

**CALIFORNIA COASTAL COMMISSION**

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**TH 10b**

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 Commission Action:

**STAFF REPORT: PERMIT AMENDMENT**

**APPLICATION NO.:** A-5-RPV-93-005-A13

**APPLICANT:** Ocean Trails LP

**AGENT:** Kenneth A. Zuckerman, CEO

**PROJECT LOCATION:** One Ocean Trails Drive: 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 of 100 acre City property located on Palos Verdes Drive East north of Palos Verdes Drive South, City of Rancho Palos Verdes, Los Angeles County.

**UNDERLYING PROJECT:** Resubdivision of 261.4 acre site into two tracts (VTTM Tract Nos. 50667 & 50666), and construction of 75 lots for single family residences, four lower cost apartment units, utilities and site improvements, 18 hole golf course with clubhouse and public open space, parks and trails. Revised by applicant for *de Novo* action to include: A) Coastal Access and Public Amenities Plan dated Feb. 5, 1993 providing additional beach access trails, B) Habitat Enhancement Plan dated February 18, 1993 providing (1) restriction of 20 acres in Shoreline County Park adjacent to the project to the west to habitat preserve and restoration of ten of those acres; (2) purchase of easement over a 100 acre City 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. Subsequently amended eleven times, as indicated in Appendix B. This project is also identified as "Ocean Trails."

**PROPOSED AMENDMENT 13**

Applicant requests (1) to allow the clubhouse to open to the public before slide-damaged access improvements are replaced (requires an amendment to conditions 4 and 8); (2) provide alternative temporary access along the bluff top and temporary mini park; (3) allow golf storage and golfing support use of clubhouse basement resulting in 36,000 sq. ft finished floor area; (4) permanently authorize drilling and grading for geologic exploration previously approved by emergency permit, (5) continue temporary fencing around Halfway Point Park, parts of the beach, and trails A(6), A(11), A(12) and A(13) to prevent public access into hazardous areas, as previously authorized by emergency permit, (6) allow minor changes in timing of completion of one trail during construction, (7) authorize minor changes in grading and maintenance program authorized by recent City tract

amendments; (8) fill cracks on cliff edge immediately seaward of Halfway Point Park, or dislodge an unstable block deemed a hazard to the public, (9) fill cracks within main landslide block in Bluff Top Corridor Park to prevent water percolation into the slide, (10) install 150-175 subterranean shear pins (caissons) in slide block located in bluff top corridor for landslide remediation and reconstruction of trail and habitat areas; (11) install temporary erosion control measures; (12) salvage topsoil and plant material from slide area, (13) cut back near-vertical slopes on graben walls for worker safety and (14) regrade bottom of graben and golf holes 13 and 18 for drainage control. Elements 1-7 are requested to respond to the effects that the landslide has had to existing trails and the general operation of the original project. Elements 8 - 14 are requested as steps to "winterize" the landslide mass and reduce the probability of further movement during the rainy season.

#### **LOCAL APPROVALS RECEIVED:**

- 1) City of Rancho Palos Verdes Council Resolution 999-59 revisions to VTTM 50667 in connection with Revision J to the Ocean Trails project.
- 2) Approval in Concept City of RPV, Department of Public Works, includes all of the above work with the exception of the pilings.
- 3) Cotton Shires, consultant to City of Rancho Palos Verdes, letters of August 24 and 25, 1999, giving conceptual approval of proposed work pending submittal of detailed plans and calculations.

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**STAFF NOTE:** On June 2, 1999, Slide C, a previously mapped landslide area, reactivated and affected 16 acres on the sea bluff, near the middle of the golf course. In simple terms, a large block of material slid seaward. The slide was primarily a translational slide, where a massive slide block (approximately 5 acres) moved on a layer of bentonite, located approximately 90 feet below ground level. Between the slide block and the head scarp, there is a depression or ditch, termed a graben, that is approximately 100 feet wide, 30 to 45 feet deep, with near vertical sides. The slide toe is at the western or ocean edge of the slide. There was some rotation along the western 1/3 of the slide that caused slide material to extend approximately 100 feet into the pre-slide beach and intertidal area and uplifted the near-shore area by about 18 feet.

There has been little or no movement of the landslide since June 2, 1999; however, numerous inclinometers and survey markers have been installed and are being monitoring in case there is further movement. The cause of the slide is under investigation. It is clear that water in the bentonite sublayer was a factor. The entire slide mass has numerous cracks and fissures, many of which extend to the bentonite layer. Permanent site stabilization measures have not yet been fully analyzed and designed. Even though the area is not now moving, it is not stable, and winter rains could cause the entire mass to reactivate. Most of the work proposed in this amendment is for winterization of the slide -- to reduce to probability that the entire slide could reactivate before any long-term measures can be fully designed, analyzed, permitted and installed.

The issues facing the City and the Commission in considering this proposal are similar but not identical. For the Commission the issues are: whether it is the least environmentally damaging alternative, whether it is consistent with the access provisions of the Coastal Act, and, considering the habitat requirements of its permit and of the LCP, whether the additional damage to habitat is sufficiently mitigated by the increased stability of the proposed replacement vegetation. The Commission must consider whether simply letting the slide complete its movement over the winter would be more consistent with the Coastal Act than attempts to slow it down. The applicant contends that "leaving the slide to move" would result in the invasion of the area by the invasive plants that it has just removed: tumbleweeds, thistle, mustard and fennel. The City has additional issues pertaining to its eventual ownership of the buff top park and maintenance and liability issues arising from that ownership. The City is actively considering refusing all dedications.

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**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.

In this proposed amendment to a conditionally approved permit, the proposed revision is a material change that affects conditions required for the purposes of protecting natural resources and coastal access. Therefore the Executive Director has determined that the change must be reported to the Commission and noticed to the public.

Section 13166 of the California Code of Regulations requires that an application for amendment shall be rejected if, in the opinion of the Executive Director, the proposed amendment would lessen the intended effect of a partially approved or conditioned permit, unless the applicant presents newly discovered material information, which he or she could not with reasonable diligence have discovered and produced before the permit was granted. On June 2, 1999, a landslide destroyed about sixteen acres of improvements and natural areas, including a portion of golf course hole 18. As discussed more specifically below, this landslide is an unforeseen event and new information that allows the Executive Director to accept for processing the request to amend the conditional approval.

**Access.** As originally approved, Condition 4 requires that all park and trail improvements on the shoreline, the golf course and the east end of the project be completed before opening the golf course for play **or before opening the clubhouse for public use.** Trails damaged include portions of the two parallel bluff top trails, the "Sewer Easement Trail"

(now known as the "Flying Golf Ball Trail"), and two completed trails that lead from the bluff top to the beach. Because of the landslide, it is impossible for the applicant to complete the golf course or the trails in the near future. Condition 4 also required the applicant not to interfere with trails along the bluff edge while the project was under construction. Since the landslide, parts of some of these trails have become unsafe or provide access to hazardous areas.

The applicant has not asked that the underlying requirement for dedication and development of trails be changed. The applicant instead, has asked that the timing condition be changed to reflect delays caused by the landslide and the time it will take to design and construct a stabilization project. The applicant states that the objective of the reconstruction would be to put all elements of the approved project, the access trails, the habitat, and the golf course back in the same locations. The applicant contends that the objective of the original approval was to provide access to and along the bluff top and to the beach. The applicant believes that the objective can temporarily be carried out by the provision of a temporary bicycle and jogging trail along one of the golf course paths and the establishment of a small seating area on Halfway Point. The applicant requests that the Commission allow the golf clubhouse to open while the applicant, the City, and the Commission staff investigate methods to salvage the golf course, the habitat, and the trails.

Habitat. The project contains environmentally sensitive habitat, Coastal Sage Scrub, that is habitat for the threatened coastal California gnatcatcher. The Resource Agencies required a Habitat Conservation Plan (HCP) to be agreed to by the developer, the City, the Department of Fish and Game and the United States Fish and Wildlife Service before grading could begin. Condition 8 requires that the habitat installed to mitigate loss of habitat by the project be established, functional, and approved by the Resources Agencies before the applicant could begin grading the western residential tract (Tract 50666). In the late spring of 1999, the Resources Agencies determined that the habitat was established, and released grading on tract 50666. In June, the slide occurred, resulting in damage to both newly installed habitat and to areas that had been left undisturbed and dedicated as part of the HCP. Conditions 1 and 8 of the coastal development permit require protection of habitat areas identified in the HCP. Condition 1 creates a bluff top corridor, allows no grading in the corridor, and requires that the corridor be revegetated with coastal sage scrub. The 16-acre landslide includes about 3.42 acres that are located in the bluff top corridor. The landslide also extends onto the bluff face and the "Halfway Point Preserve" which were productive habitat at the time of the initial approval, and which were required to remain untouched. Some of the habitat was merely relocated, but most slide area habitat was either covered by falling rock or lost its water supply and wilted after the slide. Finally, grading for geologic investigations authorized by emergency permits cleared approximately 2.54 acres of re-established coastal sage scrub. The applicant states that grading access roads and drill rig pads for 25 man-size bore hole sites has been necessary to investigate the slide. (Exhibit 20)

The slide created a 35-40-foot deep ditch (Exhibits 5-11, 28-31) as a block moved 100 feet away from the 18<sup>th</sup> hole of the golf course. The applicant's geologist proposes trimming

back the slide scarps of the graben to create a stable angle of the sides of the graben. This work would extend into some areas where the habitat was undisturbed by either the landslide or the geologic investigations. The applicant believes that the work on the graben is necessary to eliminate the immediate danger of collapse of the unstable scarps that the slide has created. The City concurs that it is a hazard, and recommends trimming, but requires additional investigation of the effects on slide stability of the proposed grading. The geological work noted above, the exploratory work and trimming the seaward side of the graben require an amendment to condition 1 and to condition 8 because of the unforeseen habitat damage.

Conditions 1 and 8 were intended to protect and enhance access and coastal habitat. The standard of review for determining whether to accept an amendment is whether the proposed amendment lessens the intended effect of a partially approved or conditioned permit. In this case, the purpose of requiring that certain trails to be completed before opening the golf course for play was to assure that the trails and parks would be complete before the project operated. The same is true for habitat protection and restoration. The landslide has delayed opening of the course, which cannot open for play before regrading and repairs are complete. Opening the golf clubhouse and opening temporary trails will allow some public use of the areas while the applicant and the City investigate repair and restoration alternatives. Therefore, the Executive Director has accepted the amendment for processing.

**SUMMARY OF STAFF RECOMMENDATION:**

This is the second of three amendments that the applicant proposes to address a 16-acre landslide on the sea bluff near the middle of the golf course. In July, the Commission approved a temporary golf school. The currently proposed amendment would allow opening of the clubhouse and a temporary access trail and geologic exploration and winterization of the landslide. In November, the applicant anticipates submitting a proposal to repair the golf course and the major trail and habitat areas that were damaged by the June 2, 1999 landslide.

Staff is recommending approval of this second request. The present request would allow the applicant to open the clubhouse before completing the repairs to slide damaged trails, which are seaward of one portion of the golf course. This request requires an amendment to condition 4. Special condition 4 assures completion of all golf course and VTTM 50667 trails and parks by requiring the opening of these recreation facilities before the project can open either the club house or the golf course to the public. The amended condition would continue to defer the opening of the golf course until the damaged trails are replaced. Instead, the applicant proposes to open all public trails and parks that are complete now, and temporarily substitute a trail through the golf course for the major bluff top corridor, which was completed, and then destroyed by the landslide.

Due to substantial evidence of implied access and recreation dedications, the original approval required that access along the bluff top and the beach, and recreational use of the shoreline should not be restricted. As part of this amendment, the applicant proposes to close temporarily certain trail and beach areas until issues regarding their stability are resolved. The areas that the applicant's and the City's geological consultant considers unsafe include: (1) the beach seaward of the slide and between the slide and the Portuguese Bend Club to the west, (2) the Sunrise Trail (San Pedro Trail), a trail from Halfway Point Park to the beach, (3) the lower switch-back of the Dudleya Trail (a bluff to beach trail) and (4) the middle portions of the Catalina View Jogging Trail and Bike Trail (Bluff Top Trails). Most of Ocean Trails Park (Halfway Point Park), the project's largest and best-located public park, will remain closed during the reconstruction process. (See Exhibits 4 and 13, and Appendix A; condition 3)

In the interim, the applicant proposes to 1) provide a temporary trail to link the public parking lot to the bluff top via the golf course paths; and 2) re-route and open the Dudleya Trail, and 3) open a public seating area mini-park on the safer portions of the 5.2 acre Halfway Point Park until the entire park can be re-opened, 4) route an on street bike route on Ocean Trails Drive to keep it a safe distance from a construction trailer. (Exhibit 4)

The applicant proposes no change in conditions that tie the opening of the golf course to the completion of ALL the golf course and tract 50667 recreation facilities. Staff is recommending approval of the above-identified changes, with conditions to assure that the proposed substitute trails are open before the clubhouse can open.

As part of this permit amendment, the applicant also proposes the first phase of stabilizing the areas damaged by the slide. Cracks have appeared on the cliff edge at Halfway Point Park. The applicant proposes to divert water from these cracks, and fill them to defer removal of the entire rock block. In addition, approximately seventy six cracks and fissures in the main landslide block could allow water to percolate into the slide, potentially reaching the bentonite layer at the slide plane, that lies 90 feet below the surface of the slide. These cracks vary from a few inches to over ten feet in width and similarly vary in length and apparent depth. Originally, some fissures reached 90 feet, although presently sloughing of the crack walls has created bridges. The applicant proposes to fill these cracks with rocks or earth and top the materials with "impervious" clay soil. The fissures will be marked for safety, bordered by sandbags as an erosion and surface water control measure. (Exhibit 6)

The applicant seeks permission to install 150-175 subterranean shear pins (21 foot long, three foot-diameter caissons) in the slide block for landslide stabilization. If the main slide block can be stabilized, it would reserve a greater area for reconstruction of trail and habitat areas. The applicant's consultant contends that the shear pins will reduce further slide movement to "a slow creep" and reduce the chance of further catastrophic movements. The City is not yet prepared to approve this proposal. While the City consultant acknowledges that installation of underground caissons is an acceptable method to stabilize a block failure, City officials have informed staff that this proposal should be considered along with all alternative proposals to stabilize the golf course. Staff concurs with the City that it is premature to approve the caissons until the total slide repair and all its alternatives have been fully analyzed. The caisson project is both very expensive and requires a great deal of grading and disturbance. The caissons should only be considered as part of the larger project, accompanied by a full biological mitigation plan. (Exhibit 9)

Much of the slide occurred in a revegetation area. Before major work begins, the applicant proposes to salvage the top two or three feet of topsoil and plant material from slide area. The applicant's biological consultant believes that it is necessary to reuse the topsoil material so that native plants can succeed when they are replanted. However, this activity could cause erosion if carried out without controls. Staff is recommending detailed staging, stockpiling and erosion control plans before removing this soil.

The applicant also proposes to cut back near-vertical slopes of the "graben" for worker safety. The "graben" is a 100-foot wide, 40-foot deep crack created by the movement of the slide block. This grading would impact both the golf course and the portions of the slide block that are located in the bluff top corridor. The applicant and the City have included this activity in the list of work that should be done to stabilize the area for winter. Finally, the applicant proposes temporary measures for erosion control as safe and feasible. These measures include both measures to reduce siltation and measures to direct water away from the slide. Activities discussed by the applicant and the City consultants include regrading the bottom of graben for positive drainage, installing a berm just upslope of the graben on golf holes 13 and 18 for drainage control, and installing temporary drains. Finally, the applicant seeks approval for geologic exploration, which

was authorized in its emergency permits. The work included moving heavy equipment and drill rigs onto Lot K 50666 for purposes of geologic exploration. Twenty-five "man-sized" boreholes were drilled, as the City geologic review team and the applicant's consultants attempted to discover the geology of the slide.

Staff is recommending approval of most of these measures with conditions requiring the 1) reopening of access as proposed, 2) a final detailed review of engineering working drawings by the City of Rancho Palos Verdes and its consultants, 3) erosion control and 4) provision of a plan for on and off-site replacement of habitat.

Much of the slide is located in a 13.4 acre revegetation area, the "Bluff top Preserve" (Lot K VTTM 50666 and Lot K VTTM 50667). The applicant is not presently proposing work on the bluff face (Lot I), which will remain unstable. Both areas are reserved for habitat. The bluff top corridor is identified for restoration, and only limited grading has been permitted, as identified in condition 1. To the extent that the slide is located in an area in which grading is restricted by condition 1, approval of this work requires an amendment to condition 1. Staff is also recommending conditions to assure that revegetation appropriate to this phase of reconstruction occurs. Staff recommends that the revegetation be considered in two phases, first for this interim stabilization which would include (1) limiting grading as much as possible to already disturbed areas (It is not possible to totally eliminate further clearance.), (2) planning, (3) coming to agreement with the resources agencies and the City, and (4) identification and negotiation of easements over any proposed off-site of mitigation areas required by the Resources Agencies. A complete restoration plan containing all the above elements will be required by the Commission along with any application to repair the golf course and bicycle trails.

Finally, the applicant proposes to increase the size of its clubhouse from that originally proposed and to add a virtual golf driving range in the basement. The City analysis found no additional parking or traffic impacts attributable to this increase in square footage. The size of the clubhouse and the configuration of the house pads were not issues that concerned the Commission in its original approval, and these can be found consistent with the certified LCP and the access policies of the Coastal Act.

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**STANDARD OF REVIEW:**

The applicant proposes to amend a permit approved by the Commission on appeal. The project is also located between the sea and the first public road. Therefore, the standard of review is the certified Local Coastal Program and the access and recreation policies of Chapter 3 of the Coastal Act.

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**SPECIAL CONDITIONS AS PROPOSED TO BE AMENDED:** See APPENDIX A

**PREVIOUS PERMIT AMENDMENTS:** See APPENDIX B.

**SUBSTANTIVE FILE DOCUMENTS:**

**See APPENDIX C**

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**STAFF RECOMMENDATION**

The staff recommends that the Commission adopt the following resolution:

**I. 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.

**II. STANDARD AND SPECIAL CONDITIONS- See Appendix A.**

The Commission adopts the modifications to the special conditions as indicated below and in Appendix A. With the exception of the special conditions specifically modified below and as indicated in Appendix A, all previously approved standard and special conditions found in attached Appendix A still apply to this development. In most cases, only the part of the condition that is recommended to be modified is found in the staff report. The complete conditions are found in Appendix A. To give context, and for the convenience of the public, the applicant and the Commission, the revisions recommended by the staff have been incorporated into Appendix A. Deletions are identified by a ~~cross-out~~ format; insertions are indicated in **bold italic type**. Exhibits characterized in ordinary type are found in the Commission's original action or in an earlier amendment. Exhibit references in **bold italic** refer to new exhibits submitted with this amendment request.

**SPECIFIC CHANGES APPROVED IN THIS AMENDMENT ARE THE FOLLOWING:**

**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 (roman numeral) Revised

Findings) Exhibit I, further explained in (Roman numeral) Revised Findings) Exhibits II, III, IV, V and Exhibits 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:

**Note: for complete list of dedications see Appendix A**

**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 H; Ocean Trails Park (Halfway Point Park),  
 including all areas inland of the bluff edge trail  
 described in 3.A(11) below not  
 less than: ~~5.4~~

5.2 Acres

- (3) Bluff Top Activity Corridor, Lot K Vesting Tentative Tract Map 50666 as shown in the Attached Exhibit I, (Roman numeral one) generally described as southerly of lot 38 and being no less than 100 feet wide immediately adjacent to the bluff edge (bluff face is Lot G) extending from the easterly tract boundary with VTTM 50667 to the intersection with Lot F (Halfway Point Preserve Area), no less than 8.9 Acres

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- (5) Bluff Top Activity Corridor Lot K, within Vesting Tentative Tract Map 50667 as shown in the attached Exhibit I (roman numeral one) generally described as southerly of lot 38, being no less than 100 feet wide immediately adjacent the edge of bluff (bluff face is Lot I), no less than:  
 4.5 Acres

All Lands dedicated for park purposes shall be open to the general public for recreation use. Ocean Trails Park (Halfway Point Park) and Vista Catalina Park and Sunset Point Park (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 Corridor 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, to the extent necessary to install and maintain utilities within drainage, utility and sewer, easements shown on Exhibit 5 (Map G) and hydrogen, and groundwater testing well easements shown on Exhibit 6 (Map K) of this Amendment 6, 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. ***In addition, approximately 2.6 acres of land disturbed by the active landslide C may be graded for exploration, landslide repair, and drainage control purposes only as specifically authorized in special condition 28 of amendment 13 of this permit.*** 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 A depicting setbacks for VTTM 50666 prepared by RBF and dated July 25, 1995. The disturbed area shall be further reduced as modified by the map dated June 20, 1996 submitted by the applicant with amendment A4 and shown on Exhibit 9 attached to amendment A4.

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 executed Habitat Conservation Plan (HCP). 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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 except as authorized by a future coastal development permit, and as otherwise authorized by law. ***Drainage, landslide, and slope repairs only as specifically authorized in special condition 28 of amendment 13 to this permit.*** No coastal development permit exemptions as defined in Section 30610 of the Coastal Act shall apply to the trails described below except that repair and maintenance of existing sewer lines, drainage structures, utilities, monitoring wells, and hydraugers shall be exempt pursuant to section 30610(d) and the regulations of the California Administrative Code Title 14 Section 13252.

**B. PASSIVE PARK/HABITAT PRESERVES.** Lands to be dedicated for purposes of habitat enhancement and passive recreation as shown on Exhibits I and III (Roman numeral):

- (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 |

.... (for complete text see appendix A)

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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97. All lots shall be revegetated with Coastal Sage Scrub and Coastal Bluff Scrub plants as listed in the finally executed Habitat Conservation Plan, in the manner required by the Department of Fish and Game and the United States Fish and Wildlife Service.

No grading, vegetation removal or other development may occur on lots dedicated for habitat preservation purposes except for the following: 1) trails, 2) fences approved in a coastal development permit, 3) hand removal of invasive plants, 4) installation of public utilities generally as shown on Exhibit 5 Map G, 5) the drilling of testing wells and hydraugers generally as shown on Exhibit 6, Map K, and 6) the sewer connections and drainage devices approved in this permit shall occur in these areas, **7) drainage, geologic exploration, landslide and slope repairs only as specifically authorized and described in special condition 28 of amendment 13 to this permit** 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.

**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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 (previously noted as 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 **except for the temporary restriction of portions of lot K and lot I, tract 50666 impacted by slide C, including trails A (11), A (12,) A (13), A(6), A(7), and A18.. If, on June 2, 2000, any portion of the above identified areas is still considered hazardous, the applicant shall submit a complete permit amendment application to the Commission which includes both a thorough analysis of these hazardous conditions and review of options to minimize these hazards. The application shall identify an area that provides public access equivalent in time place and manner to the abandoned area. The applicant or its successor interest shall submit these substitute trails or**

***support areas for the review and approval of the Commission. Within 30 days of the Commission's approval of the replacement trails and or support areas, the applicant shall dedicate and improve such substitute trail(s) or support areas as otherwise required by this condition.***

All documents shall be recorded free of prior liens and any other encumbrances which may affect said interest. However, these documents may be recorded subject to any existing or future sewer and utility easement; provided that such easements 1) are underground and 2) do not in the reasonable judgment of the Executive Director materially and adversely effect the purpose of this condition one as set forth above and 3) are generally as indicated on Exhibit 5, Map G or are in compliance with condition 11.

The dedication shall include the right of the developer and the accepting agency, subject to the limitations of relevant portions of this condition one set forth above, 1) to enter the property, 2) to construct and maintain revegetation areas, 3) to construct temporary construction fences and construction access, 4) to construct, install and maintain benches, water fountains, trails, fences, a bridge, turnarounds, signage, staging areas, low barriers, stairs, view overlooks, safety fencing along the seaward side of bluff top trails 3.A.1, 3.A.15 and 3.B.7 and non locking swing gates at the entrance of steep natural trails identified as 3.A.6, 3.A.18, 3.B.8, and 2.B(5), and other public improvements including without limitation those improvements described in this condition one, in the project description, in conditions three and four below, in the Conceptual Public Amenities and Coastal Access Program of 1996, Revised, August 28, 1997 and in the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 and (5) to perform erosion control. Additionally, the developer shall have the right to construct and use ***drainage devices, dewatering wells and*** monitoring wells as recommended by the City geologist provided that the construction and location of such wells in the reasonable judgment of the Executive Director do not materially and adversely effect the purpose of this condition one as set forth above.

The area subject to the dedication shall be described in the offer in a manner that is legally adequate under California law for a conveyance of an interest in real property and that is of a level of precision that is acceptable to the Executive Director. Notwithstanding the foregoing, the depiction of the easement area shown on the attached Exhibits 28 (E fee offers), and 30 (E-trails) as adopted in amendment six, shall be deemed to satisfy this requirement for the purpose of permit issuance. If utilized, the applicant shall replace or supplement the depiction with a legal description that is both legally proper and (in the reasonable judgment of the Executive Director) sufficiently precise, before the earlier to occur of either 1) the end of a period of five days from recordation of each final subdivision map for the project for the area encompassed by each such map, or 2) commencement of construction of improvements on the project other than permitted golf course facilities (clubhouse, maintenance building, restrooms, etc.), roads, parks and overlooks, trails, grading, erosion control and installation and/or relocation of

underground utilities. 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.

### 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.

.....

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 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: **Note: for complete list see Appendix A**

(6) Sunset Trail (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 switch backs 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) Sunrise Trail (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).

**(19) Landslide bypass trail. A trail as described in amendment 13, Exhibit 4, that connects the three Ocean Trails Public parking lots, via Ocean Trails Drive, along the golf course path located between the 9<sup>th</sup> and 12<sup>th</sup> golf holes, and from there, to bluff top corridor trails A (11) and A (12). The entire width of the trail shall be available for foot and bicycle access. If, on June 2, 1999, trails A 11, A 12 and A 13 are restricted from public use in any manner, in addition to the requirements of special condition 1, the applicant shall record an offer to dedicate this trail as required in this condition and any other trails necessary to provide access that is equivalent in time place and manner to the access along the bluff provided by these trails. Said recording shall occur no later than June 1, 2000, unless additional time is granted by the Executive Director for good cause. In no event shall the applicant interfere with public use of this trail until the Executive Director certifies that the entirety of Bluff Top Trails A11 and A12 have been repaired and are available to the public, and the project has provided no fewer than five beach access trails.**

.....

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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97, 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: 1) the construction of trails approved in this permit, 2) fences approved in a coastal development permit, 3) vegetation removal except hand removal of invasive plants, 4) installation of public utilities generally as shown on amendment 6 Exhibit 5, Map G, 5) the drilling of testing wells and hydraugers generally as shown on Exhibit 6, Map K and as recommended by the City geologist, **6) slide remediation and drainage control only as specifically authorized in special Condition 28 of amendment 13 to this permit**, as long as such construction, in the reasonable judgment of the Executive Director, does not materially and adversely affect the purposes of this condition three as set forth above, and 6) safety fencing along the seaward side of bluff top trails 3.A.1, 3.A.15 and 3.B.7 and non locking swing gates

at the entrance of steep natural trails identified as 3.A.6, 3.A.18, 3.B.8, and 2.B(5). 7) Installation of the sewer connections and drainage devices approved in this permit and other development approved in this permit, shall occur in the trail areas required in this permit and/or shown on the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 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 except for repair and maintenance of utility connections as authorized in section 30610(d) of the Coastal Act as further described in Section 13253 of the California Code of Regulations.

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, ***except for the temporary restriction of trail areas A(6), A(7), A(12) A(11) and A (18) within slide C. If, on June 2, 2000, any portion of the above-identified trails is still considered hazardous, the applicant shall submit a complete permit application to the Commission which includes a thorough analysis of these hazardous conditions and review of options to minimize these hazards. The application shall identify replacement trail(s) or support areas that provide public access equivalent in time, place, and manner of access to the abandoned area. The applicant or its successor interest shall submit these substitute trails for the review and approval of the Commission. Within 30 days of the Commission's approval of the replacement trails and or support areas, the applicant shall dedicate and improve such substitute trail(s) or support areas as required by this condition.***

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. However, these documents may be recorded subject to any existing or future sewer and utility easement; provided that such easements 1) are underground and 2) do not materially and adversely affect the purpose of this condition three as set forth above and 3) are as generally described on Exhibit 5, Map G, and Exhibit 31 map F, if such easement has been granted prior to recordation of the documents.

The dedication shall include the right of the developer and the accepting agency, subject to the limitations of the relevant portions of this condition three set forth above 1) to enter the property, 2) to carry out revegetation activities and maintain the areas as described in the HCP and conditions 4 and 8 of this permit, 3) to construct and maintain required trail improvements including without limitation trails described in the Public Amenities Plan Trails and Signage Map of September 26,

1996 revised 1/20/97, in the project description, in condition one and in condition 4 below, in the Conceptual Public Amenities and Coastal Access Program of 1996, Revised, August 28, August 28, 1997 and in the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 and (5) to perform erosion control. Additionally, the developer shall have the right to construct and use ***drainage devices, dewatering wells, exploratory pits other remedial measure and*** monitoring wells as recommended by the City geologist provided that the construction and location of such wells in the reasonable judgment of the Executive Director do not materially and adversely effect the purpose of this condition one as set forth above.

The area subject to the dedication shall be described in the offer in a manner that is legally adequate under California law for a conveyance of an interest in real property and that is of a level of precision that is acceptable to the Executive Director. Notwithstanding the foregoing, the depiction of the easement area shown on the attached Exhibit 30, (Exhibit E Trail easement offers), shall be deemed to satisfy this requirement for the purpose of permit issuance. If utilized, the applicant shall replace or supplement the depiction with a legal description that is both legally proper and (in the reasonable judgment of the Executive Director) sufficiently precise, before the earlier to occur of either 1) the end of a period of five days from recordation of each final subdivision map for the project for the area encompassed by each such map, or 2) commencement of construction of improvements on the project other than permitted golf course facilities (clubhouse, maintenance building, restrooms, etc.), roads, parks and overlooks, trails, grading, erosion control and installation and/or relocation of underground utilities. 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 this condition, the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 and/or Exhibits 26 and 27 of amendment A6 except that the locations and the development standards 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 prior to commencement of construction of the golf clubhouse. The plans shall be accompanied by a schedule of completion for the review and approval of the Executive Director in consultation with any accepting agency. Before construction commences on any park or trail, the applicant shall report any proposed changes to the approved plans 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, with the exception of a limited term non-profit golf school. The third stage shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to construction of more than five residential units within Tract 50666 and prior to the occupancy of any residential structures.

- A. First stage. The following shall be completed before any fencing contemplated in the executed Habitat Conservation Plan is installed (HCP Phase II): 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. ***During construction, the applicant shall not interfere with public use of the trails listed below except as specified in conditions 1 and 3. 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. All (the existing trails located in tract 50667, on street A, or on the golf course within tract 50666) but shall be improved to the standards of the trail improvement plan over their entire length prior to the commencement of play on the golf course, (with the exception of a limited term, non-profit golf school.) Before the construction of any residential units in VTTM 50666 Trails A(4) and A(5) must be improved in their entirety to the standards of the trail improvement plan.***

Trails found by the Commission to be existing trails Said trails shall include: ***The entirety of*** trails noted in Conditions 3 A (5), A (6), A(7), A(9), A(11), ***the portion of*** A(15) ***that follows the*** slide scarp also ***trails noted*** in Conditions 3 B(5), B(6), B(7), B(8), and B(9).

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

***Drawings.*** The applicant shall submit construction drawings for the review and approval of the Executive Director of the following park and trail improvements prior to the commencement of construction of the golf club house. Installation shall commence immediately following rough grading operations for the golf course.

***Completion*** All trail and park improvements listed below in subsections B(1) and B(2) shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to the opening of the golf club house to the public. ~~and the opening of the golf course for play with the exception of a limited term non-profit golf school.~~

1) Park improvements **required to be completed before opening of the golf clubhouse** (second stage):

- a) Ocean Trails Park (Halfway Point Park), **Mini park located on Halfway Point, including seating**; ~~as shown on the materials submitted with amendment 1 (A-5-RPV-93-005A of this permit, sheet 3 and 3a of the Public Amenities and Coastal Access program as revised, 1997 with additional public seating and tables in locations approved by the City of Rancho Palos Verdes, as shown on Exhibits 26 and 27 of amendment A6 including the 45 car, parking lot east of the park, "J Road", picnic area, public parking along Paseo del Mar,~~
- b) Ocean Trails Drive ("J" road, street A,) as far as Ocean Trails Park (Halfway Point Park), including public parking areas on J road.
- c) No fewer than six view overlooks including 3 within the bluff top corridor as shown on the Public Access Amenity Plan of 1996 updated 1997 between Ocean Trails Park (Halfway Point Park) and the East Bluff Preserve. All overlooks shall include seating but shall not require the grading or construction of pads or the use of heavy equipment for construction.
- d) Habitat and Golf course safety fencing as approved according to conditions 6 and 7, below.
- e) Temporary bridge over Forrestal Draw, as approved by the resources agencies serving trail 3(A)5.
- f) Parking lot for ~~25~~ **50** cars and comfort station on lot E VTTM 50667.
- g) In Portuguese Bend Overlook improvements, that is the overlook adjacent to West Bluff preserve in fuel management area adjacent to property line, benches, no fewer than three trees or other shade and a turnaround,
- h) Completion of East Vista Park complete with water fountain, benches, signage, and recreation facilities designed to accommodate a comparable number of visitors as are provided in parks of comparable size elsewhere in the City or operated by adjacent jurisdictions.
- i) Completion of Ocean Trails Drive ("J" road or Paseo del Mar) parking area, located to the west of the golf clubhouse

2) Trail improvements required to be completed *before opening of the golf clubhouse* (second stage):

Trails required in Conditions 3, A (8) (*except approximate 200 feet of the trail adjacent to East Vista park, which shall be completed by October 15, 1999*), A(12), A(13) A (16), A (17) and A (18), within ~~Ocean Trails Park (Halfway Point Park)~~ and A (19) and also 3 B (2). *All portions of trails 3 A(6); A(8) , A(9), A(11) A(12), and A(13) that lie outside the slide area as mapped in amendment A13.*

3) Trail plans required for approval second stage.

The applicant shall provide to the Executive Director final trail designs approved by the City of Rancho Palos Verdes for the following stage 4 3 trails before June 30, 1999: 3 A (1), A (2), A (3), A (5); 3 B (1), B (3), and B (4). The Director must review and approve the plans before authorizing the opening the golf *clubhouse to the public.* ~~course for play.~~

**B.-C.**

**Second Third Stage. Golf course stage. All trail and park improvements listed below in subsections C (1) and C(2) shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency before opening the golf course for play (with the exception of a non-profit golf school). Revised trail plans and park plans shall be submitted as part of any plan for grading or golf course reconstruction. Said plans shall be consistent with conditions 1 and 3, and shall provide access to the beach and to and along the top of the bluff in tract 50666 and from trail A (7) to the eastern tract boundary of VTTM 50667.**

1) **Park improvements required to be completed prior to opening of the golf course for play (third stage):**

- 0 a) **Ocean Trails Park (Halfway Point Park), as shown on the materials submitted with amendment 1 (A-5-RPV-93-005A) of this permit, sheet 3 and 3a of the Public Amenities and Coastal Access program as revised, August 28, 1997 with additional public seating and tables in locations approved by the City of Rancho Palos Verdes, as shown on Exhibits 26 and 27 of amendment A6 including the 45 car parking lot east of the park, the shared golf and public parking lot west of the park, Ocean Trails Drive, picnic area, public parking along Ocean Trails Drive. The park shall adequately be set back from the bluff edge to (1) adequately provide for public safety and (2) to safely accommodate trail A (11) along the edge of Halfway Point.**

- 1 **b) Habitat and Golf course safety fencing as approved according to conditions 6 and 7, below.**
- 2 **c) Landslide and rockfall signage**
- 3 **d) Any other replacement park areas required according to Conditions 1 and 3 above**

**2) Trail improvements required to be completed prior to the opening of the golf course for play (third stage):**

**The entire length of trails required in Conditions 3 A (6), A (7), A(8), A(9), A (11), A(12), A(13) A (16), A (17) and A (18) within Ocean Trails Park (Halfway Point Park) and 3 B (2), or if certain trails remain impassable, trail A19, a new A7 and any other replacement trails required according to condition 3 above.**

- C. Third Fourth Stage. Residential lots tract 50666.** Before the applicant may begin grading of the residential lots of Tract 50666, the applicant shall submit for the review and approval of the Executive Director, working drawings for the following park and trail improvements.

Installation of these improvements shall commence no later than 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 construction of more than 5 model homes within Tract 50666. In no event, shall any of the residential lots within Tract 50666 be occupied prior to the acceptance of the trails by the accepting agency or prior to the satisfactory completion of the required improvements.

- 1) **Park improvements required to be completed prior to construction of residential units except for more than five model homes in tract 50666 (fourth third-stage).**
  - 0 a) View Overlook at the head of Forrestal Canyon.
  - 1 b) Completion of Sunset Point Park (West Vista Park or Palos Verdes Drive Park) complete with water fountain, benches, picnic tables, signage, and recreation facilities designed to accommodate a comparable number of visitors as are provided in parks of comparable size elsewhere in the City or operated by adjacent jurisdictions.
  - 2 c) Final 25 parking spaces in lot E VTTM 50667.

- ~~3 d) 27,000 square foot clubhouse, which shall include restrooms and associated public serving facilities.~~
- ~~4 e) Completion of Ocean Trails Drive ("J" road or Paseo del Mar) parking area, located to the west of the golf clubhouse~~
- 5 f) All remaining trails, amenities, and facilities outlined in the Public Access and Amenities Plan of February 5, 1993 as modified by the conditions of this permit, the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97, or otherwise required in the conditions above.

(2) Trails improvements ***required to be completed prior to construction of residential units except for more than five model homes in tract 50666 (fourth third-stage). The applicant shall complete the improvement of the trails noted below consistent with the standards of the approved trail plan.:***

- a) ***Trails identified in Conditions 3 A (1), A (2), A (3), A(4), A (5), A(10), A(14); the permanent bridge over Forrestal draw, trail A (17) west of the bridge and trails 3 B (1), B(3), B(4).***

Trail improvements shall be carried out in accordance with a detailed trail improvement plan approved by the Executive Director, in substantial conformance with the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 as modified by the conditions of this permit. If there are any discrepancies between the trail plan and the requirements of the adopted conditions, the requirements of the conditions shall control. 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.

**8 CONFORMANCE WITH THE REQUIREMENTS OF THE RESOURCES AGENCIES WITH RESPECT TO THREATENED RARE OR ENDANGERED SPECIES.**

D. Schedule

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- (5) Phase V. Complete restoration of Phase II and IV grading (the golf course and club house impacts) shall occur, ***and all agreements required in section 7 below shall be executed and all habitat required as a result of subsection 7 of this condition shall have established*** before the golf course may be opened for play. and, Complete restoration of Phase II and IV residential lot) impacts shall

occur before individual lots receive final grading approval. Grading of the residential lots roads and trail areas in Vesting Tentative Tract map 50666 shall commence as specified in condition 4 and 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 onsite restoration areas noted above **with the exception of landslide area restoration required in subsection 7 below**, 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 **all** off site restoration areas **required by the Resource Agencies** is established according to **all** final executed agreements and the final habitat conservation plans (HCP) 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.

**Prior to commencement of construction of any residential units in tracts 50667 and 50666 except for five (5) model homes, the applicant, irrespective of the status of any approval for golf course repair, shall provide (1) evidence that it has (1) identified areas for on and off-site restoration of landslide damage to habitat; (2) secured long term control of any off-site property for purposes of restoration and (3) commenced planting on-site mitigation areas in acreage required by sub-Section 7 of this condition.**

**(7) Mitigation for Landslide, and Landslide Exploration and Repair. As part of any application for landslide repair the applicant shall provide a revised executed HCP that shall establish;**

- a) **The locations and types of on-site habitat restoration or enhancement required by the Resources Agencies. All restored habitat removed from revegetation areas by grading shall be reestablished on site at no less than a 1:1 ratio irrespective of any off-site requirements that might also be imposed by the resources agencies. All previously undisturbed habitat removed by grading activities shall be restored on site at a 3:1 basis.**
- b) **an analysis of the depth of saturation caused by drip irrigation. Said information shall be provided for all property owners of off**

**site areas.**

- c) the location and amounts of any off-site habitat restoration required by the Resources Agencies. Such off site restoration plan shall be accompanied by an irrevocable agreement with the property owners indicating an intent to allow use of the property involved for long term habitat restoration purposes.**
- d) An estimate of the length of time that will be necessary for the coverage and maturity of habitat required by the Resources Agencies to establish.**
- e) An agreement that failing approval of golf course repair, the applicant will proceed to re-establish on-site mitigation areas in the quality and acreage required by this permit by October 1, 2000.**

**18. ASSUMPTION OF RISK.**

- A. By acceptance of this amended permit A-5-RPV-93-005 the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, and flooding; landslide, bluff retreat, erosion, and earth movement; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.**
- B 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.**
- C. Prior to issuance of permit amendment A13 the applicant shall execute and record a supplement to its 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, earth movement and bluff failure, (b) that work in the landslide area is subject to extraordinary hazards and that the design and execution of such work is the responsibility of the applicant, and (c) 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**

**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.**
- D. Prior to issuance of permit amendment 13, the applicant shall provide an update to the determination required above with respect to the newly established shoreline and the areas inland of it. Any work occurring on state property must receive prior approval by the State Lands Commission**

**28. Slope Winterization of Slide C Authorized in Permit Amendment A13.**

- A. Only the development noted in Section B below is authorized. Installation of pilings is not authorized in this amendment. The applicant may carry out slope repair, remedial grading and surface drainage controls for winter stabilization of slide C as described in the Converse letters of August 24 and 25 1999 and the Cotton letter of August 26 1999, except that:**
  - 1) Prior to issuance of permit amendment 13, the applicant shall submit final plans and calculations shall have been for review and approval by the Executive Director. These plans shall be in substantial conformance to the conceptual plans provided to the Commission in the Converse letters of Aug 24 and 25 of 1999 and the Cotton letter of Aug. 26 1999. Said final plans and calculations**

**shall have been approved by the City of Rancho Palos Verdes  
Dept. of Public Works**

- 2) **Prior to issuance of permit amendment 13, the applicant shall provide, for the review and approval of the Executive Director, detailed plans showing all grading and disturbance areas consistent with the conceptual plans provided to the Commission and the conditions of this permit. All such area shall be located in the disturbed area noted in Exhibit 17, the golf course or within 25 feet of the "limits of excavation" shown on Exhibit 7. No further disturbance except for the placement of approved surface drain conduits and a drain diversion berm in already disturbed area (shown in exhibit 17) shall occur in the Bluff face preserve (lot G VTTM 50666) or the gnatcatcher nesting area (lot F VTTM 50666). Grading or any other disturbance of the Bluff Top corridor habitat restoration area (lot K VTTM 50666 is limited to: (a) grading down the graben walls and access equipment within an area no more than 25 feet from the edge of the mapped "limits of repair excavation" in Exhibit 7 (b) filling cracks as shown in exhibit 8, (c) removing topsoil as shown in Exhibit 8b of this amendment 13, surface drainage controls and sandbagging. This permit amendment does not exempt the applicant from the review and approval of the Department of Fish and Game and the US Fish and Wildlife Service and the terms and conditions of the executed HCP.**
- 3) **After approval of the areas that may be disturbed, the applicant shall install highly visible temporary fencing around all habitat areas within and adjacent to the job-site that are to be protected, and call for inspection from the Department of Fish an Game. A note identifying protected areas shall be placed on all grading plans.**
- 4) **All equipment access routes, and stockpile areas shall be located on the golf course, Halfway Point Park and the disturbed area of the slide block as shown in exhibit 17. All silt and runoff from the stockpiles and the disturbed graded areas of the site shall be controlled and confined within the site. Pursuant to this requirement, prior to issuance of permit amendment 13, the applicant shall provide erosion control plans for the review and approval of the Executive Director. Said plans shall be approved in advance by the City of Rancho Palos Verdes and conform to all conditions of this permit.**
- 5) **Prior to issuance of permit amendment 13, the applicant shall provide, for the review and approval of the Executive Director, plans identifying feasible measures to protect intertidal areas and**

**scree slopes. The applicant shall utilize all feasible measures to reduce further siltation from the slide into the ocean. The plan shall be provided to the Commission in advance of submittal to the State Lands Commission and the Department of Fish and Game.**

- 6) Prior to issuance of permit amendment 13, the applicant shall provide, for the review and approval of the Executive Director, the City Department of Public Works and the Department of Fish and Game, detailed specifications for the backfill of cracks and fissures, including materials. Fissures shall be flagged and sandbagged as required by the City Engineer to avoid percolation and/or hazards to employees and the public. The plans shall include monitoring and re-filing if necessary.**
  
- 7) Prior to issuance of amendment 13, the applicant shall provide plans for the review and approval of the executive director showing Erosion and drainage control as required. Said plans shall have been approved by the Project Engineer and City of Rancho Palos Verdes. The plans shall include: (a) the construction of a berm on the north side of the graben to route drainage away from the graben, (b) grading within the graben to create positive drainage and prevent ponding, (c) temporary surface conduits to direct drainage to ocean (d) sandbags around repaired cracks and fissures, (e) sandbags and silt fences as needed elsewhere on the site and in Halfway Point Park, (f) low berms and diversion structures in already disturbed areas as needed to keep water off the face of the slide (g) other safety and erosion control devices as long as such devices are located in the disturbed area noted as exhibit 17. Any grading for such erosion control shall be limited to the golf course, the areas within 25 feet of limits of repair in Exhibit 7, or already disturbed areas (Exhibit 17).**

**B. The following work is authorized.**

- 1) Drilling and grading for geologic exploration within the already disturbed Bluff Top Corridor Area on slide C as shown in exhibit 17, within the golf course, and within 25 feet of the "limit of excavation" as shown on exhibit 7, provided that no drilling or grading removes established plants identified as critical habitat or as rare and endangered by the Department of Fish and Game. Installation of safety fencing and access control.**
  
- 2) Fill fissures cracks and gullies on bluff top at Halfway Point, as necessary to avert potential block failure on face of cliff including the large block, identified as "Fissured Rock Mass" on Exhibit 6,**

*on the seaward bluff adjacent to Halfway Point.*

- 3) *Fill approximately 76 mapped cracks and fissures on main slide block as shown on Exhibit 8 with rocks, material from the graben and a top capping of sand and bentonite, to form an impervious surface layer.*
- 4) *Salvage topsoil from slide block and stockpile for future habitat restoration; install erosion control at edges of work to prevent siltation into the ocean; and install temporary fences at edge of habitat in remaining lot K, F and G habitat areas at edge of work areas to prevent accident disturbance of the habitat.*
- 5) *Trim back oversteepened, unstable graben slopes up to a slope of 1.5:1 as shown on the "limits of repair" shown in Exhibit 7 and as conditioned above.*
- 6) *Install safety fencing*
- 7) *The following erosion control work: (a) the construction of a berm on the north side of the graben to route drainage away from the graben, (b) grading within the graben to create positive drainage and prevent ponding, (c) temporary surface conduits to direct drainage to ocean (d) sandbags around repaired cracks and fissures, (e) sandbags and silt fences as needed elsewhere on the site and in Halfway Point Park, (f) low berms and diversion structures in already disturbed areas as needed to keep water off the face of the slide (g) other safety and erosion control devices as long as such devices are located in the disturbed area noted as exhibit 17. Any grading for such erosion control shall be limited to the golf course, the areas within 25 feet of limits of repair in Exhibit 7 or already disturbed areas (Exhibit 17).*

### **III. FINDINGS AND DECLARATIONS**

The Commission finds and declares as follows:

#### **A. PROJECT HISTORY AND DESCRIPTION OF AMENDMENT**

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 Commission approved this permit with requirements to reserve open land as habitat and to revegetate other areas in order to provide habitat for the California Coastal Gnatcatcher (*Poliioptila californica californica*), a

threatened bird species that nests on the site. Extensive areas both on and off site were required to be dedicated in fee, and revegetated with coastal sage scrub (CSS). Coastal sage scrub is the increasingly threatened habitat type on which the California Coastal Gnatcatcher, the cactus wren (*Campylorhynchus bunneicapillus cousei*) and other increasingly rare and threatened species depend.

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, potential conflicts between habitat restoration and recreation, and the project's impacts on the public's existing access to the property. The final proposal, as approved, included 75.5 acres of dedicated lands in addition to approximately 24,000 linear feet of trails. The trails are located both within the dedicated parks and preserves, and on the golf course and other private land. Within the dedicated park and preserve areas, trails are designated but not dedicated separately. Other trails located on private lands have been offered for dedication as easements. As a condition of approval, the Commission required that trails and parks located along the bluff, in the golf course and in the east end of the project be complete before opening the golf course for play. The purpose of the deadlines was to assure that the applicant completed the amenities proposed as part of the project, and that the project did not reduce existing public access on the site. In general the east side of the project, consisting of one tract, the golf course and most of the trails was to be constructed first; the west end was to be constructed second. After completing additional geologic investigation, the applicant amended the project to allow the clubhouse to be constructed on the west end of the project. Later, the applicant applied to construct the clubhouse in the first phase of the project. In approving this latter amendment, the Commission required that the clubhouse be treated the same way as the golf course. The applicant was required to complete all east end trails before the either the clubhouse or the golf course could open. Now, due to the slide, the golf course cannot open, but the clubhouse is nearing completion. All trails outside of the landslide are complete or are nearing completion. The current amendment thus proposes to establish two separate completion dates without lessening the intent of the Commission's original condition, which was to assure completion of the public facilities before the main commercial recreation facility, the golf course, could open.

Until the recent landslide, the applicant was nearing completion of the golf course and the first stage trails noted in the conditions. On June 2, 1999, a major landslide moved approximately 16 acres. The slide severely damaged two completed beach access trails, a bike path, and a jogging trail that followed the cliff edge, as well as a trail once known as the "Sewer Easement Trail", and more recently called the "Flying Golf Ball Trail." The last named trail combined a cart path with a foot trail and followed the scarp of the slide that moved. In addition, part of hole 18, and several cart paths were rendered unsafe or destroyed (Exhibits 4-8). Restored habitat areas located on the slide were damaged or inaccessible and some bluff-face habitat slid, burying vegetation. The slide moved a piece of the bluff face outward and down, leaving a depression at least 100 feet wide behind it (a graben) and isolating a portion of the bluff top. The east side of Halfway Point was

cracked and portions of the bluff face were also cracked. The City immediately ordered the beach closed at the toe of all three ancient slides that had been identified in earlier geology reports to ascertain whether further movement was likely. The Executive Director issued two emergency permits. The first emergency permit, 5-99-199G, allowed the applicant to prevent access to the beach and all trails in the center of the project for ten days. The second emergency permit, 5-99-230G, allowed the applicant to continue to prevent beach access in the center of the project as required by the City, and to begin geologic exploration of the slide. The toe of the slide at beach level was fenced because the City and project geologists are concerned that the slide will continue to move and injure anyone on the beach.

The opening of the golf course has been delayed while the applicant, the City, the Resources Agencies and Commission staff consider what may be feasibly done to restore the accessways, the restored habitat areas and hole 18. The final design must be consistent with the Corridors Element of the certified Rancho Palos Verdes LCP as well as the access and recreation policies of the Coastal Act. The applicant now proposes to open the clubhouse pending the repair work.

Finally, all geologic consultants agree that some work should be done in the near future to prevent further catastrophic movement of the slide. Further slide movement, in the form of a slow creep, is anticipated. Further rapid slide movement, similar to what occurred on June 2, 1999, could damage more habitat and could further damage the trails and golf course. The City has agreed that certain repairs should take place. City consultants state that final approval of the repairs will require additional, detailed investigations by the applicant's consultants. The City requires evidence that the repairs will be undertaken in a way that will not cause further damage. All experts involved, however, recommend that the applicant undertake "winterization" of the slide to prevent further movement. They anticipate that this work should begin during September on this year. For this reason, the proposals are before the Commission in advance of final engineering approval of the work.

## **B. CONSISTENCY WITH PUBLIC ACCESS AND RECREATION POLICIES 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. If the project is located between the first public road and the sea, when the Commission considers the project *de Novo*, it must also examine the project for consistency with the 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 30214 provides that the Commission shall regulate public access in a manner that takes into account the need to regulate time, place and manner of public access. Section 30221 requires that oceanfront land suitable for public recreation be reserved for that purpose.

The Corridors element of the City of Rancho Palos Verdes LCP also provides for a recreational access corridor on properties located between the first public road and the sea. The Commission approved the project with 75.5 acres of land dedicated for habitat and public access purposes and found that the project as proposed and approved protected existing access on the site and provided for public access and recreation. In approving this project, the Commission accepted the applicant's offer of 24,000 feet of public trails and bikeways, including a continuous bike path, and a separate pedestrian path looping around the developed areas of the project and providing access to the bluff and along the bluff edge. The Commission also required five accessways to the beach that would traverse the bluff face and consolidate the existing pioneered paths that lead down the bluff.

Because the bluff edges and the beaches were also the most suitable areas of the site for public access, those were chosen as the areas for those purposes. In approving this project in 1993, the Commission found that the public preferred to walk along the bluff edge and look at the ocean views. Therefore, the Commission found that the bluff edges, consistent with the LCP were the most appropriate locations for public access. However, as noted above, the Commission acknowledged the instability of the bluff edge and required the applicant to replace trails that became impassable because of future bluff collapse. In this case, the applicant is proposing a temporary trail that is not located on the bluff edge for reason of safety. However, the applicant is not asking the Commission to remove the requirement to permanently provide access along the edge of the bluff.

Currently, an extensive portion of the bluff edge trail is separated into discrete sections, separated by cracks and areas of collapse. Some trails appear safe but are very close to the edge of the slide. All trails in the center of the project are fenced pending investigation of the stability of the relatively intact trails and repair and relocation of the bluff edge trail. Special condition 3 requires, in part:

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.

In spite of the damage, with the encouragement of the City, the applicant has kept the trails located between Shoreline Park and the canyon south of La Rotonda open during the emergency. (Exhibit 4) The applicant is proposing to maintain access to all other trails as it is determined that they can be used safely.

The change in the timing condition to allow opening of the clubhouse would not affect the underlying condition which requires access facilities to be complete before opening the golf course for play. The objection would be that if the golf course were never repaired, the clubhouse could be open without full lateral access on the project. In answer to this concern, the applicant has proposed an additional trail that would provide public access over one of the golf course cart paths. This trail would connect the Halfway Point Park

parking lots with the portion of the bluff edge trail that is still stable. It would, as conditioned, be required to be available until the original bluff-edge trail is approved and constructed. Once the trails are replaced, the golf course, if reconstructed, could re-open. After that occurred, this trail would no longer be available because its location on the golf course could expose visitors to golfing hazards.

Coastal Act Section 30210 requires maximum public access. However, Section 30214 allows the Commission to implement public access in a manner that takes into account the topographic and geologic sites characteristics. The applicant proposes to restore access to the beach as soon as it can be determined that the beach is safe. The City geologic consultant has raised issues concerning beach access in the center and the west end of the project. He has identified a number of spires and large slabs of loose rock that could crash onto the beach and injure beach goers. This concern applies at the toe of the slide and in the rocky intertidal area below Halfway Point Park. There are spires on the east end of the landslide and additionally, on the seaward, western face of Halfway Point, a large block is poised to split off (Exhibit 6). The City has recommended that this large block be dislodged, possibly by using explosives.

The applicant concurs that these slabs are dangerous. However, rather than dislodging this block, the applicant's geologic consultants have recommended that control of access to the blocks and control of drainage over the face of the cliff could allow the applicant to leave the cliff in a natural state. California Department of Fish and Game and the US Fish and Wildlife are concerned that blasting or pushing these rocks off could disturb additional habitat or frighten the birds. The applicant has requested direction from the Commission and its staff. New condition 28 addresses these blocks and spires, requiring that nothing be done except filling cracks. When the issue of slide A and the adjacent sewer are resolved and the beach could otherwise open, the applicant can then return to the Commission, and provide an analysis of the alternatives that it has considered, and, if necessary, request that the Commission find that removal of the blocks is necessary to protect public access and public safety. Special Condition 28 specifically refers to the blocks on Halfway Point, which loom very near the public trail. This is because the blocks at Halfway Point are easily accessible from the end of a major access trail, although they are not directly over the trail. They are located just outside the park boundary, and while they could be fenced off, an agile child could reach them, and become trapped in the cracks. In response to this concern, the applicant has proposed to fence off the cliff edge with a wrought iron face to limit access. The applicant has also proposed filling the cracks. However, the Commission finds no blasting should be permitted unless the timing and method is explicitly approved in advance by the Resources Agencies or, if the applicant, after consultation with the Resources Agencies, has demonstrated in advance to the Commission that blasting would be less disruptive of habitat and have less noise impact than alternative methods.

The City geologic consultant is concerned about access to the beach is because the present slide moved very rapidly. While there is debate concerning the genesis of the slide, it is agreed by geologists consulting on the case that effluent from the county sewer line lubricated the slide and that the June 2<sup>nd</sup> landslide was a rapid, "catastrophic event".

(It is very fortunate that no one was hurt by this event. Workers on the slide had to run to avoid falling into widening cracks.) There is a sewer line adjacent to Slide A, which is located on the west end of the project. There is concern that some combination of slide movement and sewer line rupture could cause a catastrophic event at Slide A. If that slide were to move, it too could cascade onto the beach, burying anyone unfortunate enough to be on the beach below it. Therefore, the City has declared the beach closed until the County moves the sewer line or takes other measures to control leakage. The project's geologists have recommended that the sewer line be lined or else be relocated to an open space lot above the side scarp.

The Commission finds that it can allow the applicant to temporarily restrict public access over the above-identified trails to enable the applicant to conduct repairs and take other measures to assure public safety. However, the Commission also has a responsibility to protect existing access and ensure that the proposed amendment does not ultimately decrease the access required on the site. Therefore, the Commission imposes special conditions 1 and 3. The Commission finds that if the trails are not re-established within one year of the landslide, it must require the applicant to identify, improve, and or dedicate an alternate beach access trails within the dedicated bluff and beach corridors, and also dedicate and improve an alternative trail on its property that provides lateral access parallel to the bluff and that can connect with the undamaged portions of the foot and bicycle trails that now parallel the bluff. By imposing this requirement, the Commission can ensure that the proposed amendment will not reduce access that existed on the site and will provide access equivalent in time, place, and manner to that originally required. Moreover, the applicant has been required to construct the full link of the bluff top corridor, which is a requirement of the certified LCP. As the Commission noted in the original approval the applicant was allowed to substitute trail access over a portion of the bluff top corridor for a bluff top road because the site was not judged stable enough to construct a road. However, as noted in its original approval, and in condition 1, a trail may be replaced inland if it fails due to bluff collapse.

As approved with alternative access along the top of the bluff until repairs of access areas can be made, the project is consistent with the Corridors Element of the certified LCP, and with the Access and Recreation policies of the California Coastal Act.

**C. CONSISTENCY WITH THE NATURAL HAZARDS AND CORRIDORS ELEMENTS OF THE CERTIFIED LCP.**

The certified LCP identifies areas of varying degrees of risk and levels of geologic and habitat protection. The Corridors Element of the LCP is a series of overlays reflecting biological and geologic sensitivity, visual sensitivity, and attractiveness for public access. It anticipates that land adjacent to the bluff edges would be reserved for public access, trails, and habitat preservation and that development would be located further inland. Rancho Palos Verdes certified LCP "Corridors" and "Natural Hazards" elements identify the bluff edge and bluff faces as the most sensitive areas and subject to the most protection.

## 1) Natural Hazards.

The bluff faces and the area of the present slide were designated CRM 1 extreme slope, CRM 3 geologic hazard, CRM 4 marginally stable, and CRM 7-flood inundation hazard in the certified LCP. The City LCP states in part:

“ the purpose of this district (CRM1) is to regulate use development and alteration of land in extreme slope areas so that essential natural characteristics such as land form, vegetation and wildlife communities scenic qualities and open space can be substantially maintained. The district further considers the risk to public safety from earth slides and slips, erosion and attendant siltation. Regrading, requiring cut slopes and embankments is a potential instigator of landslide and the probability of these occurrences can be high within this district...”

Based on the presence of three identified ancient landslides and of other areas in which the factor of safety was less than 1.5, the applicant proposed and the City and Commission approved a mixed-use development that located structures on the more stable areas of the site, and the golf course, habitat and access trails on the less stable areas of the site. Those less stable areas included three ancient slides as well as areas where the bedding planes dipped out of the hillside. The presence of adverse bedding planes resulted in a calculation of a factor of safety of less than 1.5 for extensive areas of the site. Because of this geology, the applicant proposed no buildings in a major portion of the property. Instead, the applicant proposed a golf course on that portion of the property.

The slide that occurred on June 2, 1999 was located on an ancient slide, identified as “Slide C” in the project’s documentation. Sixteen acres were affected. In simple terms, a large block of material slid seaward. This block pushed the cliff edge seaward, resulting in a translational slide and two classic “rotational failure” landslides along the seacliff. Halfway Point Park was resting above the slide. Because of the slide, the eastern side of Halfway Point Park lost its support, creating additional cracks and slides on the eastern side of the park. The block moved on a layer of bentonite located 90 feet below ground level. This layer slopes gently toward the ocean. When the block moved, four major fissures and seventy-two minor cracks appeared. The applicant’s geologists have determined that many of these cracks also extend down to the bentonite layer. (Exhibits 5, 6, 7,8)

Bentonite is a highly plastic clay, derived from volcanic ash, that swells and becomes a slick, soapy material when it is wet. The ½ to 3” thick layer of bentonite about 90 feet below the ground surface was the slip surface for the June 2<sup>nd</sup> landslide. The project geologists and the City geologist concur that if a significant amount of water reaches the bentonite, the slide block will resume its movement. Therefore, the applicant proposes a number of actions to protect the slide from additional water during the coming winter. The reason to act to slow down the movement of the slide block is to preserve some cliff top area which can again be revegetated and which can accommodate trails. The City’s consultant concurs that these actions need to be taken, but advises the City and the

Commission that more detailed designs are needed before the work can go forward. (See Exhibits 6-11, 22a, 22, 23 and 24)

The proposed actions include:

1) Preventing access to certain trails, beach areas, and cliff tops because of dangers to the public. The City geology consultant wants these areas mapped. These areas include the beach in front of the slides, the northwest seaward edge of Halfway Point Park, and the beach below and west of Halfway Point Park (Ocean Trails Park). These areas, as noted above, are potentially unsafe because large spires or blocks could separate or topple and crush people walking below, or cause someone to fall over a hundred feet to the beach. The City geologic consultant has recommended that the cliff should be trimmed to prevent this. Another concern is "Slide A" adjacent to Portuguese Bend Club where a second landslide is adjacent to a sewer line. Third, cracks have been noticed next to hole 13, where both the sewer line and trail go very close to the edge of the bluff. The City consultant feels these trails and beach should be closed until the sewer line is lined or replaced **and** until the rocky spires and big chunk of cliff are removed. Fish and Game is very concerned about any blasting because of habitat disruption. At this time, there is not agreement about what blocks and spires should be dislodged nor have all feasible dislodgment methods been analyzed.

2) Crack filling. The City's geological consultant and the applicant's consultant want to fill the cracks and fissures in the slide block with dirt and rocks and top it with relatively impermeable material. Many of the cracks and fissures are open down to the bentonite layer. The open cracks and fissures will provide a direct conduit for rainwater to reach the bentonite layer. Not filling and sealing the cracks and fissures could result in the slide moving again when it rains. However, additional details are needed about the methodology to assure the filling will not make things worse, before the longer term site stability work can begin. Most of the cracks are in areas identified as Public Park (Bluff Top Corridor) in Condition 1 although some cracks are on the golf course. They range in width from a few inches to a few feet. While originally some of the cracks were 90 feet deep, some of them are only 30 to 50 feet deep by now, as a result of sloughing of the crack walls. However, the open cracks preclude all public access to the area and are also hazardous to workers.

3) Grading inside the graben to create positive drainage, and grading a berm on the golf course to prevent sheet flow into the graben. All parties are concerned that not doing this could result in ponding during the rainy season, resulting in water in the slide. However, a detailed grading plan is needed before the work can be authorized.

4) Erosion control measures, where safe and feasible, to control silt flow off the project. Again no final erosion control plan has been prepared, or reviewed although both parties agree that it is urgent to do this. Such a plan has inherent safety issues. It must also be reviewed by Fish and Game and by Commission staff for habitat impacts. Pockets of undisturbed habitat on the bluff face are still used by wildlife. These areas should not be further disturbed. In addition, it will not be possible to stop all siltation. Much of the bluff

face is near vertical and covered with scree and loose rock. Rain and high waves will wash silt from these areas; however, there is not safe or feasible way to prevent these releases.

5) Permanently authorize emergency approval of access for drilling and for any approved grading. The applicant and the City's geology consultant drilled 25 boreholes and numerous test holes in the slide block, the golf course, and the graben. Most of the other proposed work is proposed to occur on the area of the slide block that is already disturbed, (Exhibit 17 disturbed area, Exhibit 9 grading limits) but detailed plans must be prepared before the City or the Commission can let the work begin.

6) Placing shear pins (caissons), in the "big block" area of the slide. This five-acre area moved as a flat-topped block. It has been fairly stable since June 2<sup>nd</sup>, but could move again when it rains. The applicant's consultant proposes drilling approximately 150 holes about 11 feet deeper than the bentonite layer, inserting into each of these holes a 3 foot diameter shear pin that will extend through the bentonite layer, cutting the shear pins off about 11 feet above the slide plane (the bentonite layer) and back filling each hole. The City geologist concurs that this is an acceptable method to slow a slide, but has not yet received adequate strength and stability calculations for a thorough review of this portion of the project. The applicant believes that shear pins should be installed when the cracks are filled. This will create, in its view, maximum stability, and will allow all work to be completed before the rainy season. This would allow it to move forward with revegetation and other work it is considering and would allow trails to be replaced in this area. It is not clear however, that the block could ever support paved trails. The bluff top corridor is a dedicated habitat area that is located in the slide. This part of the project is conceptual and requires the several phases of additional review from the City geologist. The City did not give its approval for this work. For this reason, staff does not recommend approval of the shear pins as part of this amendment. This plan could be presented to the Commission when the applicant's proposal for a retaining wall on hole 18 is presented. The Commission could consider all alternatives, including simply re-locating the access features onto the seaward edges of the stable land. With the entire plan before it the Commission could consider whether the entire design is the least visually obtrusive design and consistent with access over and revegetation of the block.

7) Trimming back oversteepened graben walls, especially where they are hazardous to workers. The graben is another area that could conduct rainwater into the bentonite layer or hold significant amounts of water in the various depressions. The graben walls are near vertical and in some locations, the walls are hanging over the graben. There is concern that it may not be safe to do the proposed grading within in the graben unless the walls of the graben are made less steep. The City consultant is concerned about the graben walls, but wants stability calculations on the effects of such an action on the slide before approving detailed plans. This work would occur both in the golf course and in the bluff top corridor.

The basic assumption behind both the proposed work and the geologist's comments is that allowing water to reach the bentonite layer could reactivate the slide. In addition to the

potential safety concerns, this could cause additional impacts on the intertidal area and the areas of the project currently dedicated for access. If the slide has not been stabilized, it would pose a continuing and indefinite hazard to pedestrians in the tide pool area at the base of the cliff. If the applicant is unable to reconstruct the seacliff trails, the replacement trails, which are required by coastal development permit condition 1 could (1) be located at a distance from the true cliff edge, which would be less attractive to the public, and/or (2) require use of land now developed as golf course for trails, which would have an impact on the project.

All of this work, especially the construction of the caissons, would further damage the habitat on the top on the top of the slide block and some additional habitat. For this reason, the applicant proposes to salvage major plants in the already damaged bluff top habitat, and to reserve the topsoil. The interim stabilization project would require complete revegetation of this area. Presently, the four discrete surface areas of the block are cut off from ground water reserves and plants on the block are rapidly dying. Whether after restoration, there would be adequate ground water, is an issue that would have to be addressed by the applicant in its restoration plan. The applicant now contends that revegetation of the slide block is possible. Without groundwater, the restored plant material would most probably not achieve the height and density that was achieved in the past and the applicant would be seeking other sites for its revegetation efforts. However, revegetation of this area is necessary to maintain a link between the east and west ends of the project. The applicant and the City agree that the block will continue to move unless additional work is done. However, the applicant would be required to stockpile topsoil to replace enough topsoil to support revegetation. The applicant has suggested using some excess soil from tract 50666, which is currently being rough graded. All of these repairs, according the applicant's engineer, can be undertaken independently of the repair under consideration for slide hole 18.

The issues facing the City and the Commission in considering this proposal are similar but not identical. For the Commission the issues are: whether it is the least environmentally damaging alternative, whether it is consistent with the access provisions of the Coastal Act, and, considering the habitat requirements of its permit and of the LCP, whether the additional damage to habitat is sufficiently mitigated by the increased stability of the proposed replacement vegetation. The Commission must consider whether simply letting the slide complete its movement over the winter would be more consistent with the Coastal Act than attempts to slow it down. The applicant contends that "leaving the slide to move" would result in the invasion of the area by the invasive plants that it has just removed: tumbleweeds, thistle, mustard and fennel. The City has additional issues pertaining to its eventual ownership of the bluff top park and maintenance and liability issues arising from that ownership. The City is actively considering refusing all dedications.

## **2) Environmentally sensitive habitat.**

This area was identified as potentially containing sensitive habitat in the LCP. In its review of this project, the City and applicant proposed to preserve and restore habitat on the edges of the bluff top and on the bluff faces—the least stable areas. Now that it has slid,

according to the applicant's biological consultant, unless it is stabilized it will continue to decline. However, all of these proposed actions would need an amendment to conditions 1 and 8, which require that no heavy equipment be used in the bluff top corridor, only minor exceptions for drains and public utilities. The applicant proposes to go in, salvage the soil, do the grading, and in a future phase, replace the trail and the habitat. This is because the block, even after the repair, will have a slow creep. The applicant states that it will submit a complete revegetation plan along with the proposal for repair of the graben.

The bluff top corridor was required to be reserved and revegetated to coastal sage scrub in both the HCP and the coastal permit. The corridors element identifies the bluff top and bluff face as areas that should be investigated, and if habitat is found, protected. The permit allowed the relocation and consolidation of habitat that was located in pockets through-out the site on the bluff faces, and bluff top corridors and onto certain City owned land that is located off site. The bluff top had been barren and weedy—patches of habitat were located on slopes and in drainages. Once revegetated, the bluff top corridor supported Gnatcatchers and other native plant and animal species and had become an environmentally sensitive habitat area. The slide caused extensive damage to this habitat: cut it off from water, and cut up and or buried other areas. Grading boreholes in the corridor caused more damage ---about 2.54 acres of clearance in the six acres.

To understand the issues, it is important to review what happened during the project's approval. After the initial EIR was circulated, the Threatened California coastal Gnatcatcher was identified on the property. The applicant, Fish and Game, and Fish and Wildlife agreed to a Habitat Enhancement Plan (HEP) that after approval of the project was adopted as a Habitat Conservation Plan (HCP). The plan allowed the take of some Gnatcatcher habitat as long as it was replaced on more than a one-to-one basis. The applicant achieved this on and off site. The bluff top corridor was identified as one of the areas that must be revegetated. The project was divided into phases to allow some habitat to establish before grading on the second half began. Some areas, namely the Gnatcatcher nesting area at Halfway Point, were to be left undisturbed. By the time the Resources Agencies released the applicant to begin Phase II grading, (tract 50666) the applicant had established:

1. Four acres of restored habitat in the 7 acre West Bluff preserve,
2. 28 acres and restored and enhanced habitat in on-site preserve areas (like the bluff top) that was established but not mature,
3. 22 acres of established but not mature habitat within the golf course,
4. 20 acres of established but not mature habitat off-site on adjacent City property within the coastal zone. (Switchback {10 acres} and Shoreline Park {10 acres}.)

The 16 acre slide impacted all of the 3.3 acre Gnatcatcher nesting area at Halfway Point preserve, roughly 3.42 acres of bluff top corridor and additional areas in the golf course (see exhibits 16 17 and 22). The landslide eliminated four and a half acres of habitat, mostly in the Halfway Point Preserve, which the applicant now calls the Nesting Bird Preserve and the revegetation area of the bluff top corridor. In addition, geologic

investigation damaged another 1.6 acres of revegetation area in the bluff top corridor, 0.72 acres in the nesting bird preserve and 0.06 acres on the bluff face. These quantities are not additive; some of the 2.54 acres damaged by the equipment was already shocked by the slide. The applicant reported to the Resources Agencies that approximately seven acres of preserved and freshly restored habitat were eliminated by the slide and the attendant explorations. The applicant's geologists anticipate that immediate measures must be taken to reduce hazards to life and to reduce the chances that the block will move again, damaging additional habitat. Most of these activities will take place in already graded or disturbed areas, that are shown in exhibit 17. However, in order to cut back the graben walls some pockets of habitat that the applicant left undisturbed during its exploration will be disturbed. Exhibit 9 shows the limits of construction. As can be seen, on the eastern end of the map, the graben turns toward the edge of the bluff. In that area some habitat left intact by the exploration process will be impacted by the graben cut. However, if the graben is left untouched, the block will move, destroying whatever remnants are present.

This presents a difficult problem. The bluff top area is currently a habitat area, and until recently supplied feeding areas to the Gnatcatchers. The bluff top area was created by the applicant as part of his mitigation program and agreement with the resources agencies. The applicants state that what was planted once can be planted again, and that stabilization of the entire block, as proposed by the applicant, will result in more habitat than leaving it in its present state. The Commission finds that in this case, the habitat cannot be regarded as a permanent feature because it can and will continue its slide when the rains come unless measures are taken for immediate stabilization. That is, any reactivation of the slide will damage more habitat than will be damaged by the grading.

In addition, the applicant proposes to protect habitat in the following three ways on the bluff faces and outside the slide block: (Exhibits 30, 31 32) 1) Limit grading during reconstruction to areas already damaged by the slide, 2) stabilize the bluff top corridor, 3) replace all destroyed habitat in the bluff corridor when it is stabilized, and 4) identify an area off-site so if more than 1:1 replacement is required by the Resources Agencies, the additional habitat can be restored off site.

The Resources Agencies have indicated that they have the following other questions: 1) the quantity of habitat destroyed by the landslide and its repair, 2) the quality of the habitat that may be replaced, 3) interim loss, and 4) the quality and maturity of the habitat that is in place when the golf course re-opens. However, these questions need only be addressed prior to the opening of the golf course and are relevant only if the Resources Agencies require more than the 1:1 replacement already required by the Commission. The applicant is still negotiating with the Resources Agencies, who believe that all habitat destroyed in the slide and its repair may be required to be replaced at a 3:1 ratio. If the Resources Agencies require this ratio, the applicant proposes to enhance the bluff face, or restore additional areas off-site. The City has ordered some irrigation equipment in City owned habitat restoration areas to be removed. To go off site, the applicant will have to convince the City that its drip irrigation systems will not trigger additional slides.

Staff recommends that the applicant provide a design and an agreement with the Resources Agencies and the City concerning this revegetation before the Executive Director can accept an amendment that would authorize the golf course repair. Absent such a plan, the Commission would be hard pressed to allow only the replacement of present on-site habitat, and might need to consider enlarging the on-site restoration areas. Since the winterization would remain the same whatever ultimate restoration plan is required, the restoration plan can be analyzed during the consideration of the applicant's proposed golf course repair.

The LCP corridors policies center on identification and preservation of sensitive areas, which they acknowledge are also unstable. The recommend taking into account the interaction of slope, instability and sensitivity. The applicants proposal to eventually restore the habitat removed is consistent with the corridors policy of the LCP and the original conditions of this permit.

The proposed work will have impacts on sensitive habitat. However, increased slide movement would also have even more impacts on habitat areas. As proposed, to salvage the soil and plants form the habitat areas, to take necessary measures to avoid additional slide movement, and to begin a restoration plan, the winterization project will be consistent with the corridors element of the certified LCP with respect to habitat. As proposed to implement minimum measures consistent with geologic stability, the project is consistent with the corridors element addressing geologic stability which suggests that the least disturbance possible take place. As proposed, the development is consistent with the Corridors and Natural Hazards Elements of the certified LCP.

#### **E. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effect, which the activity may have on the environment.

The project is located on the last undeveloped shoreline parcel of any significant size in Los Angeles County. Endangered species have been identified on the site, geologic hazards have also been identified, and existing trails have been surveyed. Numerous studies have been undertaken concerning these issues, and the original permit, previous amendments, and the proposed amendment have been conditioned to assure that the project will not have a significant adverse impact on coastal access or resources, and is consistent with the certified LCP policies relative to public access, recreation, habitat, and natural hazards. The proposed development with the proposed amendment is consistent with the access policies of the Coastal Act and the policies of the certified LCP. There are

no other feasible mitigation measures or alternatives, which would lessen any significant adverse impact the activity, would have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the certified LCP and the access policies of the Coastal Act.

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**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
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**APPENDIX A****STANDARD CONDITIONS AND REVISED SPECIAL CONDITIONS**

Currently approved A-5-RPV-93-005 as amended-through A12. The revisions recommended to be made as part of the Commission's approval of A-5-RPV-93-005A13 are shown in ~~cross-out~~ and *bold italic* (for insert) format. (Ocean Trails LP, previously identified as Palos Verdes Land Holdings/Zuckerman), incorporated into the text.

THE FOLLOWING NOTE IS ADOPTED AS PART OF THE COMMISSION'S RESOLUTION:

NOTE: **A-5-RPV-93-005A6, A-5-RPV-93-005A12 and A-5-RPV-93-005A-13:** With the exception of those special conditions specifically modified as indicated by cross-out and italic bold type in Appendix A, all previously approved standard and special conditions found in Appendix A still apply to this development. The revisions proposed in this amendment request and recommended by the staff have been incorporated into Appendix A. Exhibits referred to in this document in plain type refer to (1) exhibits in A-5-RPV-93-005-A, -or (2) the exhibits attached to the fourth amendment. Maps referred to in the second, third and fifth amendments are located in the Commission files. Changes in the names of parks and trails adopted by the City of Rancho Palos Verdes are inserted into the trail designations. The previous designations are provided for purposes of continuity.

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 through A-5-RPV-93-005-A11, and this present amendment A-5-RPV-93-005 A13, the following special conditions shall apply to Coastal Development Permit A-5-RPV-93-005.

This set of revised special conditions incorporates the lot numbers which 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 reduced 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 changes to the special conditions which resulted from other amendments to the permit. The standard and special conditions follow on pages 2-41 below.

**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 (roman numeral Revised Findings) Exhibit I, further explained in (Roman numeral Revised Findings) Exhibits II, III, IV, V and Exhibits 1, 5A, 48 and 49,(of the original approval) 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, Sunset Point Park (Palos Verdes Drive-West Vista Park,) 1.5 acres  
Lot H; Ocean Trails Park (Halfway Point Park), including all areas inland of the bluff edge trail described in 3.A(11) below, not less than: 5.1      5.21 acres
- (2) LOT D VTTM 50666, Portuguese Bend Overlook and Fuel Modification Area, as shown in Exhibit 49, not less than: 1.0 acre
- (3) Bluff Top Activity Corridor, Lot K Vesting Tentative Tract Map 50666 as shown in the Attached Exhibit I, (Roman numeral one) generally described as southerly of lot 38 and being no less than 100 feet wide immediately adjacent to the bluff edge (bluff face is Lot G) extending from the easterly tract boundary with VTTM 50667 to the intersection with Lot F (Halfway Point Preserve Area), no less than 8.9 Acres
- (4) Catalina View Park, (Palos Verdes Drive-- East Vista Park), lot D within Vesting Tentative Tract Map 50667: 1.2 acres
- 5) (Bluff Top Activity Corridor Lot K, within Vesting Tentative Tract Map 50667 as shown in the attached Exhibit I (roman numeral, one) generally described as southerly of lot 38, being no less than 100 feet wide immediately adjacent the edge of bluff (bluff face is Lot I), no less than: 4.5 acres

All Lands dedicated for park purposes shall be open to the general public for recreation use. Ocean Trails Park (Halfway Point Park) and Vista Catalina Park and Sunset Point Park (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 Corridor 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, to the extent necessary to install and maintain utilities within drainage, utility and sewer, easements shown on Exhibit 5 (Map G) and hydrogen, and groundwater testing well easements shown on Exhibit 6 (Map K) of this Amendment 6, 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. ***In addition, approximately 2.6 acres of land disturbed by the active landslide C may be graded for exploration, landslide repair, and drainage control purposes only as specifically authorized in special condition 28 of amendment 13 of this permit.*** 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 A depicting setbacks for VTTM 50666 prepared by RBF and dated July 25, 1995. The disturbed area shall be further reduced as modified by the map dated June 20, 1996 submitted by the applicant with amendment A4 and shown on Exhibit 9 attached to amendment A4.

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 executed Habitat Conservation Plan (HCP). 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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 except as authorized by a future coastal development permit, and as otherwise authorized by law.

***Drainage, landslide, and slope repairs only as specifically authorized in special condition 28 of amendment 13 to this permit.*** No coastal development permit exemptions as defined in Section 30610 of the Coastal Act shall apply to the trails described below except that repair and maintenance of existing sewer lines, drainage structures, utilities, monitoring wells, and hydrangers shall be exempt pursuant to section 30610(d) and the regulations of the California Administrative Code Title 14 Section 13252.

**B. PASSIVE PARK/HABITAT PRESERVES.** Lands to be dedicated for purposes of habitat enhancement and passive recreation as shown on Exhibits I and III (roman numeral of the revised findings of the original permit):

- (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,<br>generally as indicated on Exhibits 2, 3 and 4<br>except that no portion of lot E shall be closer<br>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) Lot I Golf course Bluff Edge Habitat Setback within VTTM Tract 50666, described as a strip of land no less than 50 feet in width immediately adjacent to the edge of the bluff, southwesterly of the golf course, including the west side of Halfway Point, no less than: 1.2 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 no less than  | 7.7 acres  |
| Lot I Bluff Face and Beach no less than | 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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97. All lots shall be revegetated with Coastal Sage Scrub and Coastal Bluff Scrub plants as listed in the finally executed Habitat Conservation Plan, in the manner required by the Department of Fish and Game and the United States Fish and Wildlife Service.

No grading, vegetation removal or other development may occur on lots dedicated for habitat preservation purposes except for the following: 1) trails, 2) fences approved in a coastal development permit, 3) hand removal of invasive plants, 4) installation of public utilities generally as shown on Exhibit 5 Map G, 5) the drilling of testing wells and hydraugers generally as shown on Exhibit 6, Map K, and 6) the sewer connections and drainage devices approved in this permit shall occur in these areas, **7) drainage, geologic exploration, landslide and slope repairs only as specifically authorized and described in special condition 28 of amendment 13 to this permit** 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:

Item 10b Thursday

A5-RPV-93-005 Exhibit noted as "Appendix I" page 5

(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 (of the original approval). 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 *Ocean Trails Drive* (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 of the original approval. 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 *Ocean Trails Drive* (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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 (previously noted as 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 ***except for the temporary restriction of portions of lot K and lot I, tract 50666 impacted by slide C, including trails A (11), A (12), A (13), A(6), A(7), and A18..*** ***If, on June 2, 2000, any portion of the above identified areas is still considered hazardous, the applicant shall submit a complete permit amendment application to the Commission which includes both a thorough analysis of these hazardous conditions and review of options to minimize these hazards. The application shall identify an area that provides public access equivalent in time place and manner to the abandoned area. The applicant or its successor interest shall submit these substitute trails or support areas for the review and approval of the Commission. Within 30 days of the Commission's approval of the replacement trails and or support areas, the applicant shall dedicate and improve such substitute trail(s) or support areas as otherwise required by this condition.***

All documents shall be recorded free of prior liens and any other encumbrances which may affect said interest. However, these documents may be recorded subject to any existing or future sewer and utility easement; provided that such easements 1) are underground and 2) do not in the reasonable judgment of the Executive Director materially and adversely effect the purpose of this condition one as set forth above and 3) are generally as indicated on Exhibit 5, Map G or are in compliance with condition 11.

The dedication shall include the right of the developer and the accepting agency, subject to the limitations of relevant portions of this condition one set forth above, 1) to enter the property, 2) to construct and maintain revegetation areas, 3) to construct temporary construction fences and construction access, 4) to construct, install and maintain benches, water fountains, trails, fences, a bridge, turnarounds, signage, staging areas, low barriers, stairs, view overlooks, safety fencing along the seaward side of bluff top trails 3.A.1, 3.A.15 and 3.B.7 and non locking swing gates at the entrance of steep natural trails identified as 3.A.6, 3.A.18, 3.B.8, and 2.B(5), and other public improvements including without limitation those improvements described in this condition one, in the project description, in conditions three and four below, in the Conceptual Public Amenities and Coastal Access Program of 1996, Revised, August 28, 1997 and in the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 and (5) to perform erosion control. Additionally, the developer shall have the right to construct and use ***drainage devices, dewatering wells and*** monitoring wells as recommended by the City geologist provided that the construction and location of such wells in the reasonable judgment of the Executive Director do not materially and adversely effect the purpose of this condition one as set forth above.

The area subject to the dedication shall be described in the offer in a manner that is legally adequate under California law for a conveyance of an interest in real property and that is of a level of precision that is acceptable to the Executive Director. Notwithstanding the foregoing, the depiction of the easement area shown on the

attached Exhibits 28 (E fee offers), and 30 (E-trails) as adopted in amendment six, shall be deemed to satisfy this requirement for the purpose of permit issuance. If utilized, the applicant shall replace or supplement the depiction with a legal description that is both legally proper and (in the reasonable judgment of the Executive Director) sufficiently precise, before the earlier to occur of either 1) the end of a period of five days from recordation of each final subdivision map for the project for the area encompassed by each such map, or 2) commencement of construction of improvements on the project other than permitted golf course facilities (clubhouse, maintenance building, restrooms, etc.), roads, parks and overlooks, trails, grading, erosion control and installation and/or relocation of underground utilities. 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 of the Commission's original approval 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 area subject to the dedication shall be described in the offer in a manner that is legally adequate under California law for a conveyance of an interest in real property and that is of a level of precision that is acceptable to the Executive Director. Notwithstanding the foregoing, the depiction of the easement area shown on the attached Exhibits to amendment 6, complying to the satisfaction of the Executive Director with Exhibits III, 3, 7, and 10 of the Commission's adopted resolution, shall be deemed to satisfy this requirement for the purpose of permit issuance. If utilized, the applicant shall replace or supplement the depiction with a legal description that is both legally proper and (in the judgment of the Executive Director) sufficiently precise, before the earlier to occur of either 1) the end of a period of five days from recordation of the final subdivision map for the project, or 2) commencement of construction of improvements on the project other than permitted golf course facilities (clubhouse, maintenance building, restrooms, etc.), roads, parks and overlooks, trails, grading, erosion control and installation and/or relocation of underground utilities. 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 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 of the Commission's original approval.
- (6) Protect the existing public access 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 of the Commission's original approval)
- (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.6, 3.B.7, and 3.B.9, 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 area subject to the dedication shall be described in the offer in a manner that is legally adequate under California law for a conveyance of an interest in real property and that is of a level of precision that is acceptable to the Executive Director. Notwithstanding the foregoing, the depiction of the easement area shown on the attached Exhibit to amendment 6, complying to the satisfaction of the Executive Director with Exhibits, II, III, IV, 45 and 46 of the Commission's adopted resolution, shall be deemed to satisfy this requirement for the purpose of permit issuance. If utilized, the applicant shall replace or supplement the depiction with a legal description that is both legally proper and (in the judgment of the Executive Director) sufficiently precise, before the earlier to occur of either 1) the end of a period of five days from recordation of the final subdivision map for the project, or 2) commencement of construction of improvements on the project other than permitted golf course facilities (clubhouse, maintenance building, restrooms, etc.), roads, parks and overlooks, trails, grading, erosion control and installation and/or relocation of underground utilities. 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 of the Commission's original approval) 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 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) Ocean Vista Bikeway (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) Ocean Vista Trail (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 Portal Bikeway (West End Bicycle Route). Class II, bicycle lane extending along the west side of Street C from Palos Verdes Drive South to the northern boundary of lot 40, connecting at that point to a Class I, eight foot wide off road bicycle path in twelve foot wide corridor, extending, as mapped, around periphery of residential development, inland of habitat preserve, to Ocean Trails Park (Halfway Point Park), extending across the north side of Ocean Trails Park (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 Ocean Trails Park (Halfway Point Park), as shown on Exhibit 10 may be combined with the golf cart path.
- (5) West Portal Trail (West end Jogging Trail). Improved public sidewalk extending along west side of Street C from Palos Verdes Drive South to the northern boundary of lot 40, connecting at that point by stairs to a Class I, four foot wide soft footed pedestrian trail in a six foot wide corridor, extending, as mapped, around

periphery of residential development 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 Ocean Trails Park (Halfway Point Park.)

(6) Sunset Trail (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 switch backs 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) Sunrise Trail (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) El Portal Bicycle Trail (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 Ocean Trails Drive) Street A, "J" road) from intersection of Paseo del Mar and Palos Verdes Drive South to Ocean Trails Park (Halfway Point Park).

(9) El Portal Sidewalk (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 Ocean Trails Drive Street A, "J" road) from intersection of Paseo del Mar and Palos Verdes Drive South to Ocean Trails Park (Halfway Point Park.)

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

(11) Catalina View Trail (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, extending from the upper terminus of the Torrance trail, thence around the periphery of Halfway Point, outside of Ocean Trails Park (Halfway Point Park,) connecting to the upper terminus of the San Pedro trail along the top edge of the bluff. Adjacent to the park, the trail shall be generally located inland of and parallel to the 147 foot contour line as shown in Exhibit 7. From the easterly boundary of the publicly

dedicated Ocean Trails Park (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(7) below. In no case will the trail be routed where grading is required, or where cracks or undermining have occurred. 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) Catalina View Bikeway ( 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 Ocean Trails Park (Halfway Point Park,) and extends north to the western end of La Rotonda Drive.

(13) Flying Golfball Trail (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 Trail (West Bluff Beach Access (trail 4 (four)) 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. 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 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. (Trail 1, Exhibit A.)

(15) West Bluff Trail (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, the 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. 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) Park Loop Trail (Halfway Point Handicapped Loop Trail). Being a nine (9) foot wide pedestrian and handicapped accessible trail with a minimum tread width of (5) feet 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 Ocean Trails Park (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 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 improved overlook area and handicapped turn around including no fewer than three benches and three trees 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 stairs, decks and sidewalks shown on Exhibit 8 of permit amendment A-5-RPV-93-005A, and Exhibit 3 of amendment A11 connecting Ocean Trails Park (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.

(18) Dudleya Trail (Mid bluff Beach Access Trail.) A trail as shown on amendment 9 Exhibit 3, extending from the bluff edge pedestrian trail near the center of the project to beach level at the seaward terminus of the San Pedro Trail. The trail is to be designed in conjunction with the Department of Fish and Game, and shall include information signage, and other methods to protect vegetation as required by the DFG.

**(19) Landslide bypass trail. A trail as described in amendment 13, Exhibit 4, that connects the three Ocean Trails Public parking lots, via Ocean Trails Drive, along the golf course path located between the 9<sup>th</sup> and 12<sup>th</sup> golf holes, and from there, to bluff top corridor trails A (11) and A (12). The entire width of the trail shall be available for foot and bicycle access. If, on June 2, 1999, trails A 11, A 12 and A 13 are restricted from public use in any manner, in**

***addition to the requirements of special condition 1, the applicant shall record an offer to dedicate this trail as required in this condition and any other trails necessary to provide access that is equivalent in time place and manner to the access along the bluff provided by these trails. Said recording shall occur no later than June 1, 2000, unless additional time is granted by the Executive Director for good cause. In no event shall the applicant interfere with public use of this trail until the Executive Director certifies that the entirety of Bluff Top Trails A11 and A12 have been repaired and are available to the public, and the project has provided no fewer than five beach access trails.***

- 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 portions of Palos Verdes Drive South located within the boundaries of the tract. (L6-92 117).
  - (2) La Rotonda Bikeway. (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 Palos Verdes Drive South.
  - (3) Ocean Vista Bikeway (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) Ocean Vista Trail (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) Prickly Pear Trail (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) Lakeview Trail/Bikeway (La Rotonda knoll edge trail to La Rotonda Point and bluff edge). La Rotonda Drive to La Rotonda Point, four foot wide soft footed

pedestrian trail within a six foot wide corridor from Palos Verdes Drive South within Lots A, and H, then following lot H in switch backs through lots H and 39 to La Rotonda Overlook, connecting with bluff edge pedestrian trail 3.B (7), as shown on Exhibits B and 5.

(7) Catalina View Trail , then Sagebrush Walk Trail connecting to South Shores trail within Shoreline Park ( 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), 3.B(8) and 3B(9). 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 trail 3.B (9) 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.

(8) Switchback Trail (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)

(9) El Portal Trail (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.

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 the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97, 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: 1) the construction of trails approved in this permit, 2) fences approved in a coastal development permit, 3) vegetation removal except hand removal of invasive plants, 4) installation of public utilities generally as shown on amendment 6 Exhibit 5, Map G, 5) the drilling of testing wells and hydraugers generally as shown on Exhibit 6, Map K and

as recommended by the City geologist, **6) slide remediation and drainage control only as specifically authorized in special Condition 28 of amendment 13 to this permit**, as long as such construction, in the reasonable judgment of the Executive Director, does not materially and adversely affect the purposes of this condition three as set forth above, and 6) safety fencing along the seaward side of bluff top trails 3.A.1, 3.A.15 and 3.B.7 and non locking swing gates at the entrance of steep natural trails identified as 3.A.6, 3.A.18, 3.B.8, and 2.B(5). 7) Installation of the sewer connections and drainage devices approved in this permit and other development approved in this permit, shall occur in the trail areas required in this permit and/or shown on the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 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 except for repair and maintenance of utility connections as authorized in section 30610(d) of the Coastal Act as further described in Section 13253 of the California Code of Regulations.

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, **except for the temporary restriction of trail areas A(6), A(7), A(12) A(11) and A (18) within slide C. If, on June 2, 2000, any portion of the above-identified trails is still considered hazardous, the applicant shall submit a complete permit application to the Commission which includes a thorough analysis of these hazardous conditions and review of options to minimize these hazards. The application shall identify replacement trail(s) or support areas that provide public access equivalent in time, place, and manner of access to the abandoned area. The applicant or its successor interest shall submit these substitute trails for the review and approval of the Commission. Within 30 days of the Commission's approval of the replacement trails and or support areas, the applicant shall dedicate and improve such substitute trail(s) or support areas as required by this condition.**

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. However, these documents may be recorded subject to any existing or future sewer and utility easement; provided that such easements 1) are underground and 2) do not materially and adversely affect the purpose of this condition three as set forth above and 3) are as generally described on Exhibit 5, Map G, and Exhibit 31 map F of amendment 6, if such easement has been granted prior to recordation of the documents.

The dedication shall include the right of the developer and the accepting agency, subject to the limitations of the relevant portions of this condition three set forth above 1) to enter the property, 2) to carry out revegetation activities and maintain the areas as described in the HCP and conditions 4 and 8 of this permit, 3) to construct and maintain required trail improvements including without limitation trails described in the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97, in the project description, in condition one and in condition 4 below, in the Conceptual Public Amenities and Coastal Access Program of 1996, Revised, August 28, August 28, 1997 and in the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 and (5) to perform erosion control. Additionally, the developer shall have the right to construct and use **drainage devices, dewatering wells, exploratory pits other remedial measure and** monitoring wells as recommended by the City geologist provided that the construction and location of such wells in the reasonable judgment of the Executive Director do not materially and adversely effect the purpose of this condition one as set forth above.

The area subject to the dedication shall be described in the offer in a manner that is legally adequate under California law for a conveyance of an interest in real property and that is of a level of precision that is acceptable to the Executive Director. Notwithstanding the foregoing, the depiction of the easement area shown on the attached Exhibit 30 of amendment 6, (Exhibit E Trail easement offers), shall be deemed to satisfy this requirement for the purpose of permit issuance. If utilized, the applicant shall replace or supplement the depiction with a legal description that is both legally proper and (in the reasonable judgment of the Executive Director) sufficiently precise, before the earlier to occur of either 1) the end of a period of five days from recordation of each final subdivision map for the project for the area encompassed by each such map, or 2) commencement of construction of improvements on the project other than permitted golf course facilities (clubhouse, maintenance building, restrooms, etc.), roads, parks and overlooks, trails, grading, erosion control and installation and/or relocation of underground utilities. 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 this condition, the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 and/or Exhibits 26 and 27 of amendment A6 except that the locations and the development standards 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 prior to commencement of construction of the golf clubhouse. The plans shall be accompanied by a schedule of

completion for the review and approval of the Executive Director in consultation with any accepting agency. Before construction commences on any park or trail, the applicant shall report any proposed changes to the approved plans 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, with the exception of a limited term non-profit golf school. The third stage shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to construction of more than five residential units within Tract 50666 and prior to the occupancy of any residential structures.

- A. First stage. The following shall be completed before any fencing contemplated in the executed Habitat Conservation Plan is installed (HCP Phase II): 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. ***During construction, the applicant shall not interfere with public use of the trails listed below except as specified in conditions 1 and 3.*** 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. ***All (the existing trails located in tract 50667, on street A, or on the golf course within tract 50666) but shall be improved to the standards of the trail improvement plan over their entire length prior to the commencement of play on the golf course, (with the exception of a limited term, non-profit golf school.) Before the construction of any residential units in VTTM 50666 Trails A(4) and A(5) must be improved in their entirety to the standards of the trail improvement plan.***

Trails found by the Commission to be existing trails ~~Said trails shall include:~~ ***The entirety of*** trails noted in Conditions 3 A (5), A (6), A(7), A(9), A(11), ***the portion of A(15) that follows the slide scarp also trails noted*** in Conditions 3 B(5), B(6), B(7), B(8), and B(9).

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

***Drawings.*** The applicant shall submit construction drawings for the review and approval of the Executive Director of the following park and trail improvements prior

to the commencement of construction of the golf club house. Installation shall commence immediately following rough grading operations for the golf course.

**Completion** All trail and park improvements listed below in subsections B(1) and B(2) shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to the opening of the golf club house to the public, ~~and the opening of the golf course for play with the exception of a limited term non-profit golf school.~~

- 1) Park improvements **required to be completed before opening of the golf clubhouse** (second stage):
  - a) Ocean Trails Park (Halfway Point Park), **Mini park located on Halfway Point, including seating**; ~~as shown on the materials submitted with amendment 1 (A-5-RPV-93-005A of this permit, sheet 3 and 3a of the Public Amenities and Coastal Access program as revised, 1997 with additional public seating and tables in locations approved by the City of Rancho Palos Verdes, as shown on Exhibits 26 and 27 of amendment A6 including the 45 car, parking lot east of the park, "J Road", picnic area, public parking along Paseo del Mar,~~
  - b) Ocean Trails Drive ("J" road, street A,) as far as Ocean Trails Park (Halfway Point Park), including public parking areas on J road.
  - c) No fewer than six view overlooks including 3 within the bluff top corridor as shown on the Public Access Amenity Plan of 1996 updated 1997 between Ocean Trails Park (Halfway Point Park) and the East Bluff Preserve. All overlooks shall include seating but shall not require the grading or construction of pads or the use of heavy equipment for construction.
  - d) Habitat and Golf course safety fencing as approved according to conditions 6 and 7, below.
  - e) Temporary bridge over Forrestal Draw, as approved by the resources agencies serving trail 3(A)5.
  - f) Parking lot for ~~25~~ **50** cars and comfort station on lot E VTTM 50667.
  - g) In Portuguese Bend Overlook improvements, that is the overlook adjacent to West Bluff preserve in fuel management area adjacent to property line, benches, no fewer than three trees or other shade and a turnaround,

- h) Completion of East Vista Park complete with water fountain, benches, signage, and recreation facilities designed to accommodate a comparable number of visitors as are provided in parks of comparable size elsewhere in the City or operated by adjacent jurisdictions.
- i) Completion of Ocean Trails Drive ("J" road or Paseo del Mar) parking area, located to the west of the golf clubhouse

2) Trail improvements required to be completed ***before opening of the golf clubhouse*** (second stage):

Trails required in Conditions 3, A (8) (***except approximate 200 feet of the trail adjacent to East Vista park, which shall be completed by October 15, 1999***), A(12), A(13) A (16), A (17) and A (18), ~~within Ocean Trails Park (Halfway Point Park)~~ ***and A (19) and also 3 B (2). All portions of trails 3 A(6); A(8) , A(9), A(11) A(12), and A(13) that lie outside the slide area as mapped in amendment A13.***

3) Trail plans required for approval second stage.

The applicant shall provide to the Executive Director final trail designs approved by the City of Rancho Palos Verdes for the following stage ~~4~~ trails before June 30, 1999: 3 A (1), A (2), A (3), A (5); 3 B (1), B (3), and B (4). The Director must review and approve the plans before authorizing the opening the golf ***clubhouse to the public.*** ~~course for play.~~

**B.-C. Second Third Stage. All trail and park improvements listed below in subsections C(1) and C(2) shall be completed before opening the golf course for play. Revised trail plans and park plans shall be submitted as part of any plan for grading or golf course reconstruction. Said plans shall be consistent with conditions 1 and 3, and shall provide access to the beach and to and along the top of the bluff in tract 50666 and from trail A (7) to the eastern tract boundary of VTTM 50667.**

All trail and park improvements listed below in subsections C(1) and C (2) 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 (with the exception of a limited term non-profit golf school.)

**1) Park improvements required to be completed prior to opening of the golf course for play (third stage):**

- D. a) Ocean Trails Park (Halfway Point Park), as shown on the materials submitted with amendment 1 (A-5-RPV-93-005A) of this**

**permit, sheet 3 and 3a of the Public Amenities and Coastal Access program as revised, August 28, 1997 with additional public seating and tables in locations approved by the City of Rancho Palos Verdes, as shown on Exhibits 26 and 27 of amendment A6 including the 45 car parking lot east of the park, the shared golf and public parking lot west of the park, Ocean Trails Drive, picnic area, public parking along Ocean Trails Drive. The park shall adequately be set back from the bluff edge to (1) adequately provide for public safety and (2) to safely accommodate trail A (11) along the edge of Halfway Point.**

- E. b) Habitat and Golf course safety fencing as approved according to conditions 6 and 7, below.**
- F. c) Landslide and rockfall signage**
- G. d) Any other replacement park areas required according to Conditions 1 and 3 above**

**2) Trail improvements required to be completed prior to the opening of the golf course for play (third stage):**

**The entire length of trails required in Conditions 3 A (6), A (7), A(8), A(9), A (11), A(12), A(13) A (16), A (17) and A (18) within Ocean Trails Park (Halfway Point Park) and 3 B (2), or if certain trails remain impassable, trail A19, a new A7 and any other replacement trails required according to condition 3 above.**

- C. Third Fourth Stage. Residential lots tract 50666.** Before the applicant may begin grading of the residential lots of Tract 50666, the applicant shall submit for the review and approval of the Executive Director, working drawings for the following park and trail improvements.

Installation of these improvements shall commence no later than 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 construction of more than 5 model homes within Tract 50666. In no event, shall any of the residential lots within Tract 50666 be occupied prior to the acceptance of the trails by the accepting agency or prior to the satisfactory completion of the required improvements.

- 1) Park improvements required to be completed prior to construction of residential units except for more than five model homes in tract 50666**

*(fourth ~~third~~ stage).*

- H. a) View Overlook at the head of Forrestal Canyon.
- I. b) Completion of Sunset Point Park (West Vista Park or Palos Verdes Drive Park) complete with water fountain, benches, picnic tables, signage, and recreation facilities designed to accommodate a comparable number of visitors as are provided in parks of comparable size elsewhere in the City or operated by adjacent jurisdictions.
- ~~J. c) Final 25 parking spaces in lot E VTTM 50667.~~
- ~~K. d) 27,000 square foot clubhouse, which shall include restrooms and associated public-serving facilities.~~
- ~~L. e) Completion of Ocean Trails Drive ("J" road or Paseo del Mar) parking area, located to the west of the golf clubhouse~~
- M. f) All remaining trails, amenities, and facilities outlined in the Public Access and Amenities Plan of February 5, 1993 as modified by the conditions of this permit, the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97, or otherwise required in the conditions above.

**(2) Trails improvements *required to be completed prior to construction of residential units except for more than five model homes in tract 50666* (fourth ~~third~~ stage). *The applicant shall complete the improvement of the trails noted below consistent with the standards of the approved trail plan.:***

- a) Trails identified in Conditions 3 A (1), A (2), A (3), A(4), A (5), A(10), A(14); the permanent bridge over Forrestal draw, trail A (17) west of the bridge and trails 3 B (1), B(3), B(4).

Trail improvements shall be carried out in accordance with a detailed trail improvement plan approved by the Executive Director, in substantial conformance with the Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97 as modified by the conditions of this permit. If there are any discrepancies between the trail plan and the requirements of the adopted conditions, the requirements of the conditions shall control. 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 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 or in the applicant's letter of January 14, 1997. 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 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) a detailed schedule that has been approved by the United States Fish and Wildlife Service and the California Department of Fish and Game and that identifies when the revegetation plans required by the Habitat Conservation Plan (HCP) will be completed and implemented ("revegetation schedule"), 3) any and all proposed restrictions on public access, 4) all evidentiary material which the applicant or the agencies relied on to come to their conclusions, 5) a grading plan consistent with the Habitat Conservation Plan, and 6) an agreement in writing to complete and implement all revegetation plans consistent with the approved revegetation schedule and the phasing program listed in subsection D below;

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. The applicant shall provide the Executive Director with required revegetation plans at the time identified in the approved revegetation schedule. Each revegetation plan submitted for the review and approval of the Executive Director must have been approved by the U. S. Fish and Wildlife Service and the California Department of Fish and Game. All revegetation plans must be submitted

to the Executive Director before the golf course opens for play. All habitat areas shall conform to the standards contained in the executed HCP and the detailed revegetation plans.

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. Schedule (HCP Phase I grading) When the Executive Director verifies that revegetation has begun and the Department of Fish and Game and or the United States Fish and Wildlife Service releases the applicant for the golf course grading, consistent with the approved final Habitat Conservation Plan, (HCP) the applicant may begin grading the golf course (lots 38 and 39), Ocean Trails Park (Halfway Point Park) and the Ocean Trails Drive ("J road" or Paseo del Mar). The applicant may grade and stockpile on the clubhouse and clubhouse parking areas, and the westernmost tier of lots of tract 50666. No finish grading of residential lots may occur. Applicant may also begin 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.

(4) Phase IV. (Golf Club House) Finish grading for the golf club house parcel and 150 car westerly parking lot 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 restoration of habitat in the onsite restoration areas has commenced according to the standards of the HCP.

Construction of the golf club house shall not commence until the Executive Director has approved plans and construction drawings for all parks and trails and these plans and construction drawings, with the exception of Palos Verdes Drive--West Vista Park and Palos Verdes Drive East Vista Park (Lot A Tract 50666 and Lot D, Tract 50667), have also received final review and approval

from the City of Rancho Palos Verdes. Prior to beginning construction of the clubhouse, the applicant shall also complete the bluff top pedestrian trail (identified as trails 3A11 and 3B7) and coastal access trail (La Rotonda Bluff to Beach trail) 3B(8), and begin construction on Trail 3A(6), the Torrance Trail.

.....

(5) Phase V. Complete restoration of Phase II and IV grading (the golf course and club house impacts) shall occur, **and all agreements required in section 7 below shall be executed and all habitat required as a result of subsection 7 of this condition shall have established** before the golf course may be opened for play. and, Complete restoration of Phase II and IV residential lot) impacts shall occur before individual lots receive final grading approval. Grading of the residential lots roads and trail areas in Vesting Tentative Tract map 50666 shall commence as specified in condition 4 and 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 onsite restoration areas noted above **with the exception of landslide area restoration required in subsection 7 below**, 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 **all** off site restoration areas **required by the Resource Agencies** is established according to **all** final executed agreements and the final habitat conservation plans (HCP) 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.

**Prior to commencement of construction of any residential units in tracts 50667 and 50666 except for five (5) model homes, the applicant, irrespective of the status of any approval for golf course repair, shall provide (1) evidence that it has (1) identified areas for on and off-site restoration of landslide damage to habitat; (2) secured long term control of any off-site property for purposes of restoration and (3) commenced planting on-site mitigation areas in acreage required by sub-Section 7 of this condition.**

(6). Additional Willow Mitigation Area required by Resources Agencies.

Prior to issuance of amendment 11 amendment of this coastal development permit., the applicant shall submit revised plans identifying such replacement

area and agree to install said mitigation, in the following quantities and timetable

:

a) Tract 50667 and golf course. The applicant shall install no less than 435 square feet of additional willow area as required by the ACOE and the Department of Fish and Game, prior to the opening of the golf course for play.

b) Tract 50666. The applicant shall provide to the Executive Director all communications from the ACOE, the US Fish and Wildlife Service and/or the Department of Fish and Game concerning the required mitigation and such mitigation shall be installed prior to the construction of more than five residential units in tract 50666

7) ***Mitigation for Landslide, and Landslide Exploration and Repair. As part of any application for landslide repair the applicant shall provide a revised executed HCP that shall establish;***

- a. ***The locations and types of on-site habitat restoration or enhancement required by the Resources Agencies. All restored habitat removed from revegetation areas by grading shall be reestablished on site at no less than a 1:1 ratio irrespective of any off-site requirements that might also be imposed by the resources agencies. All previously undisturbed habitat removed by grading activities shall be restored on site at a 3:1 basis.***
- b. ***an analysis of the depth of saturation caused by drip irrigation. Said information shall be provided for all property owners of off site areas.***
- c. ***the location and amounts of any off-site habitat restoration required by the Resources Agencies. Such off site restoration plan shall be accompanied by an irrevocable agreement with the property owners indicating an intent to allow use of the property involved for long term habitat restoration purposes.***
- d. ***An estimate of the length of time that will be necessary for the coverage and maturity of habitat required by the Resources Agencies to establish.***
- e. ***An agreement that failing approval of golf course repair, the applicant will proceed to re-establish on-site***

***mitigation areas in the quality and acreage required by this permit by October 1, 2000.***

**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, 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 habitat plan noted above; stockpiling shall occur only as provided in the HCP stockpiling provision and condition 8 above. 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 Ocean Trails Park (Halfway Point Park,) within the bicycle trails, within drainage, utility and sewer, easements shown on Exhibit 5 (Map G) and hydrauger, and groundwater testing well easements shown on Exhibit 6 (Map K) of this Amendment 6, 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, as modified in the map submitted in amendment 4 and dated June 20, 1996. 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. No grading equipment shall be stored within the Tract 50666 residentially designated areas (Phase IV), except in the easternmost tier of lots as shown in the final HCP during the work on the golf course (Phase III).

D. Timing. Grading shall occur consistent with the timing restrictions contained in special Condition 8D. 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 tide pools 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 and with the executed Habitat Conservation 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. None of the plants included on the official list of "Prohibited Invasive Ornamental Plants" or "Weedy Plants to be Eradicated" shall be introduced into any portion the project site. These lists, approved by the Resource Agencies, shall remain available for public consultation at the California Coastal Commission, the City of Rancho Palos Verdes, or from on-site naturalist for the Ocean Trails Project. Additions to or deletions from these lists may be made by the Executive Director of the California Coastal Commission after consultation with the project's restoration ecologist and the Resources Agencies.
- 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;
- 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 Conservation Plan. In addition to the fencing required in the executed Habitat Conservation 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, except in those two locations where grading has been approved within the Bluff Top Activity Corridor or where the toe of the approved grading is located less than twenty (20) feet landward of the Bluff Top Activity Corridor or the Bluff top Revegetation Corridor, the construction fence shall be placed at the seaward toe of the approved cut or fill slope. This does not authorize development within the Bluff Top Activity Corridor or in the Bluff top Revegetation Corridor, except the two incursions specifically permitted by the Commission in its second amendment to this permit. 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. Plantings in preserves and areas designated for habitat restoration shall conform to the approved revegetation plan for each area and the Executed HCP.

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. Drainage plans for each drainage shall be designed consistent with one of the two alternative methods discussed in detail below: (a) tunneled pipes or (b) on site canyons.

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 Conservation 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 following standards apply to all drainage plans, which shall employ:

- a) treatment and filtration of runoff from the maintenance yard and from the 150 car parking lot;
- b) Best Management Practices as required by the City of Rancho Palos Verdes and the Regional Water Quality Control Board;
- c) use of ponds to control, treat and recirculate golf course runoff;
- d) no discharge from golf course or project improvements to tide pools;
- e) the applicant shall be responsible for removing all debris.
- f) The outfall and its tributary area complies with the Los Angeles County Public Works Urban Storm Water Mitigation plan standards, including but not limited to the following:

- The golf course shall be equipped with flow reducers or shutoff valves triggered by a pressure drop so that broken pipes do not increase flow to the storm drains.
- The applicant shall provide, for the review and approval of the Executive Director, plans for a self-contained cart washing facility that is equipped with a pre-treatment facility and if significant discharge is proposed, is connected to the sanitary sewer.
- All storm drain inlet structures must be equipped with trash racks, which shall be maintained by the golf course operator unless the racks are eligible for maintenance by the County of Los Angeles;
- The applicant shall either: (a) provide a written estimate from the project engineers verifying that less than 21% of the project area is developed with impervious surfaces; or (b) shall equip the storm drain inlets on project streets with oil water separators, which shall be maintained by the golf course operator.
- Storm drains must be stenciled with water quality warnings indicating that the drain flows to the ocean.

Alternative (a): The following standards shall apply to the tunneled pipes which shall be constructed in substantial compliance with plans submitted August 2, 1991:

- a) no drain line down Forrestal ravine
- b) use of drains outside of ravines for all project drainage including normal storm and low flow run-off from the golf course, golf course ponds, and project streets and parking lots;
- c) diversion and control of major event (greater than 2 year storm) off site drainage;
- d) the terminus and/or surface installation of drainage pipes on the bluff face and toes shall avoid stands of *Opuntia littoralis*,
- e) no heavy equipment shall be placed within 30 feet of the edge of the bluff in installing the devices;

Alternative (b). In lieu of the tunneled pipes, the applicant may opt to route drainage through the canyons as described in the conceptual drawings dated 3/2/98, or as shown in the plans for La Rotonda Canyon, dated 3/99, stamped March 1, 1999. Prior to authorization of use of any on-site canyon for project drainage, the applicant shall provide final working drawings, approved by the City Engineer of the City of Rancho Palos Verdes. If the City Engineer and the above agencies approve working drawings of the canyon alternative for any canyon, as shown on the preliminary plans dated 3/2/98 submitted along with amendment 8 of this permit, or 500 square feet or as shown in the plans for La Rotonda Canyon, dated 3/99, stamped March 1, 1999. The Executive Director may

authorize discharge of all storm water and treated golf course runoff through the approved canyons, provided that:

- a) the rerouted pipes, after final approval from the City Engineer, require no significant additional channelization than presently proposed, with no more than more than 15% difference in the quantity of hardscape and or rip rap from the preliminary plans dated 3/2/98 or in the case of La Rotonda Canyon more than 575 square feet,
- b) that the United States Army Corps of Engineers, the Regional Water Quality Control Board and the Department Fish and Game have concurred with the project as proposed,
- c) the applicant agrees to replace any identified willow habitat at no less than a 2:1 ratio, as proposed in the Glen Lukos Corps application dated April 16, 1998 and as required by the Department of Fish and Game;

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. Development shall occur consistent with the approved plans. No changes to the approved final plans shall occur without a Coastal Commission approved amendment to the coastal development permit unless the Executive Director determines no amendment is required.

## **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 TRACT 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.**

- A. *By acceptance of this amended permit A-5-RPV-93-005 the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves, storm waves, and flooding; landslide, bluff retreat, erosion, and earth movement; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.***
- B** 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.
- C. *Prior to issuance of permit amendment A13 the applicant shall execute and record a supplement to its 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, earth movement and bluff failure, (b) that work in the landslide area is subject to extraordinary hazards and that the design and execution of such work is the responsibility of the applicant, and (c) 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 that any proposed change in the level of public use will require an amendment to this permit
- B. CLUBS PROHIBITED. 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. (Staff note: the golf cart paths shared with pedestrian or bicycle trails are subject to the hours of use that apply to public trails and are open to the public from dawn to dusk.)
- 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 Ocean Trails Park (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 Ocean Trails Drive (Street A), the restrooms in the vicinity of the west end of La Rotonda Drive, easily accessible from 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 Ocean Trails Drive (Street A), La Rotonda Drive, the parking lots themselves and Ocean Trails Park (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 parking lot located adjacent to

the maintenance yard on golf course Lot 38 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 the golf course, the parking lots, the restroom and patio areas, Lot E tract 50667 and the approved golf course area. The area subject to the dedication shall be described in the offer in a manner that is legally adequate under California law to restrict land and that is of a level of precision that is acceptable to the Executive Director. Notwithstanding the foregoing, the depiction of the golf course shown on the attached Exhibits 26 and C of Amendment 6, shall be deemed to satisfy this requirement for the purpose of permit issuance. If utilized, the applicant shall replace or supplement the depiction with a legal description that is both legally proper and (in the judgment of the Executive Director) sufficiently precise, before the earlier to occur of either 1) the end of a period of five days from recordation of each final subdivision map for the project, or 2) commencement of construction on the project other than permitted golf course facilities (clubhouse, maintenance building, restrooms, etc.), roads, parks and overlooks, trails, grading, erosion control and installation and/or relocation of underground utilities.

## **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.

***D. Prior to issuance of permit amendment 13, the applicant shall provide an update to the determination required above with respect to the newly established shoreline and the areas inland of it. Any work occurring on state property must receive prior approval by the State Lands Commission***

**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. Deleted.**

**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 Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97, 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. Pursuant to this requirement, detailed drawings showing the design, text and placement of individual signs, consistent with the preliminary Public Amenities Plan Trails and Signage Map of September 26, 1996 revised 1/20/97, shall be provided for the review and approval of the Executive Director on or before February 1, 1998.

**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 as amended in A-5-RPV-93-005A, A-5-RPV-93-005A2, A-5-RPV-93-005A3, A-5-RPV-93-005A4, A-5-RPV-93-005A5, and-RPV-93-005A6. 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.<sup>1</sup>**

Prior to submittal of materials prepared to conform to special 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.

**26. REVISED SIGNAGE PLAN.**

Prior to issuance of the permit amendment, the applicant shall provide a revised signage plan, subject to the review and approval of the Executive Director, that includes signs on Palos Verdes Drive clearly indicating that there is a trailhead and public parking within tract 50666. The sign may also indicate that the major public parking lot and parks are located at the clubhouse at Ocean Trails Drive.

**27. TEMPORARY GOLF SCHOOL.**

The applicant may operate a temporary golf school, open to the public, for a limited time period, not to exceed six months from the date of issuance of this permit amendment. The Executive Director may extend the time limit for good cause for up to four months, if the request is accompanied by a reasonable plan to restore public access and protect habitat.

**28. *Slope Winterization of Slide C Authorized in Permit Amendment A13.***

- A. *Only the development noted in Section B below is authorized. Installation of pilings is not authorized in this amendment. The applicant may carry out slope***

**repair, remedial grading and surface drainage controls for winter stabilization of slide C as described in the Converse letters of August 24 and 25 1999 and the Cotton letter of August 26 1999, except that:**

- 1) Prior to issuance of permit amendment 13, the applicant shall submit final plans and calculations shall have been for review and approval by the Executive Director. These plans shall be in substantial conformance to the conceptual plans provided to the Commission in the Converse letters of Aug 24 and 25 of 1999 and the Cotton letter of Aug. 26 1999. Said final plans and calculations shall have been approved by the City of Rancho Palos Verdes Dept. of Public Works**
- 2) Prior to issuance of permit amendment 13, the applicant shall provide, for the review and approval of the Executive Director, detailed plans showing all grading and disturbance areas consistent with the conceptual plans provided to the Commission and the conditions of this permit. All such area shall be located in the disturbed area noted in Exhibit 17, the golf course or within 25 feet of the "limits of excavation" shown on Exhibit 7. No further disturbance except for the placement of approved surface drain conduits and a drain diversion berm in already disturbed area (shown in exhibit 17) shall occur in the Bluff face preserve (lot G VTTM 50666) or the gnatcatcher nesting area (lot F VTTM 50666). Grading or any other disturbance of the Bluff Top corridor habitat restoration area (lot K VTTM 50666 is limited to: (a) grading down the graben walls and access equipment within an area no more than 25 feet from the edge of the mapped "limits of repair excavation" in Exhibit 7 (b) filling cracks as shown in exhibit 8, (c) removing topsoil as shown in Exhibit 8b of this amendment 13, surface drainage controls and sandbagging. This permit amendment does not exempt the applicant from the review and approval of the Department of Fish and Game and the US Fish and Wildlife Service and the terms and conditions of the executed HCP.**
- 3) After approval of the areas that may be disturbed, the applicant shall install highly visible temporary fencing around all habitat areas within and adjacent to the job-site that are to be protected, and call for inspection from the Department of Fish an Game. A note identifying protected areas shall be placed on all grading plans.**
- 4) All equipment access routes, and stockpile areas shall be located on the golf course, Halfway Point Park and the disturbed area of the slide block as shown in exhibit 17. All silt and runoff from the stockpiles and the disturbed graded areas of the site shall be controlled and confined within the site. Pursuant to this requirement, prior to issuance of**

**permit amendment 13, the applicant shall provide erosion control plans for the review and approval of the Executive Director. Said plans shall be approved in advance by the City of Rancho Palos Verdes and conform to all conditions of this permit.**

- 5) Prior to issuance of permit amendment 13, the applicant shall provide, for the review and approval of the Executive Director, plans identifying feasible measures to protect intertidal areas and scree slopes. The applicant shall utilize all feasible measures to reduce further siltation from the slide into the ocean. The plan shall be provided to the Commission in advance of submittal to the State Lands Commission and the Department of Fish and Game.**
- 6) Prior to issuance of permit amendment 13, the applicant shall provide, for the review and approval of the Executive Director, the City Department of Public Works and the Department of Fish and Game, detailed specifications for the backfill of cracks and fissures, including materials. Fissures shall be flagged and sandbagged as required by the City Engineer to avoid percolation and/or hazards to employees and the public. The plans shall include monitoring and re-filing if necessary.**
- 7) Prior to issuance of amendment 13, the applicant shall provide plans for the review and approval of the executive director showing Erosion and drainage control as required. Said plans shall have been approved by the Project Engineer and City of Rancho Palos Verdes. The plans shall include: (a) the construction of a berm on the north side of the graben to route drainage away from the graben, (b) grading within the graben to create positive drainage and prevent ponding, (c) temporary surface conduits to direct drainage to ocean (d sandbags around repaired cracks and fissures, (e) sandbags and silt fences as needed elsewhere on the site and in Halfway Point Park, (f) low berms and diversion structures in already disturbed areas as needed to keep water off the face of the slide (g) other safety and erosion control devices as long as such devices are located in the disturbed area noted as exhibit 17. Any grading for such erosion control shall be limited to the golf course, the areas within 25 feet of limits of repair in Exhibit 7, or already disturbed areas (Exhibit 17).**

**B. The following work is authorized.**

- 1) Drilling and grading for geologic exploration within the already disturbed Bluff Top Corridor Area on slide C as shown in exhibit 17,**

**within the golf course, and within 25 feet of the "limit of excavation" as shown on exhibit 7, provided that no drilling or grading removes established plants identified as critical habitat or as rare and endangered by the Department of Fish and Game. Installation of safety fencing and access control.**

- 2) Fill fissures cracks and gullies on bluff top at Halfway Point, as necessary to avert potential block failure on face of cliff including the large block, identified as "Fissured Rock Mass" on Exhibit 6, on the seaward bluff adjacent to Halfway Point.**
- 3) Fill approximately 76 mapped cracks and fissures on main slide block as shown on Exhibit 8 with rocks, material from the graben and a top capping of sand and bentonite, to form an impervious surface layer.**
- 4) Salvage topsoil from slide block and stockpile for future habitat restoration; install erosion control at edges of work to prevent siltation into the ocean; and install temporary fences at edge of habitat in remaining lot K, F and G habitat areas at edge of work areas to prevent accident disturbance of the habitat.**
- 5) Trim back oversteepened, unstable graben slopes up to a slope of 1.5:1 as shown on the "limits of repair" shown in Exhibit 7 and as conditioned above.**
- 6) Install safety fencing**
- 7) The following erosion control work: (a) the construction of a berm on the north side of the graben to route drainage away from the graben, (b) grading within the graben to create positive drainage and prevent ponding, (c) temporary surface conduits to direct drainage to ocean (d) sandbags around repaired cracks and fissures, (e) sandbags and silt fences as needed elsewhere on the site and in Halfway Point Park, (f) low berms and diversion structures in already disturbed areas as needed to keep water off the face of the slide (g) other safety and erosion control devices as long as such devices are located in the disturbed area noted as exhibit 17. Any grading for such erosion control shall be limited to the golf course, the areas within 25 feet of limits of repair in Exhibit 7 or already disturbed areas (Exhibit 17).**

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## APPENDIX B

### A-5-RPV-93-005-A13

#### LIST OF PREVIOUS AMENDMENTS TO THE PROJECT

**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

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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 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.

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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 **except that one tee box may be placed closer than 200 feet** but not closer than 100 feet from the bluff edge. The subject 1.5 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

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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.

**DESCRIPTION OF FOURTH 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

## APPENDIX B

A-5-RPV-93-005-A13  
PREVIOUS PERMIT AMENDMENTS  
PAGE 5 OF 9

corridor for the 18th tee; and 10) incorporate the proposed changes into revised grading and site plans.

**DESCRIPTION OF FIFTH AMENDMENT REQUEST. (A-5-RPV-93-005-A5)** The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s). Except as explicitly changed below, the project description, terms and conditions of the permit will not change from the Commission's prior action as described conditioned and required in the attached Exhibit 1 and in the Commission's files:

1. Change **condition 3**, Trails, so that street identification of Trail 3(A)(10,) Forrestal Canyon Trail, would read: **extending from street D E ..... connecting to streets B C and C D** to reflect change in numbering on map for VTTM tract 50666.
2. Change Temporary Erosion control **condition 10 (D)** to allow for a reduction in distance between Bluff Top Activity Corridor and temporary construction fence when grading has been approved to extend closer than 20 feet from edge of corridor or within corridor:

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, except that in those two locations where grading has been approved within the Bluff Top Activity Corridor or where the toe of the approved grading is located less than twenty (20) feet landward of the Bluff Top Activity Corridor, the construction fence shall be placed at the seaward toe of the approved cut or fill slope. This does not authorize development within the Bluff Top Activity Corridor except the two incursions specifically permitted by the Commission in its second amendment to this permit 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.

3. Change golf course **condition 19**, Deed Restriction 19 E to reflect the location of the La Rotonda restroom on the golf course lot instead of lot E, the parking lot, in the revised VTTM 50667

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 in the vicinity of the west end of La Rotonda Drive, easily accessible from ~~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

## APPENDIX B

### A-5-RPV-93-005-A13 PREVIOUS PERMIT AMENDMENTS PAGE 6 OF 9

to the public from dawn to dusk. No fee or validation shall be required for use of these facilities.

4. Change **condition 22**, regarding relationship of golf facilities to phasing program to reflect the location of the La Rotonda restroom on the golf course lot instead of lot E, the parking lot, in the revised VTTM 50667

C. **VTTM 50667 Parking Lot and Comfort Station.** Construction of the comfort station and the first 25 spaces of the parking lot *in the vicinity of the west end of La Rotonda Drive, easily accessible from* ~~on~~ lot E tract 50667 ~~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.

5. Change Condition 7 **Deed Restrictions** language in the following way, to make clear that homeowners are responsible for fair and reasonable share of maintenance expenses whoever incurs them, but not required to personally conduct maintenance:

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 *each owner's fair and reasonable share of the costs of* ~~to~~ the maintenance of the area, *the obligation to participate in special district(s) or associations organized to collect funds and carry out maintenance of the areas* 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. *Nothing in this restriction imposes the obligation on a homeowner to personally work on the streets, parks or habitat areas.*

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, *including but not limited to the obligation to contribute each owner's fair and reasonable share of the costs of the maintenance of the drainage systems oil separators or other devices , the obligation to participate in special district(s) or associations organized to collect funds and carry out maintenance of the drainage systems oil separators or other devices and the right of the district/and or accepting agency to manage and maintain the drainage systems oil separators or other devices in accordance with the terms and conditions of this coastal development permit. Nothing in this restriction imposes the obligation on a homeowner to personally clean the streets or drainage devices.*

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. *Nothing in this restriction imposes the obligation on a homeowner to personally work on the streets*

## APPENDIX B

A-5-RPV-93-005-A13  
PREVIOUS PERMIT AMENDMENTS  
PAGE 7 OF 9

*parks, habitat areas, or drainage systems.* 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.

**SUMMARY OF SIXTH AMENDMENT REQUEST (A-5-RPV-93-005A6)** The applicant proposes to resolve an issue concerning the lot lying between the westerly portion of the golf course and the bluff face, identified as Lot I Tract 50666, regarding the setback of development, including grading, from the physical edge of the bluff, as identified in the field. The applicant also requests technical and substantive changes to the water quality conditions (condition 11), changes in the phasing of the project to move the boundary between the first and second phase of the project, substitution of a more recent Public Access, Trails and Amenity Plan for the 1993 plan referred to in the conditions and changes to the language of the open space and trail dedications to allow for necessary construction of trail and habitat improvements and well as for ground water monitoring, bluff face hydraulics, and installation and maintenance of drainage and utility connections. A detailed description of this request is found on page 4 of the revised findings for **A-5-RPV-93-005A6**).

**SUMMARY OF SEVENTH AMENDMENT REQUEST.** The applicant requested changes in condition eight addressing revegetation plans to require submittal of approved detailed revegetation plans to the Commission according to a schedule approved by Fish and Game and the United States Fish and Wildlife Service and to add the two stage process of recording to condition 19, referring to the golf course. Secondly, the golf course deed restriction, that imposed a number of requirements on the golf course, including that the golf course and the clubhouse be public, and access to public restrooms and some golf course trails, described the golf course as an "easement area" instead of "golf course". The applicant suggests substituting "to restrict land" for "a conveyance of interest in real property" and "the golf course", a wider term, for "easement area."

**SUMMARY OF EIGHTH AMENDMENT REQUEST.** The applicant proposed to change the project description and special conditions of the permit to provide an alternative method to satisfy the requirement that on-site run off be controlled and diverted to the ocean through pipes tunneled through the bluffs (condition 11). Storm water would be routed through the same canyons that now carry it if the construction drawings approved by the City engineer do not require more than 15% more hardscape than the preliminary plans submitted, and if these final plans and the necessary mitigation have been reviewed and approved by the Resources Agencies and the Corps. The applicant

## APPENDIX B

A-5-RPV-93-005-A13  
PREVIOUS PERMIT AMENDMENTS  
PAGE 8 OF 9

also proposes a revision to conditions 4 and 8 to allow the construction of the golf clubhouse during an earlier phase of the project, at the same time as the golf course.

**SUMMARY OF NINTH AMENDMENT REQUEST.** The applicant proposes to amend condition 3 (Trails) in order to relocate one of the project's five bluff top to beach trails from the west end of the project to the center of the project. The proposed amendment would eliminate the bluff-to-beach portion of Trail 3.A.14 (West Bluff Beach Access Trail), and create a new beach access trail, Trail 3.A.18, connecting the bluff top pedestrian trail to the beach near the center of the project. The new trail would arrive at the beach near the beach-level end of a second bluff to beach trail, the San Pedro trail. The proposed amendment would also amend conditions 1 and 3 to allow the accepting agency to install non-locking swing gates at the entrances of the steeper natural trails. The purpose of the gates would be to visually distinguish these trails from the improved trails on the bluff top and give the public warning of the difficulty and natural state of the bluff face trails. Finally, condition 4, relating to completion schedules, would be amended to include the new trail in the second stage of trail improvements. Approved with conditions.

**SUMMARY OF TENTH AMENDMENT REQUEST.**

The applicant proposes to: **(A)** Revise the timing requirements of conditions 1, 2, 3 and 19 in order to allow the applicant to begin construction of the golf course, its clubhouse and maintenance building, roads, parks, overlooks and trails this fall, before recording precise legal descriptions of the trails and open space lots that have already been dedicated by depiction. **(B)** Revise the timing requirements of condition 4(c) (Access, Trail and Park Improvements), so that (1) finish grading of the West End Tract 50666 and also (2) construction, but not occupancy, of no more than five model homes in that tract, may occur before completion and acceptance of the trails in Tract 50666. **(C)** Amend Condition 8, Habitat, to cross reference park installation deadlines with those imposed by the Commission in Condition 4. **(D)** Amend Condition 3 (Trails), in order to allow the West End Pedestrian Trail and the West End Bikeway to enter off Project Street C instead of Palos Verdes Drive South. **(E)** Move the Forrestal Canyon Overlook from the street at Paseo del Mar (originally called "J Road," now known as Ocean Trails Drive) to the head of Forrestal Canyon and Project Street C or D. **(F)** Revise language of Condition 10 to identify the location of the Invasive Plant List and assure that future tract managers and homeowners understand that they are bound by its limitations. The invasive plant list is a feature of the project's revegetation program. Approved with conditions.

## APPENDIX B

A-5-RPV-93-005-A13  
PREVIOUS PERMIT AMENDMENTS  
PAGE 9 OF 9

### **SUMMARY OF ELEVENTH AMENDMENT REQUEST:**

Revise Ocean Trails (Halfway Point) Park boundary. Change Condition 4 to allow golf course to open before full completion of trails adjacent to Palos Verdes Drive south: 3 A(1), A(2), A(3), B(1), B(3) and B(4), and before completion of part of West End Jogging Trail, Trail 3A(5) that is routed on tract streets of Tract 50666. Change location of tract 50667 storm water outfall to La Rotonda Canyon and plant willows to offset vegetation impacts as required by Fish and Game.

### **SUMMARY OF TWELFTH AMENDMENT REQUEST**

Allow the operation of a non-profit golf school on a portion of the golf course (hole 1-7, 9, 13-15) for a period not to exceed six months. The proposed golf school also includes the placement of a 40' by 24' temporary trailer for instruction purposes on the eastern public parking lot, and reservation of 45 public parking spaces on the western parking lot for beach goers. The applicant will designate a temporary fenced trail link to "Sunset Trail " beach access trail. To accomplish the proposed project, the applicant requests that the Commission modify special condition 4 to allow this limited temporary use. Condition 4 as now written would not permit the golf school because it currently requires that most trails and parks must be completed and opened to the public prior to opening the golf course for play.



**APPENDIX C**  
**A5-RPV-93-005 A 13(OCEAN TRAILS)**  
**SUBSTANTIVE FILE DOCUMENTS**

1. A-5-RPV-93-005, as amended through A12
2. Native Plant Society, Sierra Club v. Coastal Commission, Los Angeles Superior Court No. BC 083026
3. Ocean Trails Residential and Golf Community, Coastal Sage Scrub and Sensitive Species Habitat Conservation Plan, Palos Verdes Land Holdings Company, Zuckerman Building Company, July, 1996
4. Ocean Trails Habitat Conservation Plan Implementing agreement, July, 1996
5. Gail C Kobetich, United States Fish and Wildlife Service, letter dated August 26, 1997 Ocean Trails West Bluff Preserve, authorizing Phase I Grading.
6. Dudek, Assoc: "Invasive Ornamental Plants" and "Weedy Plants to be Eradicated" 1997 A-5-RPV-93-005 compliance file
7. Dudek Associates, Biological Analysis of Modified Ocean Trails Drainage Plan, 11 March, 1998
8. City of Rancho Palos Verdes Coastal Specific Plan, certified LCP, 1983
9. Public Amenity and Trail Map, September 26, 1996 , revised, 1/20/97
10. Regional Water Quality Control Board, Los Angeles Region, *Proposed Amendment to Rancho Palos Verdes project (Ocean Trails Development, 97-00156-AOA) Unnamed Drainages to the Pacific Ocean, City of Rancho Palos Verdes, Los Angeles County (File No. 97-012) April 15, 1999.*
11. Cotton Shires and Associates, Geotechnical Review of Storm Drain study plans dated 2/5/98 by Engineering Services Corporation, Ocean Trails Development, Rancho Palos Verdes, Tract 50666 and 50667, February 13, 1998
12. Glenn Lukos Associate, (RWQCB) 401 Water quality amendment to condition certification file number 92-012 for impacts to United States Army Corps of Engineers Jurisdiction at two unnamed drainages located in Los Angeles County California
13. United States Fish and Wildlife Service, letter April 16, 1998, Ocean Trails project, Rancho Palos Verdes, California 1-6-98-HC-197)
14. California Department of Fish and Game, letter of June 1, 1998, amendment to 1603 agent allowing applicant to redirect water to Forrestal Draw and La Rotonda Canyon. Limitation on dissipaters and rip rap.

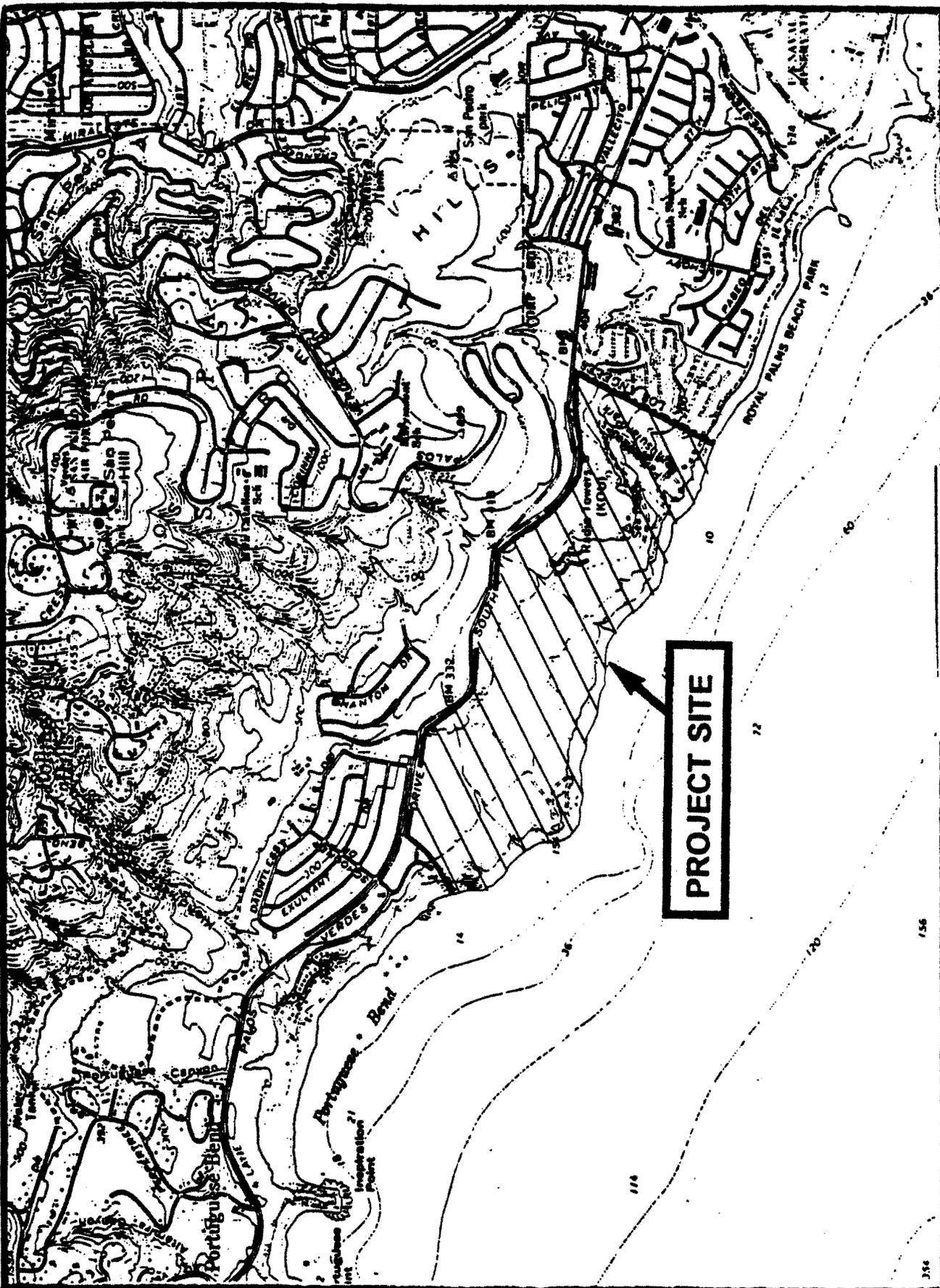
**APPENDIX C**  
**A5-RPV-93-005 A 13(OCEAN TRAILS)**  
**SUBSTANTIVE FILE DOCUMENTS**

**Page 2**

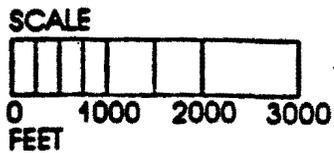
15. County of Los Angeles, Department of Public Works, March 25, 1999, *Standard Stormwater Mitigation Plans (SUSMPs)*, second draft.
16. City of Rancho Palos Verdes, Grading Improvement Agreement of January 8, 1998, and first amendment as of May 1, 1998; attached bonding agreements.
17. Ocean Trails project, progress report on habitat restoration and public access trailways and parks, April 20, 1998
18. Project proposed and final EIR
19. United States Army Corps of Engineers, Rancho Palos Verdes and Rolling Hills California (Los Angeles County ) Reconnaissance study, Final Revised report, May, 1992
20. Converse Associate: Geotechnical Reports and responses to comments, South Shores parcels 1 and 1A, Area 7, various, dated August 2, 1991, November 13, 1991, and June 14, 1989
21. Leighton Associates: Geotechnical reports regarding easterly portion of property "Hon property" and "Hotel Development", Golf Course, Areas 7 and 8 and responses to comments, 1/22/91 and various dates.
22. Cotton, Shires, draft landslide Map, Ocean trails slide July, 9, 1999, revised July 19, 1999
23. Converse associates, reports on repairs, 8/3/99
24. Skelly Engineering, Impact of Recent Palos Verdes Landslide on Coastal Processes and Surfing Resources, July, 1999
25. Converse Associates, 8/19/99 two letters on repair options addressing trails and the slide);
26. Converse Associates, 8/23/99 letter (regarding repair of cracks;
27. Converse Associates, 8/16/99 draft report on proposed repair option for landslide mass south of graben;
28. Converse Associates, 8/25/99 report: Preliminary Repair Design
29. Cotton Shires, 8/25/99 letter) to Dean Allison, Public Works Director, regarding repairs for winterization and necessary studies
30. Cotton Shires, 8/26/99 letter) to Dean Allison, Public Works Director, regarding repairs for winterization and necessary studies
31. Converse Associates, Draft Report Preliminary Repair Design, dated 8/25/99 addressing pilings and other repairs.



A5 RPV 93-005 A13  
Exhibit 1  
LOCATION



\*Adapted from U.S.G.S. Quadrangle San Pedro,



A-5-RPV-93-005 A17  
Exhibit 2 Regional Map  
Showing Site

**RANCHO PALOS VERDES**

Vicinity Map 2

  
SOCIATES  
Exhibit 2



H5RPV 93 005A12

Exhibit 3  
P1

August 25, 1999

Ms. Pam Emerson  
Los Angeles Area Supervisor  
California Coastal Commission  
200 Ocean Gate, 10<sup>th</sup> Floor  
Long Beach, CA 90802-4302

Dear Ms. Emerson,

Please find a proposed project description for material amendment 13 to the Ocean Trails Coastal Permit A-5-RPV-93-005:

- allow the clubhouse to open to the public before slide-damaged access improvements and habitat restoration are replaced (requires amendments to conditions 4 and 8)
- provide alternative temporary access through the project, and temporary mini-parks as substitutes for required improvements that cannot be constructed until slide remediation issues are resolved;
- lay back the two faces of the landslide graben 50-75 feet to prevent further collapse;
- allow golf-support use of the clubhouse basement resulting in 36,000 square feet of useable space;
- approve drilling and grading for geologic exploration;
- extend closure of trails ordered closed by the City of Rancho Palos Verdes;
- Fill fissures within the slide block to prevent percolation of water into the ground;
- install temporary erosion control measures;
- fill cracks at Halfway Point Park or remove blocks determined to be a danger to the public (two options proposed; applicant seeks CCC

direction as to best method to deal with potentially unstable bluff area);

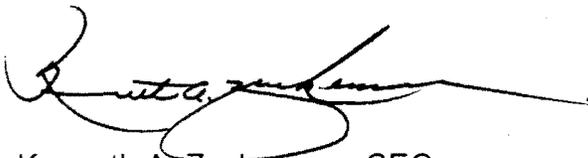
- install underground shear pins in slide block to stabilize the area for landslide remediation, and reconstruction of trails and habitat areas.
- Salvage of topsoil for purposes of future restoration;
- report minor changes authorized by recent City tract amendments.

Enclosed you will find documentation supporting these requests:

- letter from the Project Geologist, Converse Consultants, proposing the measures mentioned above (including a recommendation to fill the cracks at the end of Halfway Point and control drainage on the site);
- letter from the City Geologist, Cotton Shires, concurring with their proposal (except for the Cotton Shires recommendation to remove the rock at the outer edge of the point);
- exhibit showing area proposed for shear pins to stabilize block;
- exhibit showing area in which graben slopes are to be laid back;
- copy of the resolution from the City approving the change in the permitted area of the clubhouse and making other changes to the conditions of approval.
- Map of proposed trails that will be open when the clubhouse opens.

We appreciate your help with these revisions. If you have any questions, feel free to call Barbara Dye at my office (265-5525).

Sincerely,



Kenneth A. Zuckerman, CEO

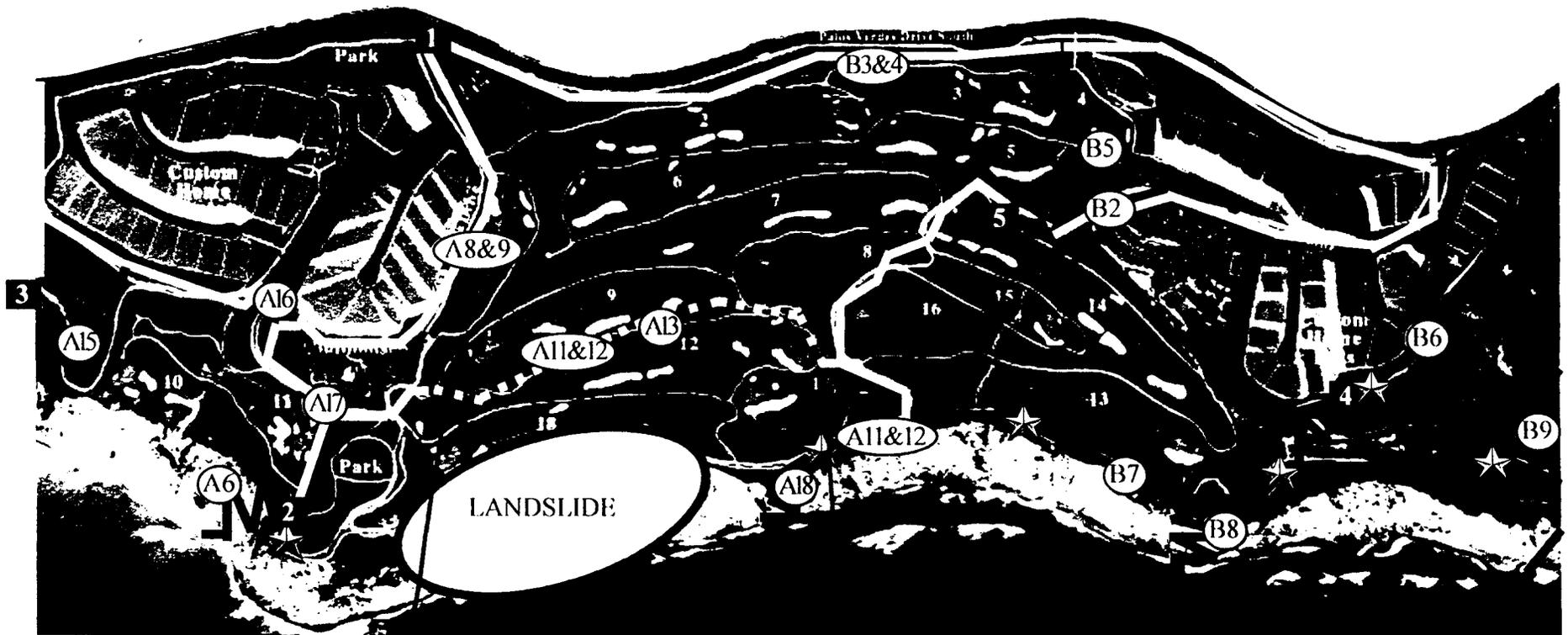
cc Greg Pfost, City of Rancho Palos Verdes  
Mike Sweesy, Dudek & Associates  
Mark Schluter, Converse Consultants  
Mary Beth Woulfe, U.S. Fish & Wildlife Service  
Bill Tippets, Ca. Department of Fish & Game



Golf Club at Palos Verdes

# OCEAN TRAILS

## PUBLIC ACCESS 9/1/99



VIEW OVERLOOKS  
BIKEWAY/TRAILS



PEDESTRIAN TRAILS



1 VISTA CATALINA PARK  
2 OCEAN TRAILS MINIPARK  
3 PORTUGUESE BEND OVERLOOK



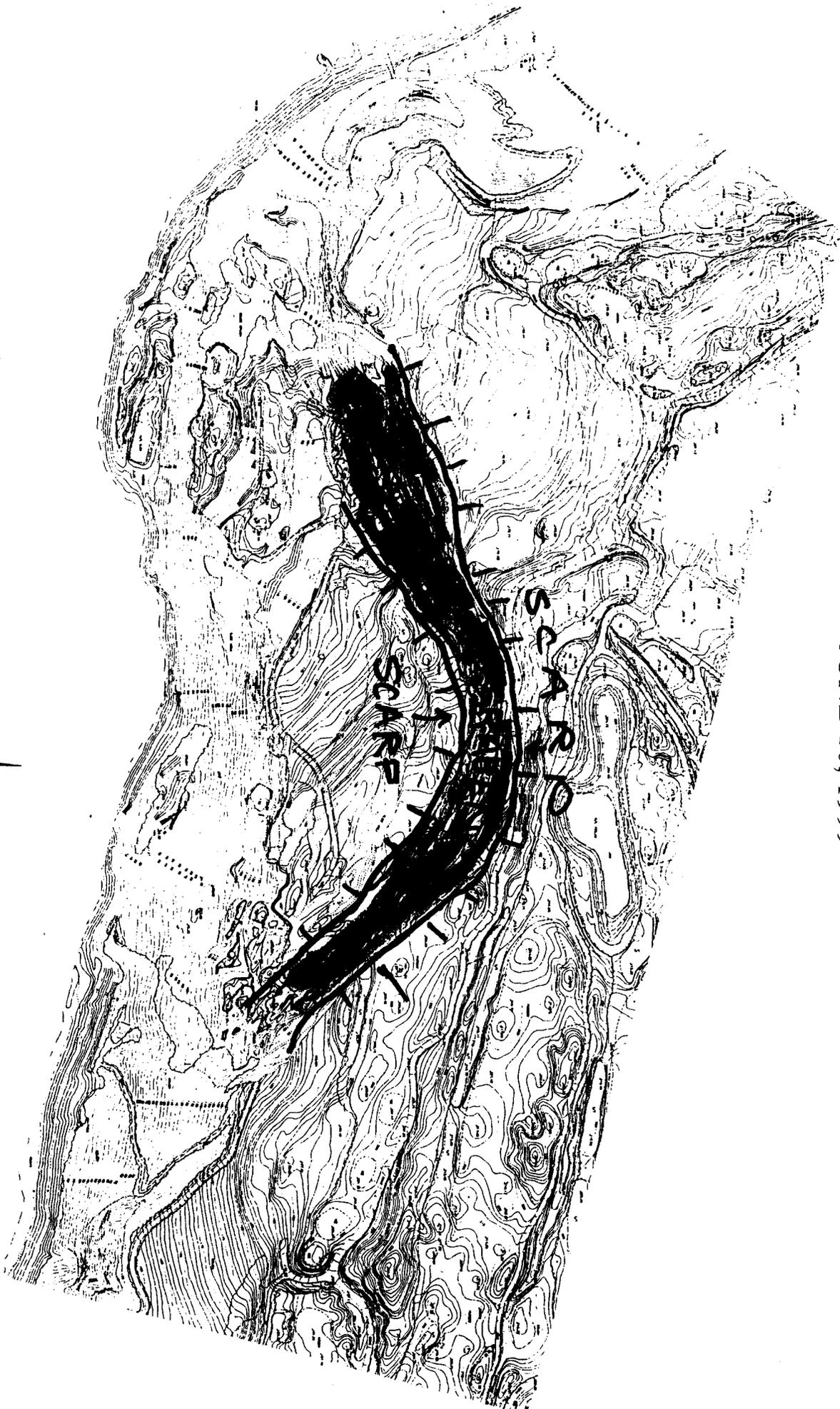
4 BUNKER OVERLOOK  
5 LA ROTONDA PARKING LOT PICNIC AREA



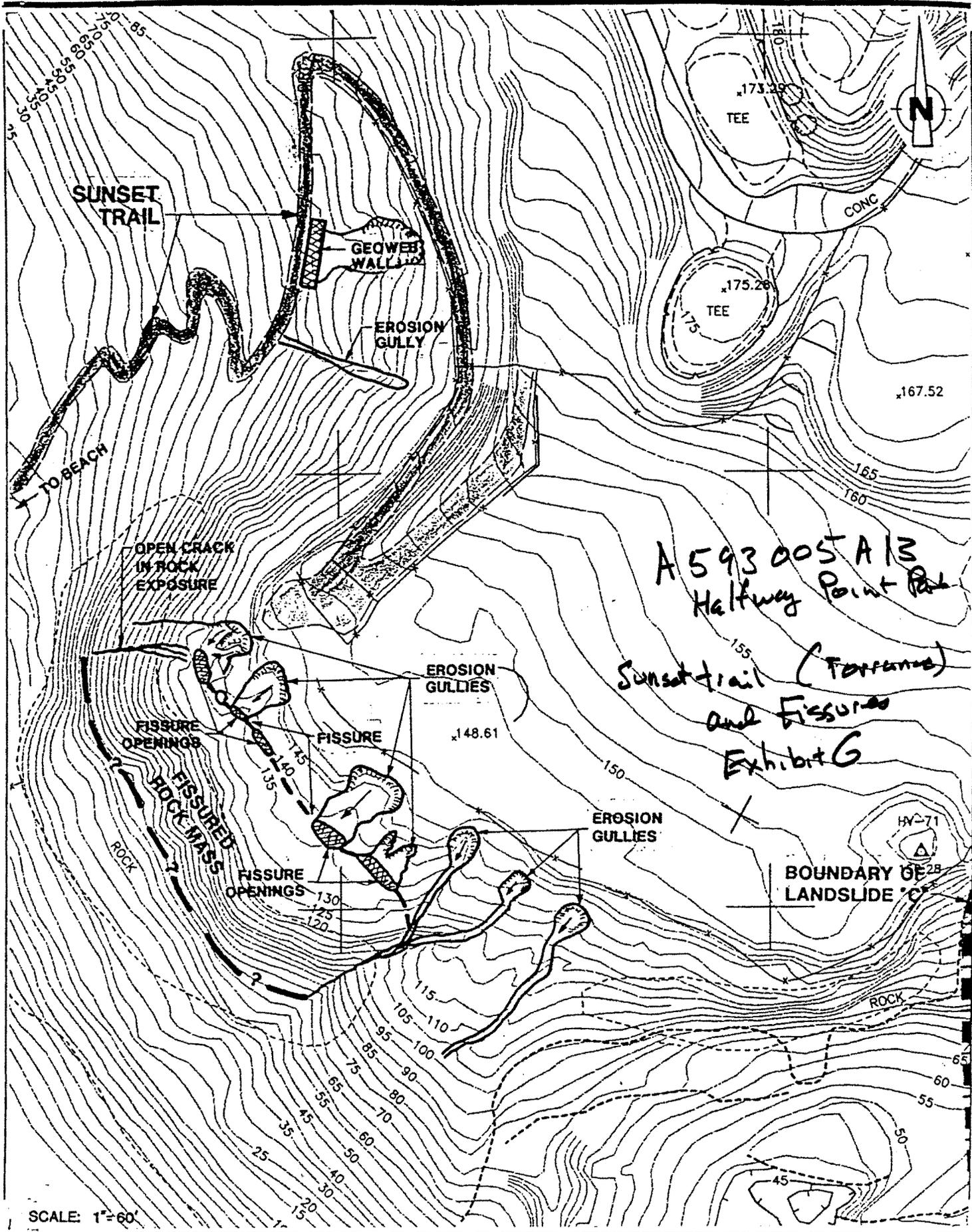
(A) CCC TRAIL BY CONDITION NUMBER

A 5 RPV 93005 A 13 Exhibit 4  
proposed trails CA19 temporary substitutes for  
A 11, 12 + 13

LANDSLIDE  
JUNE 10, 1999



AS RPV 93 DD5A13  
Slide on of Donald  
Exhibit 5



**COASTAL ACCESS TRAILS**



**Converse Consultants**

Project No.  
99-31-210-01

Figure No.  
4

LANDSLIDE "C"

A5 GRU 93005 A13

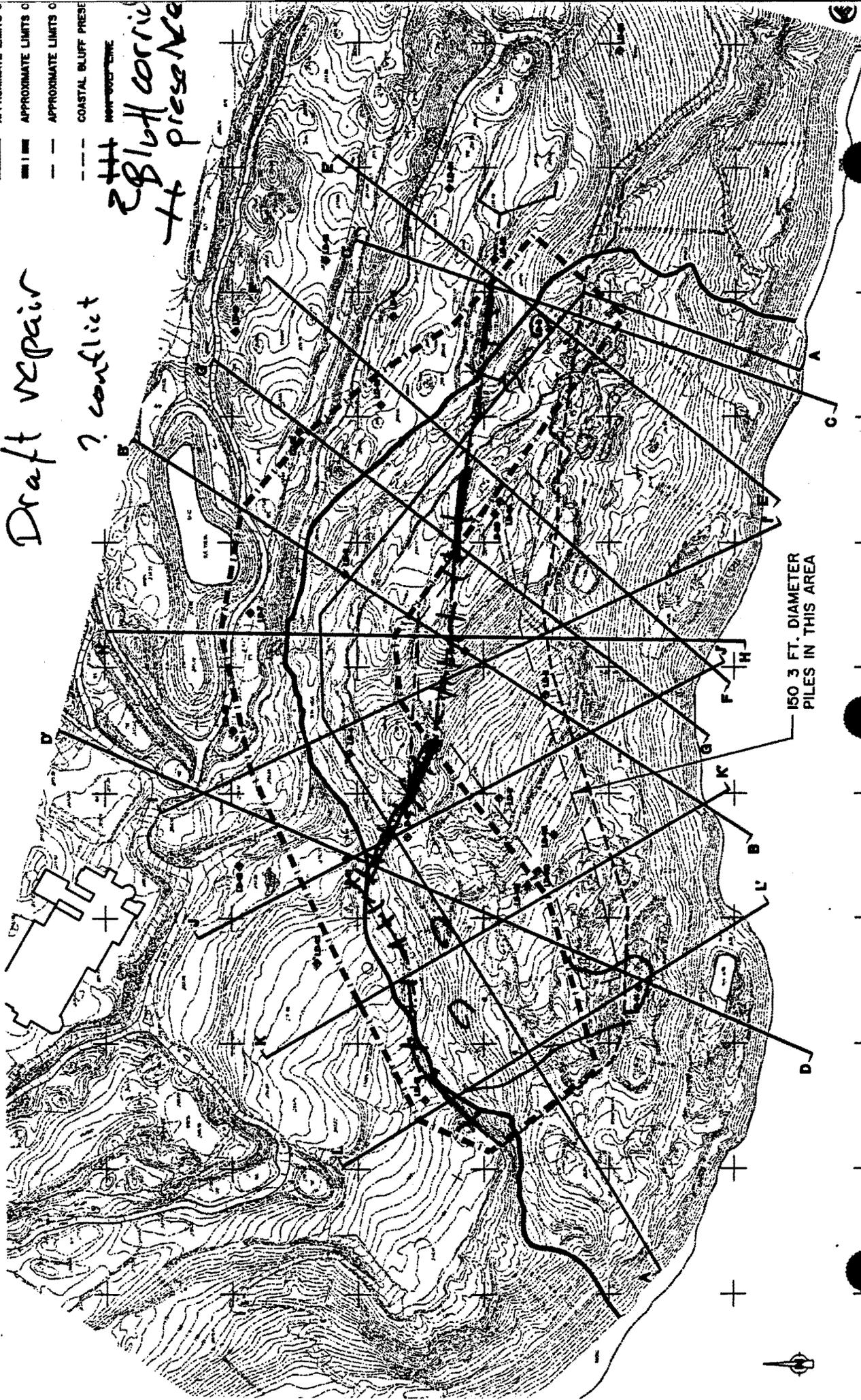
VEGETATION WILL BE REMOVED WITHOUT THE  
ADVICE OF THE PROJECT RESTORATION ECOLOGIST.

EXPLANATION

- APPROXIMATE LOCATION
- APPROXIMATE LIMITS OF
- APPROXIMATE LIMITS OF
- APPROXIMATE LIMITS OF
- COASTAL BLUFF PRESENT

Exhibit 7  
 Draft repair  
 ? conflict

Bluff carried  
 present



150 3 FT. DIAMETER  
PILES IN THIS AREA



REC  
 South C.  
 AUG 2  
 CALIF.  
 COASTAL C.

*Map Showing Location of Cracks/Fissures*

*To Be Filled For Emergency Repair*

*A5 RPV 93 005 A13 Exhibit 8*

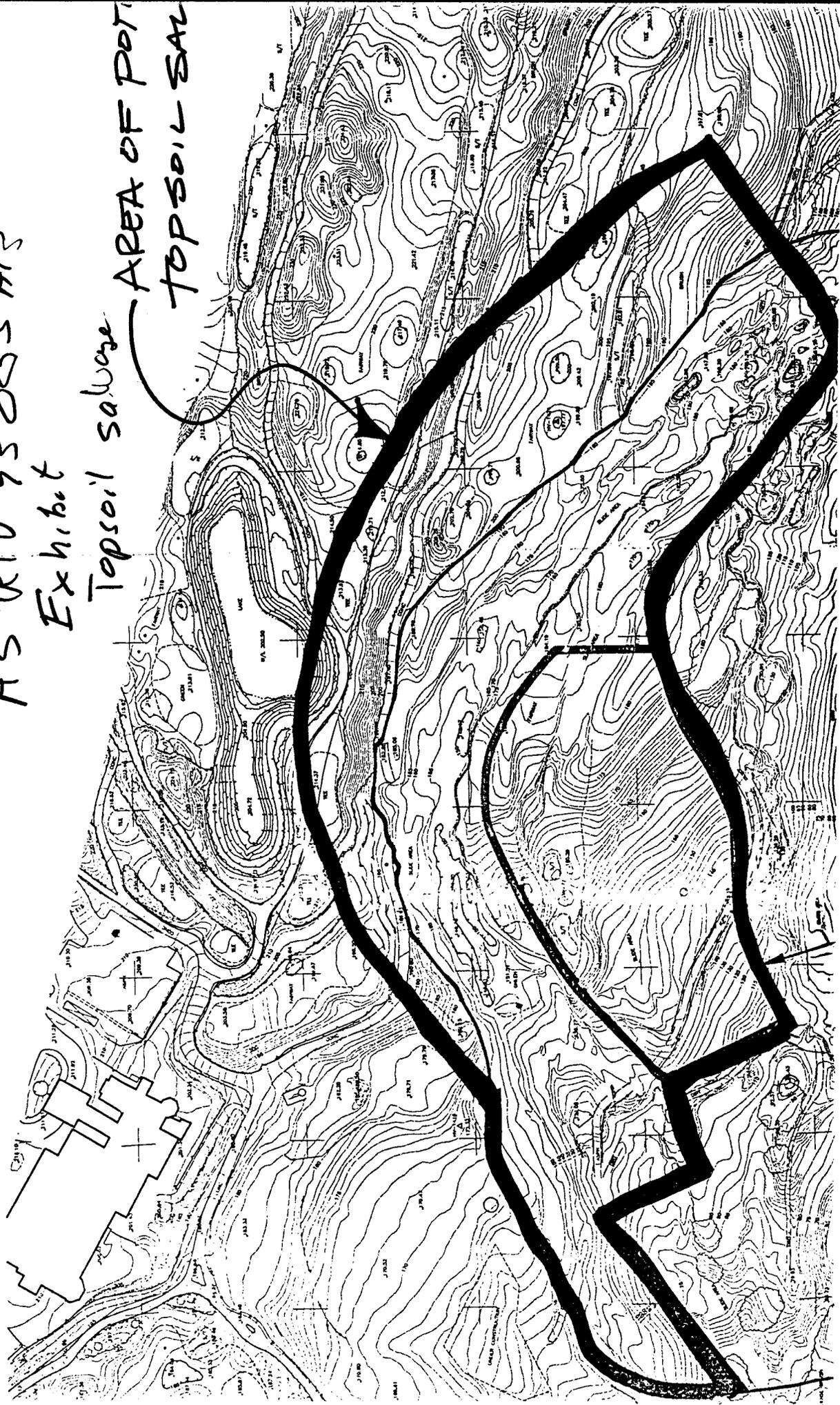
*— Denotes crack/fissure to be filled*

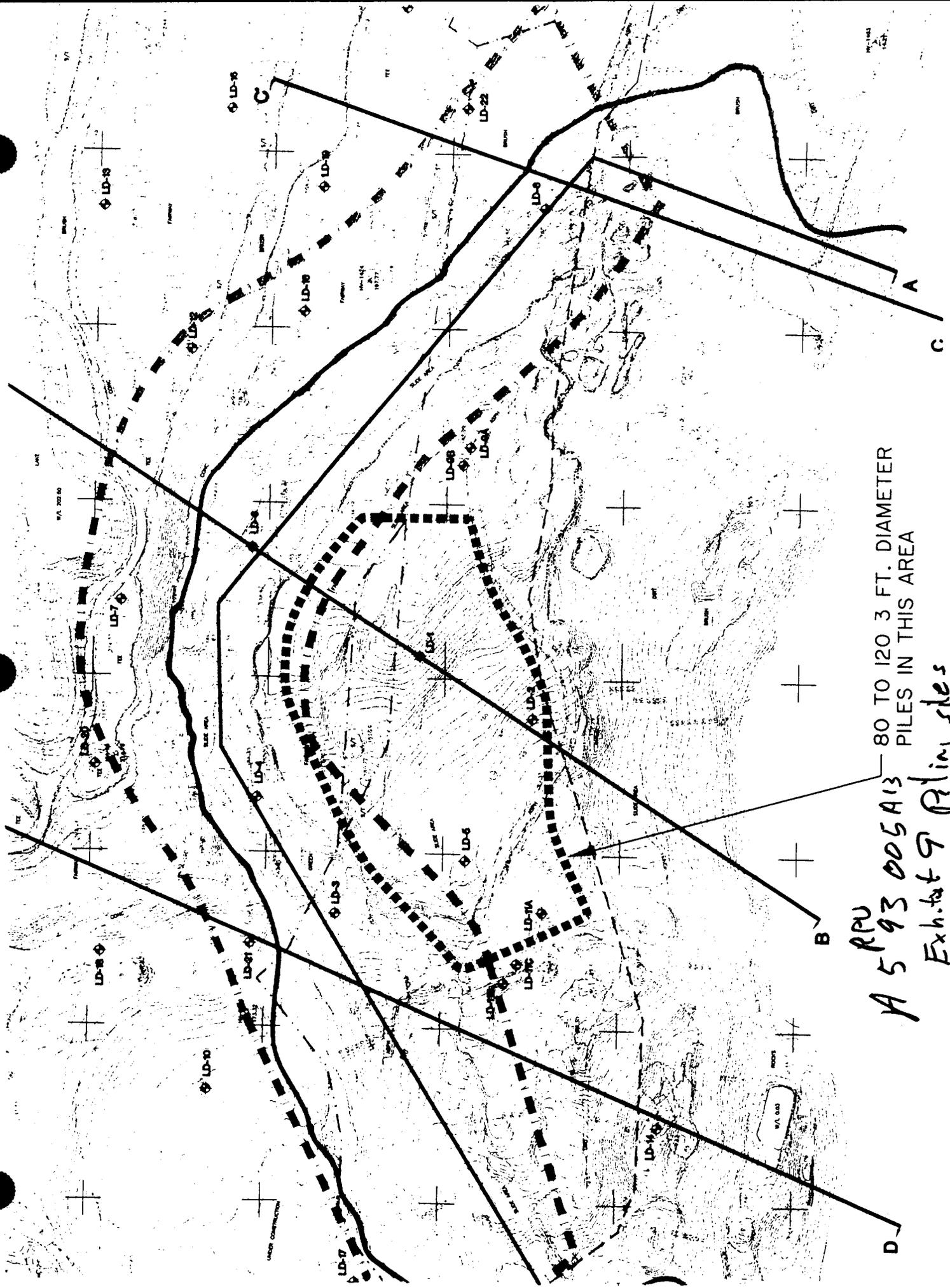
NO VEGETATION WILL BE RE  
APPROVAL OF THE PROJECT

AS RPU 93005A13  
Exhibit

Topsoil salvage

AREA OF POTENTIAL  
TOPSOIL SALVAGE



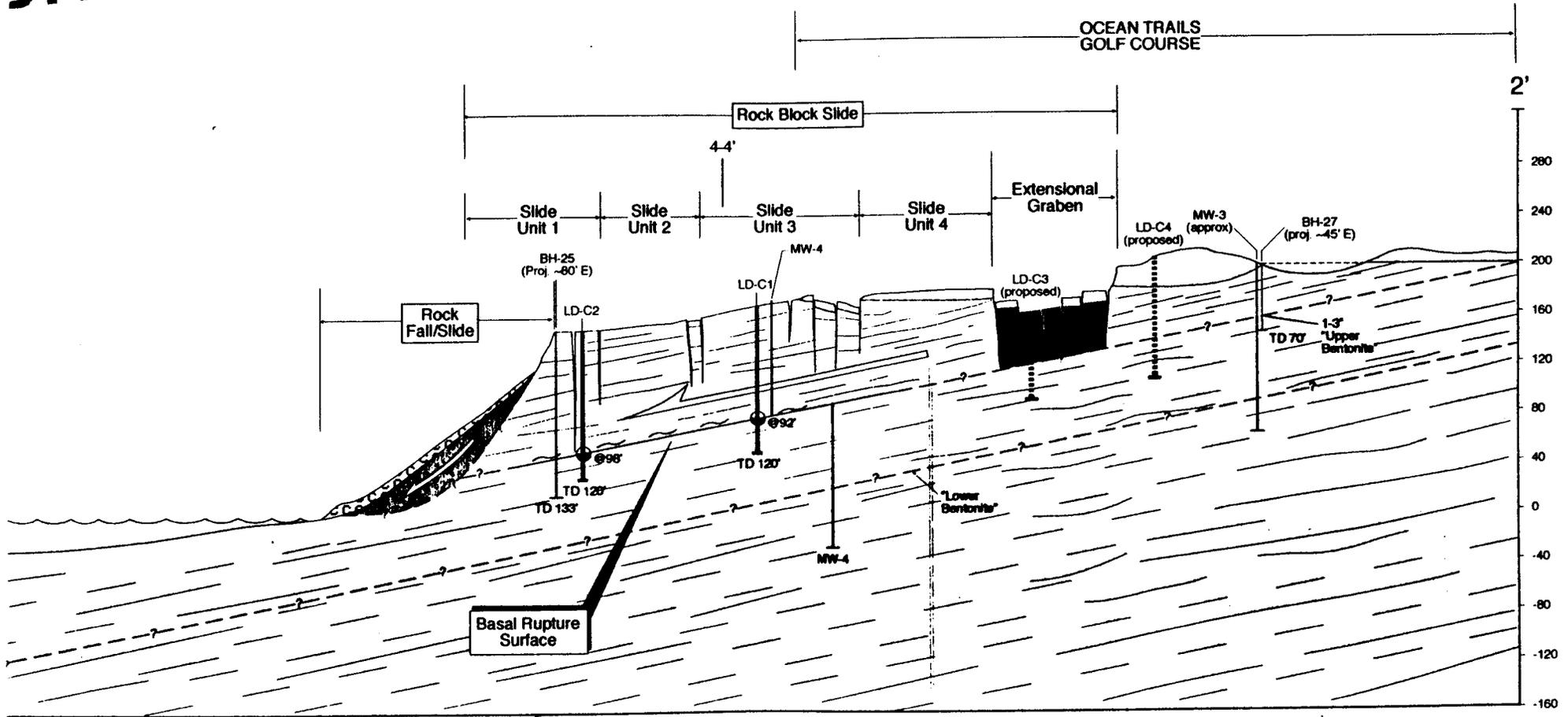


A 593 005 A13 — 80 TO 120 3 FT. DIAMETER  
 PILES IN THIS AREA  
 Exhibit 9 Piling sites

# PRELIMINARY GEOLOGIC CROSS SECTION 2-2' SLIDE C / OCEAN TRAILS

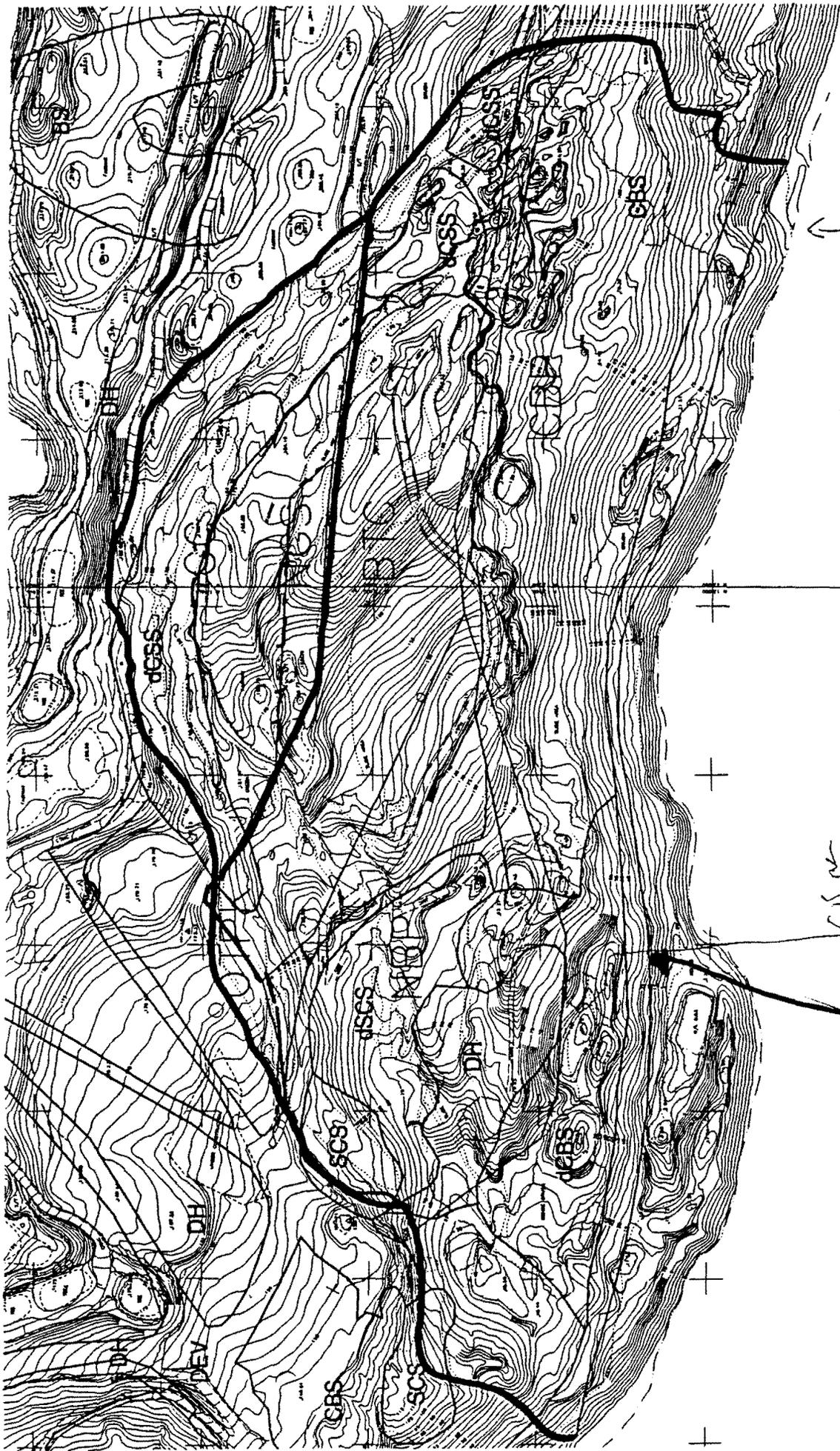
DRAFT

DRAFT



A 5 RPU 93 005 A13  
cross section of slide  
Exhibit 10

7/2/99  
Revised 7/8/99



↑ 1" = 100'

Exhibit 11

CIS per  
Cotton shows per Lamb Base of cliff  
old cliff base

4c

| <u>LEGEND</u> | <u>CONDITION NO</u> | <u>DESCRIPTION</u>                                   |
|---------------|---------------------|--|
| ①             | A-1                 |  |
| ②             | 2                   | Palos Verdes Drive Bicycle Lane (not shown)          |
| ③             | 3                   | Palos Verdes Drive Bicycle Trail                     |
| ④             | 4                   | Palos Verdes Drive Jogging Trail                     |
| ⑤             | 5                   | West End Bicycle Trail                               |
| ⑥             | 6                   | West End Jogging Trail                               |
| ⑦             | 7                   | * Torrance Trail Beach Access (sunset)               |
| ⑧             | 8                   | * San Pedro Trail Beach Access (sunrise)             |
| ⑨             | 9                   | Street A Bicycle Trail                               |
| ⑩             | 10                  | Street A Paved Sidewalk                              |
| ⑪             | 11                  | Forrestal Canyon Overlook Trail                      |
| ⑫             | 12                  | * Bluff-Top Edge Pedestrian Trail Catalina trail     |
| ⑬             | 13                  | * Bluff Top Bicycle and Jogging Trail Catalina trail |
| ⑭             | 14                  | * Sewer Easement Pedestrian Trail Flying golf ball   |
| ⑮             | 15                  | West Bluff Beach Access Trail                        |
| ⑯             | 16                  | West Bluff Nature Trail                              |
| ⑰             | 17                  | Halfway Point Handicapped Loop Trail                 |
| ⑱             | 18                  | Clubhouse Connector Trail                            |
| ⑲             | B-1                 |  |
| ⑳             | 2                   | Palos Verdes Drive Bicycle Lane (not shown)          |
| ㉑             | 3                   | La Rotonda Drive Bicycle Lane (not shown)            |
| ㉒             | 4                   | Palos Verdes Drive Bicycle Trail                     |
| ㉓             | 5                   | Palos Verdes Drive Jogging Trail                     |
| ㉔             | 6                   | Parking Lot Connector Pedestrian Trail               |
| ㉕             | 7                   | La Rotonda Point Pedestrian Trail                    |
| ㉖             | 8                   | Bluff-Top Edge Pedestrian Trail                      |
| ㉗             | 9                   | La Rotonda Point Beach Access Trail                  |
| ㉘             |                     | Bluff-Edge/25 <sup>th</sup> St. Pedestrian Trail     |

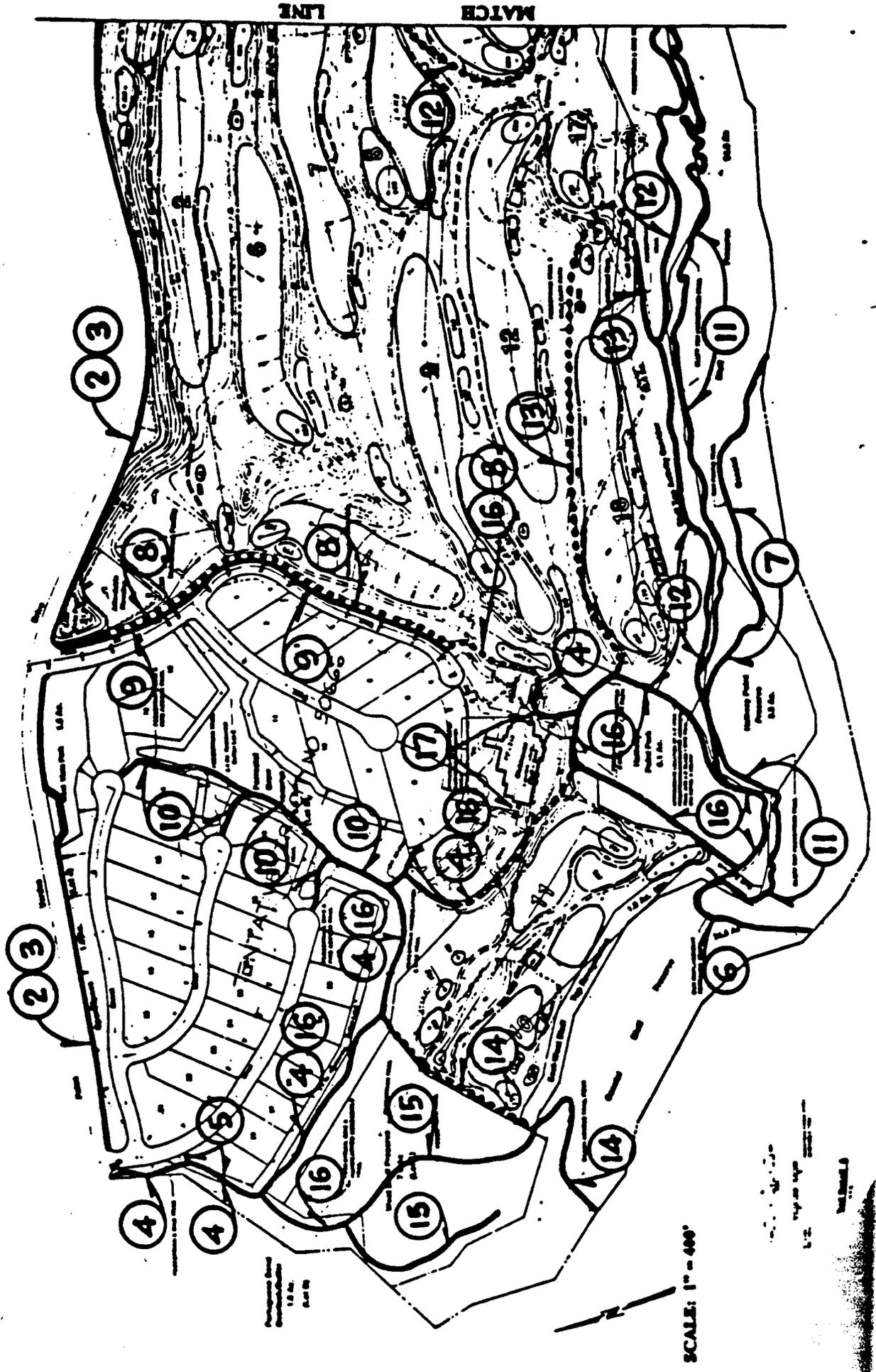
Trails  
Exhibit 12

A 5 RPV 93 005 A 13

**EXHIBIT E**  
**EASEMENT OFFER**  
**PERMIT NO. A-5-RPV-93-005**  
**Dedicated Easement**  
 page 2 of 3

A-5-RPV-93-005 A13  
 Exhibit  $\blacklozenge$  Recorded '17  
 trail depictions and List  
 of recorded trails

Exhibit B





**EXHIBIT E  
FEE OFFER  
PERMIT NO. A-5-RPV-93-005  
Dedicated Property  
page 2 of 5**

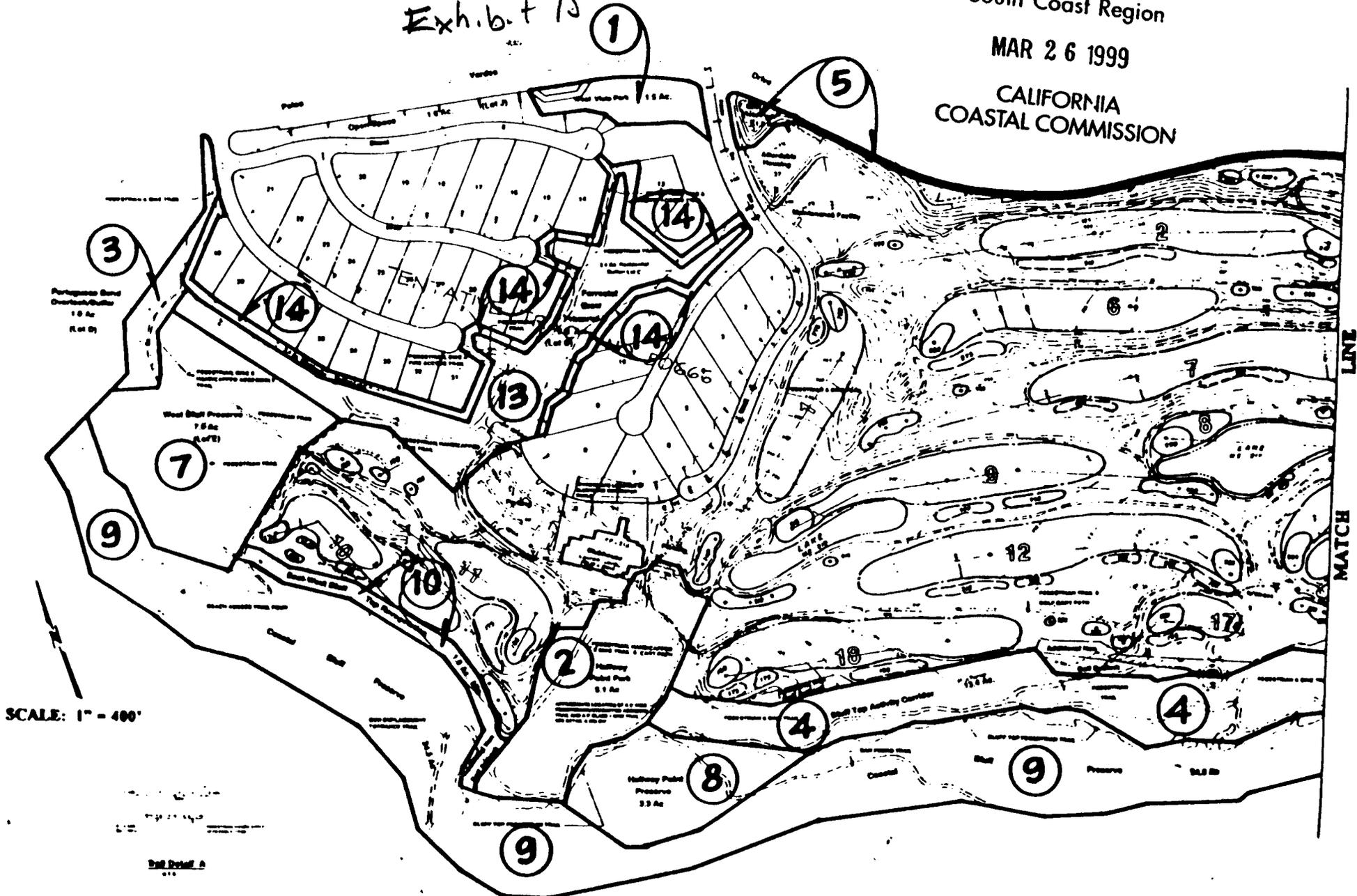
**A-5-RPV-93-005 A** <sup>3</sup>  
Exhibit **Recorded**  
open space depictions  
and List of Recorded  
offers to dedicate open  
space

*Exhibit 15*

**RECEIVED**  
South Coast Region

MAR 26 1999

CALIFORNIA  
COASTAL COMMISSION



SCALE: 1" = 400'

Exhibit 16 p1

**BIOLOGICAL ANALYSIS OF  
LANDSLIDE 'C' AT OCEAN TRAILS**

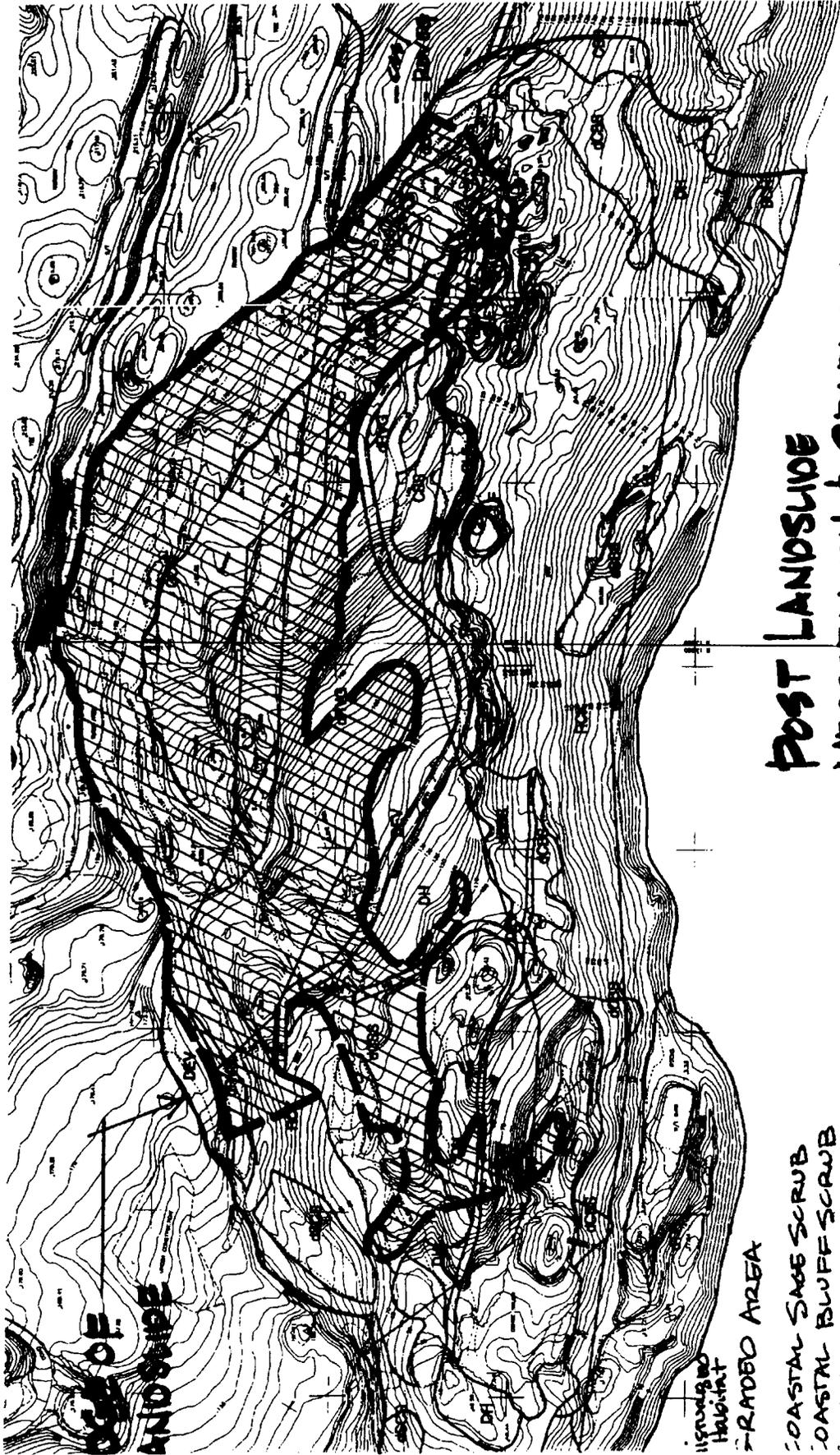
**GEOLOGICAL INVESTIGATION IMPACTS  
TO POST-LANDSLIDE HABITAT**

| AREA DESCRIPTION                         | LANDSLIDE IMPACT <sup>1</sup> AREA | PRE-LANDSLIDE HABITAT <sup>2</sup> | POST-LANDSLIDE HABITAT <sup>3</sup> | GRADED AREA IMPACT <sup>4</sup> |
|--|------------------------------------|------------------------------------|-------------------------------------|---------------------------------|
| Ocean Trails Park                        | 0.14 ac.                           | 0.0 ac.                            | 0.0 ac.                             | 0.0 ac.                         |
| Golf Course                              | 2.72 ac.                           | 0.16 ac.                           | 0.16 ac.                            | 0.16 ac.                        |
| Non-Golf Setback                         | 0.30 ac.                           | 0.30 ac.                           | 0.30 ac.                            | 0.0 ac.                         |
| East-West Bluff Top Complex Revegetation | 3.42 ac.                           | 3.08 ac.                           | 2.3 ac.                             | 1.60 ac.                        |
| Nesting Bird Preserve                    | 3.53 ac.                           | 2.36 ac.                           | 2.09 ac.                            | 0.72 ac.                        |
| Coastal Bluff Preserve                   | 7.09 ac.                           | 6.12 ac.                           | 2.71 ac.                            | .06 ac.                         |
| <b>TOTAL</b>                             | <b>17.2 ac.</b>                    | <b>12.02 ac.</b>                   | <b>7.56 ac.</b>                     | <b>2.54 ac.</b>                 |

<sup>1</sup> Acreage of each preserve area within the landslide boundary  
<sup>2</sup> Total habitat acreage by preserve area before landslide  
<sup>3</sup> Total habitat acreage by preserve area after landslide  
<sup>4</sup> Total habitat acreage by preserve area impacted by geologic investigations

AS RPV 93 005 A B

Exhibit 17

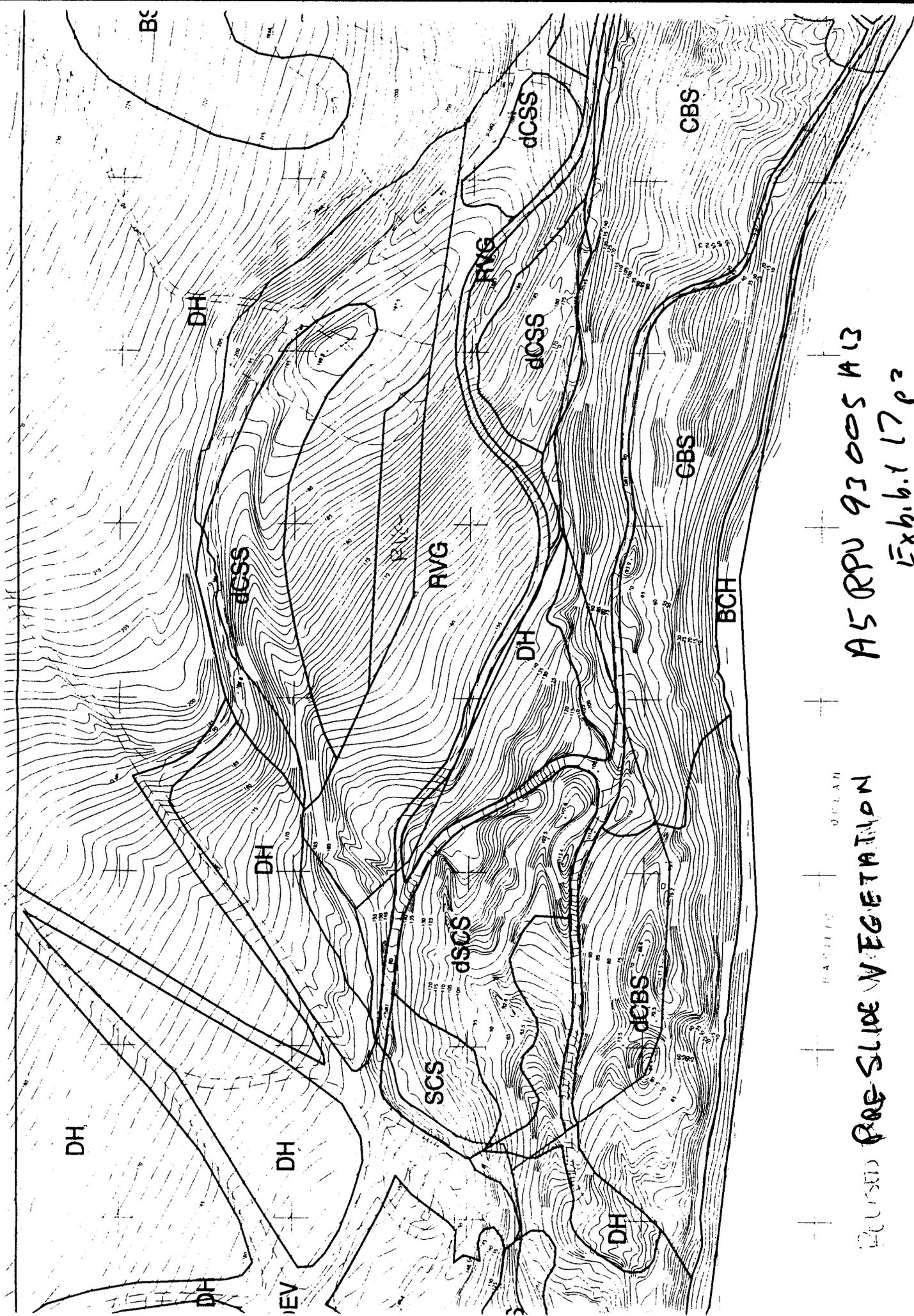


POST LANDSLIDE  
VEGETATION & GRADED AREA

SCOPE  
OF  
LANDSLIDE

11500  
11000  
10500  
10000  
9500  
9000  
8500  
8000  
7500  
7000  
6500  
6000  
5500  
5000  
4500  
4000  
3500  
3000  
2500  
2000  
1500  
1000  
500  
0

GRADED AREA  
COASTAL SAGE SCRUB  
COASTAL BLUFF SCRUB  
SOUTHERN CACTUS SCRUB  
SUBVEGETATION AREA



AS RPU 93005 A13  
 Exhibit 17p2

ENCLOSED PRE-SLIDE VEGETATION  
 PACIFIC OCEAN





Engineering, Planning,  
Environmental Sciences and  
Management Services

Corporate Office:  
605 Third Street  
Encinitas, California 92024

760.942.5147  
Fax 760.632.3164

AS RPV 93005  
A13

MEMORANDUM

Exh. b. t 18

TO: Barbara Dye, Ocean Trails Environmental/Entitlements Manager  
FROM: Michael Sweesy, Restoration Ecologist *MS*  
DATE: 25 August 1999  
RE: Topsoil Salvage in Landslide Zone

This memorandum provides a rationale for the necessity of topsoil salvage within landslide C at Ocean Trails.

Typical earthwork construction and slope engineering will compact the surface of slopes to a minimum of 90% standard proctor which means 90% of the maximum compaction that can be attained through testing in laboratory conditions for the particular soil being used. Surficial slope compaction is often achieved by over filling the slope and then trimming back the slope surface to the final designed gradient thereby leaving fully compacted material at the slope surface. In addition, soils are not commonly segregated by topsoil and subsoil layers. The effect of these construction methods creates a slope surface condition that is difficult if not impossible to establish any plant material on, much less native coastal bluff scrub and coastal sage scrub.

All of the native vegetation on the bluff top areas in Ocean Trails roots into the top 3 feet of soil. This topsoil layer is significantly different in color and texture from the underlying geologic formations, some of which are more bedrock than "soil". At Ocean Trails topsoil typically has a higher clay content and is free of rocks. There is organic matter in true topsoil, but the native clay soil even found at depth would be suitable for revegetation of native habitat. In order to establish native habitat on the reconstructed slopes of the landslide we need to recreate the "topsoil" layer that is found in other natural areas where native habitats occur. There is some question as to whether irrigation would be allowed to establish native vegetation. The need for proper native soil will be much greater without the benefit of irrigation.

We recommend that native topsoil and other native soils with a similar soil texture be salvaged from the landslide immediately prior to landslide reconstruction. The areas shown on the attached plan are all contained within the limits of the proposed landslide reconstruction and **shall not impact any additional habitat areas** outside of approved landslide reconstruction work limits. Similar appropriate native soil is available within the Phase II grading area.

Based on the 30% reconstruction plan as provided by Conversec, approximately 7 acres of the total 12-acre reconstruction envelope will require revegetation. The golf course area is approximately 5 acres. Soil within the golf course was processed as part of the original construction including a compacted clay cap. Therefore, this soil is not suitable for salvage and placement in future revegetation areas. The volume of soil required to create a 2-3-foot cap over the 7-acre revegetation area is 21,586 cu. yds. - 32,380 cu. yds.

Approximately 4 acres of the existing landslide area have suitable topsoil present within the 30%-level reconstruction envelope. The topsoil layer varies 1-3 feet thick throughout this area. Soils in much of the area have been severely altered, a condition that will hamper topsoil salvage without diluting topsoil with subsurface rock debris that are now on the surface. Approximately 10,600 cu. yds. could be salvaged from the landslide area based on an assumed average topsoil thickness of 1 ½ feet. This analysis would indicate a deficit of 11,000 cu. yds.-21,780 cu. yds. of native soil that will be needed to cap the reconstructed area sufficiently for successful habitat creation. Additional suitable native soil is present on the phase II grading area. Acceptable native soil should be stockpiled for use in the landslide reconstruction project.

Fish + Game on  
slideExhibit 19  
A5 RPU 93 006 A13

U.S. Fish and Wildlife Service  
 Carlsbad Fish and Wildlife Office  
 2730 Loker Avenue, West  
 Carlsbad, California 92008  
 (760) 431-9440  
 FAX (760) 431-5902 + 9618



CA Dept. of Fish & Game  
 4949 Viewridge Avenue  
 San Diego, California 92123-1662  
 (619) 467-4201  
 FAX (619) 467-4235

Stamp: [Illegible]

AUG 17 1999

AUG 09 1999

Stamp: CALIFORNIA  
COASTAL COMMISSION

Kenneth Zuckerman  
 Project Manager  
 Ocean Trails Project  
 One Ocean Trails Drive  
 Rancho Palos Verdes, California 90275

Subject: Landslide on the Ocean Trails Project Site, Rancho Palos Verdes, Los Angeles County, California

Attn: Barbara Dye

Dear Mr. Zuckerman:

This letter addresses our concerns regarding the landslide that occurred on June 2, 1999, on the Ocean Trails project site. As discussed at the meeting on June 10, 1999, among the California Department of Fish and Game (Department), U.S. Fish and Wildlife Service (Service), and Ocean Trails staff and their consultants, and through several conversations with Ocean Trails staff over the past 2 months, we request that Ocean Trails provide us with information regarding the landslide. We received a summary via facsimile on August 4, 1999, of the landslide and emergency geologic investigation impacts, and request that you provide us with additional information that you have obtained regarding the reason for the slide, impacts of the slide, and any proposals that are being considered to remediate the slide. In particular, please provide us with the following; 1) amount of land that was affected by the slide, 2) maps of the slide, 3) amount of reserve that was lost during the landslide (i.e., nesting bird preserve, non-golf set back areas, bluff-top corridor, Halfway Point Park, and coastal bluff face), 4) overlays of the landslide over maps of the reserve areas, 5) amount of mitigation or revegetated land that was lost, including coastal bluff scrub and sage scrub, and 6) habitat assessment of the habitat that still remains within the landslide boundary.

Our primary concerns relate to the effect of the landslide to the federally threatened coastal California gnatcatcher (*Polioptila californica californica*, "gnatcatcher") and any other species covered in the Ocean Trails Habitat Conservation Plan (HCP) that have been affected by the loss of habitat and that may be affected by landslide remediation. The gnatcatcher was addressed in the HCP and any future activities proposed within the project area need to be consistent with the HCP and incidental take permit. All impacts to the reserve areas caused by the landslide, including coastal bluff scrub, revegetated lands, and reserve lands outlined in the HCP will need to be

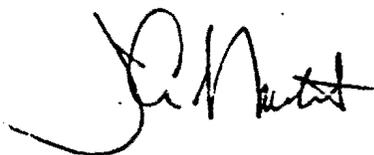
remediated. In addition, the temporal loss of habitat will need to be addressed and mitigated appropriately. Any additional habitat that is proposed to be altered will need the approval of the Department and Service, the Wildlife Agencies.

We understand that you are seeking a material amendment to your coastal permit, as described in your letter to Pam Emerson of the California Coastal Commission, dated July 20, 1999. However, according to the facsimile of August 4, 1999, at least, 2 acres of habitat already have been cleared for emergency geologic investigations. We are concerned that this activity preceded the approval of the amendment, and about your request for authorization to perform additional geologic investigations in the landslide area. According to the letter, a biological monitor will be on-site for any grading activities and that no work will take place in habitat that is being used by the gnatcatcher. This statement implies that grading could occur in habitat that was not authorized under the section 10 incidental take permit. Furthermore, any grading activities should take place outside of the breeding season or, at least, 500 feet away from gnatcatcher nests, as stated in the HCP. We request that you provide us with these geological investigations plans, identifying all potential clearing areas, prior to proceeding with any additional impacts to habitat.

As stated in the meeting on June 10, 1999, we request the opportunity to provide input regarding landslide remediation. Any remediation activities, including landslide investigation, proposed in gnatcatcher habitat should be done in coordination with the Wildlife Agencies.

We look forward to receiving additional information on the landslide. We are available to meet and work with Ocean Trails to ensure that any proposed activities are within the scope of the HCP, and avoid and minimize impacts to listed and sensitive species. Activities proposed on the project site that are not consistent with the HCP will need to be addressed through the amendment process. Please contact William E. Tippetts at (619) 467-4212, of the Department or Mary Beth Woulfe at (760) 431-9440, of the Service, if you have any questions or comments concerning this letter.

Sincerely,



Jim A. Bartel  
Assistant Field Supervisor



William E. Tippetts  
Habitat Conservation Supervisor

1-6-99-HC-318

cc: California Coastal Commission  
Pam Emerson

City of Rancho Palos Verdes  
Joel Rojas

State Clearinghouse

A 5 RPU 93005  
A13

Exhibit 19  
p 2

Fish Game  
Receptor



A 5 RPU-93.005

A-13

Exhibit 20

Assessment of  
slide impacts

August 11, 1999

Mr. Jim A. Bartel  
Assistant Field Supervisor  
U. S. Fish and Wildlife Service  
Carlsbad Field Office  
2730 Loker Avenue West  
Carlsbad, CA 92008

Dear Mr. Bartel,

This letter is in response to your letter of August 9, 1999 regarding the landslide on the Ocean Trails Project site. As we discussed at the meeting on June 10, 1999, we recognize that the resource agencies are an essential part of the effort to resolve issues regarding the slide, its impacts, and any repair proposal.

You have requested that we provide you "with information that [we] have obtained regarding the reason for the slide, impacts of the slide, and any proposals that have been developed to remediate the slide". At this point in the research we are close to having the information you requested. A report on the cause of the slide is expected from the forensic geologists within 2-3 weeks. Enclosed you will find two reports on topics not directly related to habitat issues but possibly of interest to you that we commissioned immediately after the slide: one on the impacts to "Coastal Processes and Surfing Resources", and one on the impacts to the "Marine Intertidal Zone Community".

As mentioned in the Interim Report of 8/4/99, a report on the biological impacts is being prepared now by the Project's Restoration Ecologist. A draft should be available by August 20, 1999. A preliminary draft proposal to remediate the slide was first proposed to the regularly-scheduled Tuesday geology team meeting (which you would be very welcome to attend) by the Project geologists, Converse consultants, on 8/3/99. By 8/17/99 we expect to have most of the geologic issues resolved and to have a draft proposal ready for agency review. We would very much appreciate the opportunity to present the proposal to you on that date, when you will be in the area anyway for the NCCP meeting, or on another date more convenient to you. We do feel that it is preferable to have the presentation at the Ocean Trails site, since many additional reference materials are available if needed here at the office, but if that is not feasible we will bring the entire team to you in Carlsbad.

You also requested a number of specific items, which we will provide, as detailed below:

1. *amount of land that was affected by the slide* - As detailed in the memo sent to you on 8/4/99, the slide affected an area of approximately 11.4 acres. An

Exhibit 20 p.2  
 A S RPU 93005  
 A 13

additional area of less than an acre of golf course land was also somewhat impacted by the relocation of the sewer line;

2. *maps of the slide* – We are enclosing topographic maps of the slide with this letter;
3. *amount of reserve that was lost in the slide* – Providing this information to you was the purpose of the 8/4/99 Interim Report. The information in that report is summarized below:

| Area   | Acres impacted      | Habitat Acres |
|--|---------------------|---------------|
| Golf course                                    | 2.06                | 0.12          |
| Non-golf setback                               | 0.28                | 0.28          |
| Bluff corridor                                 | 3.80                | 3.60          |
| Nesting bird preserve                          | 3.30                | 3.30          |
| Bluff face*                                    | <del>± 7</del> 3.04 | 3.04          |
| TOTAL  | 12.28               | 10.34         |
| *total acreage impacted minus calculated areas |                     |               |

Grading  
 a b  
 1.5  
 .5

4. *overlays of the landslide over maps of the reserve areas* – The golf course architect has provided this map, which is enclosed with this letter. The red lines are the pre-landslide contours. The golf course is shown pre-landslide.
5. *amount of mitigation or revegetated land that was lost, including coastal bluff scrub and sage scrub* – See 3. above and 8/4/99 Interim report.
6. *habitat assessment of the habitat that still remains within the landslide boundary* – As stated in the Interim Report, a full analysis of the landslide impacts is being prepared by Mike Swaesy, the Project Restoration Ecologist. He will be using aerial photos to evaluate the existing habitat since access to many parts of the slide area remains too dangerous for field evaluation.

All geologic investigation activity took place under the authority of Emergency Coastal Permit 5-99-230G, issued on June 18, 1999 (copy enclosed). The work was done to investigate the extent of immediate hazards to public safety and possible remedial action. Now the Project is applying for a material amendment to authorize additional geologic testing work, to permit the opening of the golf clubhouse, and to make a few other minor adjustments to the conditions, none of them habitat-related.

Very little habitat was impacted by the geologic testing. Although 2 acres were cleared to allow access to the testing equipment, much of that habitat was already damaged by the slide. A very small area (.01 acre) of habitat being used by gnatcatchers was cleared in direct contradiction to clear and specific direction from the Project. Any further authorized grading in the landslide area would not impact gnatcatcher nests, since we are at the end of the gnatcatcher breeding season. Enclosed you will find a copy of the

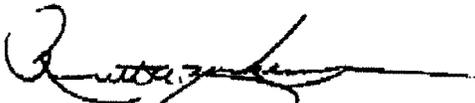
most recent monitoring report, which shows that we have had another successful year, with ten pair of gnatcatchers on site and at least four successful nests.

At a scheduled site visit on 5/18/99 requested by Ocean Trails, the California Department of Fish and Game (the USFWS was unable to attend at the last minute and we were told that they would accept the recommendation of CDFG) inspected the revegetation areas, and indicated that Ocean Trails was in conformance with the requirements of the approved *Revegetation Requirements and Timing for Ocean Trails* matrix (copy enclosed). Final determination was held until Ocean Trails could supply the analysis of the amount of coastal sage scrub habitat installed within the golf course. Although that process was delayed, we now have a draft of the golf course map (enclosed) showing that the Project has exceeded the requirement for CSS within the golf course by 10%.

We realize that the landslide affected 3.88 acres of bluff corridor and nongolf setback that had been successfully revegetated, and there is no question that the Project has made and will make replacing that habitat a priority in any proposals for remediation. It should be noted that as of now the Project has exceeded the requirements of the HCP in a number of areas, including the addition of approximately 4 acres of CSS in Upper La Rotonda Canyon not required under the HCP. While we do not maintain that this is equivalent to the habitat lost in the landslide, it shows that the Project has provided the required amount of on-site CSS acreage and has shown consistent commitment to the goals of the HCP.

The Ocean Trails Project is very aware of its responsibilities under the Project's Habitat Conservation Plan. We are prepared to begin discussions with you at a time of your choosing to discuss our obligations with regard to the landslide and the HCP.

Sincerely,



Kenneth A. Zuckerman, CEO  
Ocean Trails, L.P.

Cc Pam Emerson, California Coastal Commission  
Greg Pfost, City of Rancho Palos Verdes  
Mike Sweesy, Dudek & Associates  
Ken Wolfson, Latham & Watkins

A 5 RPV 93605  
Exhibit 20  
P 3



Engineering, Planning,  
Environmental Sciences and  
Management Services

Corporate Office:  
808 Third Street  
Encinitas, California 92024

760.942.5147  
Fax 760.632.0184

MEMORANDUM

TO: Barbara Dye, Environmental/Entitlements Manager  
FROM: Michael Sweesy, Restoration Ecologist *MS*  
DATE: 25 August 1999  
RE: Shoreline Park Irrigation System

This memorandum responds to the City of Rancho Palos Verdes' instruction to remove the irrigation system in Shoreline Park. The spray irrigation portion of the system that was installed on the slope below Rancho Palos Verdes Drive South may be abandoned in-place. Portions of the irrigation system in this area may be removed and reused at the Switchback revegetation area this fall. The mainline pipe feeding this portion of the system should be cut and capped.

The mainline and quick coupler system in other revegetation areas of Shoreline Park should remain in-place for future as-needed restoration use. The system might be needed to establish coastal sage scrub in the central portion of Shoreline Park that was seed imprinted. This area did not germinate in winter/spring 1999 and may need to be irrigated in winter 1999-2000 if rainfall is not sufficient during that time frame.

*AS<sup>PAV</sup> 93 005A 13  
Exhibit 21  
P1*

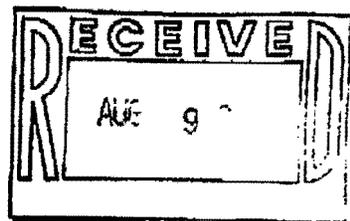
Attn.:  
Mary Beth Woulfe  
Bill Tippets  
Pam Emerson



RANCHO PALOS VERDES

AS RPU 93.005 AB  
Exhibit 22

August 16, 1999



Ken Zuckerman  
Ocean Trails Company  
One Ocean Trails Drive  
Rancho Palos Verdes, CA 90275

Dear Mr. Zuckerman:

The City is underway with its geologic investigation into Palos Verdes Drive South at the easterly city limits. The City's Geologist has provided his preliminary findings and recommendations, one of which is that the irrigation system installed by Ocean Trails, on City property should be removed.

Please make the necessary arrangements for the removal of this irrigation system by September 1, 1999.

If you have any questions please call me at 310-541-6500.

Sincerely,

Dean E. Allison  
Director of Public Works

August 26, 1999



RANCHO PALOS VERDES

**Pam Emerson**  
**California Coastal Commission**  
**200 Oceangate, Suite 1000**  
**Long Beach, CA 90802**

Ms Emerson;

The City of Rancho Palos Verdes has given its preliminary approval for a winterization program proposed by Ocean Trails Company for Landslide C.

Those elements of the plan for which the City gives its preliminary approval are as follows:

- Drilling and grading for geologic exploration
- Laying back of the landslide graben 50 – 75 feet
- Filling in of fissures within the landslide
- Extending the closure of the trails
- Installing a temporary drainage system to divert flows around the landslide
- Installing temporary erosion control measures
- Salvaging topsoil for purposes of future remediation
- Grading within the graben area to achieve positive drainage
- Eliminate hazardous blockfalls, and debris slides

The City of Rancho Palos Verdes will be reviewing detailed plans for these activities before final implementation of the plan.

If you have any questions please call me at 310-541-6500.

Sincerely:

Dean E. Allison  
 Director of Public Works

Cc: Ken Zuckerman

A S RPV 95005A13  
 Exhibit 22 p2  
 Initial City approval  
 ecology



# Converse Consultants

Over 50 Years of Dedication in Geotechnical Engineering and Environmental Sciences

## MEMORANDUM

AS RPU 93005A

Exhibit 23

Graben  
applicant's  
consultation

Date: August 25, 1999

To: Mr. Ken Zukerman, C.E.O.  
Ocean Trails L.P.  
One Ocean Trails Drive  
Rancho Palos Verdes, CA 90275

From: D. Scott Magorien, Chief Engineering Geologist

Subject: Recommendations to Lay-Back Side Walls of  
Graben, Landslide "C" at Ocean Trails  
(Converse Project No. 99-31210-01)

This memo is being written to recommend laying-back the near-vertical side walls along both sides of the graben of Landslide "C". The purpose of performing this work is to reduce the current instability as it relates to safety of the personnel working in the area. We recommend that oversteepened slopes laid back to an inclination of 1:1 (horizontal to vertical) as soon as possible. The lateral limits of the work should be limited to the area currently being considered for the proposed buttress, as shown on the most recent maps prepared by Converse. The estimated earthwork quantities involved in laying these slopes back is approximately 5000 cubic yards of bedrock materials. The excavated bedrock materials from the north side of the graben should be temporarily stockpiled either within the Halfway Point Park area or northerly of the clubhouse. The bedrock excavated from the south wall of the graben can be temporarily placed within the graben as uncompacted fill.

If you have any questions or require additional information, please call.



185 East Paularino Avenue, Suite B, Costa Mesa, California 92626  
Telephone: (714) 444-9680 • Facsimile: (714) 444-9640 • e-mail: oocornv@aol.com  
Accounting Facsimile: (714) 444-9681

P. 22  
TOTAL P. 01



# Converse Consultants

Over 50 Years of Dedication in Geotechnical Engineering and Environmental Sciences

A 5 RPV 93005  
Exhibit 23, 2A13  
Application  
8/20/99

August 19, 1999

Ms. Pam Emerson  
Los Angeles Area Supervisor  
California Coastal Commission  
200 Ocean Gate, 10<sup>th</sup> Floor  
Long Beach, California

RECEIVED  
AUG 24 1999

CALIFORNIA  
COASTAL COMMISSION

Subject: **UPDATE ON OCEAN TRAILS LANDSLIDE "C" RESTORATION  
AND ADJACENT COASTAL ACCESS TRAILS**  
Ocean Trails Project  
Rancho Palos Verdes, California  
Converse Project No. 99-31-210-01

Dear Ms. Emerson:

## INTRODUCTION

Converse Consultants (Converse) has been requested to provide updated information on the Landslide "C" investigation and comment on adjacent coastal access trails. This information is provided to support an application for a material amendment to the Ocean Trails Coastal Permit A-5-RPV-93-005. These revisions are needed because of the impacts of the June 2, 1999 reactivation of Landslide "C" on the Ocean Trails Project.

Geotechnical analysis is being performed to develop a repair plan to restore and mitigate the landslide. Specific design details of the repair plan are being evaluated and will be subject to review by various consultants, the City consultants, the City peer review committee and resource agencies, including the California Coastal Commission. A draft report and repair plan will be circulated for review in about one month.

## LANDSLIDE INVESTIGATION AND RESTORATION

Geotechnical investigation of the landslide is continuing. A total of 26 man-size borings (for downhole observation and logging), three rock core sample borings and eight inclinometer borings have been drilled to investigate and monitor the landslide mass and backslope areas.

The landslide mass is marginally stable (factor of safety of about one). The integrity of the landslide mass will continue to deteriorate with time in terms of increasing areal extents and depth of cracks and fissures, as well as the amounts of sloughing and slumping. If not quickly repaired, large-scale movement is inevitable when subject to further disturbances. These disturbances may include rainwater intrusion into cracks, minor seismic loading or the disturbance due to repair construction activities in the graben area. It is imperative for public safety and welfare that emergency repair of the landslide area be started prior to the start of the rainy season (late November to early December) or before the start of the repair in the graben area, whichever comes first.

Repair of the landslide mass to a factor of safety of 1.2 or more is difficult, if not impossible. Our goal should be to achieve an increased factor of safety, which should reduce the potential for future large-scale movement while allowing the occurrence of small long term creep movement or additional seismic-induced movements (which can be repaired when the amount of movement becomes a nuisance).

#### Central Landslide Block

Preliminary analyses indicate that an increased factor of safety can be achieved in the central landslide mass area by installing 80 to 120 3-foot diameter piles (shear pins) spaced about 20 feet center to center through the landslide mass and below the upper bentonite layer. Specific spacing requirements of the shear pins and stability analysis is still in progress. The following installation sequences are anticipated for each pile:

- Drill a 3-foot diameter hole to about 12 feet below the upper bentonite
- Insert a to-be-designed reinforcement cage or steel pipe of about 21 feet long to the bottom of the hole.
- Place concrete by tremie method to about 25 feet above the bottom of the hole.
- Fill the hole with cement-bentonite grout and soil/rock cuttings to the surface.

It is proposed that the following emergency repairs in the landslide area be carried out as soon as possible:

- Sealing/filling the cracks and fissures (methods and procedures are being developed)
- Installation of the above 80 to 120 piles in the area shown in Figure 1 to achieve an increased factor of safety
- Grading the surface to improve surface drainage and minimize water infiltration into the landslide mass
- Construction of surface drain (surface swale or French drain)
- Breakdown and removal of unstable rock masses along the seaward edge of the landslide.

#### Repair Excavation

The pull-apart graben area of the landslide will be excavated and replaced with a reinforced earth buttress. The approximate limits of the repair excavation and earth buttress are shown on Figure 1. The repair excavation will likely be made with a series of slot cuts to excavate and remove the landslide slip surface and replace it with a geogrid-

Exhibit 25  
p 34  
A5 RPV 93 605 A 2

reinforced earth buttress benched into the underlying undisturbed bedrock. An extensive underdrain system with blanket drains, backdrains, horizontal backslope drains and subdrains will be incorporated into the buttress to drain subsurface water and prevent build-up of hydrostatic pressures. The seaward edge of the buttress will be designed to accommodate long term creep of the landslide. Specific design details and construction methods for the reinforced earth buttress are still being evaluated and developed.

A copy of the latest landslide "C" repair schedule bar chart is included as Figure 2. This schedule is the best estimate to date and is subject to revision.

## COASTAL ACCESS TRAILS

A number of coastal access trails which descend over the sea cliff were closed following the landslide on June 2, 1999. Coastal access trails within and below the landslide area should remain closed until restoration and mitigation of the landslide is completed. The beach areas below the landslide area should also remain closed until the slide mass is stabilized and mitigated.

Two coastal access trails located on the east and west ends of the landslide, the Dudleya Trail to the east and the Sunset Trail to the west, could be re-opened once some improvements were made to improve public safety.

### Dudleya Trail

The Dudleya Trail is located along the eastern edge of Landslide "C" as shown on Figure 3. The trail is located on a portion of Landslide "C" which did not appear to have been reactivated during the June 2, 1999 failure. We would suggest a number of trail modifications to improve public safety and reduce potential hazards. These would include: 1) fencing off access to Landslide "C" along the bluff top and along the beach and trail, 2) moving the trail head eastward to avoid ground cracks near the top of Landslide "C"; and 3) constructing a new trail switch-back to divert trail access away from the landslide area. Suggested trail modifications are shown on Figure 3.

### Sunset Trail

The Sunset Trail is located along the west side of Ocean Trails Park (formerly Halfway Point Park). This trail is located on Landslide "B" and does not appear to have been impacted by movement of Landslide "C". The Sunset Trail area is shown on Figure 4. The trail area reportedly was heavily eroded before construction began on the project. Portions of the trail have been extensively rebuilt, including one section with a geo-web retaining structure. The trail could be re-opened in its current condition.

### Trail Safety

Any trail which descends a sedimentary rock sea cliff is inherently unstable and subject to potential geologic hazards, such as soil creep, slippage, rock fall, erosion and other natural sea cliff erosion processes. Public access should be restricted to the trail areas by fences and walls. Signs should be posted warning the public of potential hazards, including slipping, falling, tripping, etc. Trail conditions should be periodically monitored,

maintained and repaired as needed. Trail users should be warned of the potential hazards and use common sense.

## SEA CLIFF EROSION

The Ocean Trails Project is bounded on the south margin by a 150 to 200-foot high sea cliff. Geologists have long recognized that all cliffs are inherently unstable, and are only temporary features over geologic time. On the California coast, there are very few durable rock outcrops. Most coastal cliffs are cut in relatively weak sedimentary rocks, which are eroded by wave action which regularly undercuts the cliffs and removes fallen debris from the cliff base. As this erosional process continues, the near vertical original cliff will be replaced with a gentler slope near the angle or repose for dry material.

Observations along the Ocean Trails sea cliff indicate that natural sea cliff erosion processes are eroding the cliff. These erosion processes include landslides and rockfalls. These processes can occur gradually or rapidly as experienced with Landslide "C". The speed with which these processes occur can pose a serious hazard to the public.

One area of concern is a large fissured rock mass located on the point below Ocean Trails Park. The rock mass is approximately 200 feet long, about 80 feet wide, and about 80 feet thick. The fissured rock mass is located within the coastal set-back zone (150 feet from the beach). A number of fissure crack openings exist at the top of the sea cliff. Surface runoff from the 1997/1998 El Niño rains reportedly ran over the top of the slope into the top of the fissured rock mass (Figure 4). A near vertical crack exposed at the west end of the sea cliff has reportedly grown over the past year.

This fissured rock mass does pose a significant rockfall hazard to the lower beach area. Failure of the rock mass is unpredictable and could occur rapidly or gradually through time. The fissured rock mass will eventually fail – we just cannot predict when.

Options to mitigate the rock fall hazard could include the following:

- Backfill the fissure openings and erosion gullies with clay soils to restore the protective soil cover over the top of the sea cliff, minimize water infiltration and improve surface drainage over the top of the fissured rock mass.
- Dislodge and remove the unstable rock mass from the sea cliff.
- Post signs and install devices to warn the public of the rock fall hazard. Restrict public access above and below the unstable rock mass.

Special care and safety precautions will be required for any type of remedial repairs on the fissured rock mass and erosion gullies.

Other sea cliff areas and canyon areas along the coastline pose similar rockfall hazards. Steep canyon side walls cut into the base of the cliff by stream channels pose a similar

potential for rockfall/soil failure. Coastal access users should be warned of the potential hazards and use common sense. Sea cliffs in sedimentary rock are inherently unstable, and subject to unpredictable failure.

### CLOSURE

The preliminary findings and recommendations of this report were prepared in accordance with generally accepted professional geologic principles and practice for Los Angeles County at this time. We make no other warranty, either expressed or implied. This report was prepared for the sole use of Ocean Trails, L. P., and their design consultants for mitigation of the subject condition at the present time. This report is not intended for use by other parties and may not contain sufficient information for other uses at other times. Please call if you have questions or would like to discuss our findings in greater detail.

Respectfully submitted,

CONVERSE CONSULTANTS



Mark B. Schluter, CEG 1415  
Senior Engineering Geologist

Encl: Figure 1 – Proposed Repair Option for Landslide "C"  
Figure 2 -- Landslide "C" Repair Schedule  
Figure 3 – Dudleya Trail Map  
Figure 4 – Sunset Trail Map

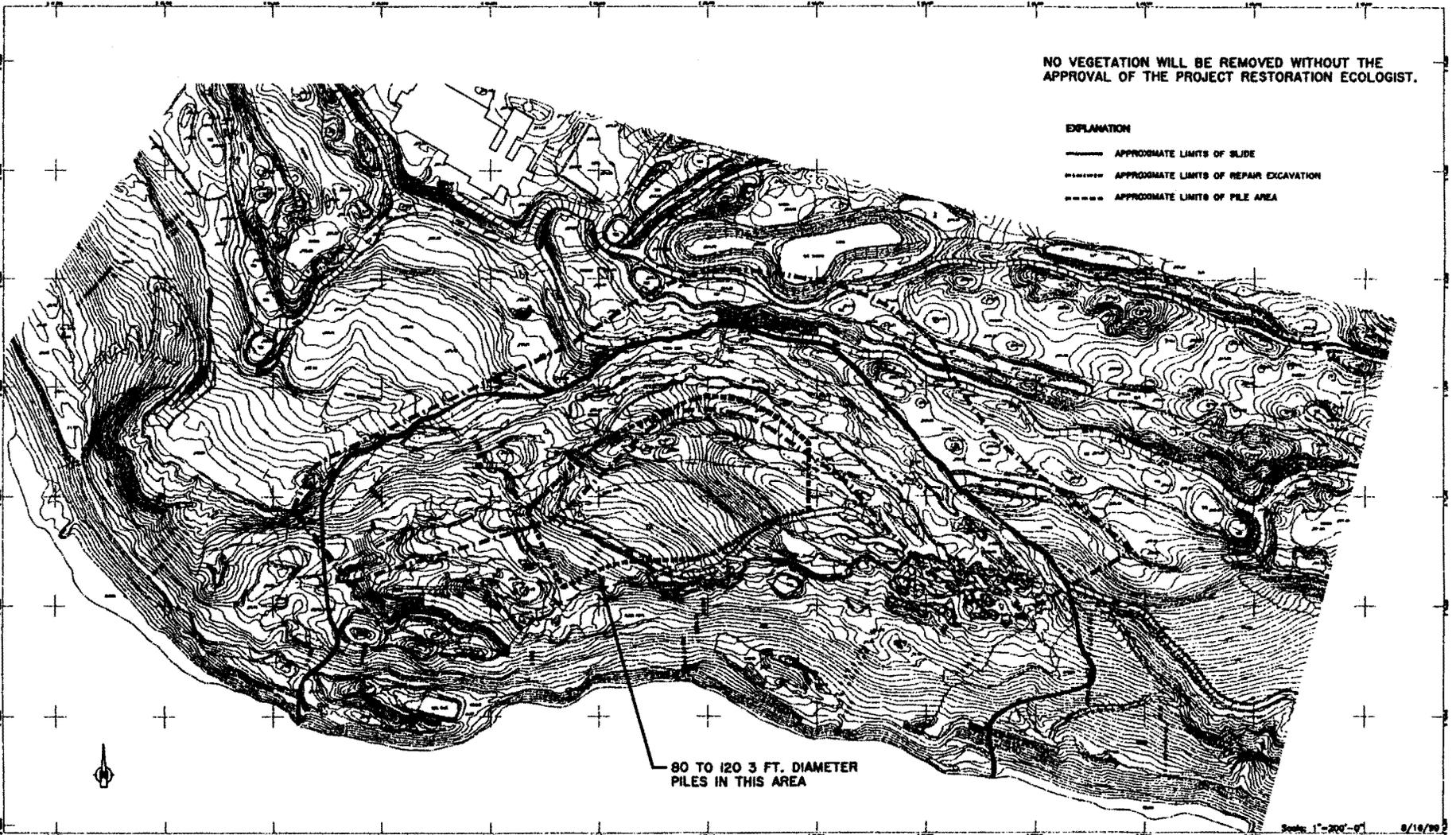
Dist: 3/Addressee

3/Mr. Ken Zuckerman  
Ocean Trails, L. P.  
1/Mrs. Barbara Dye  
Ocean Trails, L. P.  
1/Cotton, Shires and Associates  
Attn: Mr. Stan Hellenschmidt

NO VEGETATION WILL BE REMOVED WITHOUT THE APPROVAL OF THE PROJECT RESTORATION ECOLOGIST.

EXPLANATION

- APPROXIMATE LIMITS OF SLIDE
- - - - APPROXIMATE LIMITS OF REPAIR EXCAVATION
- APPROXIMATE LIMITS OF PILE AREA



80 TO 120 3 FT. DIAMETER PILES IN THIS AREA

Scale: 1"=200'-0" 8/16/98

Exh. bt 23 of  
ASRPV 005 93005  
p6

### PROPOSED REPAIR OPTION FOR LANDSLIDE "C"

DRAFT



Converse Consultants

Figure No.

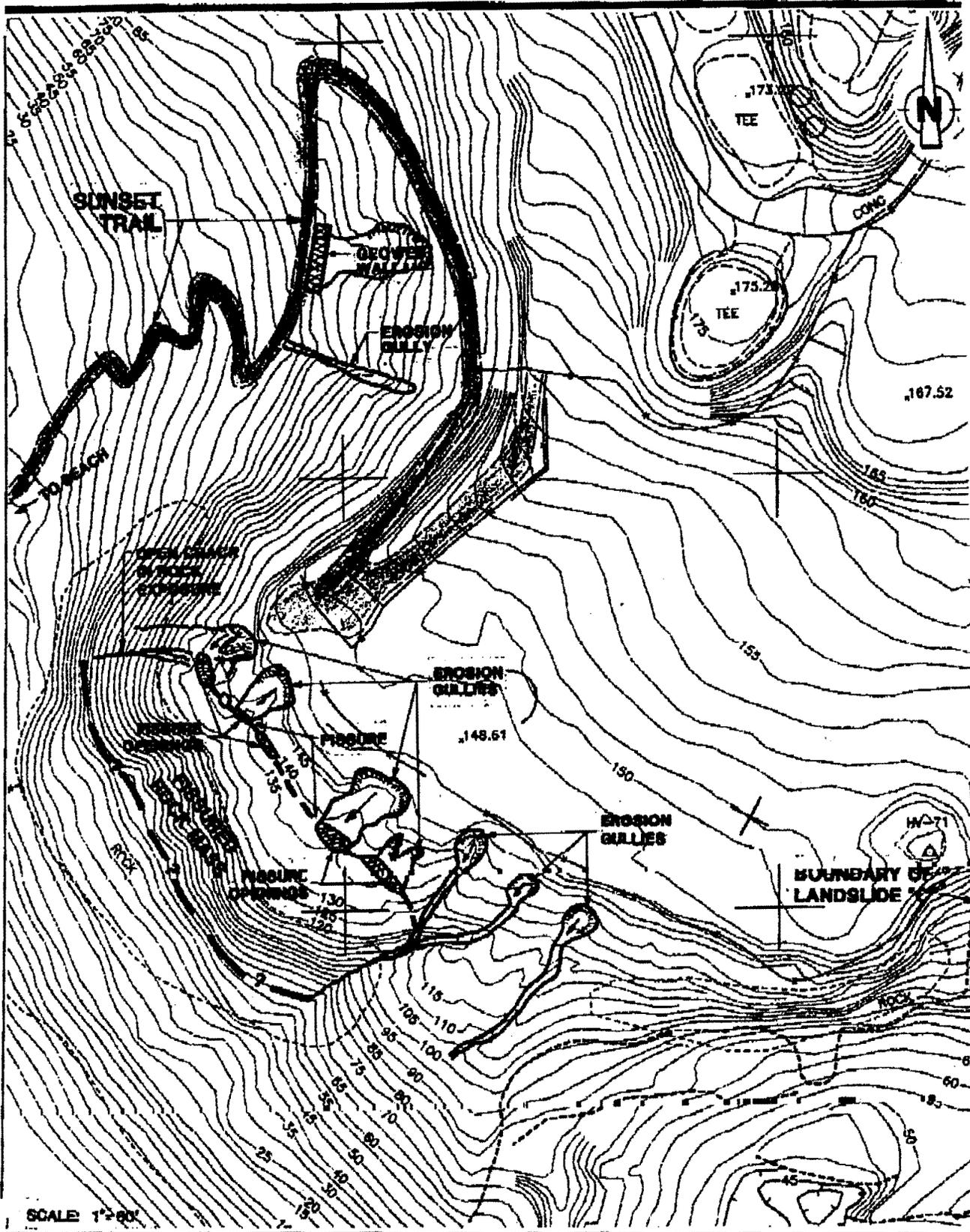
OCEAN TRAIL PROJECT - LANDSLIDE "C" REPAIR SCHEDULE

| Task No. and Description   | July |   |   |   | August |   |   |   | September |   |   |   | October |   |   |   | November |   |   |   | December |   |   |
|--|------|---|---|---|--------|---|---|---|-----------|---|---|---|---------|---|---|---|----------|---|---|---|----------|---|---|
|  | 1    | 2 | 3 | 4 | 1      | 2 | 3 | 4 | 1         | 2 | 3 | 4 | 1       | 2 | 3 | 4 | 1        | 2 | 3 | 4 | 1        | 2 | 3 |
| <b>PHASE I LANDSLIDE CHARACTERIZATION</b>  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| <b>Surface Geologic Mapping/Topographic Survey/Review As-Built Conditions</b>                  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| As built grading and drainage conditions   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Soil type/structure/distribution of earth materials  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Flow pattern (piercing points/vectors)   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Topographic profiles   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Develop preliminary Geologic Cross Sections  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| <b>Subsurface Geologic/Geotechnical Investigation</b>  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Log and sample small diameter holes at landslide periphery                                     |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Obtain equipment access alignment / construct access route                                     |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Physical refraction survey of old Slide "C" boundary   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Install and place inclinometers in the landslide   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Log and sample large diameter boreholes  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Log and sample core holes in landslide   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Obtain Boring Logs   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Develop Final Geologic Cross Sections from boring data   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| <b>Laboratory Testing</b>  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Obtain Moisture Density Determinations   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Conduct Atterberg limits, grain size, hydrometer, specific gravity, saturation                 |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Conduct undrained, residual/torsional direct shear tests on remolded samples                   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Tests related to repair design (pH, interface friction)  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Conduct undrained, residual conventional direct shear tests and/or triaxial testing            |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| <b>PHASE II EVALUATION OF LANDSLIDE SLOPE STABILITY</b>  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Assess current landslide to determine various factors that may have contributed to the failure |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Perform two-dimensional limit equilibrium slope stability analyses                             |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Perform one-dimensional analysis to estimate an average basal shear strength                   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Perform analysis to estimate the effects of various mitigation measures                        |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Conduct evaluation of various landslide parameters (natural and artificial factors)            |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| <b>PHASE III DEVELOPMENT OF LANDSLIDE MITIGATION OPTIONS</b>                                   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Develop landslide control measures   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Develop landslide repair measures  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Preparation of engineering drawings and specifications   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Environmental review process   |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |
| Agency permit issue/Agency Review/Peer Review  |      |   |   |   |        |   |   |   |           |   |   |   |         |   |   |   |          |   |   |   |          |   |   |

Converse Consultants  
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AS RPV 93 005 A 12  
 Exhibit 23 p 8





**COASTAL ACCESS TRAILS**



**Converse Consultants**

Project No.

99-31-210-01

Figure No.

4

TOTAL P. 13

A 5 RPV 93 005 A13  
 Exhibit 23 p 10  
 p. 10



# Converse Consultants

Over 50 Years of Dedication in Geotechnical Engineering and Environmental Sciences

**RECEIVED**  
South Coast Region

AUG 23 1999

CALIFORNIA  
COASTAL COMMISSION

August 23, 1999

Mr. Ken Zukerman, C.E.O.  
Ocean Trails L.P.  
One Ocean Trails Drive  
Rancho Palos Verdes, CA 90275

Subject: Prior Recommendations for Filling Tension Cracks/Fissures  
Within Landslide "C"  
(Converse Project No. 99-31210-01)

Dear Mr. Zukerman:

As requested, the following presents Converse Consultants (Converse) proposed recommendations for filling in many of the tension cracks which appear on the surface of Landslide "C". Based on Converse's mapping, the majority of the tension cracks/fissures which can readily be filled in occur within what is referred to as the "main block" slide area, as well as the western most portion of the slide mass. The purpose for filling the cracks is to prevent direct infiltration of rainfall and prevent surface water runoff from entering the slide and to minimize the potential for further movement.

Although there obviously exists other areas, both easterly and southerly of the main block slide which display surface cracking, most of these areas occupy highly disrupted/broken bedrock and/or occur very near and close to the edge of the highly unstable bluff top. A map showing the locations and extent of the cracks/fissures recommended for filling is attached to this letter report.

*AS RPV 93 025  
Exhibit 23*

*PII*

*\* (see ex. bit 2)*



The nature of the open surface cracks and fissures vary considerably with respect to their width and depth. The widths of the cracks/fissures range from several inches, to slightly over 20 feet. The depths of the major cracks/fissures (those that are open more than 12 inches) have been measured to depths exceeding 50 feet directly following the landslide. However, over the last several months, the walls of a number of these deeper cracks/fissures have begun sloughing and bridging over the cracks/fissures at mid levels within the slide.

In several areas there are isolated zones of interconnecting tension cracks/fissures which are comprised of large, disjointed blocks of bedrock which can occupy an area of over 5,000 square feet.

The proposed methodology for filling the cracks is as follows:

1. For those cracks/fissures having a width of 18 inches or less, we recommend filling the cracks to within 5 feet of the current ground surface with onsite soils (i.e. highly broken bedrock) from the graben area. These soil materials should not contain particles in excess of six inches in maximum dimension. The filling of the cracks can be carried out via the use of front end loaders and laborers. During filling, it is recommended that laborers use 10-foot-long, 2-inch diameter wooden rods to aid in the placement of the soils infilling, via hand driving . Once the infilling has been achieved to within 5 feet of the ground surface, we recommend placing a 3:1 mixture of fine grained soil and bentonite chips to fill in the remaining void space. The wooden probing rods/poles should also be used to aid in the placement of the soil/bentonite mixture in order to provide both lateral penetration of the mixture against the sides of the cracks and to prevent bridging. The top 3 feet should be filled in 8-inch lifts and compacted by hand wacker or hand-held power tampers. Once filled to the surface, we suggest that soil filled sand bags be placed along



the trace(s) of the infilled cracks to aid in identifying their location for monitoring purposes. It is likely that settlement of the infilled soils will also occur over time, and additional filling-in of the subsided areas will be required.

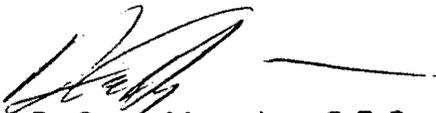
2. For the surface cracks/fissures which exceeded 18 inches in width, we recommend placing large blocks of broken siliceous/dolomitic siltstone into the larger cracks/fissures to within 15 to 20 feet of the ground surface. The remaining portions of the cracks/fissures should then be filled in the same manner discussed above. However, we recommend that the sand bags be placed around the perimeter of the cracks/fissures.

The infilling of the cracks/fissures should commence immediately. It is imperative to fill in the cracks and seal them off in order to prevent rainwater and/or surface water runoff from entering into the slide block and deteriorating an already marginally stable condition.

If you have any questions or require additional information regarding the filling-in of the selected cracks/fissures, please contact the undersigned.

Sincerely,

**CONVERSE CONSULTANTS**

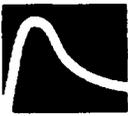


D. Scott Magorien, C.E.G. 1290  
Principal Geologist

DSM:vy

Encl: Map Showing Location of Cracks/Fissures to be Filled





**COTTON, SHIRES & ASSOCIATES, INC.**  
CONSULTING ENGINEERS AND GEOLOGISTS

August 26, 1999  
EC0008C

Mr. Dean Allison  
Director of Public Works  
City of Rancho Palos Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90225

**SUBJECT: Geotechnical Review Comments Regarding Repair Efforts  
Prior To The Rainy Season (revised)**

**RE: Landslide C, The Ocean Trails Golf Course,  
Rancho Palos Verdes, California**

Dear Mr. Allison:

On August 24, 1999, the undersigned attended a "Green Team" meeting at City Hall regarding repair of Landslide C at Ocean Trails Golf Course. The purpose of the meeting was to discuss permitting and agency processing necessary to accomplish the proposed repair. The meeting was attended by representatives of the City, the California Coastal Commission, Ocean Trails, the City's Geotechnical Peer Review Panel and CSA. Three questions that were specifically asked in your meeting agenda were as follows:

- 1) What repair efforts are necessary on an emergency basis?
- 2) What repair efforts are necessary to prepare for the rainy season?
- 3) What is the long term repair proposal?

Converse Consultants is currently compiling technical data to be submitted for City review. The data is being provided pursuant to discussions at the weekly technical meetings at the Ocean Trails office and will outline specific details of the repair plan. Current repair concepts (long term repair proposal), discussed by Converse at the weekly meetings, include: installation of a reinforced earth buttress at the graben (headscarp) area of the landslide, surface and subsurface drainage within the landslide mass, and installation of shear pins within a portion of the central block of the landslide.

We understand that the reinforced earth buttress at the head of the landslide is intended to provide increased stability for the reinforced soil mass itself and to support the upslope areas outside the limits of the landslide. It is also our understanding that the shear pins proposed by Converse are intended to increase stability within the immediate area of the proposed shear pin installation.

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e-mail: csge@csageo.com

*City Consultants  
AS RPV 93 005 A3  
Exhibit 24  
City technical review*

We agree with the concept of utilizing a reinforced earth buttress and/or shear pins to improve slope stability within a landslide mass. Review of supportive technical data, specifically related to the geologic and geotechnical features at the site, is required to effectively evaluate the proposed repair measures. Prior to construction, geotechnical review and approval of the proposed repair by CSA and the City's geotechnical review panel will be required. We understand that supportive technical data is forthcoming from the geotechnical consultant and will be available for review within the next few days. We have submitted a letter under separate cover outlining our geotechnical peer review expectations in regard to submittal of technical data, testing and analyses and preparation of construction documents for the proposed landslide repair.

The purpose of this letter is to outline geotechnical issues regarding repairs in response to Questions 1 and 2 above. Subsequent to the reactivation and catastrophic failure of landslide C on June 2, 1999, CSA compiled a list of recommended emergency measures to be implemented in and near the landslide area. These recommendations were largely focused on public safety issues and have been implemented by Ocean Trials and their consultants. Several geotechnical hazards are still present in the landslide area that will need to be addressed as part of the landslide repair. These hazards include: open cracks and fissures within and immediately adjacent to the landslide mass, unstable rock blocks at the bluff face, near vertical or overhanging slopes adjacent to the graben area which could pose a threat to workers below the slopes, unstable slopes adjacent to Halfway Point Park and potential reactivation of the landslide by introduction of water. Since rainfall is likely to exacerbate potential hazards, it is important that the following actions be taken prior to the rainy season.

#### Recommended Actions

**Winterization Plan** - The geotechnical and civil engineer should prepare a winterization plan that delineates temporary drainage features in and adjacent to the landslide area. The winterization plan should include: a grading plan for establishment of positive surface drainage in the graben area, recommended placement of erosion control features such as sand bags, membranes, swales etc., placement of a berm or other appropriate measures to prevent sheet flow from the golf course and Halfway Point Park from entering the slide area, treatment of silt and temporary storage of runoff from the slide area.

**Restriction of Access** - Areas of potential risk to the public and workers that will not be mitigated prior to the rainy season should be designated on a plan and submitted to the City for review. Areas of potential risk should be clearly marked at the site.

**Oversteepened Slopes** - The consultant should evaluate existing oversteepened slopes in and adjacent to the graben area and other areas likely to be used by workers during the rainy season. In areas of high risk, the consultant should provide recommendations for laying back the slopes or temporarily supporting the slopes. The plan for temporary slope modification or support should be developed with consideration of temporary slope stability. Excavations should not be performed which adversely affect the stability of slopes. Details of the temporary

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AS RPV 93 005 ALB  
Exhibit 24 AR 2  
City Review

stabilization measures should be presented on a current topographic base map and in typical cross-section view.

**Fissures** - We are currently reviewing a recent repair option for fissures provided by Converse Consultants, dated August 23, 1999. We agree that infilling of fissures is important to reduce potential water infiltration into the landslide mass which could promote further landslide movement. Our review comments will be provided in subsequent correspondence. In addition to the proposed fissure filling, the consultant should address the potential for future opening or development of fissures in areas of potential pedestrian access and provide mitigative recommendations, if warranted.

**Blockfalls and Debris Slides** - The consultant should analyze existing features within the limits of the landslide that present a toppling or debris slide hazard. Recommendations should be provided for mitigation of potential blockfall or debris slides hazards within the landslide area and the downslope beach area.

**Delineation of Areas to Be Impacted By Construction** - The consultant should provide a plan indicating the limits of areas to be impacted by construction during the rainy season. These areas should include, but not be limited to, areas of proposed excavation or filling, temporary stockpile area, haul routes and equipment staging areas.

#### **Limitations**

Our services consist of providing technical advice to the City regarding geotechnical issues during design and construction of the subject project. Our services are limited to review of documents provided by the City and the Project Geotechnical Consultant, and review of geologic conditions and geotechnical data during design and construction. Our opinions, conclusions and recommendations are made in accordance with generally accepted principles and practices of the geotechnical profession. No other warranty, express or implied, is made or intended by providing our services on this project.

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P3  
AS RPU 93005A13  
Exhibit 24  
City comments

We appreciate the opportunity be of service. If you have any questions regarding our review comments, please call.

Respectfully submitted,

**COTTON, SHIRES AND ASSOCIATES, INC.**



Stanley Helenschmidt  
Managing Geotechnical Engineer  
GE 2064



William R. Cotton  
Principal Engineering Geologist  
CEG 882

cc: City of Rancho Palos Verdes- Les Evans, Joel Rojas, Greg Pfost  
Converse Consultants- Bill Lu, Mark Schluter, Scott Magorien  
California Coastal Commission- Pam Emerson  
Ocean Trails- Jeff Kaplinski, Ken Zuckerman  
Peer Review Panel- Bing Yen, Perry Ehlig, Glenn Brown

AS RAN 43005 ALP  
Exhibit 24

P4

COTTON, SHIRES & ASSOCIATES, INC.

## **Section 831.2—NATURAL CONDITION OF UNIMPROVED PROPERTY**

The language of Section 831.2 is deceptively simple. It states that a public entity is *not liable* for "an injury caused by a *natural condition of any unimproved public property*, including but not limited to any natural condition of any lake, stream, bay, river or beach."

This immunity is in some ways broader than that available to land trusts under Civil Code Section 846, because there is no requirement that the land actually be used for recreational purposes or suitable for that use. This difference was underscored in a 1986 case holding that a city was entitled to immunity under Section 831.2 when a child was killed while playing in a cave located on a "greenbelt" set aside to preserve open space (*Winterburn v. City of Pomona*).<sup>1</sup> *Winterburn* is interesting in that the greenbelt was designated as "non-recreational" land by the City, yet the land was "essentially a public park, merely lacking the usual park-like improvements. . . ." Accordingly, the court rejected the plaintiffs' argument that Section 831.2 was intended to provide immunity only to those lands set aside for recreational purposes, or to lands outside urban areas.

Appellate cases that have addressed the application of this section have focused extensively on the definitions of its two crucial terms: "natural condition" and "unimproved public property." Although the cases have dealt with different factual settings, certain themes emerge to help public land trusts stay within the immunity provided by Section 831.2.

### **"NATURAL CONDITION"**

When deciding whether an injury was caused by a "natural condition," courts have not always interpreted the term "natural condition" literally. Instead, appellate courts have focused on the Legislature's intent in enacting Section 831.2 as explained in the Legislative Committee Comment to the section—to promote public use of public property in its natural condition—and the reasonableness of expecting those "who voluntarily use unimproved public property in its natural condition to assume the risk of injuries arising from that use, as part of the price to be paid for benefits received."

Attempting to read Section 831.2 in a way that effectuates that legislative intent, courts have found a variety of conditions to be "natural" within the context of Section 831.2, even when human activity has altered a condition in some way. Courts have found the following to be "natural conditions":

- 1) A combination of water flow and a snag of trees in the American River, even though the water flow was under human control upstream from the location of the accident (*County of Sacramento v. Superior Court of Sacramento County*).
- 2) A submerged rock at or immediately near the shoreline of Millerton Lake, even though the lake level was under human control (*Eben v. State of California*).
- 3) A man-made lake where a water skier was killed by another motorboat, even though the County actively encouraged the public to use the lake for water skiing (*Osgood v. County of Shasta*).

<sup>1</sup> Citations for this and other cases discussed in this section are provided in Attachment B at the end of this bulletin.

Coastal Conservancy Publication

A 5 RM 93005A12  
Exhibit 25  
p. 1

**Table 2: Summary of Government Code Section 831.5:  
Public Entity Immunities Available to Nonprofit Land Trusts**

| SECTION | PUBLIC ENTITIES AND QUALIFYING LAND TRUSTS ARE NOT LIABLE FOR:  | APPLIES   | DOESN'T APPLY  |
|---------|---|---|--|
| 831.2   | an injury caused by a "natural condition of unimproved public property"   | to beach, even if protective services are provided (Section 831.21)                         | where an improvement made by entity was the cause of injury  |
| 831.25  | damage or injury off of the entity's property caused by land failure of any unimproved public property if land failure is caused by a natural condition   | where minor improvements made for management of property did not contribute to land failure | where entity had actual notice of probable damage and failed to give warning   |
| 831.4   | injuries caused by a condition of<br>1) any unpaved road or any trail leading to recreational areas<br>2) trails used for recreational or scenic purposes<br>3) paved trails, paths, sidewalks on easements providing access to unimproved property | 2) to paved or unpaved trails   | 1) to public streets or highways<br>2) on paved trails or paths, if entity fails to give adequate warning of hazards<br>3) if entity fails to give warning of hazard |
| 831.7   | injuries to participants, assistants, and spectators engaged in "hazardous recreational activity"   |   | various exceptions—see statute for details   |

- 4) Cliffs located on city property, even though the plaintiff claimed that his accident was caused by the combination of the dangerous cliffs and the city's "ineffective and unprofessional" warning signs (*McCantley v. City of San Diego*).
- 5) An underwater object that the plaintiff struck while diving in the ocean, even though the plaintiff alleged that it was the combination of that natural condition with the County's incomplete or negligent provision of lifeguard services that caused his injury (*Geffen v. Los Angeles County*).
- 6) A rope attached by an unknown third party to a tree on unimproved public property (*Kuykendall v. State*).
- 7) Shallow water where a diver was injured, even though human activity had contributed to a buildup of sand and a decrease in water depth (*Fuller v. State, Morin v. County of Los Angeles, Tessier v. City of Newport Beach, Knight v. City of Capitola*).
- 8) Wild animals are a natural part of the condition of unimproved property, entitling the State to immunity when a mountain lion mauled a child in a state park, even though the natural condition was altered by the enactment of a legislative moratorium on hunting mountain lions in state parks (*Arroyo v. State*).

In contrast to the decision in *Fuller*, the appellate court in *Buchanan v. City of Newport Beach* found that there was evidence to support the claim that the wave action that caused the plaintiff's injuries was the direct result of governmental

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Exhibit 20  
p 2

dredging and depositing of sand and the resultant 27-foot rise of the beach level. The trial court's dismissal of the plaintiff's suit in *Buchanan* was thus improper because evidence supported the allegation that plaintiff's injuries had been caused by an unnatural or artificial condition.

*Kuykendall*, *Fuller*, and *Buchanan* all involve injuries resulting from conditions that were affected by human actions; they therefore provide guidance in efforts to categorize different conditions as natural or artificial. One of the important differences between the natural-condition cases, *Kuykendall* and *Fuller*, and the unnatural-condition case, *Buchanan*, is the actor or actors who caused the condition in question. In *Kuykendall*, the rope on which the plaintiff was swinging when he fell had been attached to the tree by an unknown third person. In *Fuller*, someone had undertaken activity that contributed to a decrease in water depth where the plaintiff was diving, but the "someone" had not been the defendant public entity. In *Buchanan*, however, governmental agencies had constructed the beach where the plaintiff was injured, by constructing a jetty, dredging sand from the channel adjacent to the jetty, and depositing that dredged sand on previously submerged sand spits. The plaintiff alleged that the contour of the beach had caused the "plunging" type of wave that led to his injuries.

Another important difference between *Buchanan* and *Fuller* was the location of the human activity that created or contributed to the condition that caused each plaintiff's injuries. In *Buchanan*, the jetty construction and sand dredging and depositing occurred at the location of the plaintiff's accident, but in *Fuller* the activities that may have contributed to sand buildup at the accident site occurred 3,000 feet down the coast and, in addition, "somewhere upstream," according to the court.

#### "UNIMPROVED PUBLIC PROPERTY"

Since Section 831.2 was enacted it has become a well-established rule that improvements at one location in a public entity's property will not render all of its property "improved" for the purpose of Section 831.2 immunity (*Rendak v. State*, *Fuller v. State*, *Eben v. State*, *Geffen v. County of Los Angeles*). Unless there has been "some form of physical change in the condition of the property at the location of injury, which justifies the conclusion that the public entity is responsible for reasonable risk management in that area," the property will be considered unimproved (*Keyes v. Santa Clara Water District*, quoting Van Alsyne, *California Government Tort Liability Practice*; see also *Eben v. State*, *Mercer v. State*, *Rombalski v. City of Laguna Beach*).

The other issue concerning the definition of "unimproved property" that has been litigated repeatedly is whether a public entity's provision of warning signs or lifeguard or other protective services changes the unimproved character of the property. Initial uncertainty about the effect of providing protective services now seems to have been resolved: the provision of lifeguards or a similar service will not transform unimproved property into improved property. Similarly, the posting of warnings about natural conditions will not alter the unimproved nature of the property, as long as the warnings neither increase the degree of danger on the property nor mislead the public about it.

1. However, an appellate decision subsequent to *Kuykendall* involving an injury occurring in the same manner and in the same recreational area as was at issue in *Kuykendall* expresses *in dicta*, i.e., indirectly, a degree of doubt as to whether that property, from which a fire hose swung, as opposed to rope swing, had been hung, would still be in a "natural condition" (*Dennis v. State*).

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MEMORANDUM

TO: Barbara Dye, Environmental/Entitlements Manager  
FROM: Michael Sweesy, Restoration Ecologist *MS*  
DATE: 24 August 1999  
RE: Landslide C Reconstruction

RECEIVED  
AUG 24 1999  
CALIFORNIA  
COASTAL COMMISSION

**"NO PROJECT" ALTERNATIVE ANALYSIS**

This section summarizes the biological consequences of a No Project Alternative that would leave the landslide mass in place without any attempt to fill fissures or in any other way stabilize the landslide. The effect of a No Project Alternative on biological resources is tied directly to the geologic stability of the slide mass. Under a no project scenario, the 7.56 acres of post-landslide habitat would remain unaltered by further disturbance from construction activities on the landslide. In winter 1999-2000, it is reasonable to assume that normal rainfall will reactivate the landslide and this will cause additional slope and sea cliff failures. The extent of this movement and instability can only be estimated by the geologists and is the subject of some conjecture. The extent and frequency of land movement that generates additional rock debris will directly effect the ability of native species to establish in various areas of the landslide.

Comparisons with reconstruction alternatives should take into consideration that reconstruction will not eliminate continued landslide movement on the seaward side of the proposed reinforced earthen wall. Closing fissures and the installation of shear pins may have a beneficial effect overall by reducing the frequency and magnitude of future land movement.

It is not clear whether the No Project Alternative would include any re-seeding of disturbed landslide areas. Such seeding could have a beneficial effect on the reestablishment of native habitat. With or without a re-seeding program, there is a high probability that non-native annual weeds such as mustard (*Brassica nigra*), star thistle (*Centaurea melitensis*), and Russian thistle (*Salsola australis*) will colonize the areas of greatest soil disturbance because of their proclivity to a disturbance regime. In time, native species will begin to appear within disturbed areas despite non-native invasions.

Habitat within the Nesting Bird Preserve would probably reestablish in the absence of additional fissuring. The pre-landslide habitat in this area was primarily composed of coastal sage scrub and southern cactus scrub. Both habitats were severely impacted by the landslide but still occupy areas of the preserve in a disturbed state. The cactus scrub will re-root and survive, if not buried by future land movement. Similarly, coastal sage scrub will continue to endure. The effect of fissures on the water holding capacity of the soil mass could decrease the life span of these plants, however, there is sure to be natural recruitment over time. The overall quality of native habitat that might establish on the landslide will no doubt be of low density, cover, and diversity with a high occurrence of non-native annual species.

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Exhibit 26  
p1*

The burial of existing habitat was greatest within the Coastal Bluff Preserve where approximately 3.3 acres of coastal bluff scrub habitat was impacted by the landslide. Steep slopes and unstable bluffs and bluff fragments suggest this area will continue to be highly disturbed in the No Project Alternative. Natural recruitment of species such as bright green dudleya (*Dudleya virens*), desert thorn (*Lycium californica*), and encelia (*Encelia californica*) is likely over a period of years. The extent of native and non-native recruitment is dependent on the frequency and size of rockfall caused by additional land movement. Greater and more frequent disturbance will limit native regrowth and favor non-native annual species. Very frequent disturbance may limit the ability of all plants, native and non-native, from reestablishing within the area.

The East-West Bluff Top Complex Revegetation occupied relatively flat ground along the bluff edge immediately behind the sea cliff. This area moved as a fractured block and has the least disturbed soil and habitat within the landslide. The effect of these fractures is difficult to assess, but will most probably have a dewatering effect on the surrounding habitat areas. Much of the revegetated habitat in this area was disturbed by geological investigations. The remaining habitat will most likely persist onsite. Non-native annual invasion also is likely due to the level of soil disturbance. This is especially true in the graben area where existing habitat was eliminated by either the landslide or subsequent geological investigations.

The No Project Alternative may have a significant impact on tide pool resources within the landslide area. The greatest impact arises from rock fragments that wash or slide into the ocean and scour existing tide pools through wave action. There is a direct relationship between the source of these fragments and landslide movement. The more land movement, the more generation and transport of rock debris into the tidal zone. The introduction of rock fragments into the ocean is more likely to continue in the No Project Alternative.

Sediment particles also impact tide pool resources by smothering plants and animals in the littoral zone. Sediment erosion from the landslide will continue unabated in the No Project Alternative and would be reduced in reconstruction alternatives because of measures to stabilize the slide and control overland runoff.

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Exhibit 26  
p 2



RECEIVED  
AUG 24 1999

JOE BLA...  
PRESIDENT AND  
CHIEF EXECUTIVE OFFICER

August 20, 1999

CALIFORNIA  
COASTAL COMMISSION

Mr. Bob Zuckerman  
Mr. Ken Zuckerman  
Ocean Trails Golf Club  
3850 Paseo Del Mar  
Rancho Palos Verdes, CA 90275

Dear Bob and Ken:

Western Golf Properties is pleased to provide an analysis of the "no project" alternative for the Ocean Trails landslide. Specifically, we have been asked to comment on the viability of shortening hole 18 and moving the trail and bikeway inland. This would require the relocation of the existing cart path between the 12<sup>th</sup> hole and the 18<sup>th</sup> hole.

There are several reasons why this is not a practical solution. First, moving the cart path would create a real danger to the public using that path. The errant ball liability would be significant, as the potential for injury to people using the path would be very real.

The integrity of the golf course would be severely damaged. This change would mean the golfers would finish play on two conservative par threes. That is about as bad a scenario as I can imagine. Par threes as a rule are very slow playing, which creates the potential for players having to wait to play each of the last two holes. I am afraid this would not be well received by the golfing public. The resulting damage would be enormous. Not only in the fee we could command but also the number of players we could expect to attract.

This change would also reduce the length of the golf course by approximately 300 yards, which would be as damaging or more damaging than the back to back par threes. One of the ways a golfer evaluates a course is by its length. Our golf course would be approximately 6500 yards, which is far below the acceptable standard for a championship golf course and certainly would affect the fees we could charge and the volume of play we can expect to achieve. The perception for a championship course is a minimum of 6800 yards with preferably a 7000 yard course. We are currently at the low end of this requirement.

Other major impacts of shortening of number 18 would be two-fold. First, it would be almost impossible to attract any type of major golf tournament to Ocean Trails. The course would simply be too short to consider. The shortening of the 18<sup>th</sup> hole would also be looked upon with

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disfavor because we could not accommodate the gallery on the last hole that is necessary for today's major tournaments. Obviously, the exposure created by hosting major tournaments directly affects the overall viability of Ocean Trails. First is the income derived from the tournament. Second, the fees that can be commanded are a result of this exposure, as is the desire to play the course which is amplified by playing host to these type events.

One final comment, people remember the last few holes of a golf course more vividly than the holes at the beginning of the course. I don't believe the par 3 that could be created could be of a major impact in this regard. If you think of all the great courses, the 18<sup>th</sup> hole is usually one of the best, most visually impacting holes on the course. Some examples of this are the 18<sup>th</sup> hole at Pebble Beach, both finishing holes at Pelican Hill, as well as the final hole at Harbor Town. The final hole at Ocean Trails certainly qualifies for this recognition and greatly enhances comments from the players who play there as well as media attention and photo exposure that result from such a hole.

If we are required to change the 18<sup>th</sup> hole, we will have to totally re-evaluate our financial models, our marketing strategy, and our potential tournament opportunities. The fall out could be enormous. It is our professional opinion that the Ocean Trails course could not continue as a viable entity if the landslide is not repaired.

Please keep me posted as this process develops. If I can be of any assistance in any way, let me know.

Sincerely,

*Joe Black*

Joe Black  
President

JB/djm

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# OCEAN TRAILS LANDSLIDE C

JUNE 10, 1999



AS RTU 93-005-A13

Exhibit 28



SCALE: 1"=200'  
SHEET 1 OF 1

AS 993 005 A13

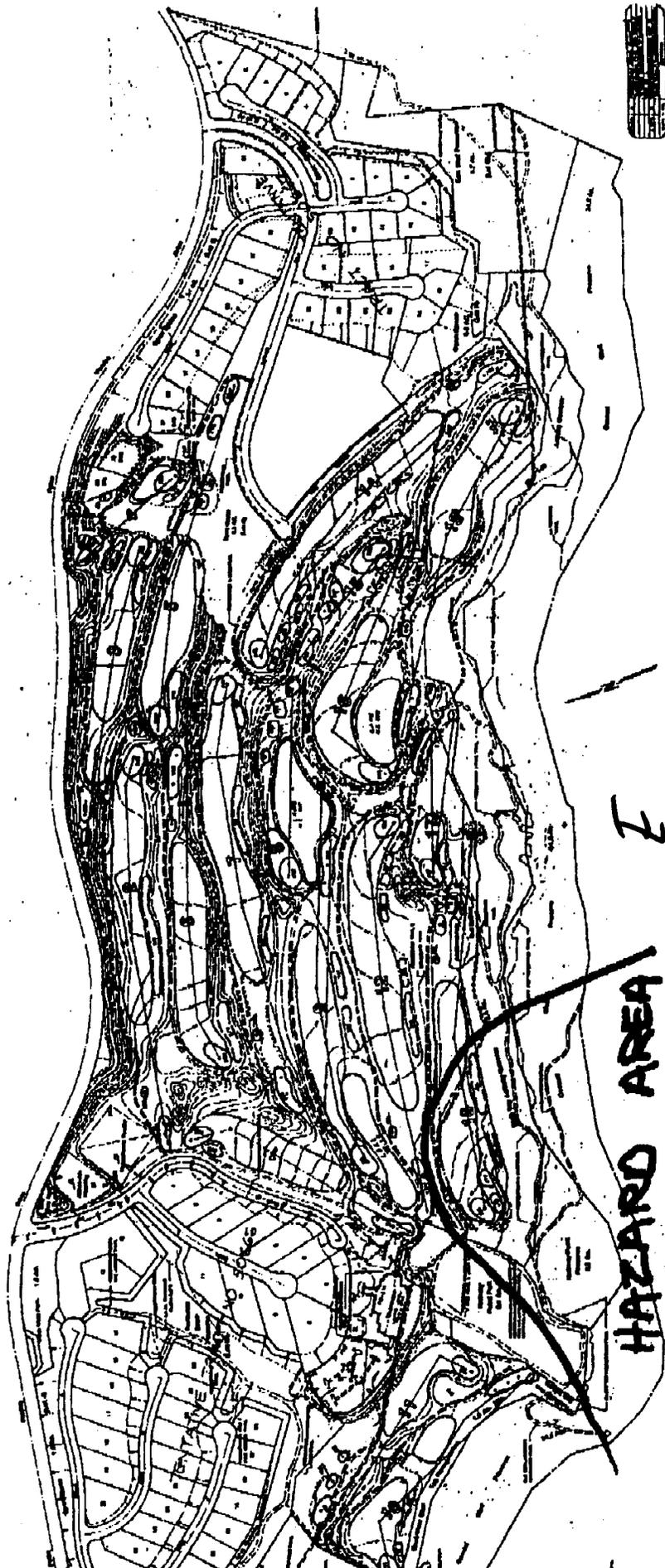
Exh. b.t. 29

*Ocean Trails*

PALOS VERDES



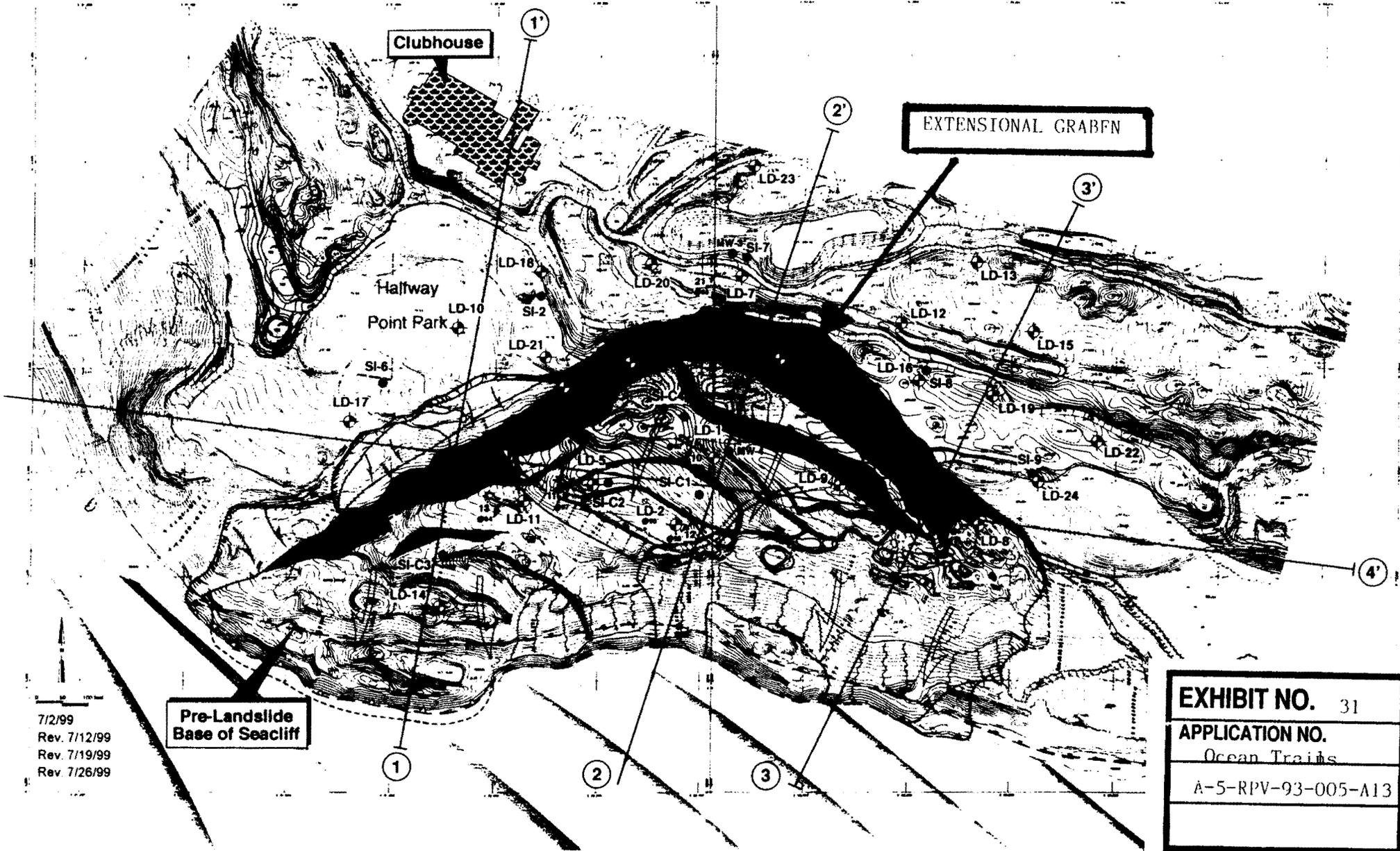
SITE PLAN  
Amended Map No. 2



**DRAFT**

**PRELIMINARY LANDSLIDE MAP  
SLIDE C - OCEAN TRAILS**

**DRAFT**



7/2/99  
Rev. 7/12/99  
Rev. 7/19/99  
Rev. 7/26/99

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|--|
| <b>EXHIBIT NO.</b> 31                  |
| <b>APPLICATION NO.</b><br>Ocean Trails |
| A-5-RPV-93-005-A13                     |
|  |

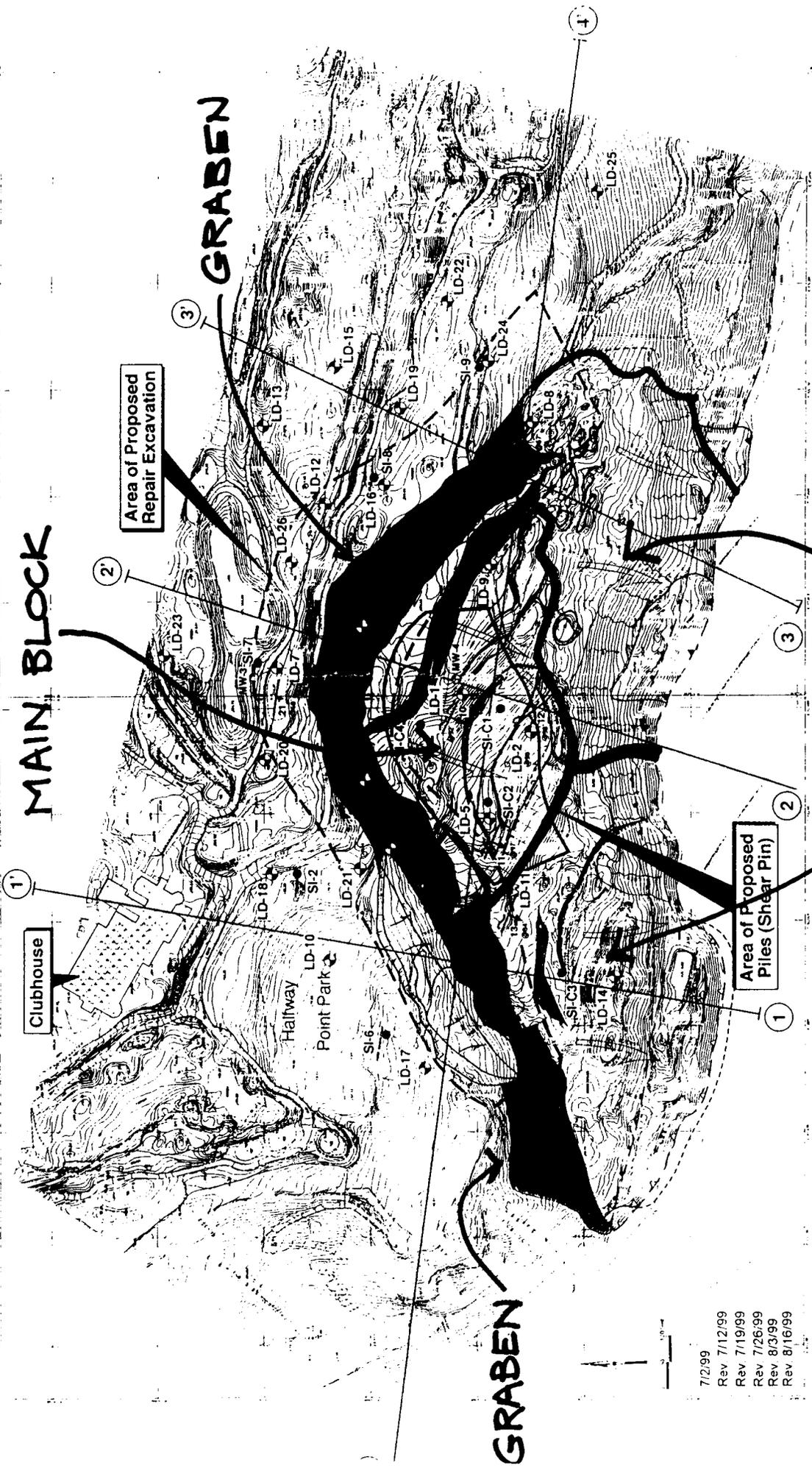
**COTTON, SHIRES & ASSOCIATE**  
CONSULTING ENGINEERS AND GEOLOGISTS

**DRAFT**

**PRELIMINARY LANDSLIDE MAP**  
SLIDE C - OCEAN TRAILS

including terms  
used in analysis

**DRAFT**



**MAIN BLOCK**

**GRABEN**

**ROTATIONAL SLIDES**

7/2/99  
 Rev 7/12/99  
 Rev 7/19/99  
 Rev 7/26/99  
 Rev 8/3/99  
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**COTTON, SHIRES & ASSOCIATE**  
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RU  
 AC 95005 A13 Exhibit 32



# Converse Consultants

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## MEMORANDUM

Date: August 25, 1999

To: Mr. Ken Zukerman, C.E.O.  
Ocean Trails L.P  
One Ocean Trails Drive  
Rancho Palos Verdes, CA 90275

From: D. Scott Magorien, Chief Engineering Geologist

Subject: Recommendations to Lay-Back Side Walls of  
Graben, Landslide "C" at Ocean Trails  
(Converse Project No. 99-31210-01)

This memo is being written to recommend laying-back the near-vertical side walls along both sides of the graben of Landslide "C". The purpose of performing this work is to reduce the current instability as it relates to safety of the personnel working in the area. We recommend that oversteepened slopes laid back to an inclination of 1:1 (horizontal to vertical) as soon as possible. The lateral limits of the work should be limited to the area currently being considered for the proposed buttress, as shown on the most recent maps prepared by Converse. The estimated earthwork quantities involved in laying these slopes back is approximately 5000 cubic yards of bedrock materials. The excavated bedrock materials from the north side of the graben should be temporarily stockpiled either within the Halfway Point Park area or northerly of the clubhouse. The bedrock excavated from the south wall of the graben can be temporarily placed within the graben as uncompacted fill.

If you have any questions or require additional information, please call.

AS RPU 93 005 A13  
Limits of work  
Exhibit 33



**TRAILS AFFECTED BY EARTH MOVEMENT.**

Page 1

Trails affected by slide:

A(11) Bluff edge foot trail from upper end of Torrance (Sunset trail) at Halfway Point (A6). Goes around Halfway Point Park (AKA Ocean Trails Park), then follows bluff edge to Tract 50667. There, with a different identification, it continues along the bluff edge into Shoreline Park, a public park, and from there into San Pedro. This was an existing trail that the applicant was not allowed to block. It is closed by rock fall, cracks, and main slide from Halfway Point to the Switchback Trail.

A (6) Torrance trail, now known as Sunset Trail, fenced by applicant because of concern about Slide A reactivating and potential block failure on the cliff edge on Halfway Point.

A (7) San Pedro Trail (Sunrise Trail) beach access trail off east side of Halfway Point buried by slide

A(12) Bluff edge bike trail from clubhouse to middle of project, then connects through the golf course to La Rotonda Drive. A significant portion of this trail from halfway Pint to the switchback trail has been broken up by the slide.

A (13) Flying Golf Ball Trail. This trail followed the old slide scarp of slide C, and is also known as the "Sewer Easement Trail". It followed a golf course path between hole 18 and hole 12. It has been undermined and broken up by slide.

A(18) Dudleya Trail, bluff top to beach trail in middle of project. Trail can be re-routed and reopened by time the clubhouse is open

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**Exhibit 34**  
**TRAILS AFFECTED BY EARTH MOVEMENT.**

Page 2

Status of trails affected by earth movement.

| No. | New or existing at time of original approval | Name   | Affected by                                      | To Be Open before clubhouse?  | To Be Open before golf course  |
|-----|--|--|--|---|--|
| A6  | Bluff to beach existing                      | Sunset/Torrance  | Potential rockfall                               | Yes, if potential rockfall eliminated                                   | Yes, if potential rockfall eliminated  |
| A7  | Bluff to beach existing                      | Sunrise/San Pedro  | Buried   | Not possible  | Yes if re-built  |
| A11 | Bluff edge existing                          | Bluff edge pedestrian Catalina view  | Rock fall at Halfway Pt buried in Slide C cracks | No<br>However, east end is open<br>applicant watching cracks at hole 13 | Yes , if potential rockfall eliminated and after slide repair<br>However, east end is open |
| A12 | Bluff top new                                | Bluff edge bike east side of park to project boundary Catalina View                | Partially buried partially broken                | No;<br>However, east end is open from second bridge                     | Yes  |
| A13 | Existing, incorporated into course           | Trail along golf course path that follows the sewer easement along the slide scarp | Collapsed  | Closed  | Yes  |