greenhouse gas emissions, recreation, and transportation and traffic).

*San Pedro Public Market (formerly Ports O' Call) redevelopment* — This project is expected to draw thousands of visitors and traffic daily from a wide area, changing traffic patterns across San Pedro.

*AltaSea at the Port of Los Angeles* — This operation is under development at the southern end of Harbor Blvd. It is expected to create dozens of jobs and attract hundreds of thousands of visitors to that location, having large potential effects on traffic.

**The analysis of cumulative impacts for each element of environmental impact (aesthetics, air quality, transportation and traffic, etc.) must be based on a reasoned selection of the appropriate resource study area for each element, as recommended by State of California CEQA guideline documentation. Doing so will necessitate taking into account additional significant regional projects to develop a useful analysis.**

## 5.0 Alternatives

The same comment as given for section *ES Executive Summary* above is relevant here. Because of an incorrect and inappropriate choice of project purpose as *restoring the section of roadway* rather

41-31  
Cont'd

41-32

than *responding to the landslide*, the DEIR omits analysis of an important alternative: *improvements to the landslide area and existing streets without restoring the collapsed section of Paseo Del Mar roadway*. This alternative is completely distinct from the *No Project Alternative* which (by definition) cannot include any remediation or improvements.

This scoping error and missing alternative were pointed out clearly in comments to the Initial Study at the NOP phase.

In the absence of analysis of a set of improvements that could be performed without major-construction projects restoring the road, responsible decisionmakers will be unable to reasonably evaluate the best future path in the light of environmental impacts.

**The DEIR is framed in a way that predetermines a conclusion of major construction as the environmentally superior alternative. This EIR project should be rescoped and reanalyzed so that it considers possibilities other than restoring the roadway, and an alternative should be developed and analyzed that makes improvements to the landslide area and existing streets without restoring the roadway.**

41-32  
Cont'd

## **Comment Letter 41: Pentcheff, Dean (2)**

### **Response 41-1**

The commenter states that the purpose of the project is incorrect, and that it should be to improve San Pedro roadways in response to the 2011 landslide. Section 15124 of the CEQA Guidelines defines the components required for inclusion in the project description of an EIR. CEQA Guidelines Section 15124(b) states that the project description shall contain a statement of the objectives sought by the proposed project, and that the statement of objectives should include the underlying purpose of the project. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar as part of the traffic circulation network for the City of Los Angeles. As stated in Chapter 2, Project Description, on page 2-10 of the Draft EIR, the fundamental, or underlying, purpose of the proposed project “is to restore the section of roadway that collapsed in the 2011 landslide event to its original function”. This underlying purpose is identified because the scope of the project is to reconnect the damaged portion of the Paseo Del Mar roadway to return it to a functioning portion of the citywide roadway network. The reconnection of the roadway would involve some related work within the existing landslide area; however, improvements to the landslide area are not the primary intent of the proposed project.

Additionally, the objectives of the proposed project are listed on page 2-10 of the Draft EIR:

- “Design, construct, and operate a geotechnically stable roadway in the landslide area to restore continued access along Paseo Del Mar.
- Limit the amount of earthwork and grading activities required to restore roadway access along Paseo Del Mar.
- Develop and implement a vegetation plan on the seaward side of the Paseo Del Mar ROW to further stabilize the area that was disturbed by the landslide.”

The commenter also states that effective accommodations have been developed in the site since the 2011 landslide event. As previously discussed, the existing conditions at the project site are analyzed under the No Project Alternative. A comparison of the impacts of each alternative is presented in Chapter 5, Alternatives, of the Draft EIR. As discussed in Chapter 5, the No Project Alternative would result in the greatest number of significant and unavoidable environmental impacts among the four alternatives considered in the EIR.

### **Response 41-2**

The commenter states that an alternative that includes improvements in the landslide area without restoring the roadway is not considered. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

### **Response 41-3**

The commenter states that the scope of the project has been defined improperly. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar as part of the traffic circulation network for the City of Los Angeles.

**Response 41-4**

The commenter requests that the baseline condition used in the EIR be changed to those conditions at the time the NOP was released, rather than the pre-landslide conditions. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 41-5**

The commenter objects to the description of Key Observation Point (KOP) 4 in the Draft EIR, which states that views of the project site are seldom seen due to its accessibility constraints. The commenter is referred to Response 34-10 regarding impacts related to KOP 4.

**Response 41-6**

The commenter objects to the significant and unavoidable aesthetics impacts identified for the No Project Alternative. The commenter is referred to Response 34-11 regarding aesthetics impacts under the No Project Alternative.

**Response 41-7**

The commenter states that an analysis of the impacts related to the shoreline protection measures proposed for Alternatives 2 and 3 is omitted. The impact analysis presented throughout Chapter 3, Environmental Setting, Impacts, and Mitigation, of the Draft EIR includes an evaluation of the construction and operation impacts of all components of each of the alternatives, including the shoreline protection measures proposed for Alternatives 2 and 3.

**Response 41-8**

The commenter objects to the significant and unavoidable impacts to visual character identified for the No Project Alternative. The commenter is referred to Response 34-11 regarding aesthetics impacts under the No Project Alternative. The commenter is also referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 41-9**

The commenter states that impact analysis AES-4 uses different baselines for the No Project Alternative and the build alternatives. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 41-10**

The commenter objects to the discussion of the level of significance after mitigation related to aesthetics for the No Project Alternative. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.



#### **Response 41-11**

The commenter states that the baseline used in the air quality analysis is not consistent throughout the analysis. The information presented in Table 3.2-1 in Section 3.2, Air Quality, of the Draft EIR, provides background concentrations for the area surrounding the project site. Although this data provides information on the conditions in the project area, the evaluation of the project is based on the thresholds developed by the South Coast Air Quality Management District, as described in the Thresholds of Significance discussion on pages 3.2-11 through 3.2-12 of the Draft EIR. Thus, the background data shown in Table 3.2-1 is provided for informational purposes and is not used to evaluate the air quality impacts of the project. The commenter is referred to Chapter 2, Clarifications and Modifications, of this Final EIR, which clarifies the description of the data presented in Table 3.2-1 of the Draft EIR. Additionally, Table 3.2-1 has been modified to include data from the pre-landslide and intervening years (2011 through 2015) in order to provide a more thorough background characterization. The revised table is also presented in Chapter 2, Clarifications and Modifications, of this Final EIR.

#### **Response 41-12**

The commenter states that the operational air quality methodology is incorrect as the baseline used in the air quality is not consistent with the rest of the document. The commenter is referred to Response 41-11 regarding the background data presented in Section 3.2, Air Quality, of the Draft EIR. The commenter is also referred to Chapter 2, Clarifications and Modifications, of this Final EIR, which clarifies the description of the data presented in Table 3.2-1 of the Draft EIR.

#### **Response 41-13**

The commenter objects to the biological resources impacts identified for Alternatives 2 and 3. The commenter is referred to Response 9-3 regarding impacts to biological resources related to the proposed shoreline protection measures under Alternatives 2 and 3.

#### **Response 41-14**

The commenter states that sea level rise should be considered in the geology and soils analysis. The commenter is referred to Response 6-3 regarding the consideration of sea level rise in the design and engineering of the build alternatives.

#### **Response 41-15**

The commenter states that the planting of vegetation under the No Project Alternative would minimize erosion impacts. As discussed in Chapter 2, Project Description, of the Draft EIR, the additional stabilization measures in the existing landslide area described for the build alternatives would not occur under the No Project Alternative. This would include the implementation of the vegetation plan.

The commenter also states that an alternative that includes improvements in the landslide area without restoring the roadway is not considered. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

**Response 41-16**

The commenter states that the baseline used in the analysis of GHG emissions does not consider changes that have occurred since the landslide. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 41-17**

The commenter states that the threshold of significance used for the evaluation of GHG emissions should be residential, rather than the industrial category used in the Draft EIR. As discussed in Section 3.6, GHG Emissions, since the proposed project does not include a residential component, it would be inappropriate to use the significance threshold for residential uses. As traffic patterns have been diverted around the project site, there are no current GHG emissions that can be attributed to traffic circulation through the project site. Thus, it is more appropriate to analyze the GHG impacts associated with the project alternatives using the planned and designated use of the project site as a scenic highway, rather than using existing conditions. Finally, as noted by the commenter, even if the 3,000 MT CO<sub>2</sub>e per year residential significance threshold were used instead of the industrial significance threshold of 10,000 MT CO<sub>2</sub>e per year, the proposed project emissions would be below this threshold.

**Response 41-18**

The commenter states that the baseline used in the analysis of GHG emissions does not consider changes that have occurred since the landslide. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response 41-19**

The commenter states that an alternative that includes only minor remediation in the landslide area is not considered. The commenter is referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

**Response 41-20**

The commenter states that the project site currently offers views accessible to bicycle and pedestrian traffic. The commenter is referred to Response 21-3 regarding the accessibility of Paseo Del Mar at the project site prior to and since the 2011 landslide event. The commenter is also referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

**Response 41-21**

The commenter states that the analysis of paleontological resources in the Draft EIR focuses on vertebrate paleontology, and that the paleontological monitoring plan should include both vertebrate and invertebrate paleontology. As outlined in mitigation measure PR-A on page 3.10-7 of the Draft EIR, prior to the start of construction, a paleontological resources monitoring plan shall be prepared and shall be implemented by a qualified paleontologist. This plan would

include monitoring for all paleontological resources that have the potential to occur at the project site, including any vertebrate and invertebrate paleontological resources.

#### **Response 41-22**

The commenter recommends consultation with local organizations and agencies regarding paleontological resources. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Response 41-23**

The commenter states that the EIR should consider the incorporation of traffic calming and aesthetic improvement measures. The commenter is referred to Response 41-1 regarding the scope of the project, which is to reconnect the damaged portion of the Paseo Del Mar roadway. The proposed project would be designed and implemented in compliance with all applicable building and safety codes pertaining to roadway construction. The commenter is also referred to Response 9-4 regarding the implementation of traffic calming measures on Paseo Del Mar.

Regarding aesthetic improvements, as described in Chapter 2, Project Description, stone patterning may potentially be considered under Alternative 1 for the bridge wingwalls as an aesthetic, architectural element. Additionally, Alternatives 1 through 3 would include similar types of barriers, which may potentially include additional architectural features, such as concrete staining, cobble stone patterning, or decorative railing. As such, aesthetic architectural elements will be considered in the overall design of the project, regardless of which build alternative is implemented. The aesthetic elements will be determined during the final design of the project.

#### **Response 41-24**

The commenter states that the trip redistribution due to landslide event methodology is not consistent with the methodology used to analyze the future with project scenario. A discussion of the trip redistribution that has occurred due to the landslide event is included in the Environmental Setting section on page 3.12-7 in Section 3.12, Transportation and Traffic, of the Draft EIR. As discussed on page 3.12-7, a traffic count search was undertaken to identify comparable data from before the landslide event to determine how the roadway collapse affected area traffic patterns. The data shown in Table 3.12-4, Western Avenue/25th Street Intersection Traffic Count Comparison, on page 3.12-8 of the Draft EIR, is based on actual traffic counts from year 2010 and year 2016. These are not projections but actual data collected. As the project site has not operated as a roadway since 2011 and trips have been diverted around the project site, there is no traffic count data available between the baseline and the existing (2016) condition for the project site, only for the study intersections. Additionally, projections would not be meaningful or necessary between the year 2010 (prior to the landslide event) and the year 2016 since actual data is available for the study intersections for these years.

The future conditions described subsequently in Section 3.12 for both the No Project and With Build Alternatives scenarios describe what would occur in the future. The future condition takes into consideration what would occur between the year 2016 and the year 2021. There is existing data for year 2016; however, it is necessary to project the ambient growth that would

occur between the year 2016 and the project buildout year of 2021. The ambient growth was estimated by applying an ambient traffic growth rate of two percent per year to the existing (2016) traffic counts. The commenter is also referred to Response 34-32 regarding the peak hour volume estimations for the study roadway segments under the Future (2021) with Build Alternatives Conditions.

#### **Response 41-25**

The commenter requests an analysis of the project's compliance with the Vision Zero Los Angeles effort. Vision Zero Los Angeles is a Citywide initiative whose goals include a 20 percent reduction in traffic deaths by 2017, and zero traffic deaths by 2025. Improvement projects are prioritized using the High Injury Network, which identifies streets with a high concentration of traffic collisions that result in severe injuries and deaths. No portion of Paseo Del Mar is identified in the High Injury Network, therefore, no improvement projects have been proposed for Paseo Del Mar, including the area containing the project site.<sup>2, 3</sup> As discussed previously, the proposed project would be designed and implemented in compliance with all applicable building and safety codes pertaining to roadway construction. Furthermore, the proposed project would not preclude the implementation of measures under Vision Zero Los Angeles should improvements within the project site be identified in the future.

#### **Response 41-26**

The commenter suggests a revision to mitigation measure CR-A. The commenter is referred to Response 12-2 regarding mitigation measure CR-A. The commenter is also referred to Response 8-1 regarding the ongoing Native American consultation process.

#### **Response 41-27**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Response 41-28**

The commenter objects to the significant unavoidable impacts to visual character identified for the No Project Alternative. The commenter is referred to Response 34-11 regarding aesthetics impacts under the No Project Alternative.

#### **Response 41-29**

The commenter states that the scope of the project is incorrect. The commenter is referred to Response 41-1 regarding the scope and fundamental purpose of the proposed project. The commenter is also referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

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<sup>2</sup> City of Los Angeles, Vision Zero Los Angeles 2015-2025, High Injury Network Map, available at: <http://ladot.maps.arcgis.com/apps/MapJournal/index.html?appid=488062f00db44ef0a29bf481aa337cb3>, accessed July 31, 2017.

<sup>3</sup> City of Los Angeles, Vision Zero Los Angeles 2015-2025, Projects, available at: [http://visionzero.lacity.org/projects/#current\\_projects](http://visionzero.lacity.org/projects/#current_projects), accessed July 31, 2017.



Regarding the landslide and soil erosion impacts identified for the No Project Alternative, as previously discussed, the Draft EIR acknowledges that the project site has been stabilized with the measures put in place following the 2011 landslide. However, the measures that would be installed under the build alternatives would stabilize the project site to a greater degree than the No Project Alternative. Therefore, the Draft EIR concludes that the No Project Alternative, when compared to the build alternatives, would expose people in the project area, particularly recreational users of the beach area south of the project site, to potentially significant impacts associated with landslides, potentially resulting in a significant unavoidable impact. Additionally, since the No Project Alternative would not implement the additional erosion control features that the build alternatives would, no feasible mitigation measures are available to reduce this significant impact. As such, the impact related to erosion would remain significant and unavoidable under the No Project Alternative.

#### **Response 41-30**

The commenter asserts that the discussion of bicycle and pedestrian access related to land use and planning under the No Project Alternative is incorrect, making the analysis incorrect. The commenter is referred to Response 21-3 regarding the accessibility of Paseo Del Mar at the project site prior to and since the 2011 landslide event. As previously discussed, the impact is related to the project site's land use designation under the City's General Plan. Under the No Project Alternative, a portion of the scenic highway would remain missing and, thus, views along that segment of the scenic highway would be lost to travelers along that portion of roadway. Therefore, the Draft EIR concludes that the No Project Alternative would result in significant and unavoidable land use and planning impacts related to consistency with applicable land use plans.

#### **Response 41-31**

The commenter states that the analysis of cumulative impacts is inadequate. Section 15130 of the CEQA Guidelines addresses the discussion of cumulative impacts in an EIR. Section 15130(a)(1) states:

*"As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other project causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR."*

Section 15130(b) states:

*"The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact."*

Section 15130(b)(2) discusses the consideration of related projects when using the list approach, stating:

*“When utilizing a list... factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type.”*

As discussed in Chapter 4, Impact Overview, of the Draft EIR, the list approach was used for the cumulative impacts discussion. The related projects list includes approved or proposed development projects within a two-mile radius of the project site and this list was derived from information provided by the City of Los Angeles Department of Transportation.

The commenter lists three projects that they state should be included as related projects, including the Highpark at San Pedro, San Pedro Public Market Redevelopment, and AltaSea. None of these projects are located within a two-mile radius of the project site. Additionally, these projects include the development of residential, commercial, and institutional uses. As such, construction and operation of these projects would be expected to generate new traffic trips, air quality and GHG emissions, and various other impacts related to the use of water and generation of wastewater and solid waste. As stated in Section 15130(b)(2) of the CEQA Guidelines, the nature of the environmental resources affected by the related projects should be considered. As discussed in the Draft EIR, the build alternatives would not generate new traffic trips, would not result in an increase in air quality or GHG emissions, and would not result in impacts to utilities (e.g., water supply, wastewater generation, solid waste generation). Per Section 15130(a)(1) of the CEQA Guidelines, an EIR should not discuss impacts that do not result from the proposed project. As the build alternatives would not result in the types of impacts that the projects suggested by the commenter would, the proposed project would not have the capacity to contribute to cumulatively considerable impacts in conjunction with those suggested projects. Therefore, even if the EIR included an evaluation of impacts of the proposed project in conjunction with these projects, the cumulative impacts would not be significant. The environmental issue areas where significant impacts have been identified for the build alternatives (i.e., aesthetics, construction noise) are specific to the project's location and/or design. Neither the related projects identified in the EIR nor the projects suggested by the commenter would be implemented in a location that could combine with the proposed project to contribute to a cumulatively significant aesthetics or construction noise impact.

Regarding the resource study areas used for land use, air quality, and traffic, the Draft EIR uses the appropriate setting for each resource. It is important to note that the resource study area, known as the environmental setting in the Draft EIR, is identified in relation to the proposed project based on the project's potential to result in impacts to that specific resource. It would not be appropriate to establish the environmental setting based on potential related projects. The proposed project involves the restoration of continued access along a designated secondary scenic highway. The proposed project would not change the existing land use designation at the project site and would not have the capacity to result in changes to land uses in the project area. Therefore, the land use and planning analysis is based on the regional and local land use plans and policies applicable to the project site. As discussed in Section 3.2, Air Quality, the air quality analysis is based on an evaluation of regional and localized air quality emissions estimates pursuant to thresholds established by the South Coast Air Quality Management District, who has jurisdiction over the South Coast Air Basin, the air basin containing the project site. As discussed in Section 3.12, Transportation and Traffic, the project study area, study intersections, and roadway segments were selected for traffic impact analysis based on the anticipated trip distribution of the build alternatives and the proximity of the intersections and roadway segments to the project site. The traffic study area was selected in coordination with and approved by the City of Los Angeles Department of Transportation.

### **Response 41-32**

The commenter states that the purpose of the project is incorrect and that an alternative that includes improvements to the landslide area and existing streets without restoring the collapsed portion of Paseo Del Mar is not considered. The commenter is referred to Response 41-1 regarding the scope and fundamental purpose of the proposed project. The commenter is also referred to Response 9-2 regarding the planned function and designation of Paseo Del Mar, the project boundaries, and the analysis of an alternative that does not reconnect the roadway. Additionally, as previously discussed, the Draft EIR acknowledges that the project site has been stabilized with the measures put in place following the 2011 landslide.



## Paseo Del Mar Comments

Rebecca Rannells <rebeccarannells@gmail.com>

Sun, Jun 4, 2017 at 3:02 PM

To: William.Jones@lacity.org

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Paseo Del Mar Permanent Restoration Project. I do so on behalf of Taxpayers against the Road to Nowhere—a group of 610 signers to a petition in opposition to spending our tax dollars on what we believe is a needless restoration.

42-1

The Draft EIR fails on a number of grounds, most glaringly, a failure to use a proper baseline that renders moot its verdict on the project's true environmental impacts on the area as it has existed since November 21, 2011 and failure to propose or analyze thoughtful alternative projects.

### FAILURE TO USE A PROPER BASELINE:

The key failure of the DEIR is its cynically calculated selection of the baseline, which the DEIR defines as the conditions that existed before the landslide of Nov. 20, 2011. The DEIR admits that its choice for the baseline is unusual. It notes that commonly the choice for a baseline are the "conditions or environmental setting at the time of the release of the Notice of Preparation" and notes that "deviation from this is permitted with *substantial evidence*, which allows the lead agency to set the appropriate baseline condition that is a time other than the release of the NOP." The NOP was issued in the fall of 2016, five years after the road collapsed.

42-2

The DEIR offers neither an explanation or evidence for making this choice of baseline. As a result, the public is precluded from responding because the "evidence" is missing. This act, in itself, renders the subsequent EIR meaningless and requires a reissue of the DEIR to include such "substantial evidence." There is no case law that supports using a baseline rooted in the past.

The selection of this historical baseline ignores current conditions, which will be substantially impacted by the road restoration. These current conditions will be the existing conditions for a period of six years by the time a final EIR is released. Traffic, air pollution, crime, accidents and noise are all sharply reduced since the landslide in the vast majority of homes, apartments, streets, parks near the slide. Therefore, the adverse potential impacts include degradation of: aesthetics, geology, hydrology, water quality, soils, land use, noise levels, public safety, air quality, housing, public services, utilities, cultural resources, recreation, and growth among others.

Essentially, this DEIR prejudged the outcome of the analysis. This is illegal and at odds with the spirit and letter of California environmental law. The point of an EIR is to discuss what impacts a project would have, discuss their significance and propose ways to mitigate these impacts. Picking a time before the road's collapse bypasses this analysis and renders the DEIR pointless and useless except in furthering a presupposed political agenda.

### FAULTY ANALYSIS OF PROJECT ALTERNATIVES:

The report misstates the impacts of the no-project alternative, incorrectly stating that there are "significant and unavoidable impacts" on aesthetics, including scenic vistas, scenic resources, and visual character, among others. This is false. You can walk, run, bike and drive to and through the landslide area. There is complete access to all of the landslide adjacent areas except for the few hundred feet where the city has chosen not to provide permanent, safe access because it anticipates building a through-road.

42-3



The DEIR's also fails to properly offer and analyze a wide range of alternatives for the restoration project. The DEIR analyzes only projects that INCLUDE a two-lane roadway. It ignores the fact that restoration of Paseo Del Mar can include non-car-centric restorations. This violates the law. It is essential that the project look at a restoration that provides for full and safe public access to the area, but does not include a two-lane road. The agency must analyze, and the city should build, a view area and landslide overlook with appropriate amenities. Such restoration would include a two-way bike path, and could also include a fire road with a locked gate that allows limited emergency vehicle access, should that be shown to be necessary by analysis of run-times or other suitable data.

42-4

We look forward to learning that the current, invalid DEIR has been rejected and that a new one that addresses our concerns has been authorized...or that the project has been abandoned for good and the welfare of the taxpayer has finally triumphed.

42-5

Sincerely yours,

Rebecca Rannells

Taxpayers against the Road to Nowhere

You can view our petition at:

<https://www.change.org/p/government-asks-for-increase-in-gas-tax-while-wasting-100-million-in-tax-receipts-on-road-to-nowhere-boondoggle>

**Comment Letter 42: Rannells, Rebecca****Response 42-1**

The commenter expresses their opposition to restoration of the roadway. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 42-2**

The commenter states that the baseline used in the Draft EIR ignores current conditions. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

The commenter also states that the point of an EIR is to discuss the impacts of a project and propose mitigation. The commenter is referred to Response 35-5 regarding the impacts identified in the Draft EIR and the fact that, where feasible, mitigation measures have been provided.

**Response 42-3**

The commenter objects to the significant and unavoidable aesthetics impacts identified for the No Project Alternative. The commenter is referred to Response 34-11 regarding aesthetics impacts under the No Project Alternative.

Additionally, the commenter asserts that the project area is accessible. The commenter is referred to Response 21-3 regarding the accessibility of Paseo Del Mar at the project site prior to and since the 2011 landslide event. The commenter is also referred to Response 9-2 regarding the fundamental purpose of the proposed project, the planned function and designation of Paseo Del Mar, and the boundaries of the project site.

**Response 42-4**

The commenter states that an alternative to the proposed project can include restoration without including a two-lane road. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar, and the analysis of an alternative that does not reconnect the roadway.

**Response 42-5**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

PASEO DEL MAR PERMANENT RESTORATION PROJECT  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

(please hand in or mail back by June 5, 2017)

(please e-mail comments to William.Jones@lacity.org by June 5, 2017)

Name: DAVID CHEEK

Organization (if any): \_\_\_\_\_

Address: 3602 S. CABRILLO AVE

City, State, Zip: SAN PEDRO CA

Phone (optional): \_\_\_\_\_

E-mail (optional): \_\_\_\_\_

Comments

PLEASE REBUILD THE ROAD!

THE ROAD IS AN IMPORTANT CONNECTION  
BETWEEN THE PALISADES AREA AND

SOUTH SHORES. THE ROAD IS AN  
EXISTING ASSET TO THE NEIGHBORHOOD

WE DESERVE TO HAVE IT RESTORED.

WE ARE NOT ASKING FOR ANYTHING NEW

ANY ENVIRONMENTAL IMPACT IS DUE TO  
NATURAL CAUSES, AND NOT DUE TO

THE ROAD RESTORATION.

WE HAVE WAITED LONG ENOUGH  
LET'S GET IT RE-BUILT !!!

THANK YOU

**Comment Letter 43: Cheek, David**

**Response 43-1**

The commenter expresses their support for the build alternatives. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.





William Jones <william.jones@lacity.org>

## Paseo Del Mar

2 messages

peggy <pnblindquist@cox.net>  
To: william.jones@lacity.org

Mon, Jun 5, 2017 at 4:59 PM

Dear Mr. Jones,

I am writing this letter to voice my concerns with Paseo Del Mar not being rebuilt. I am a stakeholder in two locations in the direct vicinity of said area. I live at the base of Alma. My home has been run into several times with 2 cars being totaled. The increased traffic due to Alma now being the main artery into the Palisades area is quite concerning to us. The large emergency vehicles that come barreling down to reach the victims here are so scary. This is now the alternate route for them. As well as most of the other traffic. The smaller streets such as Patton, Barbara, Hamilton and Walker have become our most traveled routes in and out of the area. The children and families on those streets can't even get out of their own driveways. The increased traffic on those streets will cause more deterioration on streets that were never meant to handle that kind of traffic. We want our road back. We want our neighborhoods back. We want to have quicker response time from emergency vehicles. We want the traffic to flow along Paseo Del Mar like it was designed to. Rebuild the road please.

We also own the property and business of The Corner Store. We lost 30% of our sales when that road fell out. The access has been affected and we want the road to be rebuilt for that reason as well.

So, my voice needs to be heard because most of the other stakeholders know nothing about this Public Review Period. If they have not been able to attend a meeting, they have not received the notice. I was on Joe Buscalino's original committee and we all voted to rebuild. Now let just do it. Please!

Rebuild our road.

Sincerely,

Peggy Lindquist  
1035 W. 37th Street  
1118 W. 37th Street  
San Pedro, Ca 90731  
[310-832-2424](tel:310-832-2424)

44-1

peggy <pnblindquist@cox.net>  
To: william.jones@lacity.org

Mon, Jun 5, 2017 at 5:00 PM

Begin forwarded message:

**From:** peggy <pnblindquist@cox.net>  
**Subject:** Paseo Del Mar  
**Date:** June 5, 2017 4:59:32 PM PDT  
**To:** [william.jones@lacity.org](mailto:william.jones@lacity.org)  
[Quoted text hidden]

**Comment Letter 44: Lindquist, Peggy**

**Response 44-1**

The commenter expresses their concern that circulation on neighborhood streets has been affected by the closure of Paseo Del Mar at the project site. Section 3.12, Transportation and Traffic, of the Draft EIR acknowledges that traffic volumes have been diverted since the 2011 landslide event. The commenter is referred to Response 14-3 regarding impacts to traffic circulation following the 2011 landslide event.

June 5, 2017

To: William Jones, Chief Engineer, City of Los Angeles

Re: The DEIR for the White Point Road Restoration Project

From: June Burlingame Smith

Dear Chief Engineer Jones:

As you are well aware, the San Pedro community was greatly effected by the White Point/Paseo del Mar landside, and the interest and concern for how this land is managed is a very high priority for many. Chiefly, as a community, we consider the safety for those occupying the perimeter of the slide area the primary focus, and we thank the City (and the engineers) for immediately stepping in to assure the stability of the landslide to prevent further erosion.

45-1

My remarks will be broken into several categories: 1) Process; 2) Group Responses, and 3) My own personal observations.

1. Process

- A. Review periods for such important and complicated EIRs need to be more than 30 days. A minimum of 60 days, preferably 90, must be the guide for future requests for input. It takes several weeks to inform and agendize items for groups, and it then takes volunteer citizens many hours to analyze and research meaningful responses. Since all of us are interested in assuring the best long-lasting results from these efforts, we need to proceed with comity and understanding; 30 days is not adequate for the community to give the City properly thought out ideas.
- B. The website needs to be operated in an open and accessible manner. There were too many “glitches” for the DEIR—preliminary access and then not access to the appendices—to call the City’s rollout of the DEIR smooth. It was not, and it led to a great deal of frustration on the part of citizens who really wanted to give you well thought out and reasoned responses. In the future, please make sure that this aspect of the forthcoming EIR is properly managed.
- C. The No Project was not listed in the DEIR, so although citizens are responding to what was IN the DEIR, many cannot or will not respond to what was omitted. This has led to several observations: 1) the omission was willful so that those who do not want a road rebuilt could not voice that opinion, or 2) the omission was not willful which raises the question of competence and trust. In either case, the result is not beneficial to the final outcome of the EIR IF the City truly wants a full dialogue with the community.

45-2

45-3

2. Group Responses

- A. The San Pedro Neighborhood Council passed a well thought-out response that raises important questions regarding the baseline, process, and mitigation, and since the Council represents one-third of the area of San Pedro, its resolution must be considered seriously.

45-4



|                                                                                                                                                                                   |      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| B. The Palos Verdes Land Conservancy has raised significant concerns about mitigation to the Preserve that must be addressed.                                                     | 45-5 |
| C. The White Point Steering Committee, the people who are directly caring on an ongoing basis for the White Point Preserve have raised specific issues that need to be addressed. | 45-6 |
| D. The group representing taxpayers has raised the important issue of priority for the use of funds to pay for the new road.                                                      | 45-7 |

### 3. Personal Concerns and Observations

|                                                                                                                                                                                                             |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| A. The baseline must be changed to be consistent and from today's base, not that of the time of the landslide.                                                                                              | 45-8  |
| B. The No Project Option must be listed.                                                                                                                                                                    | 45-9  |
| C. Mitigation to the Preserve must be the next highest priority after stabilization of the land, using the expertise of the Palos Verdes Land Conservancy and its White Point Steering Committee.           | 45-10 |
| D. The suggestions from citizens who want to see other types of restoration to the land, recreational usage such as bike paths and an extension of the Preserve, should be incorporated into the final EIR. | 45-11 |
| E. Final comment period should be 90, not 30 days.                                                                                                                                                          | 45-12 |
| F. Realistic costs and the means of obtaining those funds for the various options must be researched and publicized.                                                                                        | 45-13 |

I look forward to working further with the City on these matters.

Yours sincerely,

June Burlingame Smith

3915 S. Carolina Street  
San Pedro, California 90731  
310 831 0726



**Comment Letter 45: Smith, June Burlingame**

**Response 45-1**

This comment includes introductory remarks and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

**Response 45-2**

The commenter states that a longer review period is needed and expresses concern over accessibility of the Draft EIR. The commenter is referred to Response 33-1 regarding the public review period and accessibility of the Draft EIR.

**Response 45-3**

The commenter asserts that the No Project Alternative was not included in the Draft EIR. A discussion of the No Project Alternative is required pursuant to CEQA Guidelines Section 15126.6(e)(1). The No Project Alternative is discussed throughout the Draft EIR, including a summary of the No Project Alternative in Chapter 1, Introduction; a description of the No Project Alternative conditions in Chapter 2, Project Description; a full analysis of the potential impacts of the No Project Alternative for each issue area presented throughout Chapter 3, Environmental Setting, Impacts, and Mitigation; a summary of the significant and unavoidable adverse impacts identified for the No Project Alternative in Chapter 4, Impact Overview; and a summary of the impacts associated with the No Project Alternative in Chapter 5, Alternatives.

**Response 45-4**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 45-5**

The commenter states that concerns over mitigation to the preserve should be addressed. The commenter is referred to Response 9-2 regarding the boundaries of the project site. The proposed project would not involve any construction activities within the White Point Nature Preserve and no impacts to the Preserve have been identified in the Draft EIR. Therefore, no mitigation of impacts to the Preserve would be required.

**Response 45-6**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 45-7**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response 45-8**

The commenter states that the baseline must be changed. The commenter is referred to Response 9-1 regarding the baseline used in the Draft EIR.

**Response 45-9**

The commenter states that the No Project Option must be listed. The commenter is referred to Response 45-3 regarding the analysis of the No Project Alternative throughout the Draft EIR.

**Response 45-10**

The commenter states that mitigation to the preserve should be a priority. The commenter is referred to Response 45-5 regarding the White Point Nature Preserve.

**Response 45-11**

The commenter states that suggestions for other types of restoration should be incorporated in the Final EIR. The commenter is referred to Response 9-2 regarding the fundamental purpose of the proposed project, the planned function and designation of Paseo Del Mar, and boundaries of the project site. The commenter is also referred to Response 41-1 regarding the scope of the proposed project.

**Response 45-12**

The commenter states that the final comment period should be 90, not 30 days. Public Resources Code Section 21092.5 and CEQA Guidelines Section 15088(b) require that the lead agency provide written responses to comments at least 10 days prior to the hearing at which the EIR will be considered. In accordance with these requirements, a copy of the Final EIR, including the comment letters and responses, will be provided to those agencies, organizations, and individuals who submitted comments on the Draft EIR at least 10 days prior to the scheduled hearing.

**Response 45-13**

The commenter requests information related to costs for the project. The commenter is referred to Response 34-1 regarding costs associated with the build alternatives.



William Jones <william.jones@lacity.org>

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## Paseo del Mar Commets

1 message

---

Carol Holben <publiceyreview@cox.net>  
To: William.Jones@lacity.org

Tue, Jun 6, 2017 at 11:14 AM

Dear Mr. Jones:

As a resident of the Lower Palisades at Dolphin and 37<sup>th</sup>, I wish to urge the city NOT TO REBUILD Paseo del Mar. I recognize that neighbors above me are dealing with more traffic, but the link to Western is not needed and basically just attracts weekend tourists, especially motorcyclists. There are projects that are much more desperately needed for the benefit of Los Angeles residents. This would be a waste of taxpayer money. Just because the road was there once does not mean it needs to be there in the future. Compare the constant repairs needed at Portuguese Bend. Nature has its own agenda and the land along the coast will continue to move.

46-1

Thank you for your consideration.

Carol Holben,  
3702 S. Dolpohin St.  
San Pedro, CA 90731  
[310.748.2473](tel:310.748.2473)

**Comment Letter 46:Holben, Carol**

**Response 46-1**

The commenter states that the reconnection of Paseo Del Mar is not needed. The commenter is referred to Response 9-2 above regarding the fundamental purpose of the proposed project and the planned function and designation of Paseo Del Mar.



## **3.2 RESPONSES TO ORAL COMMENTS RECEIVED AT DRAFT EIR PUBLIC MEETING**

A public meeting was held during the Draft EIR public review period to solicit comments from interested parties. This Draft EIR public meeting was held on May 3, 2017, at 6:00 p.m. at The Plaza at Cabrillo Marina (2865 Via Cabrillo Marina, San Pedro, CA 90731). At the meeting, an overview of the proposed project and the Draft EIR conclusions were presented. Following the presentation, the meeting was opened to oral public comments. Thirteen members of the public provided oral comments on the Draft EIR during the public meeting. A court reporter was present at this meeting and a transcript of the comments received is provided below followed by responses to each public testimony (PT).

CITY OF LOS ANGELES BUREAU OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

PASEO DEL MAR PERMANENT )  
RESTORATION PROJECT )  
PUBLIC HEARING RE )  
ENVIRONMENTAL IMPACT REPORT )

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, MAY 3, 2017

2965 VIA CABRILLO-MARINA

SAN PEDRO, CALIFORNIA 90731

APPEARANCES: BILLY HO  
WILLIAM JONES  
City of Los Angeles Bureau of Engineering  
1149 South Broadway  
Suite 600  
Los Angeles, California 90015-939  
Phone: 213.485.5745

JOB NO. 136030

REPORTED BY: IRENE KUBERT, CSR, CRR, RMR, CLR  
License No. 10105

PASEO DEL MAR PERMANENT RESTORATION PROJECT  
PUBLIC HEARING RE ENVIRONMENTAL IMPACT REPORT

SAN PEDRO, CALIFORNIA 90731

WEDNESDAY, MAY 3, 2017

6:05 P.M.

--oOo--

MR. LOUIE: Good evening. Welcome. It's good to see everybody. I'm glad you guys could make it out.

I have some notes here. This is the public hearing for the Draft Environmental Impact Report for the Paseo Del Mar Permanent Restoration Project.

My name is Richard Louie. I am a civil engineer with the City of Los Angeles Bureau of Engineering. I work in the geotechnical engineering group with the Bureau of Engineering, and I am the project manager for this project.

So we're glad you guys could make it out.

Go to the next slide here.

Let me tell you a little bit about what our presentation will cover tonight.

I will begin again. My name is Richard Louie, project manager with the Bureau of Engineering, and I will begin by giving a brief history of the project and describe a little bit about the work that has been performed so far.

PT-1

1 I will then talk a little bit about the project  
2 description and the alternatives that were analyzed in the  
3 Draft Environmental Impact Report, or we say "Draft EIR" for  
4 short so we don't have to say the whole word. And I will  
5 also give a description of the project schedule and where we  
6 are with the project.

7 After I go through the schedule, I will then  
8 invite up William Jones, who is to the left of me here, to  
9 your right. He is also with the Bureau of Engineering, with  
10 the Environmental Management Group.

11 William will talk about the California  
12 Environmental Quality Act, or we say "CEQA" for short, the  
13 CEQA process, and as well as the purpose of this meeting.  
14 And the purpose of this meeting is to accept public comments  
15 as it relates to the environmental issues addressed in the  
16 Draft EIR.

17 He will also talk about several key issues that  
18 are addressed in the Draft EIR as well as a summary of the  
19 impacts associated with each alternative as described in the  
20 project description. Then we will open up the meeting to  
21 public comments.

22 This process of distributing the Draft EIR as  
23 well as receiving public comments is required as part of a  
24 CEQA process. So I do want to make you aware that this  
25 meeting is intended to receive the public comments related to

PT-1  
Cont'd



1 the environmental issues addressed in the EIR and is not  
2 intended to be a question-and-answer forum.

3 During the public comment portion, we have some  
4 wireless mics that we will pass around the room. And we'll  
5 have a two-minute clock for people to give public comments.  
6 This will ensure that there's enough time for everybody to  
7 give public comments who would want to give public comments  
8 tonight.

9 If you do want to give a public comment, we ask  
10 that you fill out the speaker card on the back table back  
11 here, and then we will call your name one after another based  
12 on the speaker cards that we have received.

13 If you maybe don't feel comfortable giving verbal  
14 comments but you still want to comment, you can also submit  
15 written comments either on the back table back here or  
16 through email or letter to William Jones or Billy Ho at City  
17 of Los Angeles Department of Public Works. We will show this  
18 slide again at the end in case you want to record that  
19 information.

20 The responses to the comments received both  
21 verbally and written will be included in a transcript in the  
22 final EIR, and responses to comments related to the  
23 environmental analysis of the Draft EIR will be responded to  
24 in the final EIR.

25 As I mentioned, I want to say that we have a

PT-1  
Cont'd

1 court reporter here who is going to transcribe everything  
2 that is shared. And, again, that will be included in the  
3 final EIR.

4 All the public comments must be submitted by  
5 June 5th, 2017.

6 Okay. So let's begin. Let me give a little  
7 background of the project. On November 20, 2011, an  
8 approximately 400-foot section of the Paseo Del Mar roadway  
9 collapsed along the coast in the community of San Pedro.

10 The road was immediately shut down, and the  
11 Bureau of Engineering authorized a private geotechnical firm  
12 to perform a geotechnical study of the landslide area.

13 From that study several projects were performed,  
14 several emergency measures, which included works to clean up  
15 the debris and shave the sides of the landslide area, to both  
16 install dewatering drains and soil anchors and to add street  
17 improvements and grading to improve the drainage at the site.

18 We are now at our current project, which is the  
19 Paseo Del Mar Permanent Restoration Project. This project  
20 would restore the section of the Paseo Del Mar roadway that  
21 collapsed in 2011 to its original function. The project is  
22 in the process of completing the Draft EIR, and we are in the  
23 six-day review period of that Draft EIR.

24 The Draft EIR was published on April 6, and in  
25 that EIR four alternatives have been analyzed for

PT-1  
Cont'd

1 environmental impacts.

2 One alternative that was analyzed in the Draft  
3 EIR is the no-project alternative. Under this alternative no  
4 construction activities would occur and the Paseo Del Mar  
5 roadway would remain closed. This alternative is required to  
6 be analyzed under the CEQA rules. And it allows  
7 decision-makers to prepare the impacts of approving the  
8 project compared with the impacts of not improving the  
9 project.

10 Another alternative that was analyzed is a bridge  
11 that spans over the landslide area. And so in this  
12 alternative a single span of 380-foot-long bridge would be  
13 supported on stable ground located outside the limits of the  
14 landslide area. This alternative limits the major earthwork  
15 and remediation of the existing landslide.

16 This is another alternative, which is called the  
17 acre cast-in-drilled-hole, or CIDH for short,  
18 piles-with-buttress option. And in this option it includes a  
19 single row of CIDH piles which are installed near the  
20 existing edge of the slope. These piles would be connected  
21 together with a reinforced concrete grade beam and tied back  
22 with soil anchors. And then above the piles would be placed  
23 a reinforced earth buttress which would support the new  
24 roadway, placing the roadway back in service.

25 Another option is called the shear pins with

PT-1  
Cont'd

1 mechanically stabilized embankment wall, or MSE wall,  
2 alternative. So this is similar to the last alternative, in  
3 that on the edge of the existing slope several large-diameter  
4 piles would be installed. In addition to this, a row of  
5 smaller-diameter piles would be installed underneath where  
6 the roadway would be replaced. And then on top of those  
7 piles the mechanically stabilized earth, MSE wall, would be  
8 constructed.

9 Those large-diameter as well as grid of  
10 smaller-diameter piles would hold the vertical forces of the  
11 mechanical stabilized earth wall as well as mitigate lateral  
12 forces on the existing slope.

13 So those were four alternatives that I described  
14 which are analyzed in the Draft EIR. There was another  
15 alternative, which was to realign the roadway into the White  
16 Point Nature Preserve. And this was included in the  
17 paperwork for the initial study and the notice of preparation  
18 for the EIR.

19 However, upon further analysis during this  
20 process, it was determined that this alternative would pose  
21 significant impacts to biological resources, cultural  
22 resources, and recreational facilities. Therefore, due to  
23 public input received during this scoping process, as well as  
24 due to the increased impacts, this alternative was eliminated  
25 from further analysis in the Draft EIR.

PT-1  
Cont'd



1           As I mentioned, we are currently in the 60-day  
2 review period of the Draft EIR. And that goes from April 6  
3 to June 5. Thereafter, we anticipate the design of the --  
4 I'm sorry -- we anticipate the selection of the preferred  
5 alternative and the approval of the final EIR by summer of  
6 2017.

7           It's estimated that the design phase would  
8 complete in early 2019 and that the start of construction  
9 would begin in late 2019.

10           However, this timeline is dependent upon funding.  
11 So we have completed the predesign phase of the project, but  
12 we haven't yet been funded for the design phase of the  
13 project. Depending on funding, we'll potentially need to  
14 adjust these dates.

15           Now I'd like to invite up William Jones of the  
16 Bureau of Engineering Environmental Management Group. And  
17 he's going to share with you a little bit about the CEQA  
18 process.

19           MR. JONES: Good evening. William Jones from the  
20 Environmental Management Group, Bureau of Engineering.

21           The California Environmental Quality Act was  
22 designed to review projects for their impact on the  
23 environment. And it's a method of analyzing 18 different  
24 subject areas and analyzing a project's impact and proposing  
25 mitigations to reduce impacts and to consider alternatives

PT-1  
Cont'd

1 and disclose all this information to the public and enable  
2 decision-makers to approve or deny projects based on its  
3 environmental effects.

4 The purpose of this meeting is to inform you of  
5 the EIR that was released about a month ago. We have another  
6 month to go in the review process where you can review it and  
7 provide your comments.

8 This is the CEQA process. We're about two-thirds  
9 of the way in during the review period. And from here we'll  
10 prepare a response to the comments and make any adjustments  
11 in the text of the EIR as needed and provide the final EIR,  
12 along with a statement of overriding considerations, findings  
13 of fact, and mitigation monitoring plan to incorporate the  
14 mitigations into the project.

15 There are 19 subject areas -- actually there are  
16 18. And we looked at 13 of them, and six were not  
17 considered. Things like agriculture and mining were not  
18 considered -- needed to be looked at. These are the subject  
19 areas that we addressed.

20 We found that the no-project alternative had the  
21 most significant permanent impacts. And while the bridge  
22 alternative had just one -- it was the noise, which is  
23 temporary -- the other two, shear-anchored CIDH piles and  
24 shear pin alternatives, had the same impact on scenic values  
25 as well as for temporary for noise.

PT-1  
Cont'd

1           The other five or so impact areas had mitigations  
2       which would be required if there's ever a project in one of  
3       those alternatives that is selected.

4           Now we'd like to open it up to the public review.  
5       It's available for review online and at the San Pedro  
6       Regional Library and the Miraleste Library in Rancho Palos  
7       Verdes, CD-15, and the Department of Public Works downtown.  
8       You can also view it online.

9           You have until June 5 to submit the comments to  
10      myself at Department of Public Works or Billy Ho as a backup  
11      just in case I'm on vacation overseas or something like that.

12          You can provide the comments verbally at the  
13      meeting here on comment cards, or you can send us an email  
14      with a written response. Again, you have until June the 5th.

15          Now we're going to open this up to comments. You  
16      have two minutes. And please state your name and spell it  
17      for the court reporter.

18          Our first speaker is Peter Warren.

19          MR. WARREN: W-A-R-R-E-N. My name is Peter Warren. I  
20      live near the Pacific Diner.

21          I have a lot of things I want to say, and most of  
22      them will be in writing later. But basically this isn't  
23      worth the paper it's printed on because the baseline  
24      condition is set as more than five years ago.

25          And given that there's no funding and there's no

PT-1  
Cont'd

PT-2

1 obvious deadline to meet, we may not see the project begin,  
2 not '19, maybe 2020, maybe 2025.

3 When does the existing condition that we live in  
4 become the baseline? When will Mr. Jones and Mr. Ho be  
5 required to analyze the environmental impacts on the way  
6 we're living here now? The traffic now? The crime now? The  
7 way it exists now?

8 If it was one year later, two years later, that  
9 would be reasonable. This is now almost six years later.  
10 They're talking about building, even though they don't have  
11 any money, eight years later.

12 If it were 15 years later, when would it be okay  
13 to say the existing condition? Because it's kind of an  
14 environmental sleight of hand they're pulling. They're  
15 basically saying we don't have anything to analyze because  
16 we're going to go back to the way it was back yesterday.

17 Oh, not yesterday. Six years of yesterday.

18 That's my personal comment. As secretary of the  
19 Angels Gate Park advisory board, we passed some motions.

20 This is a hurry-up process. The NOP had a 30-day comment  
21 period. We protested that and asked for 90 days. We also  
22 asked for a 90-day comment period for this. This is a 60-day  
23 comment period.

24 What's the hurry for a project without money,  
25 other than this environmental CEQA game they're playing?

PT-2  
Cont'd

PT-3

PT-4

1 Thank you.

2 MR. JONES: Thank you.

3 Charlotte Cohen.

4 MS. COHEN: You answered all my questions.

5 MR. JONES: Dean --

6 MR. PENTCHEFF: Dean, D-E-A-N, P-E-N-T-C-H-E-F-F.

7 My name is Dean Pentcheff. I live at 677 West  
8 38th Street. I'm a marine biologist. I work at the Natural  
9 History Museum of Los Angeles County, but I'm speaking here  
10 as a private individual. I will say several things, moving  
11 from the specific to the general.

12 As a marine biologist, I must address area BIO-3,  
13 which addresses impacts to the marine setting. Specifically  
14 would the project have a substantial adverse effect on  
15 federally protected wetlands as defined by Section 404 of the  
16 Clean Water Act --

17 (Reporter clarification.)

18 Specifically it states that jurisdictional tidal  
19 waters that occur within the BSA would be impacted by rock  
20 armoring shoreline protection. Those are under alternatives  
21 2 and 3.

22 Impacts to jurisdictional tidal waters would be  
23 less than significant under alternatives 2 and 3.

24 Alternatives 2 and 3 involve putting riprap on the coast from  
25 10 feet below the tide line to 25 feet above the tide line in

PT-4  
Cont'd

PT-5

PT-6



1 4-ton blocks.

2 The idea that that would have no impact on the  
3 intertidal zone is factually incorrect. It will obliterate  
4 the intertidal and drastically degrade the marine  
5 biodiversity of that area.

6 Secondly, moving on to the no-project esthetic  
7 impacts, which were referred to earlier, the statement in the  
8 EIR -- which was repeated in several versions, but I will  
9 choose one to quote:

10 "Under the no-project alternative, the  
11 portion of the roadway damaged by the 2011  
12 landslide event would not be restored and a  
13 segment of Paseo Del Mar would remain  
14 inaccessible to vehicular, bicycle,  
15 pedestrian traffic and the public in  
16 general, the scenic views along the damaged  
17 portion of Paseo Del Mar remaining lost to  
18 the public.

19 "This would be considered substantial  
20 adverse impact on a scenic vista.  
21 Therefore, the no-project alternative will  
22 result in significant impact to scenic  
23 vistas."

24 This is factually incorrect. Those areas are  
25 accessible to the public by foot, by bicycle, and by

PT-6  
Cont'd

PT-7

1 automobile to the edge of them at the present day. It would  
2 continue to be so. This grossly misrepresents the  
3 accessibility of the visual -- the view characteristic of  
4 that area under the no-project alternative.

5 Third, road improvements. No attention was paid  
6 in the DEIR to improvements on the road despite the fact that  
7 this was noted significantly in the scoping process. The  
8 road needs improvements whether or not the project is done.  
9 This was not at all addressed in the EIR, either in the  
10 no-project alternative nor in any of the project  
11 alternatives.

12 Nor was there consideration of another project  
13 alternative not in the Draft EIR that would improve the road  
14 without restoring -- excuse me, that would improve road  
15 conditions in the area without restoring Paseo Del Mar road  
16 as it previously stood.

17 This is a very bad omission that makes the  
18 consideration of this Draft EIR nearly impossible for  
19 decision-makers to assess the impacts of these potential  
20 projects.

21 Finally, that's because a lot of these -- that  
22 last issue is based on the fact that, as Peter Warren  
23 documented, the choice of baseline for this EIR is incorrect.  
24 The choice of baseline should be current conditions unless,  
25 as is stated by state law, there is a strong argument made

PT-7  
Cont'd

PT-8

PT-9

1 for why a different time should be chosen. This is the  
2 incorrect baseline. What should have been chosen is current  
3 conditions.

4 Thank you.

5 MR. JONES: Daniel Kohn.

6 MR. KOHN: K-O-H-N.

7 I have to read the full DEIR; so this is going to  
8 be brief. At a really quick, cursory level it's difficult  
9 for me to have an appreciation for the esthetic impact of  
10 each of these by looking at engineered drawings.

11 I can't glean where concrete is going to be  
12 located and where it will be covered by soil. So the  
13 esthetic issues are completely -- it's an absurdly  
14 minimalistic representation for us to properly evaluate the  
15 esthetics. So I would like to see illustrations that  
16 represent that.

17 MR. JONES: Richard Havenick.

18 MR. HAVENICK: The last name is H-A-V-E-N-I-C-K.

19 Good evening. I live on 3641 Parker Street. I'm  
20 here as a citizen, like many of you. Five comments, please.

21 The first one is that we submitted on numerous  
22 occasions, including in response to the notice of  
23 preparation, a request for traffic-calming with very specific  
24 measures defined in the Paseo Del Mar Beautification Plan.  
25 Nowhere in the EIR is mention of traffic-calming measures or

PT-9  
Cont'd

PT-10

PT-11

1 reference to the Paseo beautification plan. There's a  
2 reference to a response, but in the section that supposedly  
3 provides the response, there's no response.

4 In order for the roadway -- if and when the  
5 roadway is built, the community requires, requests, demands  
6 multiple occasions traffic-calming measures as specifically  
7 defined in the beautification plan, and which we have  
8 established as our request through legal meetings, about 40  
9 of them. We've submitted that and we request the response.

10 Secondly, the traffic patterns -- just a minor  
11 technicality. After construction of alternatives 1 through  
12 3, exclusion of the no-project alternative, the traffic east  
13 of Western Avenue is going to increase -- excuse me, is going  
14 to decrease 14 percent, while the traffic east of Weymouth  
15 increases 200 percent.

16 So something in the traffic plan makes no sense.  
17 There's an error, or I'm making a grave error. This makes no  
18 sense whatsoever. So potentially the traffic plan should be  
19 reevaluated.

20 The projections rely on baseline conditions as of  
21 2011. At seven years -- we're almost seven years later.  
22 Things have changed drastically. We have many new  
23 businesses, many new residences, many new recreational  
24 facilities. Traffic is way beyond what we had in 2011, and  
25 the baseline projections are inadequate.

PT-11  
Cont'd

PT-12

PT-13

1           The riprap protection on the shoreline -- just to  
2 make sure -- you haven't been able to read it; others have  
3 not been -- I've got to read it, even at risk of running over  
4 my two minutes.

5           100 feet wide, 800 feet long,  
6           8-feet-thick, 5-ton rock armor overlaid on  
7           4-foot-thick filter blanket at an elevation  
8           of approximately 10 feet below the surface  
9           and 25 feet above for alternative 2.

10          850 feet long along the shoreline below the  
11          landslide. Alternative three would include  
12          a similar construction of riprap monument.

13          This is simply impossible that the natural  
14          habitat, the shoreline below, would be left undestroyed or  
15          unaffected.

16          The mitigations would be required for alternative  
17          2 and alternative 3 well beyond what is accepted in the EIR,  
18          what is concluded in the EIR. This is serious. 850 feet of  
19          25 feet of concrete construction, even riprap, is a pretty  
20          serious alteration to the coastline. This is -- you're  
21          kidding.

22          (Laughter.)

23          Alternative 1 does not include the riprap  
24          construction. But for folks that enjoy the coastline in that  
25          area, you don't want this big monument on the coast.

PT-14



1           The coastal erosion, my fifth comment for now,  
2     resulting from both during construction and during operation  
3     is potentially significant. Silt will run up and down the  
4     coastline, potentially affecting sea life and affecting the  
5     biological diversity.

PT-15

6           In closing, I've got to say that the EIR  
7     declares, although not stated specifically for alternative 1,  
8     for alternatives 2 and 3:

9           "These impacts would be significant.

10          No feasible mitigation measures are  
11          available. Therefore, the impact of scenic  
12          vistas on existing" --

PT-16

13          (Reporting clarification.)

14          The EIR declares that the impacts would be  
15          significant and unavoidable.

16          If the road is built and the impacts are  
17          significant and unavoidable, at best, this is what we're  
18          going to live with. We at least request the City to respond  
19          to our request that traffic-calming measures and the elements  
20          in the beautification plan for Paseo Del Mar be included as a  
21          part of this project, if and when the project is ever built.

PT-17

22          Thank you.

23          MR. JONES: Thank you.

24          Noelle Gould.

PT-18

25          I'm sorry. Noel Gould.

1 MR. GOULD: That's fine.

2 Noel Gould. I'm a resident of Paseo Del Mar for  
3 25 years.

4 And I don't know, I've just got to say that this  
5 EIR as presented kind of smacks as though it's been  
6 interfered with by moneyed interests because it says that the  
7 most negative impact is going to be to do nothing and leave  
8 the project as it is. And it sort of does a sugar coating of  
9 all these proposed bridge or other methods to put the road  
10 back.

PT-18  
Cont'd

11 And there's absolutely no question that any type  
12 of construction to rebuild the road would have a much more  
13 drastic impact on sea life, on the marine biological nature  
14 of the ocean.

PT-19

15 They say that the scenic vistas are negatively  
16 impacted right now. But it's very easy to walk there or ride  
17 a bike there or to stroll around the whole White Point  
18 Reserve, and you have incredible views.

PT-20

19 In fact probably the number one thing you can do  
20 to improve the view would be to take the fence down that's  
21 there. Occasionally somebody jumps, but usually not. And  
22 they can go down to Point Fermin Park if they want to do  
23 that.

24 The other thing is that the price estimates --  
25 all of these contractors are City-approved contractors. I

PT-21

1 don't know when they got on the list. But the estimates that  
2 I've heard for each one of these so-called measures to  
3 rebuild the road are stratospherically expensive. There's  
4 not been any kind of a competitive bidding process.

5 So even if the road were going to be built with  
6 the money that we don't have, there needs to be some kind of  
7 a competitive bidding process to come up with something  
8 that's reasonable. 70, \$80 million, they're talking about,  
9 \$90 million for a bridge. \$50 million for some of these  
10 other -- are you kidding me?

11 It's like, the City doesn't have that money.  
12 Right now they're wasting money on \$70 million of loans to  
13 pay settlements for police problems. And they don't even  
14 have the money to cover that.

15 So we don't have the money to fund this project  
16 as it is. And it would certainly be the least amount of  
17 environmental impact to leave it just as it is now. There is  
18 no problem with the views. And it's just what happened  
19 nature-wise. I don't think that we have the money. It's  
20 irresponsible right now to even talk about coming through  
21 with an expensive project like this.

22 Thanks.

23 MR. JONES: Judy Kordich.

24 MS. KORDICH: It's Judy Kordich, K-O-R-D-I-C-H.

25 I live at 1014 West 37th Street. Like Richard

PT-21  
Cont'd

PT-22

1 and a bunch of you others, I'm out walking on Paseo Del Mar  
2 all the time, in and out of the conservancy. And I haven't  
3 been slaughtered by a bicycle yet, but certainly a few people  
4 have taken shots. And it seems like we have a transport and  
5 a traffic issue on that part of the trail.

6 I don't -- I don't know if anybody else has  
7 noticed that, but it is a concern.

8 I'm also concerned regarding the transport and  
9 traffic about the use of Alma for fire, police, and emergency  
10 vehicles. It's narrow there. And we've had accidents since  
11 Paseo was closed, maybe three right on Alma. If you live  
12 close to there -- and I do -- you will hear it, and it's kind  
13 of alarming.

14 I'm also concerned about our emergency evacuation  
15 route. And I think that's a very practical thing that we do  
16 need to think about, even though we might not think there  
17 will be disasters, but there are. And you do need to be able  
18 to get out of your area when that happens.

19 Thank you.

20 MR. JONES: Thank you. Mike Browne.

21 MR. BROWN: Mike Browne, but there's an "E" on the  
22 Browne.

23 I'll be short because Richard and I were on the  
24 same committee and he took all my thunder.

25 (Laughter.)

PT-22  
Cont'd

PT-23

1 I read the EIR, and several times it mentioned  
2 that there will be no significant change in traffic or  
3 transportation when the road goes through.

4 Based on living there when the road with went  
5 through, there have always been significant traffic issues.  
6 And so being on a committee that submitted at least three  
7 motions regarding traffic-calming -- 1995, before I even  
8 moved here, there was a traffic-calming motion sent to CD-15  
9 which was ignored. There was one in 2008 that was done and  
10 one in 2004.

11 So I'm not sure, your traffic study that you're  
12 going to do, how you're going to find out what it was like  
13 when the road went through when there wasn't one done then.

14 And so I would ask that, again, CD-15 and the  
15 City look at our traffic -- beautification and  
16 traffic-calming measures because the traffic is really  
17 significant.

18 And I will say to the lady on Alma, I feel really  
19 bad for you. I'm not talking about whether the road goes  
20 through or not. All the roads are not meant for the kind of  
21 traffic we get on these streets, and we get no response from  
22 the City to deal with it.

23 So I will agree with Richard. We need the City  
24 to step up and make this part of the scope. I know what  
25 you're going to say; that's not part of the scope. But my

PT-23  
Cont'd



1 belief is -- and I think a lot of people believe -- that once  
2 you open up the road, it becomes part of your scope because  
3 you are creating the traffic problem that will exist once  
4 you're done with the construction.

5 Finally this is actually a really insignificant  
6 issue: Noise. Having to sit through the stabilization  
7 construction when they brought all the big cranes and trucks  
8 down Paseo to the residential neighborhood, I ask that  
9 whoever gets this contract use Western this time. It's built  
10 for the bigger trucks. Because it was a nightmare with the  
11 big trucks they brought through.

12 That's it. Thank you.

13 MR. JONES: Thank you.

14 Dawn Henry.

15 MR. HENRY: Hello. My name is Dawn Henry, and I'm here  
16 representing the Marina Point Homeowners' Association,  
17 approximately 100 residents. I want to thank you very much  
18 for coming tonight with your draft.

19 And what I'd like to say is, as you know, this  
20 road has been unusable now for many years. And we would like  
21 to request to get the road repaired as soon as possible using  
22 the common denominator of the guests that are here tonight to  
23 pursue how they would like to have it repaired.

24 And I want to thank you. You got the talking  
25 part done. Now we want to get the working part done. Thank

PT-23  
Cont'd

PT-24

PT-25

1 you very much.

2 MR. JONES: Thank you.

3 Ann Myshock, M-Y-S-H-O-C-K [sic].

4 MS. MAJCHRZAK: Hi. Ann Majchrzak, A-N-N,  
5 M-A-J-C-H-R-Z-A-K.

6 I'm just here to confirm -- to validate what I've  
7 heard before in some of the people, is that we do need  
8 traffic-calming measures. I feel that the alternatives --  
9 that the evaluation of the alternatives were done in a less  
10 than professional fashion, and certainly not in a way that  
11 would allow the community to make any comments. For example,  
12 the whole rating system was pretty silly.

PT-26

13 So when you're looking at the alternatives again,  
14 it would be good to examine a larger scope on, for example,  
15 esthetics, marine biology, what would normally be done in an  
16 EIR that I've never -- having looked at many of them over the  
17 years, I've never seen one this bad.

18 MR. JONES: Thank you.

19 Mike Puliselich.

20 MR. PULIESELICH: Mike Puliselich, P-U-L-I-S-E-L-I-C-H.

21 Okay. Are you really serious about this  
22 environmental impact thing holding up this project? I've  
23 been driving that road for over 50 years. There used to be a  
24 military base with missiles there, and they didn't need the  
25 missiles no more and they turned it over to the City, or the

PT-27

1 county, whatever.

2 And they put a few paths there, walkway paths,  
3 and the rest is weeds. There's no environmental stuff. It's  
4 way out in the open out there. The ocean is over here, and  
5 you got weeds over here with a few paths. And everybody in  
6 this town has been driving around that scenic route for --  
7 that's what makes San Pedro. It's a 20-minute ride and it's  
8 scenic, and the traffic ain't really that bad.

9 Everybody now is going down 25th Street, making a  
10 right on Patton and going down all through the neighborhoods  
11 and impacting those neighborhoods. And you've got money to  
12 build a -- tear down a perfectly good bridge over there in  
13 L.A., the 6th Street Bridge or whatever it is, and you can't  
14 fix 100 yards of roadway over here in San Pedro because of --  
15 they had guys out working over there for over a year. I  
16 don't know what they were studying, but they could have used  
17 that money to put a few pilings or even put a road right  
18 around.

19 That land is military land. It is not going to  
20 impact nothing. So I don't know where all this kicking it  
21 down the road -- in 2019 they're going to push it down again.  
22 Eighty percent of San Pedro wants that road back. Do we have  
23 any impact here? Who calls the shots here? That should have  
24 been fixed right away.

25 If it was China, that would have been fixed in

PT-27  
Cont'd

1 two days. They had a road on Highway 5. An earthquake, a  
2 little bridge gave way over a washway. They had that thing  
3 fixed overnight. But here -- I don't know how many years --  
4 it's a disgrace. And that should be fixed immediately, not  
5 down the road.

6 MR. JONES: Thank you.

7 Terry Miller.

8 MS. MILLER: Pretty straightforward name.

9 Hi, everyone. First of all I want to just say  
10 that I want to respect everybody's opinions of what they  
11 want. But I also would like to mention to the gentleman who  
12 was just speaking, it's not just a field of weeds. It's  
13 actually native plants supporting native species. And he had  
14 a lot of generalizations that were quite incorrect. I don't  
15 know where he got his numbers of 80 percent.

16 An opinion I have about the EIR and the NOP is  
17 that I feel very upset that we are given such a short amount  
18 of time to respond to this. Most of the people in this room  
19 are clearly not experts at this, and we all have very busy  
20 lives. Many of us have jobs, homes, pets, children, et  
21 cetera, to take care of. And to ask us to actually give you  
22 an intelligent response within the period of time you have  
23 given us is really, to me, designed to not get responses.

24 Second of all I haven't had a chance to study  
25 this, but I did look briefly at the very brief description of

PT-27  
Cont'd

PT-28

PT-29

PT-30

1 the way the roads are considered to be implemented. And this  
2 business of this riprap -- how is it that you expect people  
3 to travel on that beach by foot after those boulders or that  
4 riprap is put in? It appears to me it will block foot  
5 traffic completely.

6 I'm asking the question. Does someone know? Are  
7 these -- will this block foot traffic on the beach? It  
8 appears that it will.

9 Okay. So we're not answering the questions. I  
10 guess you can't.

11 MR. JONES: It's an alternative.

12 MS. MILLER: Uh-huh.

13 MR. JONES: And we can go through a general description  
14 of what an alternative would be, in that it would be analyzed  
15 based on the general description. The actual design hasn't  
16 been performed yet. It's gone through predesign, where  
17 they've suggested different alternatives.

18 MS. MILLER: It's kind of hard to comment on if this is  
19 a "possible" design.

20 MR. JONES: We appreciate any comments you make.

21 MS. MILLER: Okay.

22 MR. JONES: And they will be taken into consideration.

23 MS. MILLER: Okay. And I'll try to do a more formal  
24 job.

25 And the other thing is I'd like to read a letter

PT-30  
Cont'd

PT-31



1 by a neighbor of mine who cannot make it here tonight because  
2 of his family responsibilities.

3 (Reading:)

4 "As one of the nearest residents to  
5 the landslide, I would like to voice a  
6 concern, among many others, about proceeding  
7 with this project without a proper EIR.

8 "The landslide also fell into the  
9 ocean and dispersed a massive amount of  
10 sediment directly into an area in the bay  
11 that is a very productive and significant  
12 nursing estuary for juvenile white sea bass.  
13 There are only a few of these known  
14 locations around the peninsula, and they are  
15 very small in size but contribute  
16 significantly to the health of the  
17 population.

18 "As you may be familiar, the white sea  
19 bass population dwindled to near extinction  
20 in the '70s, promoting a gill-net ban and  
21 appropriated significant funding to hatchery  
22 programs. Today the white sea bass  
23 population recovery is touted as one of the  
24 most successful fishery management programs  
25 of recent times.

PT-31  
Cont'd

1           "However, there is a new and  
2       developing problem with the fishery.  
3       Recruitment numbers are on the decline. So  
4       we are seeing large fish in the 70-,  
5       80-pound range that recruited into the  
6       population in the early '80s after the  
7       management program began. But we are also  
8       seeing a decline in the number of juvenile  
9       sea bass that are being recruited into the  
10      adult population, threatening the overall  
11      health of the fishery.

12           "This decline is believed to be due in  
13      part to the loss of the nursery grounds for  
14      the juveniles. There is much scientific  
15      data and research available on the subject.  
16      But in short I feel it must be pointed out  
17      that the proposed riprap encroaches directly  
18      into the shallow estuary where the fish  
19      nurse, and would have a significant impact  
20      on the structure of that shallow reef  
21      system.

22           "I don't know the impact, but it is  
23      very clear to me that it needs to be  
24      thoroughly and objectively studied by  
25      professionals prior to casually disrupting

PT-31  
Cont'd

1 the natural balance of this ecosystem.

2 Thank you for your consideration."

3 MR. JONES: Thank you.

4 Larry Branston.

5 MR. BRASLOW: Braslow.

6 MR. JONES: Braslow, I'm sorry.

7 MR. BRASLOW: Yeah, I just want to make a few comments  
8 coming out.

9 B-R-A-S-L-O-W.

10 I'm for the no-rebuild option. I think that the  
11 use of money and the destruction of what's become a beautiful  
12 habitat is -- people have reclaimed it. There's more access  
13 than ever. You see people with families and dogs and  
14 frisbees. I think that it's not that it's being blocked off,  
15 as implied in the proposal. It's that there's going to be  
16 decreased access. I think there's more access than ever.

17 I think the ecological costs of what's become  
18 again a beautiful area, which was before -- it was almost  
19 like a raceway. It was scary and dangerous living in that  
20 area with those trucks and cars buzzing by at high speeds.  
21 It really didn't serve the transportation purpose. I think  
22 people felt strongly about it, for nostalgia, the feeling  
23 that you could have that promenade along there. I can kind  
24 of understand that.

25 But I think the cost is way too high.

PT-31  
Cont'd

PT-32

PT-33

PT-34

1 MR. JONES: That was the last speaker.

2 Is there anyone who would like to make -- just  
3 give us your name.

4 MS. WHITE: Joanne White. I am a 25-year resident of  
5 Paseo Del Mar.

6 And I really appreciate hearing the  
7 traffic-calming comments this evening. Coming to the meeting  
8 this evening, I safely backed out of my driveway. A  
9 motorcycle came ripping around the corner and ripped right  
10 out beside me and roared his engine.

11 I'm finding that drivers on our street are  
12 entitled. Also what I'm seeing is more families of many  
13 years coming down, riding their bicycles with their families  
14 on the weekend.

15 And as far as the comment about White Point  
16 Nature Preserve being a yard of weeds, have you ever been in  
17 there? Have you been to the center to see the education that  
18 our children can learn about? Children come from all over  
19 Los Angeles.

20 My son and other Eagle Scouts in San Pedro have  
21 gone on and done their Eagle Scout projects there. We can't  
22 just think about us. There's our future, our children.  
23 Please think of others than just yourselves.

24 Thank you.

25 ////

PT-35

1 MR. JONES: Thank you for coming.

2  
3 (Whereupon, at 6:53 p.m., the  
4 hearing was adjourned.)

5 \* \* \*



## 1 CITY OF LOS ANGELES BUREAU OF ENGINEERING

## 2 DEPARTMENT OF PUBLIC WORKS

3  
4 PASEO DEL MAR PERMANENT )  
5 RESTORATION PROJECT )  
6 PUBLIC HEARING RE ) REPORTER'S  
7 ENVIRONMENTAL IMPACT REPORT ) CERTIFICATE

8 I, IRENE KUBERT, CSR 10105, Certified Shorthand  
9 Reporter for the State of California, do hereby certify that  
10 the foregoing pages, 1 through 32, inclusive, comprise a  
11 full, true, and correct transcript of the requested  
12 proceedings held in San Pedro, California, in the  
13 above-entitled cause, on May 3, 2017.

14  
15 Dated this 17th day of May, 2017.

16  
17  
18  
19 , CSR No. 10105  
20 IRENE KUBERT, Official Reporter  
21  
22  
23  
24  
25

#### **Response PT-1**

This portion of the transcript includes the presentation of the proposed project given by the moderators of the Draft Environmental Impact Report (EIR) public meeting. No response to these comments is required.

#### **Response PT-2**

The comment questions the choice of the baseline used in the Draft EIR. See Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

#### **Response PT-3**

The comment states that a 90-day comment period was requested. See Response 33-1 regarding the public review period of the Draft EIR.

#### **Response PT-4**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

#### **Response PT-5**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

#### **Response PT-6**

The comment objects to the biological resources impacts identified for Alternatives 2 and 3. See Response 9-3 regarding impacts to biological resources related to the proposed shoreline protection measures under Alternatives 2 and 3.

#### **Response PT-7**

The comment objects to the significant and unavoidable aesthetics impacts identified for the No Project Alternative. The commenter is referred to Response 34-11 above regarding aesthetics impacts under the No Project Alternative.

The comment also asserts that the project site is currently accessible to the public. See Response 21-3 regarding the accessibility of Paseo Del Mar at the project site prior to and since the 2011 landslide event.

#### **Response PT-8**

The comment states that an alternative that does not restore the roadway but improves road conditions was not considered in the Draft EIR. See Response 9-2 regarding the fundamental purpose of the proposed project, the planned function and designation of Paseo Del Mar, and

the analysis of an alternative that does not reconnect the roadway. Also, see Response 41-1 regarding the scope of the proposed project.

**Response PT-9**

The comment states that the baseline condition used in the EIR is incorrect and should be changed to those conditions at the time the NOP was released, rather than the pre-landslide conditions. See Response 9-1 regarding the baseline used in the Draft EIR and the conditions used to analyze the impacts of the No Project Alternative.

**Response PT-10**

The comment states that the engineering drawings do not show enough detail. Engineering drawings are provided in Chapter 2, Project Description, of the Draft EIR. However, simulations showing the primary architectural features of each of the build alternatives are provided in Figures 3.1-4 through 3.1-9 in Section 3.1, Aesthetics, of the Draft EIR. Also, see Response 4-5 regarding the shoreline protection elements proposed under Alternatives 2 and 3.

**Response PT-11**

The comment requests that the proposed project implement traffic calming and beautification measures from the Paseo Del Mar Beautification Plan. See Response 9-4 above regarding the Paseo Del Mar Beautification Plan.

**Response PT-12**

The comment states that the assessment of traffic patterns following construction of the build alternatives does not make sense. See Response 34-24 regarding the assessment of traffic pattern changes in the Draft EIR.

**Response PT-13**

The comment states that the baseline conditions are inadequate for the traffic analysis. See Response 9-1 above regarding the baseline used in the Draft EIR. Also, see Response 41-24 regarding traffic data for the baseline conditions and existing conditions, and the projections used for future traffic conditions.

**Response PT-14**

The comment states that mitigation for the shoreline protection measures proposed under Alternatives 2 and 3 would be required. See Response 9-3 regarding impacts to biological resources related to the proposed shoreline protection measures under Alternatives 2 and 3.

**Response PT-15**

The comment states that erosion during construction and operation would affect biological resources. See Response 1-3 regarding construction impacts to water quality and stormwater runoff during operation of the project.

#### **Response PT-16**

The comment states that the EIR declares that impacts to aesthetics under Alternatives 2 and 3 would be significant and unavoidable. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.

#### **Response PT-17**

The comment requests that the proposed project implement traffic calming and beautification measures as described in the Paseo Del Mar Beautification Plan. See Response 9-4 regarding the Paseo Del Mar Beautification Plan.

#### **Response PT-18**

This comment expresses the opinion of the commenter and does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### **Response PT-19**

The comment states that the build alternatives would have more impacts to biological resources than the No Project Alternative. See Table 5-1 on Page 5-9 of the Draft EIR, which provides a comparison of the impacts of the No Project Alternative and each build alternative. As shown in Table 5-1, the Draft EIR identifies no impacts to biological resources under the No Project Alternative and less than significant impacts under the build alternatives.

#### **Response PT-20**

The comment objects to the aesthetics impacts to scenic vistas identified for the No Project Alternative. See Response 34-11 above regarding aesthetics impacts under the No Project Alternative.

#### **Response PT-21**

The comment states that the cost associated with the project alternatives is high. See Response 34-1 regarding costs associated with the alternatives.

#### **Response PT-22**

The comment expresses concern regarding traffic and emergency access and evacuation in the project area. See Response 14-3 above regarding impacts to traffic circulation following the 2011 landslide event.

#### **Response PT-23**

The comment requests traffic calming measures and beautification be part of the scope of the project. See Response 41-1 regarding the scope of the project, which is to reconnect the damaged portion of the Paseo Del Mar roadway. The proposed project would be designed and

implemented in compliance with all applicable building and safety codes pertaining to roadway construction. Also, see Response 9-4 regarding the implementation of traffic calming measures on Paseo Del Mar.

**Response PT-24**

The comment requests that the haul route to the project site use Western Avenue due to noise concerns. Noise impacts related to construction of the build alternatives are discussed Section 3.9, Noise, of the Draft EIR. As discussed on page 3.9-15 of the Draft EIR, "It is anticipated that truck trips to and from the project site would travel from West 25th Street to Western Ave to Paseo Del Mar."

**Response PT-25**

The comment expresses support for rebuilding the roadway. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response PT-26**

The comment states that traffic calming measures are needed. See Response 41-1 regarding the scope of the project, which is to reconnect the damaged portion of the Paseo Del Mar roadway. The proposed project would be designed and implemented in compliance with all applicable building and safety codes pertaining to roadway construction. Also, see Response 9-4 regarding the implementation of traffic calming measures on Paseo Del Mar.

The comment also requests that the alternatives cover a larger scope on aesthetics and marine biology. Section 3.1, Aesthetics, of the Draft EIR, discusses potential impacts to visual resources. Section 3.3, Biological Resources, of the Draft EIR, discusses potential impacts to biological resources. Also, see Response 41-1 regarding the scope of the proposed project and Response 9-2 regarding the boundaries of the project site.

**Response PT-27**

The comment expresses support for rebuilding the roadway. This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required. Notwithstanding, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Response PT-28**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.



**Response PT-29**

The comment states that the review periods for the NOP and EIR are too short. See Response 33-1 regarding the public review period for the Draft EIR.

**Response PT-30**

The comment inquires whether the proposed shoreline protection would block foot traffic on the beach. See Response 4-5 regarding descriptions of the estimated dimensions of the proposed shoreline protection measures under Alternatives 2 and 3. Regarding beach access, as stated in Chapter 2, Project Description, on page 2-6 of the Draft EIR, “the coastline below the project site is characterized by a wave-cut bench and a beach primarily composed of cobble and gravel, and it not a typical, sandy public use recreational beach.”

**Response PT-31**

The comment expresses concern that the proposed shoreline protection measures may impact biological resources. See Response 9-3 regarding impacts to biological resources related to the proposed shoreline protection measures under Alternatives 2 and 3.

**Response PT-32**

The comment expresses support for the No Project Alternative and states that access has not been affected. See Response 21-3 regarding the accessibility of Paseo Del Mar at the project site prior to and since the 2011 landslide event.

**Response PT-33**

The commenter states that the roadway did not serve a transportation purpose. See Response 9-2 above regarding the planned function and designation of Paseo Del Mar.

**Response PT-34**

The comment states the cost of the project is too high. See Response 34-1 regarding costs associated with the alternatives.

**Response PT-35**

This comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response to this comment is required.