

CALIFORNIA COASTAL COMMISSION
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STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: A-5-RPV-93-005-A4

APPLICANTS: Palos Verdes Land Holdings Co. & Zuckerman Building Co.

AGENT: Kenneth A. Zuckerman, Project Manager

PROJECT LOCATION: Vacant 261.4 acres seaward of Palos Verdes Drive South and Palos Verdes Drive East, between the City of Los Angeles Boundary and the Portuguese Bend Club at Halfway Point, Habitat restoration includes Shoreline Park, and 98 acres located on Palos Verdes Drive East north of Palos Verdes Drive South. City of Rancho Palos Verdes, Los Angeles County.

UNDERLYING PROJECT: Residential subdivision on Palos Verdes peninsula containing two tracts (Tract Nos. 50667 & 50666) with 75 single family lots separated by an 18 hole golf course. Public recreation and protected habitat areas are provided along the edge of the coastal bluff and on the western and eastern ends of the site (Exhibits #2&3). The applicants have also proposed to restore habitat areas on two adjacent properties owned by public agencies.

DESCRIPTION OF CURRENT AMENDMENT REQUEST (A-5-RPV-93-005-A4):

Amendment request to revise previously approved project to: 1) relocate two lots of Tract No. 50667 to end of Street C; 2) revise boundaries of open space Lots A, B, C, H and G; 3) convert split level building pads of Tract No. 50667 to level pads; 4) revise golf course layout; 5) revise public access trail system to allow golf carts to use some trails, reroute a previously approved trail through the golf course, and in protected habitat areas allow seasonal closure of one trail and relocation of another trail as recommended by USFWS; 6) combine parallel trail easements into one easement for recording purposes; 7) construct a paved fire access road west of the Ocean Terrace condominiums; 8) revise the phasing requirements for the submittal of final grading and drainage plans; 9) change the location of permitted grading in the bluff top activity corridor for the 18th tee; and 10) incorporate the proposed changes into revised grading and site plans.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission determine that the proposed development with the proposed amendment, subject to the revised special conditions, is consistent with the access and recreation requirements of the Coastal Act, the requirements of the certified LCP, and the Commission's previous actions. In order to facilitate compliance with the special conditions as revised by this amendment, all special conditions and revisions are contained in Appendix A attached. The specific revisions to the special conditions recommended for approval in this amendment include:

1. Changes to descriptions of open space areas and exhibits in special condition 1 (Open Space) to reflect the applicants' proposed changes to the East Bluff Preserve (Lot H), common open space Lots A, B and C, and the fire break (Lot H). The amount of open space area preserved within the East Bluff Preserve (Lot H) and the fire break (Lot H) will not be reduced by the proposed amendment (Exhibit #4).
2. In special condition 1 (Open Space), a revised description of the location of permitted grading in the bluff top activity corridor for the 18th tee to reflect the applicants' proposed relocation of the 18th tee (Exhibit #9).
3. Changes to special condition 2 (Offers to Dedicate Easements Protecting Off-site Habitat Enhancement Corridors Proposed by the Applicants) to revise the location of one public access trail in Shoreline Park and to allow the seasonal closure of another public trail as recommended by the USFWS in order to protect habitat areas for the threatened California gnatcatcher, the cactus wren, and several species of rare and endangered plants (Exhibit #8).
4. Changes to special condition 3 (Trails) to revise the public access trail system to allow golf carts to use some trails, reroute a previously approved trail through the golf course, and in protected habitat areas allow seasonal closure of one trail and relocation of another trail as recommended by USFWS in order to protect habitat areas for the threatened California gnatcatcher, the cactus wren, and several species of rare and endangered plants (Exhibits #8&10). Changes to special condition 3 (Trails) also allow the applicants to combine parallel trail easements into one easement for recording purposes.
5. Changes to special conditions 9 and 11 (Grading and Drainage) to incorporate the applicants' proposed changes to the project phasing

requirements involving the timing of the submittal of final grading and drainage plans for phases 1 and 2.

LOCAL APPROVAL RECEIVED:

1. City of Rancho Palos Verdes conceptual approval letter, 4/4/96.

SUBSTANTIVE FILE DOCUMENTS:

1. A-5-RPV-93-005 & amendments (Palos Verdes Land Holdings Co./Zuckerman).
2. United States Fish and Wildlife Service letter of Gail Kobetich, 5/7/96.
3. California Department of Fish and Game letter of William Tippets, 5/21/96.

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

1. The Executive Director determines that the proposed amendment is a material change,
2. Objection is made to the Executive Director's determination of immateriality,
3. or the proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicants or objector so request, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 California Code of Regulations 13166. In this proposed amendment to a conditionally approved permit, the proposed revisions are material changes which affect conditions required for the purposes of protecting natural resources and coastal access.

I. PREVIOUS COMMISSION ACTIONS

DESCRIPTION OF PROJECT ORIGINALLY APPROVED ON APRIL 15, 1993 (A-5-RPV-93-005): Resubdivision of 261.4 acre site and construction of an 83 lot residential subdivision including utilities and site improvements, 18 hole golf course with clubhouse and public open space, 6.4 acres of improved parks, and trails. Revised by applicant for de Novo action to include: A) Coastal Access and Public Amenities Plan dated February 5, 1993 providing additional beach trails; B) Habitat Enhancement Plan dated February 18, 1993 providing: 1) restriction of 20 acres of land in Shoreline Park adjacent to the project to the west to use as habitat preserve

and restoration of ten of those acres; 2) purchase of conservation easement over 100 acre City owned parcel adjacent to the project on the north and located outside the Coastal Zone, and restoration of 20 of those acres to coastal sage scrub; and 3) supervision of public access to habitat areas.

DESCRIPTION OF FIRST AMENDMENT APPROVED JANUARY 12, 1995 (A-5-RPV-93-005-A1): Re-configure 4.9 acre Halfway Point Park to 5.1 acres; (2) relocate 27,000 sq. ft. clubhouse, 150 car parking lot and 45 car public parking lot and putting green from center of project site to area adjacent to Halfway Point Park; (3) add trail access on periphery of park; (4) reduce public parking at west end of La Rotonda Drive from 75 spaces to 50 spaces and add comfort station at La Rotonda Drive; (5) remove Mariposa Point trail and relocate sewer easement trail in West Bluff Preserve; (6) add 3,000 sq. ft. maintenance facility and 75 car overflow parking lot and water retention basin; (7) reduce number of market rate lots from 83 to 75; (8) add four low income units; (9) move vertical access "J road" northward; (10) relocate J road trails adjacent to golf course; (11) move bluff-to-La Rotonda bike trail connector east to tract 50667; (12) remove handicapped trail facility from San Pedro bluff-to-beach trail and construct handicapped access loop within bluff top park areas.

DESCRIPTION OF SECOND AMENDMENT APPROVED SEPTEMBER 1995 (A-5-RPV-93-005-A2): Second amendment will provide 3.7 additional acres as an easement for habitat conservation and public access purposes only, will provide an additional 0.2 acres for passive park habitat preserve purposes, and will permit 0.43 acres of grading within the Blufftop Activity Corridor. More specifically, the amendment includes the following:

- 1) Revise condition 1 to permit placement of fill and restoration of one 0.13 acre area adjacent to the 18th hole and one 0.3 acre area adjacent to the 18th tee within the Blufftop Activity Corridor (lot K) on tract 50666. Said fill slopes will be set back a minimum of 100 feet from the bluff edge line and shall be compacted less than 90% and then restored to coastal sage scrub habitat including Lemonade berry and Coast Goldenfields. The fill slope areas are shown on Exhibit A depicting setbacks for VTTM 50666 dated July 25, 1995, by RBF and Associates.

Pursuant to this change, the last paragraph of condition 1A would be revised to add the underlined language in the indicated location:

- 1.A. ...The lands described in 1.A(2), (3), and (5) (known as Portuguese Bend Overlook, Bluff Top Activity Corridor West (VTTM 50666) and Bluff Top Activity Corridor East (VTTM 50667)) shall not be graded except within the dedicated bicycle/pedestrian path and within two areas, one area of 0.3 acres adjacent to the 18th tee and a second area of 0.13 acres adjacent to the 18th hole. The total combined disturbed area adjacent to the 18th tee and the 18th hole shall

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not exceed 0.43 acres and shall be located as shown on Exhibit A depicting setbacks for VTTM 50666 prepared by RBF and dated July 25, 1995. The Blufftop Activity Corridors shall be revegetated, as required by the Department of Fish and Game and United States Fish and Wildlife Service as specified in the habitat restoration plan....

Pursuant to this change, condition 9A shall be amended to insert the underlined language in the location identified below:

- 9.A. **Grading limits.** No Grading, stockpiling or earth moving with heavy equipment shall occur within the dedicated open space areas (corridors) noted in condition 1 above, with the exception of Halfway Point Park, the bicycle trails and the 0.30 acre fill slope area adjacent to the 18th tee and the 0.13 acre fill slope area adjacent to the 18th hole. The 0.30 acre and the 0.13 acre fill slope areas which encroach within lot K shall be located as shown on Exhibit A depicting setbacks for VTTM 50666 dated July 25, 1995. Bluff edge pedestrian trails shall be constructed with hand-tools where environmental damage could occur.
- 2) Change project description to incorporate three non-golf setback areas as shown on the RBF maps last revised July 25, 1995 and as further described below. The additional setback easement areas shall be offered for dedication to the City of Rancho Palos Verdes solely for habitat conservation purposes except for those portions identified as trails in this permit at the same time all other dedications of Tract 50666 and 50667 are offered. The offers to dedicate shall (1) describe the additional setback areas in metes and bounds and (2) be recorded free and clear of prior liens and encumbrances which the Executive Director determines may affect said interest; (3) run with the land in favor of the People of the State of California, binding all successors and assigns and (4) be irrevocable for a period of 21 years from the date of recording.
- a) No less than 0.3 acres in lot 38 golf course as shown on the map of tract 50666 last revised by RBF on July 17, 1995. The 18th fairway and associated playable rough as depicted on Exhibit A depicting setbacks for VTTM 50666 dated July 25, 1995, and VTTM 50666 mentioned above shall be set back a minimum of 150 feet from the bluff edge except at its southwesterly end where it shall be set back a minimum of 125 feet from the bluff edge. The 18th green and associated playable rough shall be set back a minimum of 125 feet from the bluff edge. All tee boxes for the 18th hole shall be set back a minimum of 200 feet from the bluff edge, except that one tee box may be placed closer than 200 feet but not closer than 100 feet from the bluff edge. The subject 0.3 acre area located between the "Bluff Top Activity Corridor" on tract 50666 and the inner line of this above-described setback shall be shown as an easement for habitat conservation and public access purposes on the Final Map.

The subject setback area may be graded during the construction of the golf course but will be restored to coastal sage scrub at the conclusion of grading.

b) No less than 1.9 acres in lot 38 golf course as shown on the map of tract 50666 last revised by RBF on July 17, 1995. The 17th fairway and green and associated playable rough, as depicted on the Exhibit A depicting setbacks for VTTM 50666 dated July 25, 1995, and VTTM 50666 mentioned above shall be set back a minimum of 200 feet from the bluff edge. All tee boxes for the 17th hole shall be set back a minimum of 200 feet from the bluff edge, except that one tee box may be placed closer than 200 feet but not closer than 100 feet from the bluff edge. The subject 1.9 acre area located between the "Bluff Top Activity Corridor" on tract 50666 (lot K) and the inner line of this above-described setback shall be shown as an easement for habitat conservation and public access purposes on the Final Map. The subject setback area may be graded during the construction of the golf course but will be restored to coastal sage scrub at the conclusion of grading.

c) No less than 1.5 acres in lot 39 golf course in tract 50667 as shown on the map of tract 50667 last revised by RBF on July 17, 1995. The 13th fairway and associated playable rough, as depicted on the Exhibit A depicting setbacks for VTTM 50667 dated July 25, 1995, and VTTM 50667 mentioned above shall be set back a minimum of 150 feet from the bluff edge. The 13th green and associated playable rough shall be set back a minimum of 175 feet from the bluff edge. All tee boxes for the 13th hole shall be set back a minimum of 200 feet from the bluff edge but not closer than 100 feet from the bluff edge. The subject 1.5 acre area located between the "Bluff Top Activity Corridor", lot K, on tract 50667 and the inner line of this above-described setback shall be shown as an easement for habitat conservation and public access purposes on the Final Map. The subject setback area may be graded during the construction of the golf course but will be restored to coastal sage scrub at the conclusion of grading.

3) The applicant also proposed to amend the project description to:

Increase the passive park habitat preserve shown as lot I tract 50666 by no less than 0.2 acres to assure that the outer boundary of all active play areas (meaning here and throughout this permit, tee boxes, fairways, playable rough and greens) of the golf course westerly of Halfway Point Park shall be set back a minimum of 50 feet from the bluff edge (meaning here and throughout this permit the bluff edge as shown on Tentative Tract maps no 50666 and 50667 as conditionally approved by the Commission.) As a result of the elimination/relocation of the most seaward tee previously planned adjacent to Halfway Point Park as depicted on the map submitted

with the application, all tees will be located landward of the access to the Torrance trail at Halfway Point Park.

This tee is also identified as being moved in the Commission's findings and in the amendment application for A-5-RPV-93-005A. The 0.2 acre strip of land at the southwestern rim of Halfway Point Park that was previously located between the park and the bluff edge shall now be incorporated into the above mentioned habitat restoration area, except for those portions identified as trails elsewhere in this permit. This land will be indicated on the final vesting tentative tract map for tract 50666 prior to issuance of the coastal development permit, and recorded as part of the tract approval.

DESCRIPTION OF THIRD AMENDMENT APPROVED FEBRUARY 1996 (A-5-RPV-93-005-A3): Third amendment incorporates two additional parcels totaling approximately 8.5 acres to be used for golf course purposes only.

II. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

APPROVAL WITH CONDITIONS

The Commission hereby grants an amendment to the permit for the proposed development on the grounds that the proposed development with the proposed amendment, as conditioned, is consistent with the certified Local Coastal Program of the City of Rancho Palos Verdes, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

III. SPECIAL CONDITIONS

The previously approved special conditions as revised by this amendment are found in Appendix A attached. Except as specifically modified by this action, all previously imposed standard and special conditions still apply.

IV. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. PROJECT HISTORY

On April 15, 1993, the Commission conditionally approved, on appeal, the applicants' proposal for an eighteen hole golf course, 83 single family lots, club house, habitat restoration plan, and park and trail complex on a 261 acre property in Rancho Palos Verdes in Los Angeles County (A-5-RPV-93-005). The applicants included habitat restoration on two adjacent publicly owned properties as part of the project description. The applicants proposed increases in the park and trail system at the public hearing on April 15, 1993. The offers of dedication the applicants made at the hearing included additional acreage over and above the written application in response to issues raised in the staff recommendation and by the public regarding conformance with the LCP and potential conflicts between habitat restoration and recreation. The final proposal, as approved, included no less than 75.5 acres of dedicated lands in addition to approximately 24,000 linear feet of trails.

The Commission approved the applicants' proposal and required the applicants to dedicate in fee 75.5 acres for park, trail and on site habitat restoration, and to improve trails for bicycles, joggers and pedestrians both within the dedicated activity corridors and along easements connecting the bluff edge with the first major road. The entire bluff face constituted 34.5 acres of the 75.5 acre dedication. The remaining 41 acres was characterized by the applicant as bluff top area suitable for park use, although the public use of the habitat restoration areas was to be confined to trails. The Commission also required the golf course and the clubhouse to be public facilities and the golf course trails to be available to the public during non-golfing daylight hours. The Commission also approved the applicants' proposal to connect the major road, Palos Verdes Drive South, with the bluff edge and beach over five corridors. Support facilities included parking located along a vertical access route (the J road), a 4.9 acre park, Halfway Point Park, including a public restroom, and additional parking and public facilities at the clubhouse near the center of the golf course. The Commission adopted trail maps, written conditions, and a public amenities plan.

Although the project was evaluated as a whole, and public access and the golf course were designed as an integrated system, the project represents two ownerships. Both the local approval and the Commission's conditions refer to the westerly tract as Tract No. 50666 and the easterly tract as Tract No. 50667, each of which contain residential lots, trails, habitat, and a portion of the golf course.

The project site is located in an environmentally sensitive habitat area, and both the project proposal and the Commission's conditions included measures to protect habitat. The project is located in an area that supports coastal sage scrub and a

number of coastal sage scrub dependent species including a threatened bird, the California black tailed Gnatcatcher, and other plant and animal species of concern including the Cactus wren and several rare plant species.

The certified City of Rancho Palos Verdes LCP requires that any impact on environmentally sensitive habitat be identified, documented and fully mitigated. During the City's environmental review process, gnatcatcher habitat was identified on the project site along with other rare or endangered species of flora and fauna. In conformance with the requirements of the LCP, the applicants presented the Commission with an EIR, a preliminary Habitat Enhancement Plan (Habitat Conservation Plan), and a written agreement with the USFWS and the DFG to approve the project. The preliminary HEP (HCP) that was submitted to the City and the Commission was the result of negotiations with the California Department of Fish and Game and the United States Fish and Wildlife service and took the form of an agreement to sign a "pre-listing agreement". At the time of the Commission's original approval, these agencies had not received or approved a final Habitat Enhancement Plan.

The preliminary HEP (HCP) created large areas of consolidated Coastal Sage Scrub (CSS) habitat by preserving the bluff faces, restoring and preserving areas on the bluff tops, and preserving another 120 acres of off site habitat. Consistent with the preliminary HEP, the Commission's original approval consolidated habitat areas on both ends of the site in the West Bluff Preserve and the East Bluff Preserve and connected them with the Coastal Bluff Preserve and the Halfway Point Preserve. In addition, sensitive areas in Shoreline Park and the switchback portion of the site are also for preservation and restoration. The progress of the restoration efforts was tied to the phasing of the project. As approved, the development will take place in four phases, tied to the progress of the restoration efforts. For example, the grading on the westerly residential lots in Tract 50666 cannot take place until new habitat is established in the West Bluff Preserve.

Public access through the site was a major issue. Because the HCP was not final at the time of the Commission's approval, the USFWS and the DFG postponed their final review the public access portions of the project. Although in its action the Commission found that the public access areas (parks) and habitat areas could be combined in order to accommodate a championship golf course, the Commission acknowledged that further review from these agencies could occur and that the proposed changes could result in the reduction of the area available for public access. In anticipation of changes that were likely to be required by these resources agencies, the Commission required that the applicant return with an amendment to the permit if any of the Department of Fish and Game or the United states Fish and Wildlife Service required changes in the habitat areas or trails required in the Commission's permit. This amendment contains those anticipated

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revisions to the project. The permit has already been amended three previous times (see Section I for descriptions of the previous Commission actions).

B. DESCRIPTION OF AMENDMENT REQUEST

The applicant is now proposing several changes in the project including revisions to the public access trail system, the location of the boundaries of the 7.7 acre East Bluff Preserve (Lot G), the golf course, and the configuration of the residential lots.

The proposed change to the layout of Tract No. 50667 would relocate two residential lots of the tract from the end of Street A (Lots 34 and 35 on the previously approved site plan) to the terminus of Street C (Exhibit #4). The relocated lots are Lots 8 and 9 on the revised site plan. The proposed relocation of the two residential lot also results in minor adjustments to the boundaries of open space Lots A, B, C, H and G. Open space Lots A, B and C are changed as a result of the removal of the two residential lots from the end of Street A. Open space Lot H (fire break) and Lot G (East Bluff Preserve) are changed as a result of the relocation of the two residential lots to the end of Street C. (Exhibit #4). The applicants also propose to convert the split level building pads of Tract No. 50667 to level building pads. The resource agencies have reviewed the proposed changes and have determined that they will not result in a reduction of the protected habitat area or adversely affect endangered and sensitive species of flora and fauna (Exhibits #5&6). The City of Rancho Palos Verdes has also reviewed and conceptually approved the proposed changes to Tract No. 50667, but its final approval will likely include clarification of the height limits to protect public views from Palos Verdes Drive South from any view blockage which may result from the proposed conversion of the split level building pads to flat building pads.

The proposed amendment also includes revisions to the layout of the golf course. Holes and tees 3, 4 and 5 have been revised contingent upon the relocation of the two residential lots described above. A proposed redesign of hole and tee 18 would result in the relocation of an graded area for tee 18 into the protected bluff top and access corridor (Exhibit #9).

Another proposed change is the construction of a paved fire access road (approx. 500 feet long) west of the Ocean Terrace condominiums. This improvement was proposed pursuant to a recommendation by the Los Angeles County Fire Department.

The proposed revisions to the previously approved public access trail system include the following changes:

- 1) Combine golf cart roads with pedestrian trails on an 8 foot wide hard surface tread at the West Bluff Nature trail located at the west end of the golf course which separates the West Bluff preserve from Holes 10 and 11 of the

golf course, and at the trail connecting the Palos Verdes Drive Overlook to La Rotonda Drive (Exhibit #10, p.1).

2) Combine golf cart roads with bicycle trails on an 8 foot wide hard surface tread on the bicycle trails located in the area immediately adjacent the clubhouse and the northern portion of Halfway Point Park (Exhibit #10, p.2).

3) In the middle of the project site, reroute the bicycle and pedestrian trail connection between the La Rotonda Drive parking lot and the Bluff Top Activity Corridor so that it travels between Holes 7 and 14, between Holes 12 and 16, and east of Hole 17 of the golf course (Exhibit #10, p.4). This proposed change results in the bluff top trail turning inland (as one travels in an easterly direction) about 400 feet earlier than the previous approved trail, but still maintains the trail connection between the bluff edge and La Rotonda Drive.

4) Combine for recording purposes parallel trail easements into one easement without reducing any of the previously approved tread widths and maintaining a three foot separation between trails.

5) Pursuant to a USFWS recommendation, relocate the existing trail in Shoreline Park which connects 25th Street to the Shoreline Park fire road and bluff edge about 200 feet east of the existing trail (Exhibit #8).

6) Place fencing along both sides of the existing trail which passes through the East Bluff Preserve pursuant to a USFWS recommendation (Exhibit #8). This trail remains open for public use year-round.

7) Seasonally close the connecting trail between the Bluff Top Activity Corridor and the beach access trail on the south side of the Los Angeles County Shoreline Park property during gnatcatcher nesting season pursuant to a USFWS recommendation (Exhibit #8). Signs will be posted at both ends of the closed trail to direct the public to the alternate route via the Shoreline Park fire road and fenced East Bluff Preserve trail which will remain open for public use year-round.

8) Reduce the required tread width of the Halfway Point Handicapped Loop Trail from 8 feet to 5 feet.

9) Modify the Sewer Easement Trail to require a 4 foot wide soft footed trail instead of an 8 foot wide hard surface on the sections not proposed for use by golf carts or maintenance vehicles.

The applicants propose that all of the above stated proposed changes will be incorporated into revised grading and site plans to be submitted for condition compliance.

Finally, the applicants propose to alter the phasing of condition compliance to allow the final grading and drainage plans to be submitted in two phases corresponding to the phasing requirements of the Habitat Conservation Plan. The applicants' proposal provides that the final Phase 1 grading plans, preliminary Phase 1 drainage plans, and conceptual Phase 2 grading and drainage plans would be submitted for the review and approval of the Executive Director prior to issuance of the permit. The final Phase 1 drainage plans and final Phase 2 grading and drainage plans would then be submitted for the review and approval of the Executive Director prior to any work commencing on Phase 1 drainage or Phase 2 grading or drainage. The current requirement is that all final plans for Phases 1 and 2 be submitted for the review and approval of the Executive Director prior to issuance of the Permit.

C. CONSISTENCY WITH PUBLIC ACCESS REQUIREMENTS OF THE COASTAL ACT AND THE CERTIFIED LOCAL COASTAL PROGRAM

After certification of an LCP, the Commission must find that a project, on appeal, is consistent with the certified local coastal program. Section 30604(c) also provides that if the project is located between the first public road and the sea, the project must also be consistent with the public access and public recreation policies of the Coastal Act. Section 30210 provides for maximum access, Section 30211 provides that existing access must be protected, Section 30212 establishes that public access must be provided when use is intensified.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

- (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:
 - (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

- (2) adequate access exists nearby, or,
 - (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
- (c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Applicable LCP Policies

The certified LCP requires that an access corridor will be dedicated seaward of the bluff road, and that this dedicated corridor will consolidate existing trails. The City's certified LCP acknowledges a history of potential prescriptive rights:

Coastal Access

Prior to 1970 the public gained access to the coastline by crossing vacant private property both on foot and in vehicles. Many trails were created from Palos Verdes Drive to the bluffs and down the bluffs to the water.....in order to proceed [legally] the City would have to pursue rather costly litigation and, since Land Use Planning was not completed for the New City, the determination of precise access trails for which to sue could not be made. Instead, the City decided to complete its General Plan and Coastal Plan, which would include public access to the Coast, and as development occurred the City would require dedications and/or easements to implement the plans (Coastal Specific Plan pages U-58,59). (emphasis added).

The LCP included the following provisions for public access over existing trails:

- 6. Identify and preserve existing trails to be left in their natural state and post appropriate warning signs.

In addition, the LCP contemplated a corridor along the sea bluff that incorporated geologically sensitive lands, habitat areas and access trails. The corridors element of the LCP provided for multiple dedication of these areas, and for balancing the requirements of habitat and public access. Page C-16 of the LCP states:

Policy:

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It is the policy of the City to require development proposals within areas which might impact corridors to analyze the site conditions in order to mitigate impacts and obtain feasible implementation of all corridor guidelines.

In acting on a previous version of the LCP in 1981, the Commission required that all land seaward of the bluff top road be dedicated for public use. In amending its LCP for resubmittal in 1983, the City adopted the following policy, which it incorporated into its implementation ordinance in section 17.06.040:

In the Coastal Specific Plan District public paths through developed areas to the bluff top, the access corridor, including the bluff top road, bike and pedestrian paths and parking bays as depicted in the Coastal Specific plan and a usable public recreational area (not including steep bluff faces and gullies) seaward of the corridor improvements shall be improved and either dedicated or permanently maintained through deed restriction for public use. These bluff top public use areas shall be in addition to the thirty (30) percent common open space requirement. (ordinance 149, page 3; amended LCP emphasis added.)

As noted in the project history, the Commission approved application A-5-RPV-93-005 based on the applicants' contention that as conditioned and as modified at the hearing, the project provides generous public access and recreation opportunities. In addition to 41 acres of habitat area and public parks noted in the conditions, 34.5 acres of bluff face open space and the public access trails, the project will provide a public commercial golf course and a clubhouse facility that will be similarly open to the general public. The Commission found that the "parks" proposed to be dedicated by the applicant were adequate to protect existing trails and provided a corridor as required by the LCP. The Commission found the project consistent with Sections 30210-30214 of the Coastal Act, and with the access requirements of provisions of the certified LCP of the city of Rancho Palos Verdes.

The above stated Coastal Act and certified LCP policies provided the Commission with a clear basis for requiring the provision of a public access system as part of the proposed project. In its approval of the proposed project, the Commission approved a system of pedestrian, handicapped, and bicycle trails which provide access from the public streets, through the proposed project, along the bluff edge, and to the sea. This amendment proposes to revise the previously approved public access trail system. The proposed changes on the eastern side of the project are proposed in order to protect habitat areas pursuant to recommendations by the USFWS. The proposed changes to the trails that pass through the golf course are proposed in order to combine some golf cart paths with public pedestrian and bicycle trails. Other changes are proposed in order to simplify the recording requirements.

In its previous action, the Commission acknowledged that the applicants would likely be required to make some minor alterations to the trails system. In order to limit these changes, special condition 8.B. of the previous Commission approval requires that any changes to the previously approved project must provide equivalent access and recreation. Special condition 8.B. states:

8. B. Inconsistencies and changes. Any change, refinement or inconsistency between the final contracts and executed agreements [with the resources agencies] and the Habitat Enhancement Plan as approved by the Commission will require an amendment to this permit. The Executive Director shall not accept any amendment request including reduction of public access and recreation mandated by the resource agencies in the areas identified for public use in this permit without the provision of equivalent additional access and recreation elsewhere on the property.

The criteria the Commission used when originally approving the project were the provision of a coastal access corridor, the maintenance of the functions of the existing trails, and their equivalency in time place and manner with the trails that exist on the property. In order to ensure the provision of the access and recreation facilities, the Commission imposed special Condition 1, requiring dedication in fee of lands on the face of the bluff and immediately adjacent to the bluff top for habitat and public park purposes, special Condition 3 requiring trails through this corridor and trails connecting the open space corridor with the road system, and special Condition 8.B, requiring public access to be preserved even if habitat restoration plans later required its relocation. Pursuant to the previous Commission action, the currently proposed changes must provide the equivalent amount and quality of access and recreation.

One of the proposed revisions to the previously approved public access trail system includes the combination of golf cart roads with pedestrian and/or bicycle trails on an 8 foot wide hard surface tread at three locations: 1) the portion of the West Bluff Nature Trail for pedestrians located at the west end of the golf course separating the West Bluff preserve from Holes 10 and 11 (Exhibit #10, p.1), 2) the pedestrian trail in the center of the site which connects the Palos Verdes Drive Overlook to La Rotonda Drive (Exhibit #10, p.3), and 3) the bicycle trails located in the area immediately adjacent to the clubhouse and the northern portion of Halfway Point Park (Exhibit #10, p.2).

The previous Commission actions only allowed the golf carts to share public trails on one trail, the sewer easement trail. During the original approval of the project, shared use of golf cart paths was discussed and rejected by the Commission based on a safety issues raised by the applicant. The trails in the Commission's final approval were all separate trails for bicycle and for pedestrian use.

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In preparing the final plans for the project, the applicants have determined that two pedestrian trails on the periphery of the golf course, a foot trail leading from a street overlook to La Rotonda Drive and a trail leading from a lateral trail to a bluff to beach access, could safely be combined with golf cart paths and that the combination would avoid duplicative parallel trails. Secondly, in reviewing the plans of Halfway Point Park, the applicant reviewed the following requirements: a foot trail along the bluff edge at the periphery of the park, a handicapped trail combined with a pedestrian trail that went around all sides of the park and to an overlook on the west end of the project and connected also to the parking lot, the clubhouse facilities (that contain the park restrooms), and three bicycle trails that terminate at the park and that are mapped as crossing the park (the Bluff Activity Corridor Bicycle Trail, the West End Bicycle Trail and the Street A/J Road Bicycle Trail).

In preparing final plans for the golf course, the applicants discovered that in order to get golf carts to the course from the clubhouse which is directly inland of the park, and in order to get golf carts from the east side of the course to the two holes on the west side of the course, golf carts must cross the park. The alternative is to route the carts through a parking lot. In the case of this trail, there is little danger from stray golf balls, but there is a problem of traffic conflicts and collisions. The applicants propose to combine the golf cart and bicycle trails, and to continue to segregate the slower pedestrian and wheelchair trail. The applicants also propose to narrow the improved width of the handicapped trail to five feet, which is the standard width. In order to handle conflicts of people trying to cross the bike trail to get from the park to the club house and the parking lot, the applicant proposes one controlled crossing near the clubhouse.

The Commission finds that this solution will not diminish public use and enjoyment of the park, and the alternatives, an additional set of trails, increases, rather than decreases the amount of pavement and the conflicts engendered by crossing the paths.

The combination of the trail at the west end of the project poses two issues: whether the public will understand that this golf cart path is also a pedestrian access to the beach, and whether it will be clear that the golf carts can not continue into the West Bluff Preserve which is adjacent to this trail. The Commission is adding language to its conditions to assure that the trail will be signed and improved in order to make it clear that it is also a public trail and including pavement treatment, to indicate foot traffic, and it is now linking this trail with the beach trail rather than with the West Bluff Preserve Nature Trail in the dedications.

The overlook trail from Palos Verdes Drive South to the center of the project also poses issues of identification as a public trail and in order to address this the

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Commission is adding language to assure that information will be available to the public regarding its rights to use this trail.

The shared use of an eight foot wide trail by pedestrians and golf carts on a limited basis will not diminish the quality of public access because an eight foot wide path is sufficiently wide for both uses. On a trail narrower than eight feet, the shared use by pedestrians and golf carts would be unsafe because there would be insufficient width for the safe passing of pedestrians by golf carts. In addition to safety, it is necessary when combining trails to ensure that it is clearly communicated that the public is welcome and has the right to use the trails. The applicants contend that signage and color-coding on the pavement will clearly communicate the public nature of the trails.

In the area immediately adjacent the clubhouse the applicants propose to allow golf carts to share the public bicycle paths which extend to the west, east and north of the clubhouse. The use of public trails in the clubhouse area by golf carts is a new proposal. The previous Commission approvals did not allow golf carts to share the public trails near the clubhouse or in Halfway Point Park. The applicants state that they must allow golf carts to travel between the clubhouse and the golf course. The golf course has holes on both the east and west sides of the clubhouse and Halfway Point Park. For safety purposes, pedestrians and handicapped persons will still have their own combined paths which will connect the clubhouse, the parking lots, and Halfway Point Park. Bicycles and golf carts will still be prohibited from using the combined pedestrian and handicapped paths in the clubhouse and Halfway Point Park areas. In addition, pedestrian and handicapped crossings of the bicycle and golf cart path will be limited to one controlled crossing near the clubhouse.

Because of their proximity to the clubhouse and parking lots, all of these trails will have a high frequency of use and could become congested. The clubhouse area is a busy focus area for recreation where hikers, bicyclists, and golfers will begin their outings. The applicants' proposals to keep separate the paths of the slower moving pedestrians and handicapped persons from the paths for bicyclists and golf carts, and to control crossing of the trails, are based on safety considerations. The proposed design, however, will reduce the number of public entrances to the clubhouse from Halfway Point Park to one entrance. The staff notes that the public restroom is located in the clubhouse and must remain accessible to the public. As conditioned, the Commission finds that the proposed amendment allowing the shared use of trails by golf carts will not negatively affect coastal access.

Another proposed revision to the previously approved public access trail system is the rerouted bicycle and pedestrian trail connection in the center of the project between the La Rotonda Drive parking lot and the Bluff Top Activity Corridor. The

newly proposed route travels between Holes 7 and 14, between Holes 12 and 16, and east of Hole 17 of the golf course. This proposed change results in the bluff top trail turning inland (as one travels in an easterly direction) about 400 feet earlier than the previous approval, but still maintains the trail connection between the bluff edge and La Rotonda Drive. Therefore, the proposed new route provides the equivalent amount and quality of access and recreation.

The proposal to combine parallel trail easements into one easement for recording purposes without reducing any of the previously approved tread widths and maintaining a three foot separation between trails also provides the equivalent amount and quality of access and recreation. As long as the actual trail width and the separation between the trails remains consistent and there is no change in the actual trail, the proposed change is consistent with the policies of the Coastal Act and the LCP.

The USFWS also has proposed changes to the public access trail system in order to protect habitat areas on the eastern side of the project. These changes include: 1) relocating the trail in Shoreline Park which connects 25th Street to the Shoreline Park fire road and bluff edge, 2) the fencing of both sides of the existing trail through the East Bluff Preserve, and 3) the seasonal closure of the connecting trail between the Bluff Top Activity Corridor and the beach access trail on the south side of the Los Angeles County property during gnatcatcher nesting season (Exhibit #8). According to the USFWS, these changes are necessary to protect habitat areas from human use. The Commission finds that these changes are consistent with the Coastal Act and the certified LCP.

The Commission notes that both Section 30214 of the Coastal Act and the Corridors element of the LCP described below allow access to be restricted when impacts on sensitive habitat or replacement habitat for an endangered species has been documented as it has in this case. Therefore, the Commission finds, consistent with its prior action the LCP and Section 30214 of the Coastal Act that the trail between the Bluff top activity corridor and the beach access trail on the south side of the Los Angeles County property may be temporarily closed only if its closure is necessary for protection of habitat. The Commission finds that removal of public access along this trail segment is valid only while there is sensitive habitat or species to protect. Therefore the Commission has revised special conditions 2 and 3 so that the trail may be temporarily closed, but only as long as required by the USFWS.

Consistent with the requirements of conditions 3 and 8 B. the applicant has provided equivalent alternative access by ensuring that the all of the proposed revisions will not reduce public access opportunities. As revised, and as conditioned, access to the beach in the Shoreline Park area is preserved, and a trail

higher on the hill that is to remain will provide views of the beach and connect to the larger trail system including the beach access trail in Shoreline Park. The relocation of one section of trail and the fencing on the sides of one trail will not affect the public's ability to use the trails. In the case of the trail to be closed during the gnatcatcher nesting season (which lasts from February to August), alternate access is provided to ensure that no areas which are required to be publicly accessible are cut-off from public access (Exhibit #8). Signs must be posted at both ends of the closed trail to inform the public of the reason for the temporary trail closure and the alternate trails which are available to access the beach and trail system.

Finally, in regards to the proposed change to reduce the required tread width of the Halfway Point Handicapped Loop Trail from 8 feet to 5 feet and to modify the Sewer Easement Trail to require a 4 foot wide soft footed trail instead of an 8 foot wide hard surface on the sections not proposed to be used by golf carts or maintenance vehicles, these changes will not affect the public's ability to use those trails. The requested widths are adequate to meet the requirements of the Coastal Act and the LCP. These changes do not affect the function or the usability of the trails required by the Commission. No equivalent alternative access is required. The descriptions of the changes are incorporated into the conditions in Appendix A, which become operative upon submittal of a re-revised tentative tract map consistent with the Commission action on A-5-RPV-93-005 as amended herein.

Conclusion

All of the above stated proposed changes to the public access trail system are consistent with the public access requirements of the Coastal Act, the certified LCP and the previous Commission actions. The proposed changes, however, require revisions to the special conditions of the permit. The required revisions to the special conditions are contained in Appendix A. The amendment as conditioned does preserve the time place and manner of access that exists on the trails that now exist on the property. The project as amended with the necessary adjustments in the conditions does provide public access amenities and is consistent with the corridors and access element of the LCP. The Commission has amended the special conditions to reflect the applicants' proposed offers of equivalent alternative access. As conditioned, the amended development does provide a continuous access corridor, does maintain the functions of the existing trails and their equivalency in time place and manner with the trails that exist on the property. As conditioned, this amendment is consistent with the corridors and public access policies of the LCP and the access and recreation policies of the Coastal Act.

D. CONSISTENCY WITH THE ENVIRONMENTALLY SENSITIVE HABITAT AREA REQUIREMENTS OF THE COASTAL ACT AND THE CERTIFIED LOCAL COASTAL PROGRAM

The City's Local Coastal Program contains policies to protect sensitive habitats in the Natural Environment element. As noted in the project history, the site supports significant environmentally sensitive habitat including coastal sage scrub and coastal bluff scrub. Studies conducted during the preparation of the EIR for the project identified several bird and plant species associated with coastal sage scrub on the property, including several nesting pairs of the California Gnatcatcher, now listed as Threatened under the Endangered Species Act.

In addition, the City's certified Local Coastal Program states:

There also exist...a number of significant wildlife habitats which are directly associated with vegetation communities. These are generally found on bluff faces and natural canyon areas where wildlife thrives due to the protection and food found from the natural vegetation....

To protect this significant wildlife habitat, the certified LCP designated the bluff faces and canyons for protection. On this property the bluff faces, canyons, and the steeper slopes north of Paseo del Mar are identified Coastal Resource Management Districts CRM 9 and CRM 10. The LCP describes the City's intention with respect to this designation (page N-45 of the Coastal Specific Plan):

The lightest tone represents areas in which wildlife (CRM 9) and natural vegetation (CRM 10) are of such significance that protection and maximum possible preservation is warranted (emphasis added).

The City adopted the following LCP policies regarding Coastal Resource Management Districts identified as sensitive habitat areas:

8. Require developments within or adjacent to wildlife habitats (CRM 9) to describe the nature of the impact upon the wildlife habitat and provide mitigation measures to fully offset the impact. (LCP page N-46)
9. Encourage developments within Coastal Resource Management Districts containing natural vegetation (CRM 10) to revegetate with native material wherever clearing of vegetation is required." (LCP page N-46)

The Corridors Element discussed access to hazardous and environmentally sensitive areas:

The description of protection/preservation corridors at the beginning of this section indicates that they are basically "avoidance" corridors or areas based upon the requirement that human activities/presence be excluded or stringently controlled due to the need to preserve valuable sensitive natural habitats and/or to avoid geologic or other land related conditions involving hazard or danger, such as the sea cliff edge.

Because of these criteria a number of otherwise relatively continuous or apparently usable corridors within the coastal region are actually subject to avoidance criteria involving any active human use and must be considered for passive use (visual).

The actual corridor function of these protection preservation area is, except in limited controlled access situations, their contribution to the function of natural and visual corridors.

....these areas include...Slopes above 35 % which are relatively continuous in nature...All areas designated as having habitats sensitive to human intrusion... (figure 30) (Reference Coastal Specific plan pages C-14--C-16)

Policy: It is the policy for the city to require development proposals within areas which might impact corridors to analyze the site conditions in order to mitigate impacts and obtain feasible implementation of all corridor guidelines.

In the LCP, the City identified this project area as a site of native vegetation, specifically coastal sage scrub. During the preparation of the EIR, the applicants' consultants and the resources agencies documented the value of the site.

The Commission's original conditional approval requires the applicant to fully offset impacts to natural resources, consistent with the provisions of the City's certified LCP, and incorporates a Habitat Enhancement Plan (HEP) that consolidated, restored and dedicated habitat on the site and in adjacent undeveloped sites in the access/habitat corridor. In the special conditions of approval, the Commission reiterated the requirements of the preliminary letters of approval from the California Department of Fish and Game and the United States Fish and Wildlife Service to restore extensive area of coastal sage scrub within preserves on the property and on adjacent public property.

The HEP also indicated that the California Department of Fish and Game and the United States Fish and Wildlife Service would review all trails and parks for compatibility with the final HEP. Letters from the California Department of Fish and Game and the United States Fish and Wildlife Service agreeing in concept to the

HEP gave notice that these agencies, upon further review, might require the removal of any trails that might impact the viability of the habitat or the integrity of nesting areas. The Commission notes that at the time of its original approval of the project there was a dispute concerning the combination of habitat restoration and park use.

The applicant has now received written confirmation from the Fish and Wildlife Service and the Department of Fish and Game that year-round use of one bluff edge trail through the East Bluff Preserve and a portion of Shoreline Park will adversely impact habitat areas. Secondly, the USFWS and the DFG have concluded that another trail, which currently exists in Shoreline Park and is to be revegetated, must be relocated about 200 feet east in order to avoid the restored habitat area. The East Bluff Preserve is a protected habitat area located on the eastern limits of the applicants' property. It consists of 7.7 acres of land above the edge of the coastal bluff. The applicants are also enhancing and revegetating 10 acres of Shoreline Park adjacent to the East Bluff preserve.

The trails that the applicants propose to reroute and seasonally close in and near the East Bluff Preserve have been identified by the California Department of Fish and Game and the United States Fish and Wildlife Service as inconsistent with a coastal sage Scrub restoration program that these agencies, and the Commission, have imposed in order to protect these sensitive, rare and Threatened animals and plants.

The changes to the public access trail system proposed by the USFWS in order to protect habitat areas on the eastern side of the project include: 1) relocating the trail in Shoreline Park connecting 25th Street to the Shoreline Park fire road and bluff edge, 2) the fencing of both sides of the existing trail through the East Bluff Preserve and Shoreline Park, and 3) the seasonal closure of the connecting trail between the Bluff Top Activity Corridor and the beach access trail on the south side of the Los Angeles County property during gnatcatcher nesting season (Exhibit #8). According to the USFWS and DFG, these changes are necessary to protect habitat areas from human use. Because these changes are necessary to protect habitat areas, they are consistent with the ESHA requirements of the certified LCP.

The applicants have also proposed to revise the boundaries of the East Bluff Preserve and the Lot H fire break (Exhibit #4). These changes have been proposed in order to allow the relocation of two residential lots necessitated by the layout of the golf course. The two residential lots are proposed to be relocated at the end of Lot C near the East Bluff Preserve. The applicants also propose to convert the split level building pads of Tract No. 50667 to level building pads. The resource agencies have reviewed the proposed changes and have determined that the revised boundaries of the East Bluff Preserve will not result in a reduction of the

protected habitat area or adversely affect endangered and sensitive species of flora and fauna (Exhibits #5&6). The amount of Coastal Sage Scrub destroyed as a result of the proposed change will not be greater than that already permitted. Grading during the gnatcatcher grading season is still prohibited by the Commission's previous action and by the requirements of the resource agencies.

Because the revised boundaries of the East Bluff Preserve will not result in a reduction of the protected habitat area or adversely affect endangered and sensitive species of flora and fauna, the Commission finds that the proposed amendment is consistent with the Commission's prior action on its permit, and with the policies of the certified LCP that address natural resources.

Phasing

Finally, the applicants propose to alter the phasing of condition compliance to allow the final grading and drainage plans to be submitted in two phases corresponding to the phasing requirements of the Habitat Conservation Plan. The applicants' proposal provides that the final Phase 1 grading plans, preliminary Phase 1 drainage plans, and conceptual Phase 2 grading and drainage plans would be submitted for the review and approval of the Executive Director prior to issuance of the permit. The final Phase 1 drainage plans and final Phase 2 grading and drainage plans would then be submitted for the review and approval of the Executive Director prior to any work commencing on Phase 1 drainage or Phase 2 grading or drainage. The current requirement is that all final plans for Phases 1 and 2 be submitted for the review and approval of the Executive Director prior to issuance of the Permit.

The proposed change to the timing of the submittal of final plans to correspond to the requirements of the HCP will not affect coastal resources and is consistent with the intent of the previous Commission actions. Pursuant to the revised conditions 9 and 11, no grading or drainage work will occur on any portion of the site which has not had the final plans reviewed and approved by the Executive Director. Therefore, as conditioned, the amendment is consistent with the Commission's prior action on its permit, the Coastal Act, and the policies of the certified LCP.

E. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if

there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

In April 1993, the Commission considered the impacts of this project on habitat documented in the EIR, the amended EIR and by the California Department of Fish and Game. After considering alternatives, including no project, and increased dedications of land, the Commission approved the project along with conditions designed to 1) assure consistency with the public access and recreation policies of the California Coastal Act, 2) protect the development from landslides and other geologic hazards as required in the certified LCP, and 3) fully offset the impacts of the project on Environmentally Sensitive Habitat, consistent with the standards of the certified LCP and also the requirements of the Department of Fish and Game and the United States Fish and Wildlife Service.

The Commission's conditions include mitigation measures developed as a result of the EIR's documentation of the presence of biologically sensitive areas. These conditions require dedication of sensitive areas in fee, restoration of extensive areas of habitat, preservation of land for habitat, control of the staging and timing of construction activities, funding of long term maintenance of the park and habitat areas, and other controls on grading, landscaping and habitat restoration. The conditions require the golf course to remain public and require public access to the site in a time place and manner that will preserve the function of all existing trails and publicly used open space areas. These measures will eliminate all significant adverse impacts, and assure consistency with the LCP.

The applicant has requested as part of this amendment that the Commission amend its special conditions to reflect the proposed revisions to the project. The Commission therefore amends its conditions to reflect these changes and to ensure that the project, as amended, will conform to the Access and Recreation policies of the Coastal Act, as well as the access and natural resources elements of the certified Local Coastal Program.

Therefore, as conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project and amendment can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

STANDARD CONDITIONS AND REVISED SPECIAL CONDITIONS
A-5-RPV-93-005-A1, A2, A3 and A4 (Palos Verdes Land Holdings/Zuckerman)

NOTE: Pursuant to the Commission's approval of the first amendment to Coastal Development Permit A-5-RPV-93-005 on January 12, 1995, and subsequent amendments A-5-RPV-93-005-A2, A-5-RPV-93-005-A3 and A-5-RPV-93-005-A4, the following special conditions shall apply to Coastal Development Permit A-5-RPV-93-005 upon written approval by the Executive Director of re-revised Tentative Tract and Parcel Maps that conform to the April 15, 1993 Commission action on A-5-RPV-93-005 as amended. These re-revised Tentative Tract and Parcel Maps must also have been approved by the City of Rancho Palos Verdes as required in special condition 1 of amended Coastal Development Permit A-5-RPV-93-005 before submittal to the Executive Director.

This set of revised special conditions incorporates the new lot numbers which will result from implementing A-5-RPV-93-005-A as revised by the applicant and conditionally approved by the Commission. A-5-RPV-93-005-A3 reduces the total number of market rate residential lots to 75. The addition of more lots would require an amendment to this permit.

This set of revised special conditions also incorporates the two changes to the special conditions which resulted from approval of the second amendment, A-5-RPV-93-005-A2. Please note the changes in the detailed project description that were approved by the Commission in the second amendment, RPV-93-005-A2 required recordation of easements before issuance of the permit.

Exhibits referred to in this document refer to (1) exhibits in A-5-RPV-93-005-A, and (2) to the exhibits attached to this fourth amendment. Maps referred to in the second and third amendments are located in the Commission files.

STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application (APRIL 15, 1993). Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.

6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

In order to conform with the certified City of Rancho Palos Verdes LCP and the Public Access and Recreation Policies of the California Coastal Act, applicant shall comply with the following conditions:

1. OFFER TO DEDICATE IN FEE OPEN SPACE CORRIDORS FOR PARKS, PUBLIC ACCESS AND HABITAT ENHANCEMENT

Prior to the issuance of the coastal development permit, the applicants as landowners shall execute and record document(s), in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to public agency(ies) or private association(s) approved by the Executive Director, the corridors noted on Exhibits I, further explained in Exhibits II, III, IV, V and 1, 5A, 48 and 49, for parks, public access, passive recreational use, habitat enhancement, trail, public parking and street purposes. The land shall be dedicated subject to the provisions outlined in the conditions below with respect to trail access, beach use, habitat restoration and habitat preservation. The dedicated areas shall include the following:

A. PARKS Land to be dedicated for purposes of public access, public recreation and parks as shown on Exhibit I:

(1) The entirety of the following lots within Vesting Tentative Tract Map 50666:

Lot A, Palos Verdes Drive South Vista Park,	1.5 acres
Lot H; Halfway Point Park, including all areas inland of the bluff edge trail described in 3.A(11) below, not less than:	5.1 acres.

(2) The northwesterly portion of Lot E, VTTM Tract, LOT D 50666, Portuguese Bend Overlook and Fuel Modification Area, as shown in Exhibit 49, Lot I, no less than:

1.0 acres

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- (3) A Portion of lot 38 within Vesting Tentative Tract Map 50666 as shown in the Attached Exhibit I, Lot-K **Bluff Top Activity Corridor** generally described as the southerly 100 feet of Lot 38 immediately adjacent to the edge of bluff (Lot G) from the eastern lot line to the intersection with Lot F (Halfway Point Preserve Area), no less than 8.9 Acres

- (4) The entirety of **Palos Verdes Drive South Vista Park**, lot D within Vesting Tentative Tract Map 50667: 1.2 acres

- (5) A portion of lot 39 within Vesting Tentative Tract Map 50667 as shown in the attached Exhibit I, Lot K **Bluff Top Activity Corridor**, generally described as the southerly 100 feet of Lot 39 immediately adjacent to the edge of bluff (Lot I), no less than: 4.5 acres

All Lands dedicated for park purposes shall be open to the general public for recreation use. Halfway Point Park and the Palos Verdes Drive Vista Parks (described in 1.A(1), and 1.A(4)) shall be developed for active use; the lands described in 1.A(2), (3), and (5), (known as the Portuguese Bend View Park, the Bluff Top Activity Corridor West VTTM 50666, and the Bluff Top Activity Corridors East VTTM 50667) shall be developed with trails, benches, shade structures, interpretive signs and bikeways.

The lands described in 1.A(2), (3), and (5) (known as Portuguese Bend Overlook, Bluff Top Activity Corridor West (VTTM 50666) and Bluff Top Activity Corridor East (VTTM 50667)) shall not be graded except within the dedicated bicycle/pedestrian path and within two areas, one area of not more than 0.3 acres adjacent to the 18th tee and a second area of 0.13 acres adjacent to the 18th hole. The total combined disturbed area adjacent to the 18th tee and the 18th hole shall not exceed 0.43 acres and shall be located as shown on Exhibit 9 of amendment A4 depicting setbacks for VTTM 50666 prepared by RBF and dated July 25, 1995. The Blufftop Activity Corridors shall be revegetated, as required by the Department of Fish and Game and United States Fish and Wildlife Service as specified in the habitat restoration plan. The offer to dedicate shall also provide that no development, other than development approved in this permit shall occur in the trail areas shown in Exhibits A and/or Exhibit 42 except as authorized by a future coastal development permit,

and as otherwise authorized by law. No coastal development permit exemptions as defined in Section 30610 of the Coastal Act shall apply to the trails described below.

B. PASSIVE PARK/HABITAT PRESERVES. Lands to be dedicated for purposes of habitat enhancement and passive recreation as shown on exhibits I and III:

- (1) The entirety of the following lots within Vesting Tentative Tract Map 50666 excluding any trails identified in condition 3 of this permit:

Lot E, West Bluff Preserve, no less than 7 acres, generally as indicated on Exhibits 2, 3 and 4 except that no portion of lot E shall be closer than 100 feet from any subdivided lot.	7.0 acres
Lot F Halfway Point Preserve	3.3 acres
Lot G the bluff face and beach	24.4 acres

- (2) A portion of Lot 38 within VTTM Tract 50666, shown in the attached Exhibit 1.J described as the southwesterly 25 feet of Lot 38 immediately adjacent to the edge of bluff (Lot G), no less than:

1.0 acres

- (3) The entirety of the following lots within Vesting Tentative Tract Map 50667, excluding any trails identified in Condition 3 of this permit:

Lot G East Bluff Preserve	7.7 acres
Lot I Bluff face and beach	10.1 acres

Public access to the lots dedicated for habitat preservation purposes above is limited to a) tours, inspections, and educational field trips managed by the Department of Fish and Game, or the Fish and Wildlife Service, or b) the trails shown in Exhibits A and II. All lots shall be revegetated with coastal sage scrub and coastal bluff scrub plants as listed in the Habitat Enhancement Plan in the manner required by the Department of Fish and Game and the United States Fish and Wildlife Service, except that no grading, vegetation removal except hand removal of invasive plants, or other development with the exception of trails and fences and drainage devices approved in this permit shall occur in these areas. The beach portion, the southern lot line to 20 feet above mean sea level, of Lot G, VTTM 50666 and Lot I, VTTM 50667 shall be open for public recreational use.

- C. **MULTI-USE COMMON OPEN SPACE.** Lands offered to be dedicated for habitat, managed fire break, flood control purposes except for trail areas offered to be dedicated in condition 3 below:

(1) The entirety of the following lots within Vesting Tentative Tract Map 50666:

Lot B, Forrestal Draw and Portuguese Bend Club connector
Lot C managed fire break

(2) The entirety of the following lots within Vesting Tentative Tract Map 50667:

Lots A, B, C, for open space, drainage and slope hazards
Lot H east end for managed fire break

Public access in the Multi-use Common Open Space areas is limited to the trails shown in Exhibits A and II. Planting and fuel modification shall occur only as indicated in a final approved planting and fuel modification plan required by special condition 10. Areas unavoidably disturbed for drainage devices shall be revegetated such that plants are two feet high in two years from the date of completion of rough grading.

- D. **STREETS, ROADS AND PUBLIC PARKING AREAS.** Lands offered to be dedicated for public access purposes.

All streets, roads and public parking areas identified in the Tentative Tract maps 50666 and 50667, including the two public parking lots at the end of Street A, VTTM 50666, as a new lot in tract 50666 and lot E VTTM 50667, and noted on Exhibits 1, 9 and 46 and B. The dedication shall be for public street and public street parking purposes. No gates, gate houses or other entry control may constructed on the public streets. The two public parking lots at the end of Street A VTTM 50666 and lot E VTTM 50667 may be entry gated as long as exit is possible after the lot its closed. Such lots shall remain open from dawn to dusk as described in condition 19 below.

The following applies to items A, B, C and D above. All documents shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property.

Streets and trails within the dedicated areas shall be generally as noted on Exhibits A, B, 1, II, and 48, 49 and 5A, and shall provide continuous pedestrian access along the bluff top, and where indicated, from the dedicated parks and trails to the sea. In the event that coastal erosion, landslide or bluff collapse makes a designated trail impassable, requiring the relocation of a trail, the obligation to maintain access shall remain and the applicant shall apply to the Commission for an amendment to designate an alternate trail corridor. Access along the beach and recreational use of the shoreline shall not be restricted.

All documents shall be recorded free of prior liens and any other encumbrances which may affect said interest. The offer shall run with the land in favor of the People of the State of California, binding all successors and assigns, and shall be irrevocable for a period of 21 years, such period running from the date of recording. The recording document shall include legal descriptions of both the applicant(s) entire parcel(s) and dedicated lands.

2. OFFERS TO DEDICATE EASEMENTS PROTECTING OFF-SITE HABITAT ENHANCEMENT CORRIDORS PROPOSED BY THE APPLICANTS

A. OFFER OF EASEMENT OVER RANCHO PALOS VERDES CITY PROPERTY

Prior to issuance of the Coastal Development Permit, the applicants shall provide evidence in a form and content acceptable to the Executive Director, that the City of Rancho Palos Verdes has executed irrevocable offers to dedicate to a public agency or private association acceptable to the Executive Director, an easement for habitat restoration, habitat maintenance, open space, view preservation and habitat protection over the entirety of the property known as the "Switchback", otherwise described as Lots 25 and 26 of Tract 32574, consisting of 46.15 and 48.35 acres, respectively.

The area subject to the easement shall be generally as indicated in Exhibits III, 3, 7 and 10, but excluding any area located within 100 feet of any existing or proposed residential development or within 10 feet of any road.

The easement shall:

- (1) Permit the applicant, its agents, and/or the accepting agency to enter the property, create and maintain habitat, revegetate portions

of the area, and fence the revegetated area in order to protect coastal sage scrub habitat.

(2) Restrict all development, vegetation clearance, fuel modification and grading within the Environmentally Sensitive Habitat open space easement except for six-foot chain link or "three bare wire" fences specifically proposed in the applicant's habitat enhancement plan.

(3) Permit the Coastal Commission staff to enter and inspect for purposes of determining compliance with this permit.

The easement area shall be described in metes and bounds. The offer shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, and/or the Secretary of the Interior, binding all successors and assigns, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

B. OFFER OF EASEMENT OVER LOS ANGELES COUNTY SHORELINE PARK PROPERTY

Prior to issuance of the Coastal Development Permit, the applicants shall provide evidence that co-applicant County of Los Angeles, as landowner of Shoreline Park, has executed and recorded a document, in a form and content acceptable to the Executive Director, which irrevocably offers to dedicate to a public agency or private association acceptable to the Executive Director, an easement for habitat restoration, habitat protection, open space and view preservation over no fewer than 20 (twenty) acres of its land within Shoreline Park.

The area subject to the easement shall be generally as indicated in Exhibits III, 3, 6 and 10, but excluding areas located within 100 feet of any existing or proposed residential development or within 10 feet of any road, or within 10 feet of the existing Twenty-fifth street La Rotonda Connector Trail or the Twenty-fifth street/bluff connector as shown in Exhibits II, III, IV, 45 and 46.

The easement shall:

(1) Permit the applicant, its agents, and any accepting agency to enter the property, create and maintain habitat, and revegetate

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portions of the area, and fence the revegetated area in order to protect coastal sage scrub habitat, consistent with the conditions of this permit.

(2) Permit the applicant to construct, fence and improve trail connectors between La Rotonda Drive and the project trails and between 25th Street/Palos Verdes Drive West, the bluff edge and the project trails, as need to replace any trails interrupted by the revegetation. Specifically the connector between 25th street and the Shoreline Park fire road shall be improved by the applicant consistent with Los Angeles County Department of Parks and Recreation standards.

(3) Permit the Coastal Commission staff to enter and inspect for purposes of determining compliance with this permit.

(4) Restrict all development, fuel modification, vegetation clearance and grading within the Environmentally Sensitive Habitat open space easement except for trails protected in this permit, and the six-foot chain link or "three bare wire" fences specifically proposed in the applicant's habitat enhancement plan.

(5) Protect the Beach access trail noted as beach access trail number one in Exhibits III, V, 45, and as visible in Exhibit 51.

(6) Protect the existing public access ~~on existing trail and maintenance road~~ from 25th street through center of property to bluff edge, by construction of a new trail through the fire break between the revegetation area and the eastern boundary, connecting to the Shoreline Park fire road and thence to the bluff edge. (See Exhibits 51 and III)

(7) Protect and enhance the existing trail along the easterly boundary of the applicant's property tract 50667 and the westerly park boundary including portions that are located on County property. Said trail connects with bluff edge trail and the sewer line trail.

(8) Protect safe access to and along bluff on Los Angeles County property from conjunction of Trails 3.B.8, 3.B.10, 3.B.11 and 3.B.12, the Bluff Top Activity Corridor Trails and the Property line/25th street connector on Tract 50667, except that portions of this trail may be closed during the Gnatcatcher nesting season if

the United States Fish and Wildlife Service orders such a seasonal closure in writing in order to protect habitat. Signs indicating alternate routes and the reasons for the closure shall be posted at the entrances to the alternate routes.

The easement area shall be described in metes and bounds. The offer shall be recorded free of prior liens and encumbrances which may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, and/or the Secretary of the Interior, binding all successors and assigns, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

3. OFFER TO DEDICATE TRAIL EASEMENTS

Prior to the issuance of the coastal development permit, the landowner shall execute and record a document, in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for public pedestrian and, where noted, bicycle access and passive recreational use of the corridors described below, but excluding from the offer any portion of a trail within any park area that has already been offered to be dedicated in condition 1A. The easement areas offered to be dedicated shall include all portions of the following trails noted on Exhibits A, II and 5b and not already within a park area offered to be dedicated in Condition 1A and found on Exhibit I. Parallel trails may be described in one easement. However, in combined adjacent trail dedications, the tread widths of the trails shall not be diminished, the trail separation shall be no less than three (3) feet in width and no less than two feet of landscaped buffer shall be located in the easement, between the trail and any other use.: Trail segments combined with golf cart paths are identified in Exhibit 10. In these segments, the proposed dedication shall include the entire width of the proposed golf cart path, and signs, benches, pull-outs and pavement treatment shall give clear indication that the public trail is located on the path.

Prior to recording the easement, the precise location of all trails shall be verified in the field by all interested parties, including parties to court settlements and the United States Fish and Wildlife Service in order to verify that the trail is routed to avoid significant grading, to avoid cliff edge locations where cracks or undermining have occurred, or and to avoid routes where clearance of identifiable habitat, including but not limited to stands of *Opuntia littoralis*, *Dudleya virens* or *Artemesia californica* is necessary in order to survey or construct the trail. Significant relocation of the trail outside the

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corridor described in the trail description below, deletion or seasonal closure of a trail will require an amendment as noted in condition 8 below.

A. The following access corridors located within Vesting Tentative Tract Map 50666:

(1) **Palos Verdes Drive on-Street Bicycle Lane.** Class II, high speed bicycle lane on both sides of widened Palos Verdes Drive South, along all portions of Palos Verdes Drive South located within the boundaries of the tract.

(2) **Palos Verdes Drive Off-Road Bicycle Trail.** Class I, eight foot-wide off-road bicycle path in twelve foot wide corridor along south side of Palos Verdes Drive South, along all portions of Palos Verdes Drive South located within the boundaries of VTTM 50666.

(3) **Palos Verdes Drive South Off-Road Jogging Trail.** Class I, four foot wide soft-footed pedestrian trail in an eight foot corridor along South side of Palos Verdes Drive South, along all portions of Palos Verdes Drive South located within the boundaries of VTTM 50666.

(4) **West End Bicycle Route.** Class I, eight foot wide off road bicycle path in twelve foot wide corridor, extending, as mapped, around periphery of residential development from Palos Verdes Drive and the northwest property line, inland of habitat preserve, to Halfway Point Park, extending across the north side of Halfway Point Park to connect with the Bluff Top Corridor Bicycle and Jogging Trail described in 3.A(12). This trail shall cross Forrestal Canyon via a bridge constructed by the applicant and dedicated for that purpose. Portions of this trail located in Halfway Point Park, as shown on Exhibit 10 may be combined with the golf cart path.

(5) **West end Jogging Trail.** Class I, four foot wide soft footed pedestrian trail in a six foot wide corridor, extending, as mapped, around periphery of residential development from Palos Verdes Drive and the northwest property line, to Portuguese Bend Overlook. At the dedicated overlook, the trail connects with handicapped trail number 3.A(16) which is routed inland of the habitat preserve, connecting to Halfway Point Park

(6) **Torrance Trail, Beach Access Trail Five (5),** State Park standard, four foot wide stabilized, soft-footed pedestrian trail and steps to Beach, Gun Emplacement/Torrance Trail, from the west side of the neck of Halfway Point trending through Lot G, west by north west down the bluff, and

then via switchbacks to the beach, in a location and manner approved by the Department of Fish and Game (Exhibit 48 and 50) (Trail 2 Exhibit A).

(7) San Pedro Trail Beach Access trail three (3), Four foot wide, State Park standard, stabilized soft-footed, beach access trail (E-N') known as the San Pedro trail, from Halfway Point, around the northern edge of the Gnatcatcher preserve through lot G to the Beach. The San Pedro trail shall include railings at potentially dangerous locations, passing areas, and rest stops to facilitate use by physically challenged individuals. (Trail 4 Exhibit A)

(8) Street A, Palos Verdes Drive to Halfway Point bicycle trail. Class I, eight foot wide off road bicycle path in twelve foot wide corridor along eastern side of relocated Paseo del Mar, (known as Street A, "J" road) from intersection of Paseo del Mar and Palos Verdes Drive South to Halfway Point Park.

(9) Street A, Palos Verdes Drive to Halfway Point paved sidewalk. Class I, four foot wide pedestrian trail in eight foot wide corridor along eastern side of relocated Paseo del Mar, (known as Street A, "J" road) from intersection of Paseo del Mar and Palos Verdes Drive South to Halfway Point Park.

(10) Forrestal Canyon overlook. Fifteen foot wide all weather fire trail with foot and bicycle access extending from the end of Street D, parallel to the west side of Forrestal Draw connecting with Streets B and C via three foot side pedestrian paths and terminating at Trail 3.A(4).

(11) Bluff top Corridor Bluff edge pedestrian trail, a two foot wide soft-footed pedestrian trail generally following the present unimproved eighteen inch trail along the bluff edge in Tract 50666 from the upper terminus of the Torrance trail, thence around the periphery of Halfway Point, outside of Halfway Point Park, connecting to the upper terminus of the San Pedro trail along the top edge of the bluff, located generally inland of parallel to the 147 foot contour line as shown in Exhibit 7. From the easterly boundary of the publicly dedicated Halfway Point Park, the trail shall be routed generally along the edge of the bluff to the tract boundary on the east, connecting with the bluff edge trail in tract 50667 described in 3B(8) below. In no case will the trail be routed where grading is required, or where cracks or undermining have occurred, or On Halfway Point, no portion of the trail shall be located below the 145 foot contour line as shown on the maps dated June 24, 1994.

(12) **Bluff Top Activity Corridor Bicycle and jogging Trail.** Class I, eight foot wide pedestrian/bicycle trail in a twelve foot corridor within the 100 foot minimum bluff top corridor, This trail begins at the end of trail 3.A.12 above in the Northeasterly corner of Halfway Point Park, and extends north to the western end of La Rotonda Drive.

(13) **Sewer easement trail** Class I, eight foot pedestrian/golf cart/sewer maintenance truck trail in a twelve foot corridor located generally as shown in Exhibit A, generally along the route of landslide scarp C from Halfway Point/J road ocean-ward to the Bluff edge trail generally in the center of lot 38. (See attached Exhibit B). The upper portion of the loop trail (north of golf course hole number 18) located on the top of the slide scarp may be used by golf carts and maintenance vehicles. The lower portions of the trail located south of the golf hole and not used by golf carts may be improved with a four foot wide soft footed tread. Said trail shall be signed and shall be open and available for use by the general public during day-light hours.

(14) **West Bluff Beach Access (trail 4 (four))** ~~West Bluff beach trail.~~ Being a two foot wide soft-footed pedestrian trail extending from the West End jogging and handicapped access trail described in item 3.A(5), above, and 3.A(15) the bluff edge Nature trail in the West bluff preserve,. Said trail shall connect the West End jogging trail to the bluff edge, generally in the area located directly east of the West Bluff Passive Park and Preserve area, Lot E, within the western edge of the golf course and descending to the beach across lot G.. The bluff top portions of said trail may be combined with the golf cart trail in a similar location as long as signage and hardscape treatment, amenities and other design features clearly indicate the public's right to access the bluff edge and beach via this trail and the dedication grants the public the right to use the entire width of the applicable portion of the golf cart path. The trail is to be designed in conjunction with the Department of Fish and Game, with staging areas, information signage restriction, docents and other methods to protect vegetation. (Trail 1 Exhibit A.)

(15) **West Bluff Passive Park Nature Trail.** Being a two foot wide, fenced, soft-footed pedestrian trail as shown in Exhibit B and II extending from the Portuguese Bend Overlook (described in 1.A.2 above) to the upper edge of slide scarp A. From there, there trail splits into two branches. The first branch, which shall not be improved and shall only be opened if the United States Fish and Wildlife service determines that the effort to conserve habitat on the site has not succeeded, leads down the scarp face to the bluff top and then along the bluff top to Mariposa

Lily point. The second branch, which shall be opened in the first stage of restoration, follows the upper edge of the scarp of landslide A, proceeding along the scarp, connecting with the Beach access trail described in condition 3.A(14) above ~~thence along the eastern boundary of lot E and/or the western boundary of golf course lot 38 to the handicapped loop identified in 3.A.16 below.~~ Said trail is to be designed in conjunction with the Department of Fish and Game, with low barriers parallel to the trail, staging areas, information signage, and other methods to protect vegetation.

(16) Halfway Point Handicapped Loop Trail. Being a nine (9) foot wide pedestrian and handicapped accessible trail with a minimum tread width of (5) feet ~~and~~ an easy level of difficulty. The trail shall begin at the terminus of Street "A" (J road or Paseo del Mar extension). From the terminus of Street "A", the trail shall follow the easterly side of the parking lot, entering Halfway Point Park on the northeasterly corner. From there, the trail shall be constructed within the park, along the park boundary at approximately the 151 foot contour line and then around the entire park periphery connecting with ~~to the connection with~~ the two walkways leading to the Clubhouse Building. The trail shall proceed on the walkways south of the Clubhouse building and south of the westerly parking lot, then north of golf course lot 38 and across lot B, crossing Forrestal Draw via a bridge installed by the applicant. From the bridge, the trail shall extend along the northern edge of golf course lot 38 then along the northern edge of lot E, the West Bluff Preserve, within lot C. The trail shall connect to trails 3.A.4 and 3.A.5 at the Portuguese Bend overlook shade structure and handicapped turn around and with the pedestrian trails required in conditions 3.A(5), 3.A.(10), 3.A(9), 3.A.(15) and 3.A(17).

17. Clubhouse connector trails, being the foot trails and sidewalks shown on Exhibit 8 of permit amendment A-5-RPV-93-005A, connecting Halfway Point Park with two public parking lots located at the terminus of Street "A" including all paths or walks necessary for access to the public facilities proposed within the clubhouse.

B. The following access Corridors located within Vesting Tentative Tract Map 50667:

(1) Palos Verdes Drive South on-Street Bicycle Lane Class II, high speed bicycle lane on both sides of widened Palos Verdes Drive South, along all

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portions of Palos Verdes Drive South located within the boundaries of the tract. (L6-92 117).

(2) **La Rotonda Drive On-Street Bicycle Lane Class II**, high speed bicycle lane on both sides of La Rotonda Drive connecting with trail 3.A(12) above through the parking lot and connecting. with ~~club house entry to~~ Palos Verdes Drive South.

(3) **Palos Verdes Drive South Off-Road Bicycle Trail**. Class I, eight foot wide off road bicycle path in twelve foot wide corridor along south side of Palos Verdes Drive South, along all portions of Palos Verdes Drive South located within the boundaries of VTTM 50667.

(4) **Palos Verdes Drive South Off-Road Jogging Trail**. Class I, four foot wide pedestrian trail in eight foot corridor along south side of Palos Verdes Drive South, along all portions of Palos Verdes Drive South located within the boundaries of VTTM 50667.

(5) **Palos Verdes Drive south Overlook-La Rotonda parking lot connector**. Four foot wide pedestrian stairway and switchback trail as shown in Exhibit 10 linking viewing overlooks located on Palos Verdes Drive South west of lot 35, VTTM 50667, through VTTM 50667 to La Rotonda trail head, road/trail interface. Any stairs necessary shall be constructed by the applicant according to applicable City and State Park standards. Portions of this trail may be combined with a golf cart path.

(6) **La Rotonda knoll edge trail to La Rotonda Point and bluff edge**. La Rotonda Drive to La Rotonda Point (~~east fork~~), four foot wide soft footed pedestrian trail within a six foot wide corridor from Palos Verdes Drive South within ~~along street C and La Rotonda Drive to~~ Lots A, and ~~then to~~ Lot H, ~~then~~ following lot H in switchbacks through lots H and 39 to La Rotonda Overlook, connecting with bluff edge pedestrian trail 3.B(8), as shown on Exhibits B and 5.

Delete and combine with trail 3.B.6 above

(8) **Bluff top Corridor Bluff edge pedestrian trail**, two foot wide, soft-footed pedestrian trail within a four foot right of way located on the bluff edge from the western tract boundary to the Shoreline Park property line, extending slightly inland at lot G, and veering downslope back to the bluff edge Said trail shall connect with the trails described in 3.B(6) and 3.B((9) above. In no case will the trail be routed where with a cut or fill greater than one foot of grading is required, or where cracks or undermining have occurred Portions of this trail east of the connector to

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trail 3.B (10) below may be subject to seasonal closures at the request of the United States fish and Wildlife service. In that case signage, indicating the reasons for closure and alternate beach access routes shall be posted at each end of the closed trail by the applicant or its successor in interest.

(9) La Rotonda Point beach access, two foot wide soft-footed trail extending from the bluff edge trail west of La Rotonda Point and descending to the beach across lot I as shown in February 5, 1993 Access Amenities Plan, and Exhibits II and III. (Beach access trail 4 on Exhibit A)

(10) Bluff edge/Knoll shoulder/Twenty fifth street cut-off trail, Existing trail connecting bluff top corridor as shown in Exhibits II, III and 42 generally along Shoreline Park/ VTTM 50667 property line following existing trail along shoulder of knoll to the existing fire road located in Shoreline Park that connects Twenty-fifth Street to the bluff edge (Beach Access Corridor 1, Exhibit IV). Dedication applies to those portions of existing trail that are located within tract 50667.

(11) ~~Bluff Top Activity Corridor Trail~~. ~~Class I, eight foot wide pedestrian/bicycle trail in a twelve foot corridor connecting the trail within the bluff top corridor, identified in 3.A(12) above, extending from that trail along the westerly tract boundary to the southwesterly end of La Rotonda Drive.~~ Delete in this amendment and reroute through tract 50666.

The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property. Trails within the easements shall be generally as noted on Exhibits A, B, II, III and V, and shall provide continuous pedestrian access along the bluff top, and where indicated, from the dedicated parks and trails to the sea.

The offer to dedicate shall also provide that no development, other than development approved in this permit shall occur in the trail areas shown in Exhibits A, B, II, 5A, 41, 42, 43 and 45 except as authorized by a future coastal development permit, and as otherwise authorized by law. No coastal development permit exemptions as defined in Section 30610 of the Coastal Act shall apply to the trails described in this Condition 3.

In the event that coastal erosion, landslide or bluff collapse makes a designated trail impassable, requiring the relocation of a trail, the obligation to

maintain access shall remain and the applicants or their successors in interest shall apply to the Commission for an amendment to designate an alternate trail corridor. Access along the beach and recreational use of the shoreline shall not be restricted.

The document shall be recorded free of prior liens which the Executive Director determines may affect the interest being conveyed, and free of any other encumbrances which may affect said interest. The recording document shall include legal descriptions of both the applicant(s) entire parcel(s) and describe the easement areas identified above in metes and bounds. The offer shall run with the land in favor of the People of the State of California, binding all successors and assigns, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

4. ACCESS SUPPORT AND IMPROVEMENTS

Prior to issuance of the coastal development permit, the applicant shall agree in writing to construct the following public access improvements for park and trail purposes. Improvements shall be as described in Exhibit 9 except that the locations of trails shall be as established by Condition 3 of this permit. Pursuant to this requirement, the applicant shall provide detailed plans of these improvements and a schedule of completion for the review and approval of the Executive Director in consultation with any existing accepting agency. Any proposed changes to the approved plans shall be reported to the Executive Director. Any changes that the Executive Director determines to be substantial, including those which unreasonably interrupt or degrade views of the ocean, the bluffs or the beach from public areas or unduly restrict passive recreational use of dedicated areas shall require an amendment to this permit.

The first stage shall be completed to the satisfaction of the Executive Director in consultation with any accepting agency prior to closing off any existing trails. The second stage shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to the opening of the golf course for play. The third stage shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to final grading of individual residential lots.

A First stage. The following shall be completed prior to Phase II of the Habitat Enhancement Plan: trail improvements, interpretive signs and trail fencing shall be installed and open before any fencing for habitat restoration or other facets of the project interferes with public access which may exist on the property. The following trails must be provided but may be confined within fenced corridors to prevent individuals from

damaging restoration areas. The trail surfaces may be left temporarily as unimproved trails, but shall be improved to the standards of the trail improvement plan prior to the commencement of play on the golf course. Said trails shall include: Trails noted in Conditions 3 A(5), A(6), A(7), A(9), A(11), A(15 slide scarp portion branch two); also in Conditions 3 B(5), B(6), B(7), B(8), and B(9).

- B. Second Stage.** Park improvements and second stage trail improvements completed as part of Phase III construction.

Installation of the following park and trail improvements shall be commenced immediately following rough grading operations for the golf course, and shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to the opening of the golf course for play.

(1) Park improvements second stage:

- a) Halfway Point Park, as shown on the Access and Amenities plan of February 5, 1993, including parking lot, "J Road" parking, picnic area,
- b) "J" road, street A as far as Halfway Point Park.
- c) Bluff overlooks as shown on the Access amenity plan of February, 5, 1993, except that the Executive Director shall require revision to such plan if it requires grading.
- f) Habitat and Golf course safety fencing as approved according to conditions 6 and 7, below.
- g) Temporary bridge over Forrestal Draw, as approved by the resources agencies serving trail 3(A)5.
- h) Parking lot for 25 cars and comfort station on lot E VTTM 50667.

(2) Trail improvements second stage:

Trails required in Conditions 3 A(1), A(2), A(3), A(8), A(12), A(13) and A (16) and A (17) within Halfway Point park and 3 B(1), B(2), B(3), B(4), B(10), and B(11).

C. **Third Stage.** Installation of the following park and trail improvements shall be commenced at the same time as the commencement of residential grading for Tract 50666, and shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to the finish grading of any individual residential lots.

(1) Park improvements third stage.

a) Portuguese Bend Overlook improvements, that is, the overlook adjacent to West Bluff preserve in fuel management area adjacent to property line.

b) Completion of "J" road parking area, all remaining trails, amenities, and facilities outlined in the Public Access and Amenities Plan of February 5, 1993 or otherwise required in the conditions above.

c) Restoration of Forrestal Draw, Palos Verdes Draw, and Bluff face Areas excavated for drainage facilities, fences or trail construction.

d) First phase of, 27,000 square foot clubhouse, which shall include restrooms and associated public-serving facilities.

e) 25 parking spaces in lot E VTTM 50667.

(2) Trails improvements third stage:

a) identified in Conditions 3 A(4), A(10), A(14), the permanent bridge over Forrestal draw, and A (17) west of the bridge.

Trail improvements shall be carried out in accordance with a detailed trail improvement plan approved by the Executive Director, in substantial conformance with the Access and Amenities plan of February 5, 1993 as modified by the conditions of this permit. Said plan shall include a) designated parking, b) interpretive signs, c) fencing of habitat and construction areas, d) erosion control and footpath control plantings (such as cactus adjacent to sensitive areas), e) steps, where necessary.

5. **FENCES, SAFETY NETS AND BOUNDARIES.**

Prior to issuance of the permit the applicant shall provide complete plans showing the location of all fences, nets, safety devices and boundary treatments for the review and approval of the Executive Director. Said plans

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shall have received prior review and approval by the City of Rancho Palos Verdes, the California Department of Fish and Game and the United States Fish and Wildlife Service. Such fences and nets shall be as generally indicated on Exhibit VI. The location, design and height of all fences, nets, and hedges shall be shown, and, in the event of vegetative boundaries, the materials shall be specified. The plans shall also have received review and comment from the golf course operator and its insurance or safety consultant.

The following boundary treatments fences may be approved by the Executive Director in the following locations, providing that they do not block or diminish access and recreation as required in conditions 1-4 above:

A. Within recreation areas, adjacent to steep slopes, adjacent to golf course roughs:

(1) Coastal prickly pear (*Opuntia littoralis*) or coastal cholla (*Opuntia prolifera*) barriers.

(2) split rail fences 40 inches in height or less, with plastic coated chain link in the lower 18-20 inches.

(3) three wire barbless wire fences.

B. During construction, areas in which grading will occur shall be fenced with:

(1) six foot high chain link construction fences, with wildlife escape holes as may be required by the Department of Fish and Game.

C. Approved revegetation areas:

(1) six foot high black or green covered plastic chain link fencing provided such fences do not include footings on the face or edge of the coastal bluff.

(2) three-wire barbless wire fences.

All changes to the approved plans shall be reported to the Executive Director. Any changes the Executive Director determines to be substantial, including those listed below, shall require an amendment to this permit:

(1) Wrought iron or wire cages surrounding trails.

- (2) Any netting or wire link fences with holes smaller than commercial chain link.
- (3) Any fence over six feet in height.
- (4) Any fence that would arch over the heads of pedestrians on an approved pedestrian path.

The Executive Director shall not accept an amendment request for which the design, materials and location of the proposed barrier is inconsistent with the public access, view and habitat requirements of this permit.

6. ACCESS AND HABITAT MANAGEMENT AND MAINTENANCE

Prior to issuance of the coastal development permit the applicants shall provide for the review and approval by the Coastal Commission an access and habitat management and maintenance program:

A. Funding Program. The program shall include a long term funding program which will provide for the actual cost of both:

- (1) park maintenance and periodic repair and replacement of landscaping, restrooms, trails, fences and benches and other facilities; and,
- (2) on-going habitat protection and restoration including a) on-site supervision of trail and habitat areas by resident Qualified Naturalist, operation of interpretive signs and displays, facility, funding of public outreach programs, including youth education and docent program, and b) maintenance of drainage systems, oil separators and other devices required to protect habitat in nearby ocean waters and tide pools.

B. Maintenance. The program shall include the legal authority and other provisions to maintain all habitat and public access areas to the standards required in this coastal development permit, and to maintain all drainage and water quality protection systems proposed by the applicant to protect the habitat of ocean waters and tide pools.

7. DEED RESTRICTIONS.

Prior to issuance of the coastal development permit, the applicant shall record a deed restriction, subject to the review and approval of the Executive Director that shall apply to lots 1-31 VTTM 50666, lots 1-37 Vesting Tentative Tract Map 50667, and all parcels created by Parcel Map numbers 20970 and 23004. The deed restriction shall be recorded on each lot created

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in the above tract and parcel maps when such lots are recorded. The deed restriction shall provide:

- A. The obligation to complete the habitat, trail and park improvements prior to final grading of individual lots.
- B. The requirements for habitat and public access required in conditions of this coastal development permit.
- C. Notice of the public's right to park on and pass through the streets of this subdivision.
- D. Notice of the land owners' obligations with respect to maintaining the parks and trails and habitat areas and fire breaks required in this permit, including but not limited to the obligation to contribute to the maintenance of the area, and the right of the district/and or accepting agency to manage and maintain the area in accordance with the terms and conditions of this coastal development permit.
- E. Notice of the land owners' obligations with respect to maintaining drainage systems, oil separators, Best Management Practices and other programs and devices required to protect habitat in ocean waters and tide pools.
- F. A restriction on the use of invasive, non-native plants, as listed below in the landscaping condition 10. A list of such plants approved by the on-site habitat manager, shall be provided for the review and approval of the Executive Director prior to recording.
- G. A further restriction indicating that no development, other than development approved in this permit shall occur in the park areas indicated in condition 1A and the trail areas shown in Exhibits II, 42 and 43 except as authorized by a future coastal development permit, and as otherwise authorized by law. No coastal development permit exemptions as defined Section 30610 of the Coastal Act shall apply to the trails described above.
- H. A restriction on lots 38 of VTTM 50666 and Lot 39 of VTTM 50667, describing a public access program for the improved golf cart paths. Said trails shall be signed and identified as public and shall be open and available for pedestrian use by the general public during non-golfing daylight hours.

- i. Notice that all covenants and agreements between the applicants and or successors in interest their agents and with the City or private maintenance companies or other entities that affect the streets, parking lots, parks habitat areas and trails required in this permit are subject to the terms and conditions of this permit. Pursuant to this requirement any agreements or covenants that delegate maintenance or operation of these public facilities to a third party shall be consistent with all terms and conditions herein, and shall be provided to the Executive Director with evidence of such consistency prior to their execution.

The documents shall be recorded free of prior liens or other encumbrances. The restrictions shall run with the land in favor of the People of the State of California, binding all successors and assigns. The recorded document shall include legal descriptions of the applicant(s) entire parcel(s), the easement area(s), and the legal lots subject to these obligations.

8. CONFORMANCE WITH THE REQUIREMENTS OF THE RESOURCE AGENCIES WITH RESPECT TO THREATENED, RARE OR ENDANGERED SPECIES.

- A. **Documentation.** Prior to issuance of the coastal development permit, the applicant shall provide fully executed agreements with the Department of Fish and Game and the United States Army Corps of Engineers and the United States Fish and Wildlife Service addressing each party's responsibilities with respect to preservation of habitat and streams. Pursuant to this condition the applicant shall provide true and accurate copies of: 1) all agreements between the applicants and the above noted public agencies and the landowners of the off-site mitigation areas, 2) final approved restoration plans, 3) all schedules, 4) any and all proposed restrictions on public access, 5) all evidentiary material which the applicant or the agencies relied on to come to their conclusions.
- B. **Inconsistencies and changes.** Any change, refinement or inconsistency between the final contracts and executed agreements and the Habitat Enhancement Plan as approved by the Commission will require an amendment to this permit. The Executive Director shall not accept any amendment request including reduction of public access and recreation mandated by the resource agencies in the areas identified for public use in this permit without the provision of equivalent additional access and recreation elsewhere on the property.
- C. **Execution.** Prior to issuance of the permit the applicant shall provide the Executive Director with detailed schedule, revegetation plans and grading plans that conform to the Habitat Enhancement Plan approved by the

United States Fish and Wildlife Service, the Corps of Engineers and the Department of Fish and Game. The schedule shall conform to the schedule and phasing program listed below in section D. The applicant shall agree in writing to carry out all facets of the approved plans. All habitat areas shall conform to the standards contained in the executed agreement as modified consistent with condition 8B above.

D. Schedule

(1) **Phase I.** For a period of no less than one year prior to the commencement of grading the applicants shall collect seeds and cuttings from the project area to support the revegetation program.

(2) **Phase II.** At the commencement of revegetation, the applicant shall provide alternate trail access as noted in stage one of condition 4, above, fence the areas to be revegetated, prepare the site, and install the initial plants. The applicant shall create coastal sage scrub habitat, using as far as possible, plants native to the area.

(3) **Phase III.** When the Executive Director verifies that revegetation has begun and the Department of Fish and Game releases the applicant for the golf course grading, consistent with the Habitat Enhancement Plan of February 18, 1993, the applicant may begin grading the golf course (lots 38 and 39) and constructing the second stage of trail and access improvements, and the lots on VTTM 50667.

At the completion of grading of the golf course, the applicant shall complete installation of the park improvements noted above as stage 2 in condition 4. No grading may occur in the next phase of development, until the Executive Director certifies completion of the park improvements, and that inspection and acceptance of the habitat areas by the resource protection agencies has occurred as noted below.

(4) **Phase IV.** Grading of the residential lots, roads and trail areas, golf club house and 150 car westerly parking lot in Vesting Tentative Tract Map 50666 shall commence only after the United States Fish and Wildlife Service and the Department of Fish and Game have certified to the Executive Director that:

- a) the restored habitat in the on-site restoration areas noted above is of sufficient maturity to supply food and cover and nest areas for Gnatcatchers and Cactus Wrens, and other coastal sage scrub dependent species, and

b) that the vegetation on the off-site restoration areas is established according to all finally executed agreements and the final Habitat Enhancement Plan, and that the Gnatcatcher and the Cactus wren and other species dependent on coastal sage scrub could in the future, be permanently provided with food, cover and nesting areas on the restored areas.

9. GRADING PLANS AND STANDARDS.

Prior to issuance of the coastal development permit, the applicant shall provide for the review and approval of the Executive Director, final engineered grading plans for the golf course and tract 50667 and preliminary grading plans for the clubhouse and tract 50666. Prior to beginning preliminary grading for tract 50666, the applicant shall provide for the review and approval of the Executive Director, final engineered grading plans including working drawings for Tract 50666. The applicant shall also agree, in writing, ~~and a written agreement~~ to abide by said plans. The plans shall have received preliminary review by the project geologist and the City engineer and the City geologist. Grading plans shall conform to the phasing requirements of the executed HCP/HEP habitat plan noted above; stockpiling shall occur only as provided in the HEP stockpiling provision. Grading plans shall substantially conform to the preliminary plans approved by the City of Rancho Palos Verdes for Vesting Tentative Tract Map No 50666 and 50667 as shown in the EIR. Any changes in the plans required on the basis of new geologic information, including major recompaction or reconstructive grading, shall be reported to the Executive Director of the Commission before the changes are carried out. If the changes represent a substantive change in the plans or grading quantities as approved by the Commission, an amendment to this coastal development permit will be required.

The final grading plans agreed to by the applicant shall include:

- A. **Grading limits.** No Grading, stockpiling or earth moving with heavy equipment shall occur within the dedicated open space areas (corridors) noted in condition 1 above, with the exception of Halfway Point Park, and the bicycle trails and the 0.30 acre fill slope area adjacent to the 18th tee and the 0.13 acre fill slope area adjacent to the 18th hole. The 0.30 acre and the 0.13 acre fill slope areas which encroach within lot K shall be located as shown on Exhibit A depicting setbacks for VTTM 50666 dated July 25, 1995. Bluff edge pedestrian trails shall be constructed with hand-tools where environmental damage could occur.

The areas in which no grading is to occur are generally described as the habitat easement and revegetation areas.

- B. **Disposal of excess material.** Any excess material resulting from grading or site preparation to be deposited within the coastal zone shall be disposed of in accordance with an approved coastal development permit. No excess material shall be dumped over the bluff or placed on the beach, or on any protected habitat or restoration areas.
- C. **Equipment storage.** No grading equipment shall be stored within any habitat area, open space easement area, within 30 feet of the coastal bluff, within the residentially designated areas (phase IV), except as shown in the February 18, 1993 Habitat Enhancement Program, during the work on the golf course (Phase III).
- D. **Timing.** No grading may occur during the nesting season of the California Gnatcatcher, or otherwise as restricted in the Final executed Habitat Conservation Plan (HCP). In the event of conflict between this timing condition 9D and the executed HCP, the HCP shall prevail.

10. TEMPORARY EROSION CONTROL, HABITAT PROTECTION AND FINAL LANDSCAPING PLANS.

Prior to issuance of the Coastal Development Permit, the applicant shall submit for review and approval by the Executive Director and agree in writing to abide by habitat protection, revegetation, landscaping and erosion control plans for parks, trail corridors, common open space and graded and disturbed areas, parks and the golf course. All landscape plans, including habitat restoration, temporary stabilization, park rehabilitation, golf course roughs, fuel modification and drainage course revegetation shall employ native plants that are Palos Verdes Peninsula Bluff Scrub plants, and Palos Verdes Peninsula Coastal Sage Scrub plants, obtained, to the maximum practicable extent, from seed and vegetative sources on the Palos Verdes Peninsula. Turf areas shall be permitted, but invasive grasses or annual grasses incompatible with revegetation shall not be employed for temporary stabilization or in areas, which in the opinion of the enhancement monitor, could form a seed bank that would affect the restored areas.

At the commencement of grading on each tract and on the golf course, the applicant shall provide to both the City and the Executive Director, for their joint review and approval, plan notes and general standards for erosion control. On or before September 15 of each year of construction, the applicant shall provide to both the City and the Executive Director for their

joint review and approval, interim erosion control plans that will eliminate all siltation onto the beach tidepools and habitat areas adjacent to the site.

Prior to submittal of landscape plans, and temporary erosion control plans, the applicant shall obtain the review and comments of the California Native Plant Society, the Department of Fish and Game and the United States Fish and Wildlife Service. The Executive Director shall approve plans that are consistent with the objectives of the Habitat Enhancement Plan.

The final plans agreed to by the applicant shall incorporate the following criteria:

- A. All graded areas on the subject site shall be planted and maintained to protect habitat and to prevent erosion into intertidal areas, the coastal bluffs and revegetation areas. To enhance habitat, on commonly owned lots and on golf course roughs, landscaping shall consist of Coastal Sage Scrub and Coastal Bluff Scrub plants native to the Rancho Palos Verdes community that have been listed in the EIR and by the Native Plant Society in their comments on the EIR. Invasive, non-indigenous plant species which tend to supplant native species shall not be used either on the bluff, on the roadway lots, on the golf course, on commonly owned, or on the individual lots. Available lists of invasive plants are found in communications from the Native Plant Society to the City of Rancho Palos Verdes and in the California Native Plant Society, Santa Monica Mountains Chapter, document entitled *Recommended Native Plant Species for Landscaping Wildland Corridors in the Santa Monica Mountains*, dated January 20, 1992. Additional invasive plants may be identified by the Executive Director on the basis of comments from the Department of Fish and Game, the Fish and Wildlife Service or the California Native Plant Society.

- B. All cut and fill slopes shall be stabilized with planting at the completion of rough tract grading, and on the completion of final grading, and/or, if the Executive Director determines that grading has stopped and that the interruption of grading will extend into the rainy season. Planting should be of primarily native plant species indigenous to the Palos Verdes Peninsula. Non-native plants used for stabilization shall not be invasive or persistent species. Such planting shall be adequate to provide 90 percent coverage within 90 days and shall be repeated, if necessary, to provide such coverage. This requirement shall apply to all disturbed soils including all unsurfaced roads and pads;

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- C. Should grading take place during the rainy season (November 1 - March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location.
- D. The landscaping and erosion control plan shall identify the location of the temporary construction fence noted in the habitat enhancement plan. In addition to the fencing required in the Habitat Enhancement Plan, construction fencing shall be placed no less than 20 feet inland of the edge of Bluff Top Activity Corridors and dedicated Habitat Restoration Areas (Passive Parks) before the commencement of grading operations. No drainage shall be directed over the bluff, no overspill, stockpiling, equipment storage, material storage or grading shall be conducted seaward of this fence. The fence shall include small animal escape holes if required by the Department of Fish and Game.
- E. At the end of rough grading, all rough graded lots, and all disturbed areas not included in park development, the golf course, roadways, park development or revegetation plans shall be revegetated with plants indigenous to the area. The plans shall specify seed and plant sources, using, as far as possible, locally collected seed.
- F. Prior to issuance of the grading permit, the applicant shall provide evidence that a bond has been posted with the City of Rancho Palos Verdes sufficient to enable the City and/or the Department of Fish and Game to provide for revegetation and stabilization of the site in the event of bankruptcy or indefinite cessation of development activities.
- G. All fuel modification plans shall have been reviewed and approved by the Los Angeles County Fire Department. Invasive plants, as noted above, shall not be employed in fuel modification areas. The majority of plants employed shall be California native plants endemic to the Palos Verdes peninsula.
- H. Plans for revegetation areas shall conform in plant list and culture to the Habitat Enhancement Plan of February 18, 1993.

All proposed changes to approved plans shall be reported to the Executive Director. Any changes the Executive Director determines to be substantial shall require an amendment to the permit.

11. FINAL DRAINAGE PLANS.

Prior to issuance of the permit the applicant shall provide, for the review and approval of the Executive Director, preliminary engineered drainage plans for drainage facilities and a written agreement to abide by such plans for tract 50667 and the golf course and conceptual plans for tract 50666. Prior to beginning preliminary grading for tract 50666, the applicant shall provide for the review and approval of the Executive Director, final engineered drainage plans for tract 50666. Said final drawings shall have received review and comment by: 1) the project geologist, 2) the City Engineer, 3) the City Geologist, 4) the United States Fish and Wildlife Service, 5) the Department of Fish and Game, 6) The United States Army Corps of Engineers, 7) the Regional Water Quality Control Board, 8) County Flood Control.

The Executive Director, upon receipt of detailed drainage plans and comments of all the above agencies and individuals if such agencies choose to comment, shall require all potential disturbance of bluff face vegetation to be identified, minimized and all displaced plants to be replaced according to the standards of the Habitat Enhancement Plan. No rare plants or sensitive species may be disturbed by installation of the drainage devices. To verify this, the applicants shall supply a field check prior to installation and at the end of installation, and at the end of any replanting of bluff face species. Any necessary restoration shall be completed as soon as possible after the disturbance but in no event shall restoration completion occur more than one year after installation of the drainage devices. Complete restoration of Phase III grading (the golf course) impacts shall occur before the golf course may be opened for play, and complete restoration of Phase III and IV (residential lot) impacts shall occur before individual lots receive final grading approval.

The plans shall be in substantial compliance with the drainage plans submitted in August 2, 1991, and shall employ: a) treatment and filtration of street runoff; b) Best Management Practices; c) use of ponds to control, treat and recirculate golf course and low flow street runoff; d) no discharge from golf course to tide pools, e) no drain line down Forrestal ravine, f) use of drains outside of ravines for normal storm and low flow run-off; g) the terminus and/or surface installation of drainage pipes on the bluff face and toes shall avoid stands of *Opuntia littoralis*; h) no heavy equipment shall be placed within 30 feet of the edge of the bluff in installing the devices; i) The applicant shall be responsible for removing all debris.

Upon receipt of final approval by any of the above agencies, or if at any time, field conditions require a change in design, the applicant shall provide copies

of the final approved plans and/or change orders for the required changes to the Executive Director. Any significant change from the approved plan which the Executive Director determines to be substantial shall require an amendment to this permit.

12. REVISED PLANS

Prior to issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, revised final plans, approved by the City of Rancho Palos Verdes, which indicate the final layout of all residential and open space lots, streets, and other improvements, including grading, access areas, golf course and revegetation areas, and which conform with the final approved plans for public access, recreation, Habitat protection/enhancement, grading and drainage specified in conditions 1-5, and 9-11, above. All development must be consistent with these plans.

13. DELETED

14. COMPLIANCE WITH CONDITIONS OF THE VESTING TENTATIVE MAPS.

In the event of conflict between the conditions imposed by the City of Rancho Palos Verdes and the Commission, the terms and conditions of the Commission shall prevail. Pursuant to this, the applicant shall prepare a written comparison of the City's and the Commission's conditions. However, except as explicitly modified by the terms of this coastal development permit, all development shall comply with the conditions of Vesting Tentative Tract Map No. 50666 and Vesting Tentative Tract Map No. 50667, Tentative Parcel Map Numbers 20970 and 23004 as re-approved in December 7, 1992 and as revised on September 6, 1994. Revisions to Conditional Use Permits numbers 162 (residential planned development and public open space) and 163 (golf course and clubhouse), Revisions to Coastal Permit number 103, and Revisions to Grading Permit number 1541 and mitigation measures and addenda to EIR 36 as approved by the City of Rancho Palos Verdes on December 7, 1992 and as revised on September 6, 1994 shall be reviewed by the Executive Director of the Commission for consistency with this action.

For purposes of this condition, the minimum lot size and minimum house size as noted in the Development Standards supplied to the City of Rancho Palos Verdes shall not be considered conditions of the coastal development permit or necessary to this Commission's approval of the project. Changes in such standards to allow a greater clustering of lots to conform to the other terms

and conditions of this permit shall be reported to the Commission as an amendment to this permit.

15. COVENANTS, CONDITIONS, AND RESTRICTIONS, CONDITIONAL USE PERMIT, PARCEL MAP CONDITIONS AND FINAL TRACT MAPS.

Prior to issuance of the coastal development permit and prior to recordation of any CC&R's, parcel maps or Vesting Tentative Tract Maps associated with the approved project, said CC and R's and Vesting Tentative Tract and parcel maps shall be submitted to the Executive Director for review and approval. The Executive Director's review shall be for the purpose of insuring compliance with the standard and special conditions of this Coastal Development Permit. The deed restrictions noted in Condition 7 above shall be reiterated in the CC and R's. Any CC and R's, parcel map conditions or notes, conditional use permit conditions or tract map provisions which the Executive Director determines are not consistent with any of the conditions of this permit shall be modified to be consistent before recordation.

16. PROOF OF LEGAL ABILITY TO COMPLY WITH CONDITIONS

Prior to issuance of the coastal development permit, the applicants shall provide 1) proof of undivided legal interest in all the properties subject to this permit, or 2) proof of the applicant's ability to comply with all the terms and conditions of this coastal development permit. No land subject to this coastal development permit may be developed until and unless all terms and conditions relating to the project as a whole have been met and agreed to in writing by all parties with ownership interest.

17. PUBLIC RIGHTS.

By acceptance of this permit, the applicant acknowledges, on behalf of him/herself and his/her successors in interest, that issuance of the permit shall not constitute a waiver of any public rights which may exist on the property. The applicant shall also acknowledge that issuance of the permit and construction of the permitted development shall not be used or construed to interfere with any public prescriptive or public trust rights that may exist on the property.

18. ASSUMPTION OF RISK.

Prior to the issuance of the coastal development permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide that: (a) the applicant understands that

the site may be subject to extraordinary hazard from landslide, and earth movement and bluff failure, and (b) the applicant hereby waives any future claims of liability against the Commission or its successors in interest for damage from such hazards. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens.

19. PUBLIC AVAILABILITY OF GOLF COURSE.

Prior to issuance of the permit, the landowners shall execute and record deed restriction, in a form and content acceptable to the Executive Director, that provides that the approved visitor serving Golf course facilities including the clubhouse, will conform to the following requirements:

- A. **PUBLIC FACILITY.** The clubhouse and golf course will remain as commercial visitor serving facilities open to the general public and
- B. **CLUBS PROHIBITED.** That any proposed change in the level of public use will require an amendment to this permit. No club or other arrangement that will restrict use of the golf course by the general public shall be permitted.
- C. **CART PATHS.** As noted above, the improved Golf cart paths shall be available for orderly public pedestrian use during non-golfing daylight hours.
- D. **RESTROOMS.** In lieu of construction of a separate public restroom facility, the applicant and its successors in interest shall agree to construct, maintain and to operate the comfort station in lot E tract 50667, the clubhouse restrooms, and lower level patio of the clubhouse as public facilities in conjunction with Halfway Point Park and the public trail system.
- E. **OPERATIONS.** The applicant and its successors in interest including but not limited to the golf course operator shall agree and covenant with the City of Rancho Palos Verdes to operate the parking lots at the end of Street A, the restrooms on lot E tract 50667 and the restrooms and patio area within the clubhouse as public facilities. The applicant, its agents, its lessees, and its successors in interest shall open these facilities to the public from dawn to dusk. No fee or validation shall be required for use of these facilities.
- F. **PUBLIC USE.** The rest rooms and the lower level patio area shall be public spaces available to all members of the public without

discrimination or requirement of purchase, imposition of dress codes or other rules not related to the safe operation of the facilities and shall not be locked during daylight hours.

- G. **SIGNS.** The parking lots, restrooms and lower patio area shall be identified as open to the public by appropriate visible signs subject to the review and approval of the Executive Director. The signs shall be erected in areas accessible to the public, including Street A, La Rotonda Drive, the parking lots themselves and halfway Point Park.
- H. **OPERATION OF THE OVERFLOW PARKING LOT.** The applicant its successors in interest and or managers or lessees shall agree by covenant with the City of Rancho Palos Verdes to operate the overflow lot on lot 43 VTTM 50667 from 8:00 a.m. to 5:00 p.m. on all summer and holiday weekends during all banquets and special events and whenever there are more than 125 cars in the westerly club house parking lot.

The applicant shall assure that all covenants and agreements with the City of Rancho Palos Verdes that address the operation of these public facilities, including the parking lots, the golf course, the clubhouse, banquet room, restrooms and other public facilities, are consistent with this permit. Pursuant to this requirement any agreements or covenants that delegate maintenance or operation of these public facilities to a third party shall be consistent with all terms and conditions herein, and shall be provided to the Executive Director with evidence of such consistency prior to their execution.

The deed restriction shall be recorded free of prior liens which the Executive Director determines may affect the interest being conveyed, and free of any other encumbrances which may affect said interest. The deed restriction shall run with the land in favor of the People of the State of California, binding all successors and assigns, for the life of the facility approved in this permit. The recording document shall include legal descriptions of both the applicant(s) entire parcel(s), the parking lots, the restroom and patio areas lot E tract 50667 and the approved golf course area.

20. STATE LANDS COMMISSION REVIEW.

Prior to the issuance of the coastal development permit, the applicant shall obtain a written determination from the State Lands Commission that:

- A. No State lands are involved in the development; or

- B. State lands are involved in the development, and all permits required by the State Lands Commission have been obtained; or
- C. State lands may be involved in the development, but pending a final determination of state lands involvement, an agreement has been made by the applicant with the State Lands Commission for the project to proceed without prejudice to the determination.

NOTE: SPECIAL CONDITIONS NOS. 21-25 IMPOSED BY COMMISSION ON FIRST AMENDMENT OF A-5-RPV-93-005.

21. Lighting and Sound.

Prior to issuance of the amended permit, the applicants shall submit revised plans to protect the bluff face and restoration areas from light and noise generated by the project. The plan shall, at a minimum, include a wall or landscaped berm at the west and southerly end of the club house parking lot, so that automobile and security lights do not shine onto the golf course or ravine areas. The applicant shall also submit a project lighting and sound plan for the Clubhouse and banquet facility.

- A. **Lighting.** The lighting plan shall be subject to the review and approval of the Executive Director and shall include an analysis of the effects of the project's light, including security lights and the headlights of cars, on the bluff face and the West Bluff Preserve. Security lights shall be shielded so that light is directed to the roads and parking lots only, the golf course shall not be lighted, and the berm or wall required above shall be high enough to block all direct light from automobile headlights that might otherwise shine onto preserve areas.
- B. **Noise.** In order to reduce traffic and facility noise, the applicants shall construct a berm or wall on the west side of the clubhouse parking lot. The berm or wall shall be high enough to block car-door and engine noises that might carry into the preserve from the clubhouse parking lot. The facility shall be sound-proofed, and night entertainment shall be limited so that noise levels in the West Bluff Preserve are not increased beyond that expected in residential areas.

22. Relationship of Development Approved in this Amendment to Applicants' Phasing Program.

- A. **Clubhouse and Parking Lot.** No grading or construction west of the 45 car public parking lot entrance at the southerly terminus of Street A Tract

50666 (the J road), with the exception of pedestrian trails and a temporary bridge shall occur until the Department of Fish and Game and the United States Fish and Wildlife Service indicate that the habitat in the West Bluff Park is self sustaining and capable of supporting nesting Gnatcatchers and Phase IV development noted in the habitat enhancement plan can begin. This prohibition includes grading and construction of the westerly 150 car parking lot and the clubhouse. After the Department of Fish and Game and the United States Fish and Wildlife Service authorize Phase IV development in writing, the grading of the westerly 150 car parking lot and the clubhouse site shall be carried out along with the grading of the residential lots of tract 50666. These items shall be added to special condition 4.C.

- B. Relocated Bluff top Activity Corridor Trail.** The applicants shall construct Trail 3.B.11 in the second stage of trail and access improvements, (Phase III) along with trail 3A.(12) noted in condition 4.B(2). These items shall be added to special condition 4.B.

- C. VTTM 50667 Parking Lot and Comfort Station.** Construction of the comfort station and the first 25 spaces of the parking lot at the end of La Rotonda Drive shall begin immediately following rough grading for the golf course as noted in condition 4.B(1), as a second stage park. The remaining 25 spaces may be considered a Phase IV improvement. These second 25 spaces shall be completed before grading the residential lots on Tract 50666. These items shall be added to special condition 4.B.

23. Signage, Final Public Amenity Plan.

Prior to issuance of the amended permit the applicant shall prepare trail maps, and a public amenity plan incorporating all features required by the Commission's conditions. The plan shall include the overlooks, signs railings, bridges, adequately sized public restrooms and other amenities proposed by the applicant and required by the Commission in this action. In the event of conflict or inconsistency between this and any other action, the Commission's conditions shall prevail. In addition to the signs described in the public amenity plan of February 1993, the applicant shall include directional and identification signs including signs identifying restrooms, comfort stations and overlooks as public, identifying the public rights on the trails and parking lots, and providing information regarding habitat restoration efforts. Signs not explicitly permitted in this document shall require an amendment to this permit. As described in writing and verbally by the applicant, the 45 car parking lot shall include a sign that states "public recreation parking only, no

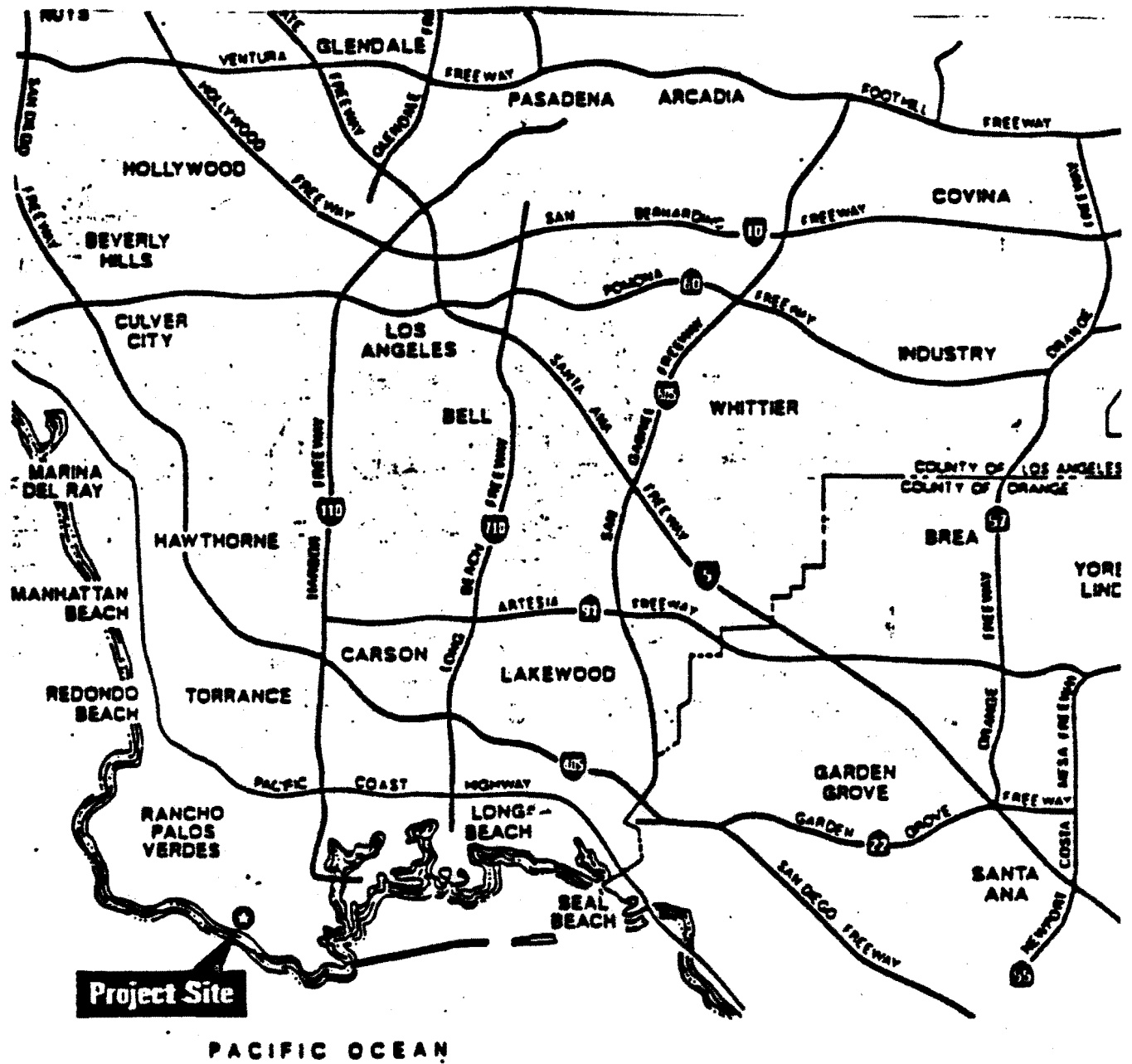
golf parking". Signs at the 150 car "golf parking" lot, should state that golfer, restaurant, special event and public parking are all permitted.

24. Subordination of All Covenants that affect Public Park or Parking Areas.

All public parks and parking areas required by this permit shall be operated as indicated in the Commission's conditions of approval for Coastal Development Permit A-5-RPV-93-005 and A-5-RPV-93-005A. Pursuant to this requirement any agreements or covenants that delegate maintenance or operation of these public facilities to a third party shall be consistent with all terms and conditions herein, and shall be provided to the Executive Director with evidence of such consistency prior to their execution.

25. Renumbering and Vesting Tentative Tract Map Designations.

Prior to submittal of materials prepared to conform to conditions 12, 14 and 15 of A-5-RPV-93-005, and condition 25 of this action, the Applicant shall prepare a comparison of the proposed final lot numbers, with the lot numbers shown in the Commission's actions. Numerical or letter designations of all lots necessary to conform to the Commission's conditions shall be provided for the review and approval of the Executive Director. Additional lots created in order to conform the Commission's conditions shall be shown on the revised tentative tract maps subject to the review and approval of the Executive Director. An immaterial permit amendment to reflect any needed renumbering may be processed as long as the acreage and geographic location of all fee dedications described in the Commission's conditions are unchanged, and the routes sizes and locations of all trails are preserved.



Project Site

PACIFIC OCEAN

COASTAL COMMISSION
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EXHIBIT # 1
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Ocean Trails Property - Existing Conditions Biological Resources Report
Vicinity Map

FIGURE
2

COASTAL COMMISSION
AS-RPV-93-005-A1

EXHIBIT # 2
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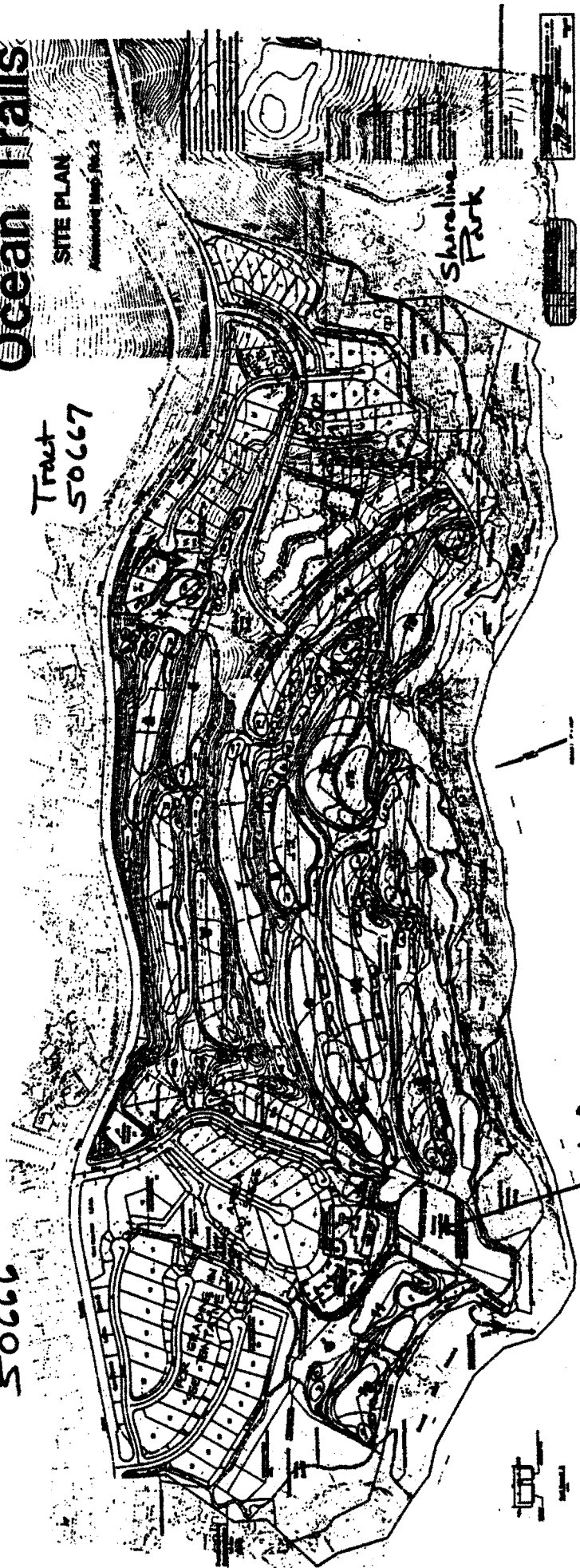
Ocean Trails

SITE PLAN

Assessment Map, Plat 2

Tract
50666

Tract
50667



Halfway
Point
Park

Shoreline
Park

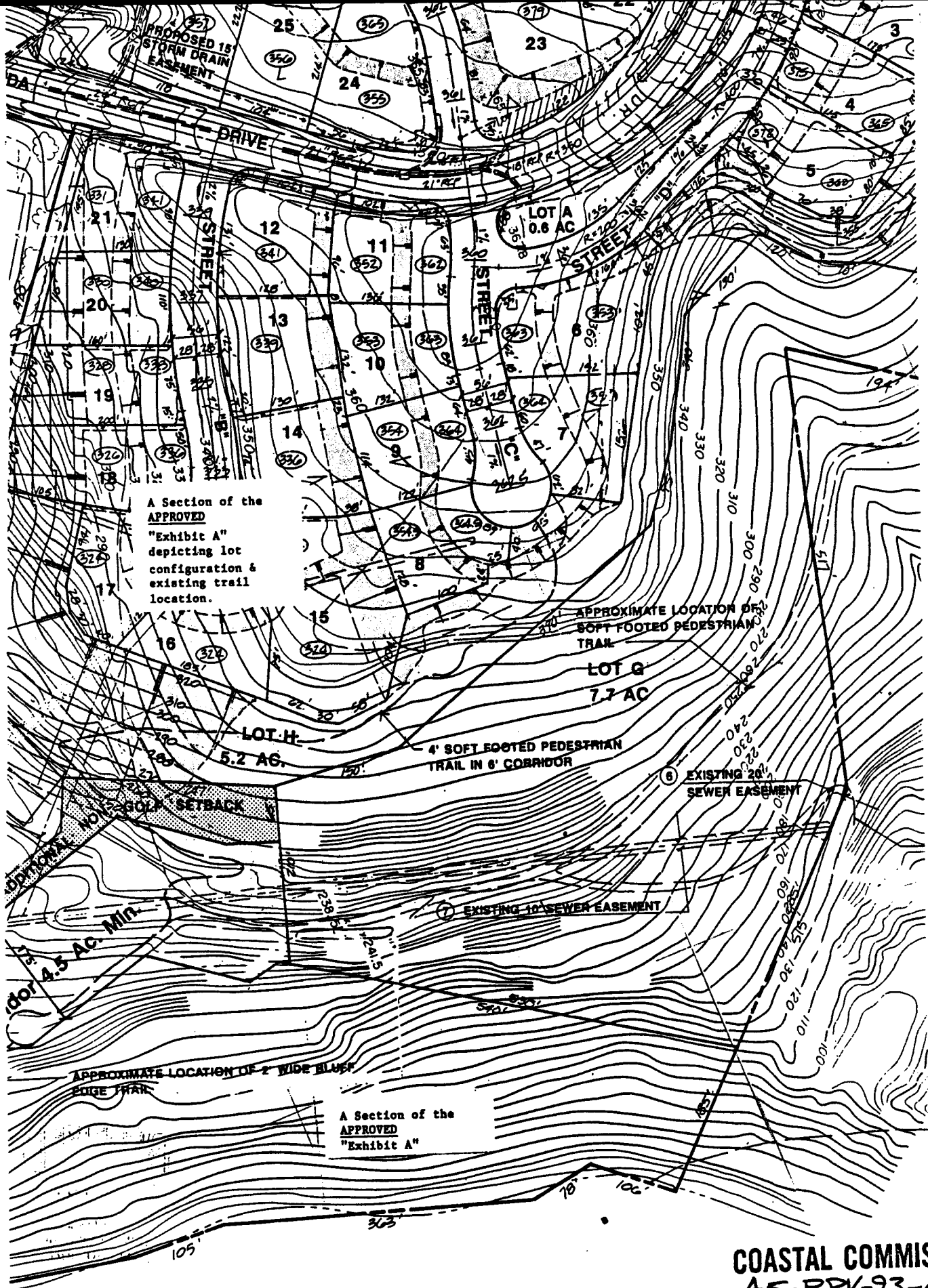
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SOUTH COAST DISTRICT

COASTAL COMMISSION
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EXHIBIT # 3
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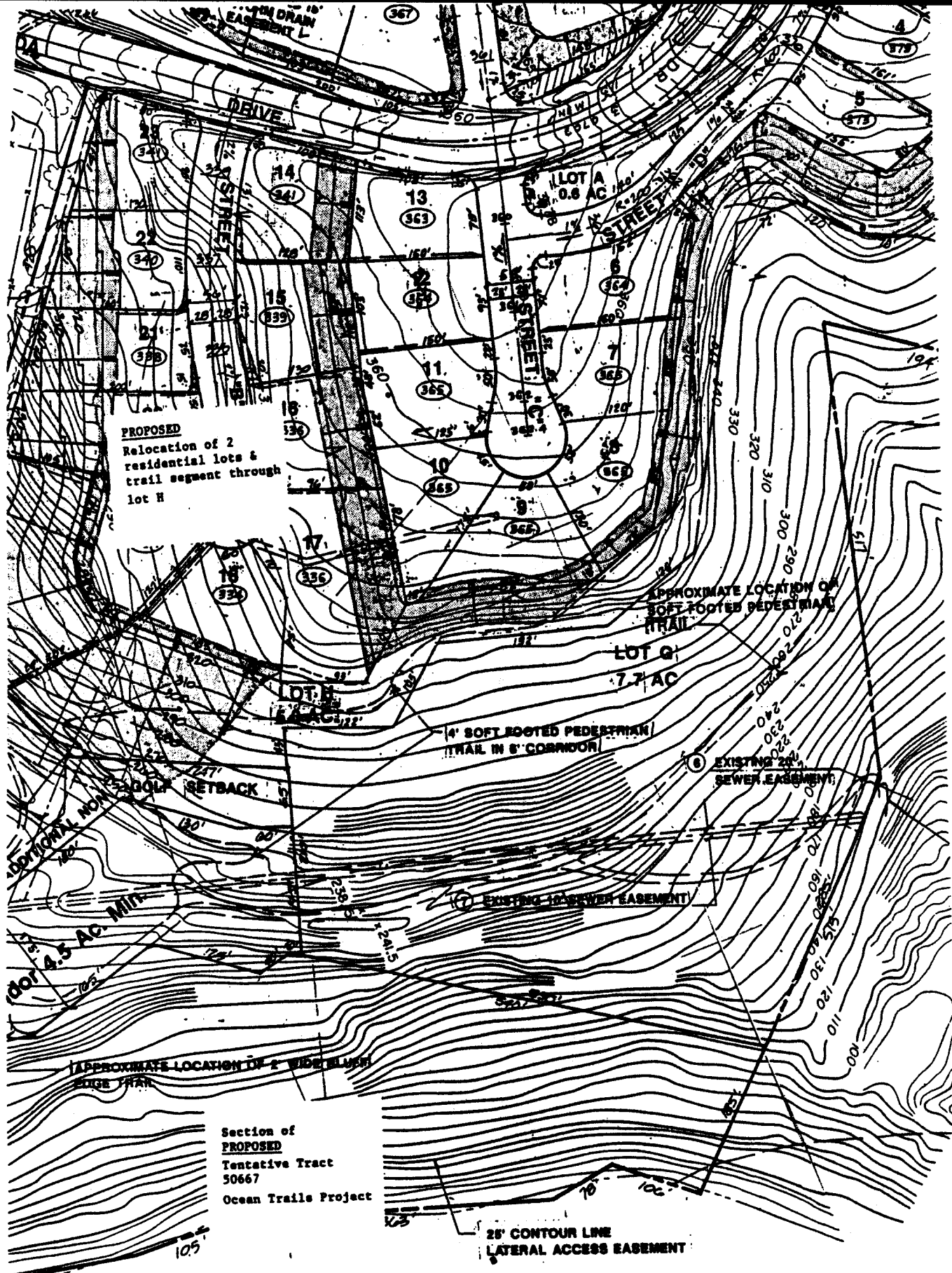


A Section of the
 APPROVED
 "Exhibit A"
 depicting lot
 configuration &
 existing trail
 location.

A Section of the
 APPROVED
 "Exhibit A"

COASTAL COMMISSION
 AS-RPV-93-005-

EXHIBIT # 4
 PAGE 1 OF 3



PROPOSED
Relocation of 2
residential lots &
trail segment through
lot H

APPROXIMATE LOCATION OF
SOFT FOOTED PEDESTRIAN
TRAIL

LOT G
7.7 AC

4' SOFT ROOTED PEDESTRIAN
TRAIL IN 8' CORRIDOR

EXISTING 24"
SEWER EASEMENT

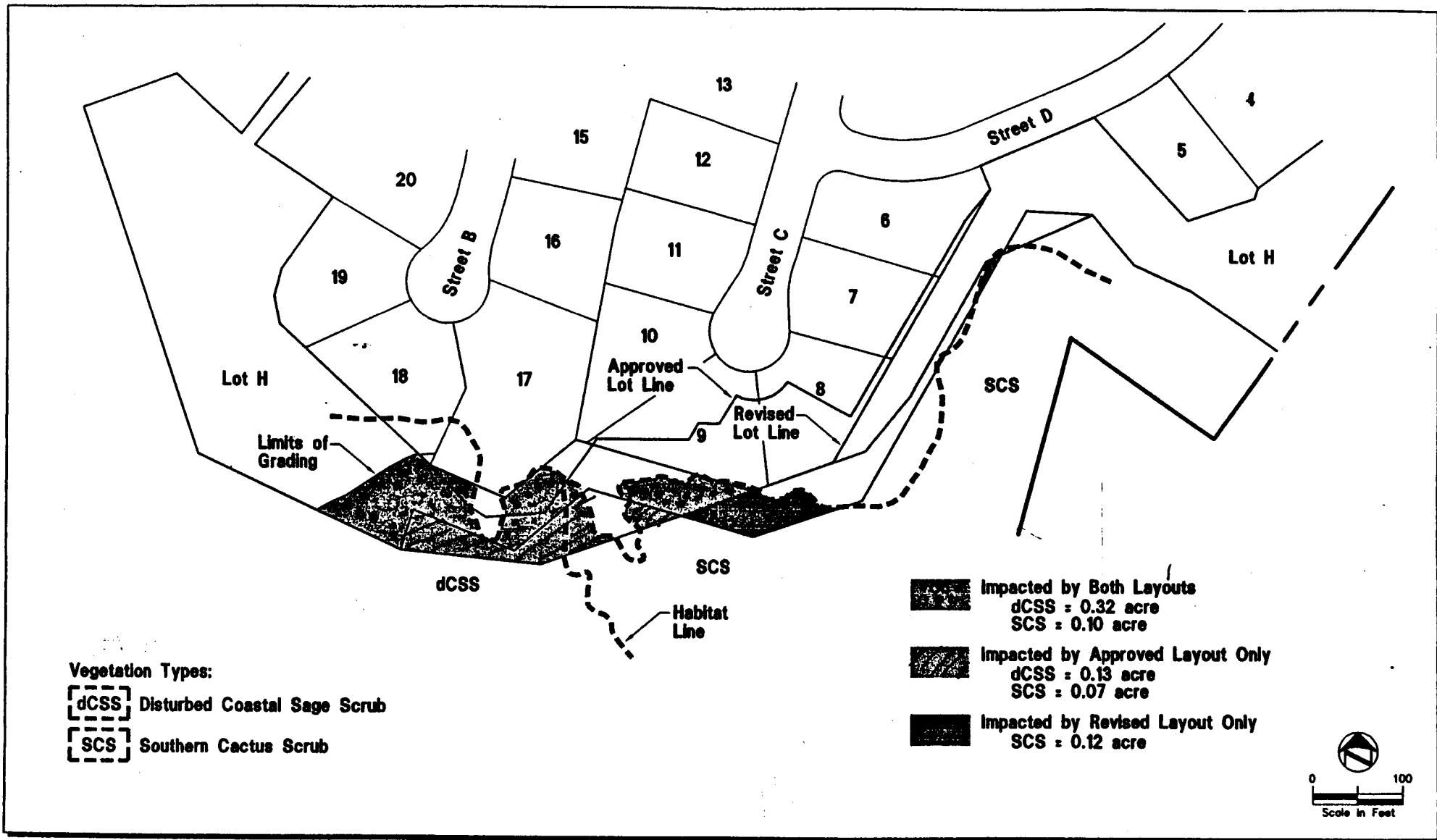
EXISTING 10" SEWER EASEMENT

APPROXIMATE LOCATION OF 2' WIDE BLUFF
EDGE TRAIL

Section of
PROPOSED
Tentative Tract
50667
Ocean Trails Project

25' CONTOUR LINE
LATERAL ACCESS EASEMENT

COASTAL COMMISSION



Biological Impacts of Approved & Revised Lot H Layouts

COASTAL COMMISSION

EXHIBIT # 4

PAGE 3 OF 3



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Field Office
2730 Loker Avenue West
Carlsbad, California 92008

RECEIVED

MAY 10 1996

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

May 7, 1996

Mr. Charles Damm, Regional Director
California Coastal Commission
245 West Broadway, Suite 380
Long Beach, California 90802-4416

Re: Ocean Trails HCP for the Palos Verdes Peninsula, Los Angeles, California.

Attn: Ms. Pam Emerson

Dear Mr. Damm:

The United States Fish and Wildlife Service (Service) has reviewed the proposed changes to the existing plan for the Ocean Trails project on the Palos Verdes Peninsula, received on April 8, 1996. After our meetings on April 16, 1996 and May 1, 1996, the Service offers the following comments and suggestions on the changes to the project.

The Zuckerman Building Company (applicants) have applied to the California Coastal Commission (CCC) for amendments to the previously approved development plan amendments and HCP. The Service has reviewed the plan with the applicants, CCC, and the California Department of Fish and Game (CDFG). The proposed changes, as the Service understands them, are considered minor in the context of the Habitat Conservation Plan (HCP). The Service concurs that Tentative Tract 50666 and 50667, the relocation of the two homes, the change from split level lots to flat pads, the relocation of "pro tee" for hole #18, the reconfiguration of Lot H and G, the addition of the fire access road, and the trail realignment, as described in the letter from Jonah Schnel to the Service, dated April 5, 1996, will not be a significant change with regards to the HCP and will not require an amendment to the HCP.

The Service remains concerned about the coastal California gnatcatcher (*Polioptila californica californica*). We would like to reiterate the importance of the applicant working with the Service and the CCC to close the connection trail of the bluff edge to Shoreline Park for the annual breeding season, which extends from February through July and relocate the northern most segment of the trail through Shoreline Park. With regards to the trail closure, this steeper trail should be blocked seasonally with a fence barrier. Signage should be installed to redirect hikers/joggers to the inland trail on the Ocean Trails project and avoid the trail that bisects the sage scrub habitat leading to the bluff segment. The trail relocation which begins at Palos Verdes Drive South would be rerouted approximately 150-200 feet east (adjacent to the mobile home community) and connect to the fire lane that bisects Shoreline Park and continues to the

COASTAL COMMISSION
AS-RPV-93-005-A4

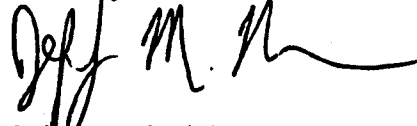
EXHIBIT # 5

PAGE 1 OF 2

bluff edge. This would redirect hikers/joggers out of revegetation areas. Signage should be installed and security personnel would be needed for the first month to inform the public about the new trail segment and answer questions regarding habitat value in Shoreline Park. A fence should be installed on the northeastern edge of the pathway to prevent the public from entering the habitat area and disturbing potential shrubs used for nesting by the coastal California gnatcatcher and cactus wren. Relocating trails and refocusing enhancement to revegetation of disturbed habitat is important to the success of the HCP and survival of the coastal California gnatcatcher on the Palos Verdes Peninsula.

In summary, the Service concurs that the changes to the proposed project, with the realignment of the trails discussed above, will not adversely affect the coastal California gnatcatcher, cactus wren, and the six sensitive species of plants discussed in the HCP. To implement the above proposed trail realignment, the Service recommends that the CCC condition the permit to require a final trail plan review and approval by the Service and CDFG prior to commencing trail improvements in Shoreline Park. The Service remains willing to work with the applicants and CCC to ensure that the HCP and IA for the Ocean Trails project are implemented. Any questions or comments regarding this project should be directed to Mary Beth Woulfe of this office at (619) 431-9440.

Sincerely,


 Gail C. Kobetich
 Field Supervisor

cc: Mr. Michael Mohler, JMJ Enterprises
 Mr. Kenneth Zuckerman, Zuckerman Building Co.
 Ms. Carolynn Petru, City of Rancho Palos Verdes
 Mr. Bill Tippets, CDFG
 Ms. Patty Wolf, CDFG
 Ms. Laura Hill, USFWS
 Ms. Tara Wood, USFWS

COASTAL COMMISSION

EXHIBIT # 5
 PAGE 2 OF 2

DEPARTMENT OF FISH AND GAME4949 VIEWRIDGE DR.
SAN DIEGO, CA 92123

(619) 467-4212

May 21, 1996

Mr. Charles Damm, Regional Director
California Coastal Commission
245 West Broadway, Suite 380
Long Beach, California 90802-4416

Ocean Trails HCP on Palos Verdes Peninsula, Los Angeles, California

Dear Mr. Damm:

The California Department of Fish and Game (CDFG) has reviewed the proposed changes to the existing plan for the Ocean Trails project on the Palos Verdes Peninsula. We met with the project proponents and the U.S. Fish and Wildlife Service (Service) on May 1, 1996. The CDFG offers the following comments and suggestions on the changes to the project.

The Zuckerman Building Company (project proponent) has applied to the California Coastal Commission (CCC) to amend the previously approved development plan amendments and HCP. The CDFG and the Service have reviewed the plan with the project proponent. The proposed changes, as CDFG understands them, are considered minor in the context of the Habitat Conservation Plan (HCP). The CDFG concurs that for Tentative Tracts 50666 and 50667, the relocation of the two homes, the change from split level lots to flat pads, the relocation of the "pro tee" for hole #18, the reconfiguration of lots H and G, the addition of the fire access road, and the trail realignment, as described in the letter from Jonah Schnel to the Service, dated April 1996, are not significant changes with regard to the HCP and will not require an amendment to the HCP.

In addition we concur with the position stated in the Service's letter dated May 7, 1996, with respect to the concerns about the California gnatcatcher. We feel that it is important for the project proponent to work with the Service and the CCC to close the connection trail of the bluff edge to Shoreline Park for the annual breeding season, which extends from February through July, and relocate the northern most segment of the trail through Shoreline Park. With regards to the trail closure, this steeper trail should be blocked seasonally with a fence barrier. Signage should be installed to redirect hikers/joggers to the inland trail on the Ocean Trails project and avoid the trail that bisects the sage scrub habitat leading to the bluff segment. The trail relocation which begins at Palos Verdes Drive South would be rerouted approximately 150-200 feet east (adjacent to the mobile home community) and connect to the fire lane that bisects Shoreline Park and continues to the bluff edge. This would redirect hikers/joggers out of the revegetation areas. Signage should be

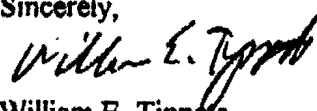
COASTAL COMMISSION
AS-RPV-93-005-R4EXHIBIT # 6
PAGE 1 OF 2

Mr. Charles Damm
May 21, 1996
Page 2

installed and security personnel would be needed for the first month to inform the public about the new trail segment and answer questions regarding habitat value in Shoreline Park. A fence should be installed on the northeastern edge of the pathway to prevent the public from entering the habitat area and disturbing potential shrubs used for nesting by the coastal California gnatcatcher and cactus wren. Relocating trails and refocusing enhancement to revegetation of disturbed habitat is important to the survival and success of the coastal California gnatcatcher on the Palos Verdes Peninsula.

In summary, the CDFG accepts the proposed changes to the HCP and concurs with the Service's recommendations as detailed in their letter. The CCC's conditioning of the permit to require review and approval of the proposed trail realignment plan by the Service and CDFG, prior to commencing trail improvements in the Shoreline Park, will be sufficient to address our concerns about potential impacts. The CDFG is willing to continue working with the project proponents and CCC to ensure that the species and habitat on the project site are protected. If you have any questions or comments please contact Mr. Martin Muschinske at (619) 467-4210 or me at (619) 467-4212.

Sincerely,



William E. Tippetts
NCCP Field Supervisor

cc: Department of Fish and Game
Mr. Ron Rempel
Sacramento

Ms. Patty Wolf
Mr. Scott Harris
Long Beach

Mr. Martin Muschinske
San Diego

U.S. Fish and Wildlife Service
Mr. Gail Kobetich
Mr. Chris Nagano
Carlsbad

(cc's continued on next page)

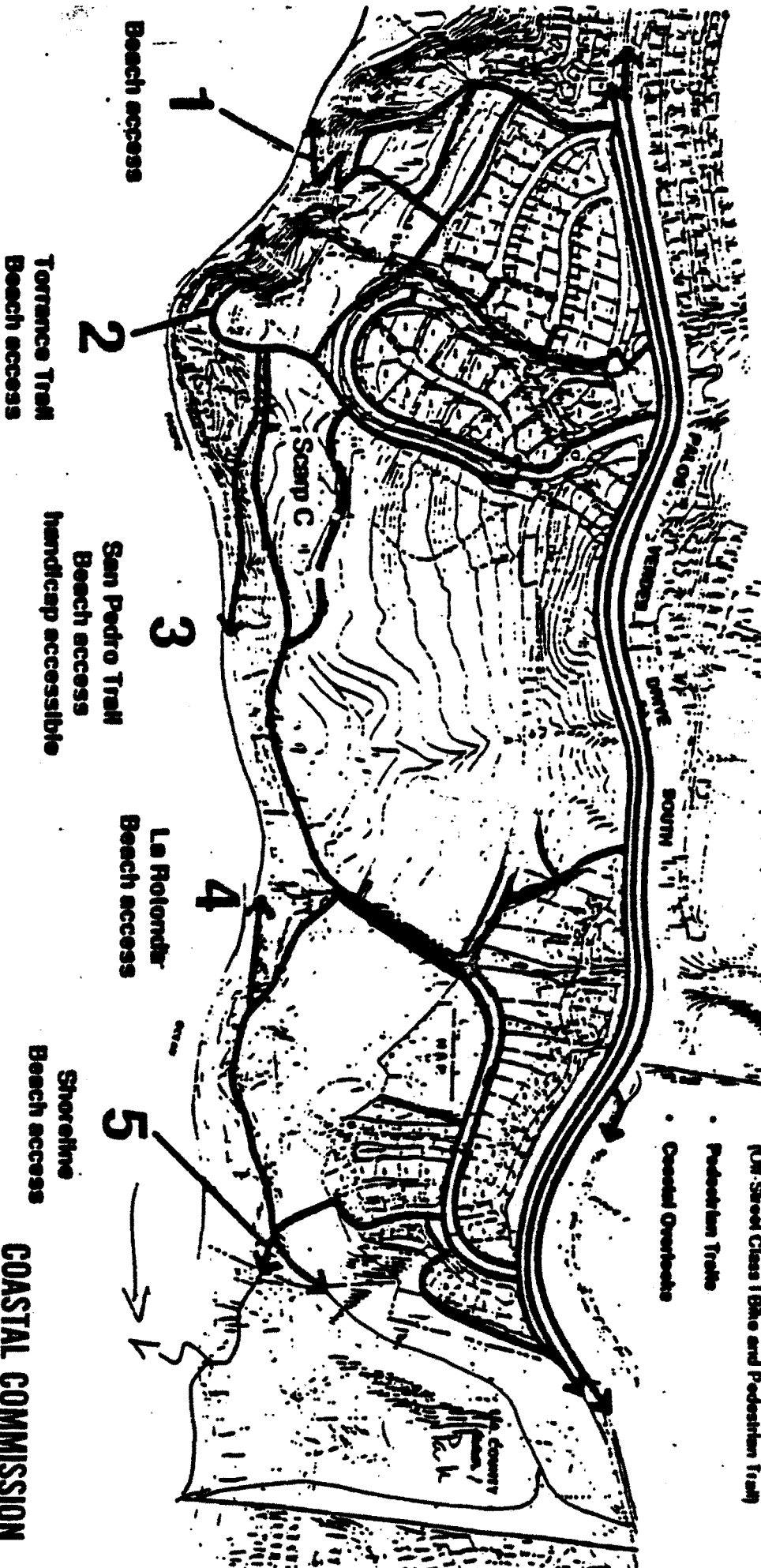
COASTAL COMMISSION

EXHIBIT # 6

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PUBLIC TRAILS AND OVERLOOKS

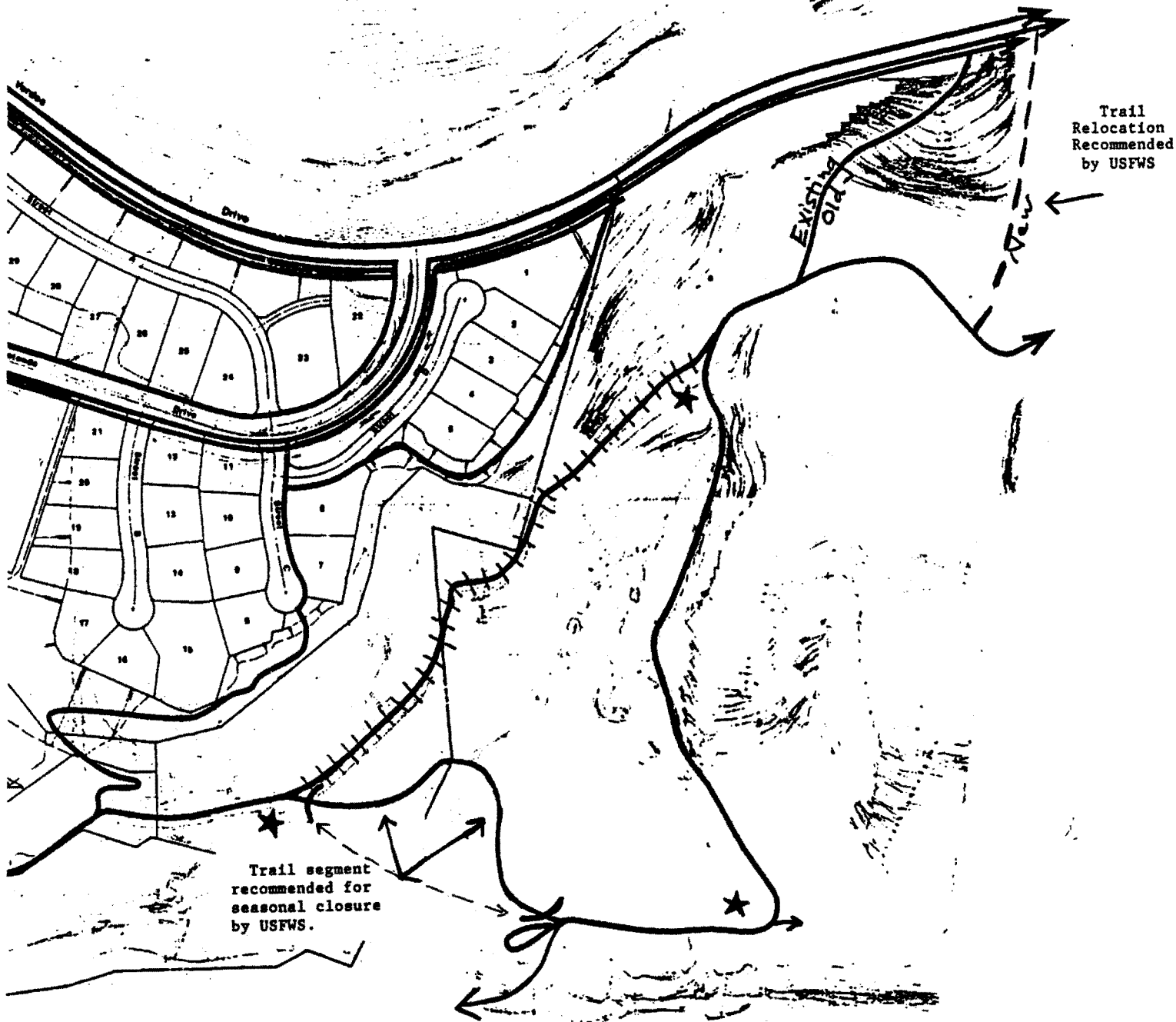
- Palms Verdes Drive South Trail System (Off-Street Class I Bike Trail and Pedestrian Trail)
- Palms Verdes Drive South Trail System (On-Street Class II Bike Trail)
- Draft Trail and Paved Out Mar Trail System (Off-Street Class I Bike and Pedestrian Trail)
- Pedestrian Trails
- Coastal Overlooks



Previous coastal access proposal

COASTAL COMMISSION
 A5-RPV-93-005-A4

COASTAL COMMISSION
SOUTH COAST DISTRICT



Trail segment
recommended for
seasonal closure
by USFWS.

Trail
Relocation
Recommended
by USFWS



— Trail to be fenced on both
sides per USFWS recommendations



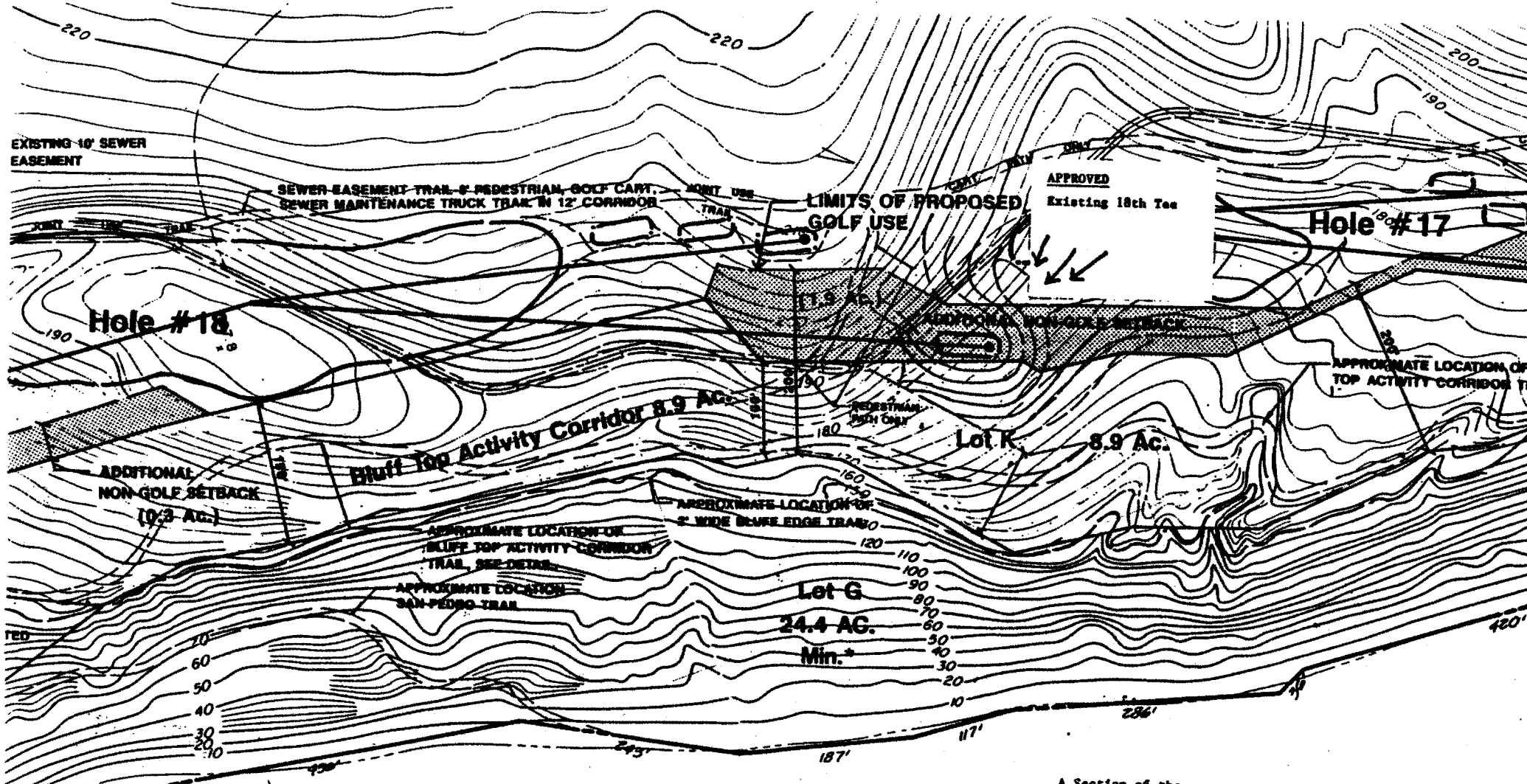
— Appropriate signage re-routing
trail users during seasonal
closure.

Note: Trail locations are
approximate

COASTAL COMMISSION
AS-RPV-83-005-A4

EXHIBIT # 8

PAGE 1 OF 1



EXISTING 10' SEWER EASEMENT

SEWER EASEMENT TRAIL & PEDESTRIAN, GOLF CART, SEWER MAINTENANCE TRUCK TRAIL IN 12' CORRIDOR

LIMITS OF PROPOSED GOLF USE

APPROVED Existing 18th Tee

Hole #17

Hole #18

Bluff Top Activity Corridor 8.9 Ac.

ADDITIONAL NON-GOLF SETBACK (0.3 AC.)

Lot K 8.9 Ac.

Lot G 24.4 AC. Min.*

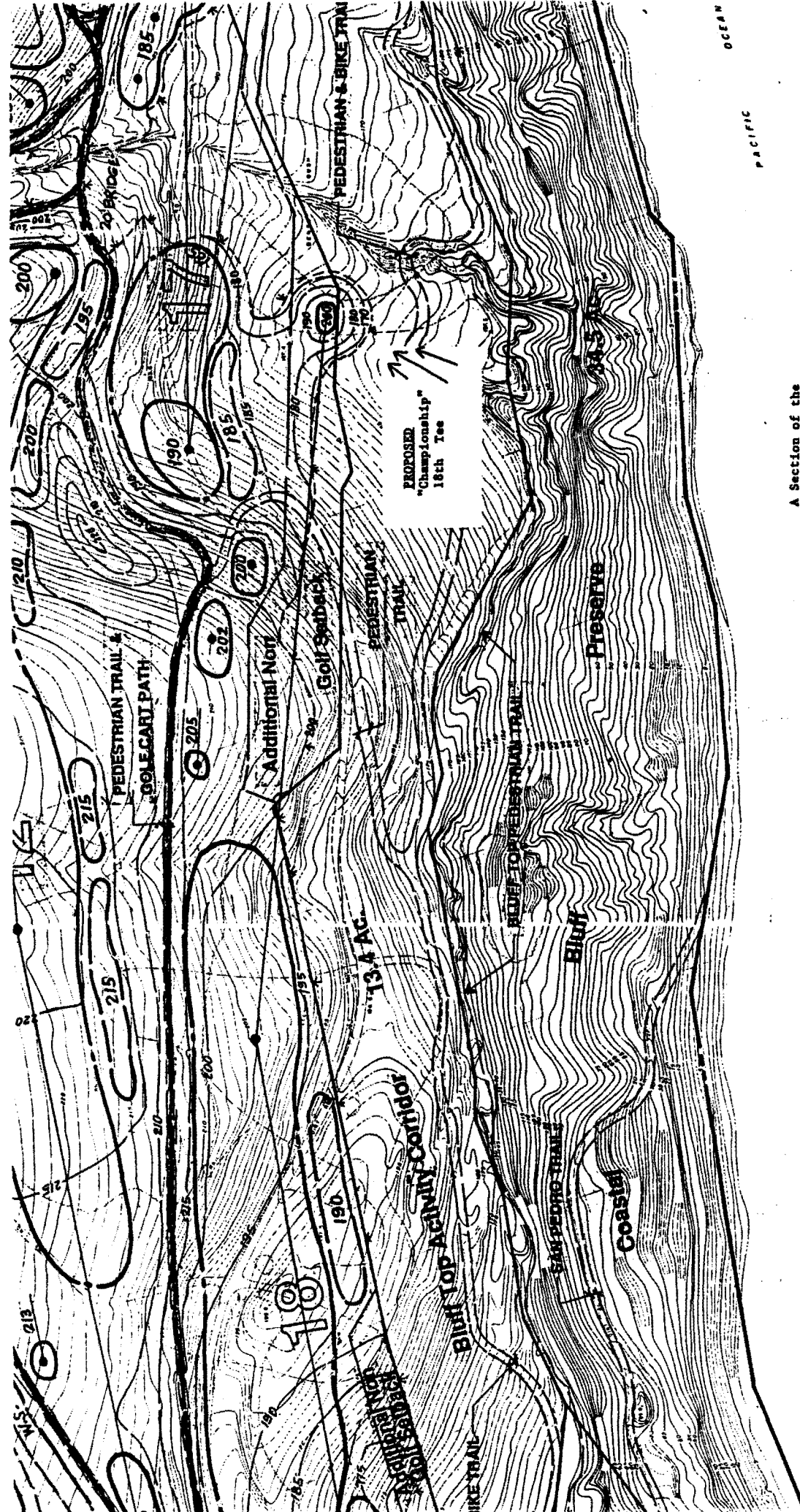
SOME PORTIONS OF EXACT TRAIL LOCATIONS WILL BE STAKED FOR REVIEW AND APPROVALS BY CALIFORNIA COASTAL COMMISSION AND THE CITY OF RANCHO PALOS VERDES PRIOR TO RECORDATION.

A Section of the APPROVED "Exhibit A" depicting the 18th tee location

OCEAN

COASTAL COMMISSION AS-RTV-93-005-A4

EXHIBIT # 9
PAGE 1 OF 3



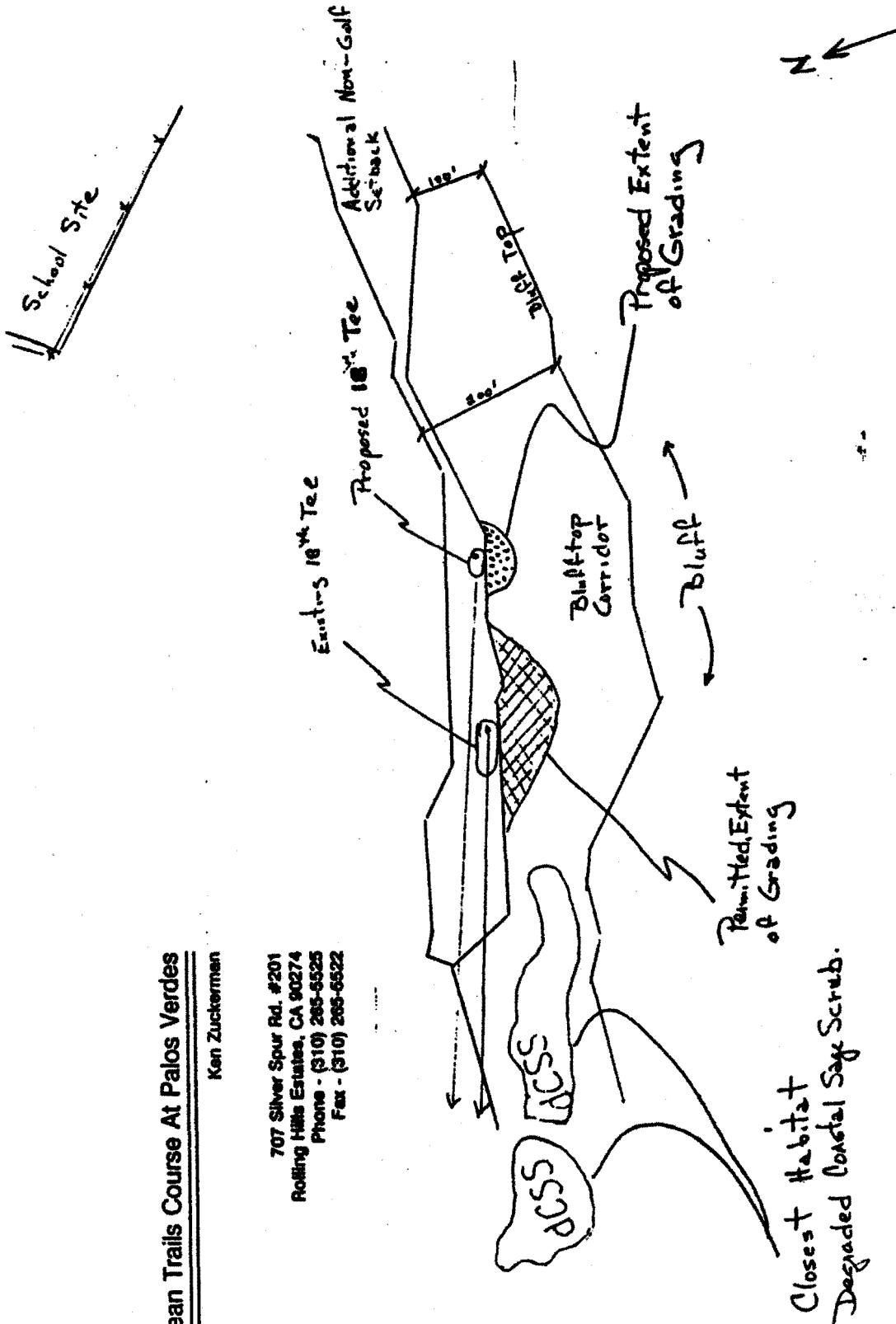
A Section of the
 Ocean Trails
 "Site Plan"
 depicting the 18th
 tee location

COASTAL COMMISSION

The Ocean Trails Course At Palos Verdes

Ken Zuckerman

707 Silver Spur Rd. #201
Rolling Hills Estates, CA 90274
Phone - (310) 265-6525
Fax - (310) 265-6522



Closest Habitat
Degraded Coastal Sage Scrub.

Permitted Extent
of Grading

Bluff

Blufftop
Corridor

Existing 18th Tee

Proposed 18th Tee

Additional Non-Golf
Setback

DCSS

DCSS

RECEIVED

YAM

RECEIVED

RECEIVED

200

COASTAL COMMISSION

EXHIBIT # 9
PAGE 3 OF 3

Proposed 18th Tee

Exhibit No. 10 p. 1 of 4
Pedestrian & Cart Path
West Side

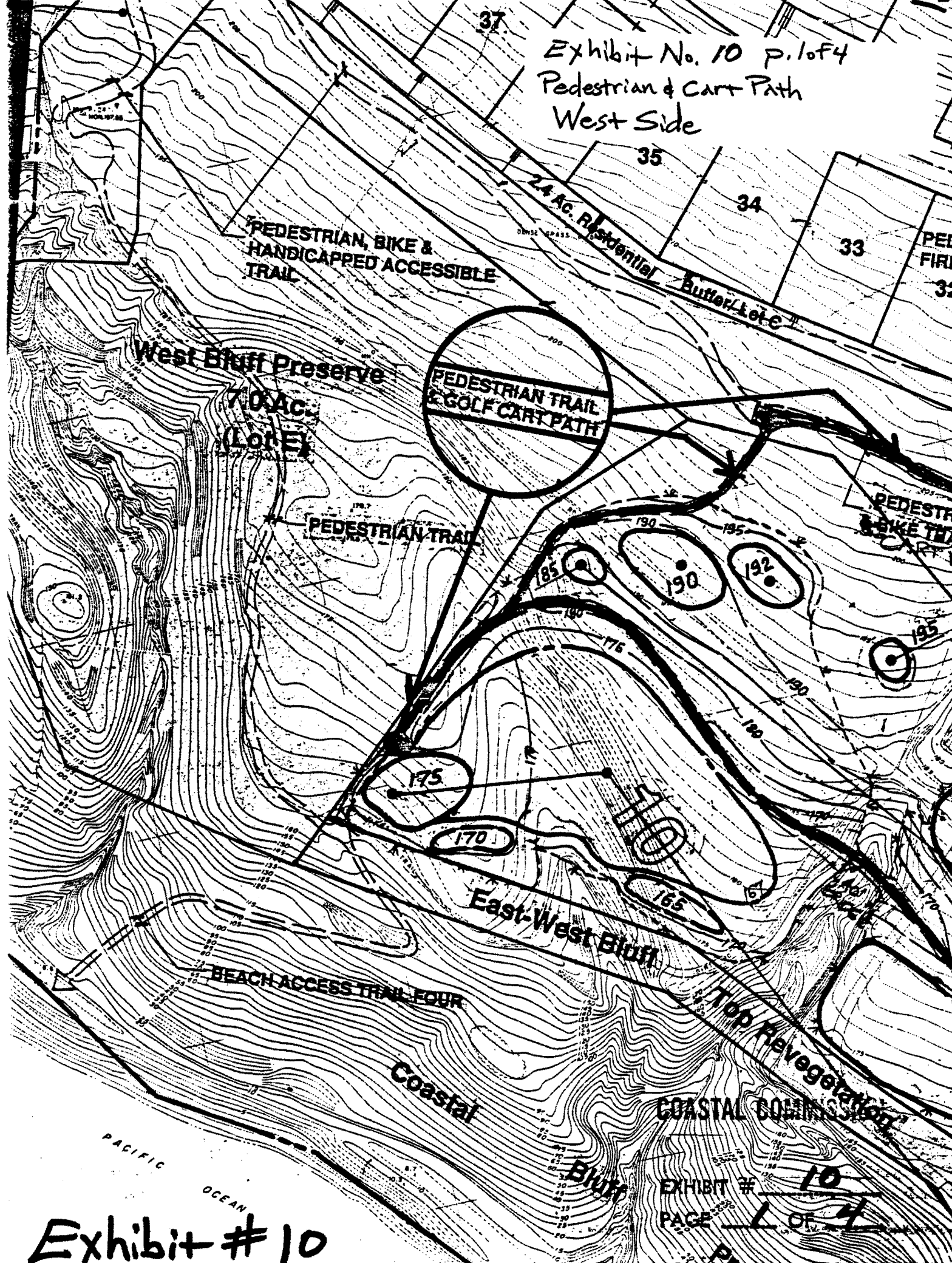
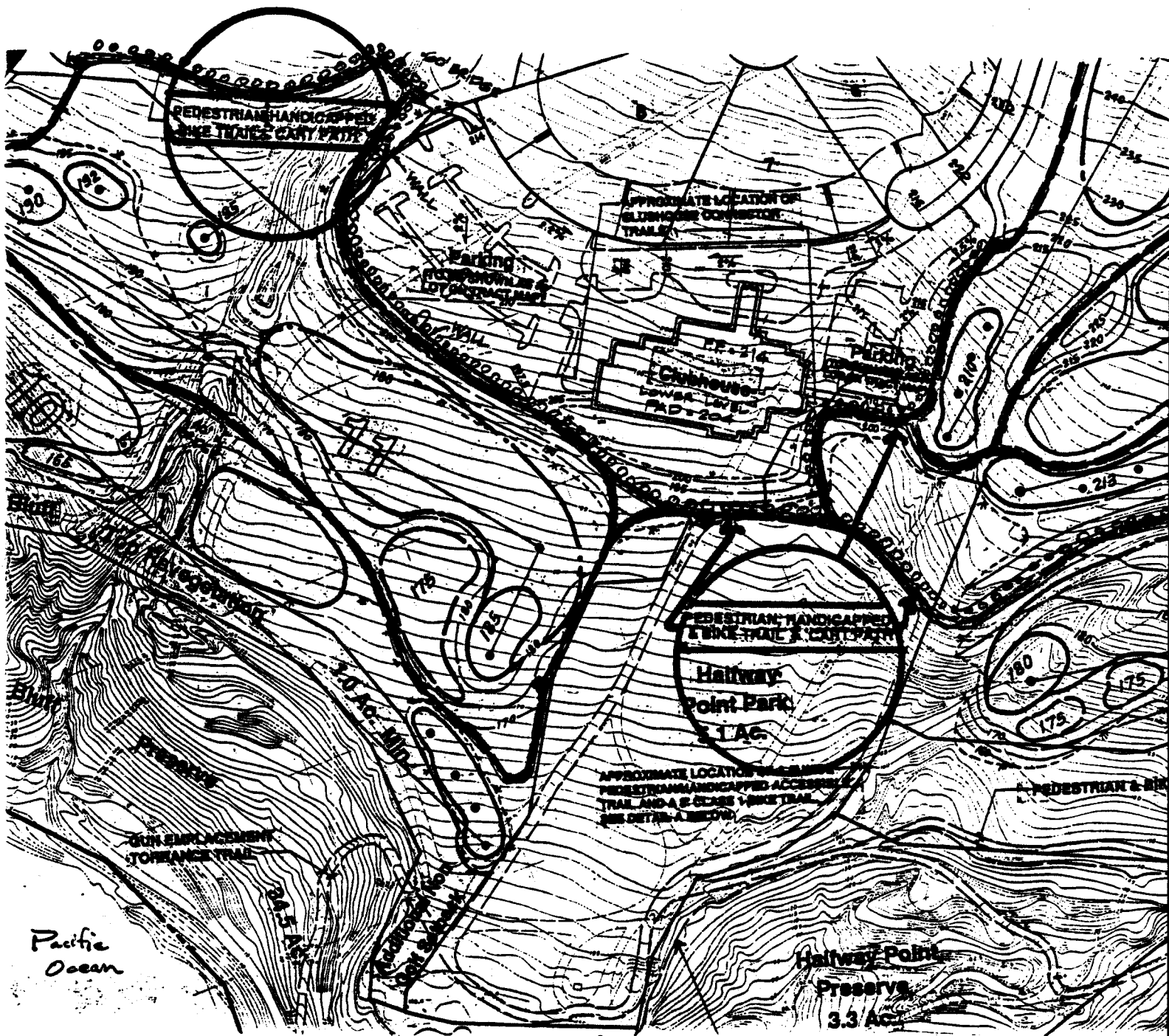


Exhibit # 10

EXHIBIT # 10
PAGE 1 OF 4



Combined Bicycle & Golf Cart
 Path indicated by: oooooooooooo
 Pedestrian & Handicapped trail is
 parallel, but separated by 3'.

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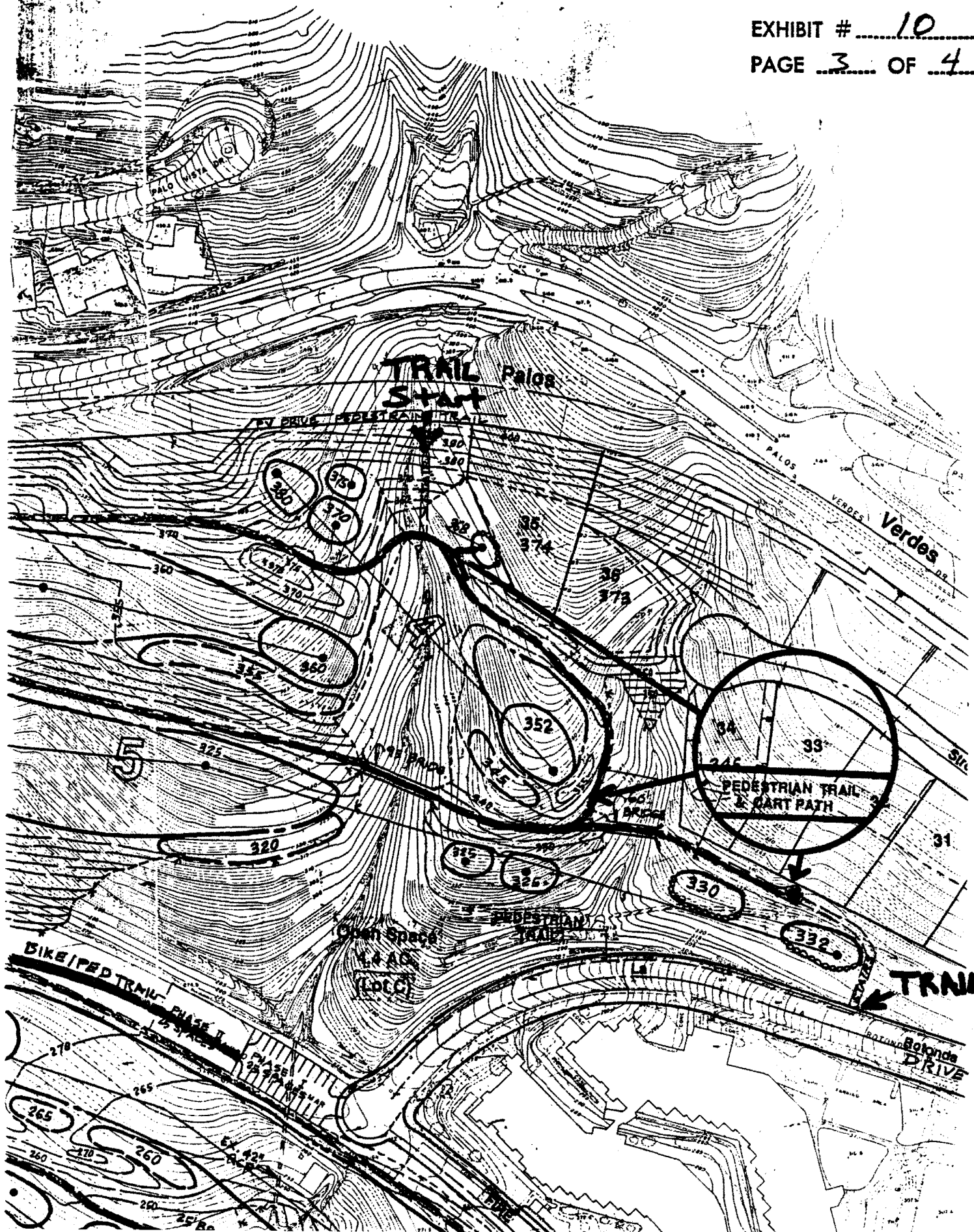
EXHIBIT # 10
 PAGE 2 OF 4

Pedestrian & Cart Path PV Dr. Overlook to La Rotonda

COASTAL COMMISSION

EXHIBIT # 10

PAGE 3 OF 4





Bicycle & Pedestrian Trail

La Rotonda Dr. Parking Lot
to Bluff Top Activity Corridor
No Golf Carts.

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EXHIBIT # 10

PAGE 4 OF 4