

**CALIFORNIA COASTAL COMMISSION**

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

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Hearing Date: 3/17/2004  
Commission Action:

**STAFF REPORT**  
**MATERIAL AMENDMENT**

**STAFF REPORT: PERMIT AMENDMENT**

**APPLICATION NO.:** A5-RPV-93-005-A-20 (Ocean Trails/V.H. Property)

**APPLICANT:** V. H. Property Corporation

**AGENTS:** Vincent Stellio, Jeff Kaplinski, Ken Newville, Luis Demorales, Mike Sweesy, Roger Osenbaugh

**PROJECT LOCATION:** One Ocean Trails Drive, 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 creation of 75 graded lots for single-family residences, construction of four lower cost apartments, installation of 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 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-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; (3) supervision of public access trails in the habitat areas, subsequently amended eighteen times, as indicated in Appendix B. The Commission denied one amendment (A14). This project is also identified as "Ocean Trails."

**SUMMARY OF AMENDMENT 20:**

Addition of approximately 8,211 square feet to Ocean Trails Clubhouse and changes in uses and floor plan, including the 25.3 feet seaward extension of the lower level of the enclosed structure. The clubhouse changes include: (a) extending a new public lower level deck 14 feet seaward, 10.5 feet of which will be in public park lands now occupied by ramps and retaining walls; (b) enclosure of a lower level snack bar and public patio to an enclosed spa/salon and other non-recreational uses; (c) construction of new public terrace on the roof of the lower level extension; (d) conversion of the upper (third) level offices to a restaurant, (total additional enclosed restaurant seating area will increase by 490 square feet); and (e) enlargement of the pre-function rooms of the existing banquet facility. The

applicant also requests to realign a trail from the bluff edge outside Ocean Trails Park to inside the park.

Finally, the applicant also seeks after-the-fact approval of changes to the grading plan for the landslide repair<sup>1</sup> approved in Amendment A15 including all changes approved by the City of Rancho Palos Verdes in grading plans Delta 1, Delta 2, Delta 3 and Delta 4. The changes include: (a) adjusting the level of the bottom of the MSE wall to reflect field location of the UBL (upper bentonite layer)<sup>2</sup>, (b) adding additional drainage devices, including drainage line "A" and a beach level outfall, to collect runoff from Ocean Trails Park and from the open space area inland of the trail 3A (12) Catalina View Bluff Top Activity Corridor Bicycle and Jogging Trail), (c) relocating the sewer bench inland due to flatter backcut required in Slot 1, (d) lowering finish elevations in a portion of the Blufftop Activity Corridor and Halfway Point Preserve to balance earthwork, (e) revising backcut in a portion of Slot 6 to 1½ :1 (below Ocean Trails Park) at the request of the geotechnical engineer for safety reasons (no change in finish surface of grading), (f) revising finish grade in the golf course (Tees on Holes 1, 12, and 18 and Lake 9 area) at the request of the golf course architect, (g) adding finish grading for Ocean Trails Park (originally identified as Halfway Point Park) in order to coordinate park and golf course grading, and to reflect latest park plans and field conditions, and (i) additional stabilization measures, such as placing flat boulders for steps and reinforcing the trail with geo web at the toe of the relocated and reconstructed Sunrise (San Pedro) Trail (3A.7).

**APPROVED SPECIAL CONDITIONS, INCORPORATING MODIFICATIONS  
RECOMMENDED IN THIS REPORT:**

**APPENDIX A**

**PREVIOUS PERMIT AMENDMENTS:**

**APPENDIX B<sup>3</sup>.**

**SUBSTANTIVE FILE DOCUMENTS:**

**See APPENDIX C<sup>4</sup>**

**SUMMARY OF STAFF RECOMMENDATION:**

As initially proposed, this 8,211 square foot enlargement of the three story golf course clubhouse would replace the public deck and snack bar on the lower level of the clubhouse with other uses and re-establish the public deck and snack bar on the main level terrace of the building, place the public park restroom inside the building rather than being directly accessible from the outside. These changes would affect the applicant's ability to carry out the permit requirements that require that the rest rooms and the lower level patio area shall be public spaces available to all members of the public without a

<sup>1</sup> In July 2000, The Commission approved a design to stabilize the landward side of the 17-acre landslide with a mechanically stabilized earth (MSE) wall at the seaward edge of the golf course. Geo web extending seaward would offer additional protection to the bluff edge bicycle and jogging trails. The work has proceeded, with changes outlined on the changed grading plans and described in Section C below.

<sup>2</sup> The landslide moved along the upper of two bentonite layers: the upper bentonite layer was the slide plane.

<sup>3</sup> Appendix B, "Previous Permit Amendments," is available in the file in the Commission offices.

<sup>4</sup> Documents reviewed in previous actions are available and listed in files in Commission offices. Geotechnical documents reviewed for this report are listed in the Memorandum from Mark Johnsson, Staff Geologist dated February 23 attached as Exhibit 15.

requirement of purchase (see Special Condition 19). The initial proposal raised significant issues with the requirement of Section 13166 of Title 14 of the California Code of Regulations that requires the Executive Director to reject an amendment that lessens the intended effect of an approved permit. After consultation with staff, the applicant returned to the City and changed its project in order to comply with the intent of the originally approved project. The ways in which original proposal was inconsistent with the approved permit have been addressed either through by the applicant's most recent changes, or by it representatives' agreement in concept with the special conditions which the staff is recommending. As outlined below, the applicant has agreed to changes in its project and to special conditions that will preserve the public serving functions of the clubhouse including the availability of the patio and the restrooms, while allowing a more efficient restaurant configuration. The applicant also received approval from the City to move an upscale restaurant that is now located on the main level of the clubhouse to the upper level, and move a "Casual Dining Area" from its present location into the location previously occupied by the upscale restaurant, and to create a "Golfers' Area and Bar" in the space presently occupied on the main level of the clubhouse by the "Casual Dining Area" and a food service patio.

As described elsewhere, the clubhouse is a three level structure directly inland of Ocean Trails Park. The lower level is 8.4 feet higher in elevation than the bike path that is directly seaward of the building and 31.4 feet above the lawn area in the middle of Ocean Trails Park. The main level is at the same level as the golf course parking lot and eleven feet above the lower level; the floor of the upper level is 12.75 feet above the main level. In order to allow the changes to the clubhouse without reducing the public access and recreation features that the clubhouse now provides, the Executive Director recommends special conditions to assure that the main level patio will function as now proposed: as a public seating area (with no purchase required) in lieu of the lower level patio. To protect the use of the public deck as a public seating area when it is relocated from the lower level to the main level, staff recommends that no sit-down service be allowed on the main level deck; food orders should not be required for seating, and seating shall not be controlled by the restaurant (no sign ups, or waiting lists for tables). Second, staff recommends that the park restroom remain on the exterior wall of the structure, which will require moving the restrooms adjacent to the new exterior wall where a new storage room is now proposed.

Since the main level deck will be 20.3 feet above the park trails that are adjacent to the structure, and 43 feet above the park lawn, staff recommends special conditions to enhance physical access, including handicapped access, connecting the new deck and the public park. Access from the park to this main level deck will be available via a flight of stairs on the western side of the building that connects with a flight of stairs on the eastern side of the building by way of a new lower level deck built out over park land that is now occupied by a golf cart/handicapped ramp. There is an elevator in the interior of the building that extends from the lower level to the main and upper level floors. Improved physical access would require some changes to the proposed design (Exhibits 2-8, 11, 12). Staff is recommending special conditions to address all these issues, including changes to Special Condition 19 (Clubhouse Deed Restriction) that are necessary to allow the proposed changes.

When the City approved the changes to the clubhouse, it required new geology reports addressing the stability of the new addition, which will extend over an existing deck that is located on the seaward side of the clubhouse. These reports are not yet available, although the existing clubhouse is located on a site that has a minimum factor of safety in excess of 1.5. While the applicant asserts that it is likely that the 25-foot seaward extension will be located on stable ground, staff is recommending that the permit not be released until the City approves the geology report to allow expansion of the clubhouse, and the applicant provides the reports and any City comments for the review and approval of the Executive Director. If changed foundations are necessary, the new design may require an amendment to the permit, based on the Executive Director's evaluation.

The applicant also proposes to move about 185 feet of a bluff edge trail from a location just outside the perimeter of Ocean Trails Park to a location just inside the park. This relocation occupies about 370 square feet of a park that already accommodates bicycle, handicapped and golf cart trails. However, the applicant has provided evidence that the previous route of the trail was not safe because it was too near the unsupported edge of a bluff and subject to sudden block failure.

The Commission approved a grading plan for repair of the 17-acre landslide on the site in its July 2000 approval of Amendment 15 (A5-RPV-93-005A15). The applicant now requests after-the-fact approval of numerous changes and corrections to these plans. A more detailed analysis of the changes is available in Staff Geologist Mark Johnsson's memorandum dated February 23, 2004 (Exhibit 15) and in Section C below. These changes include:

- 1) Changes in the specifications, number, and locations of the shear pins that were proposed to add stability to the part of the slide located seaward of the Mechanically Stabilized Earth (MSE) wall during construction of the wall;
- 2) Changes in size, limits and order of excavation of slot cuts planned to allow the staged installation of the MSE wall;
- 3) Relocating the Los Angeles County Sewer line inland, so that sewer line would be located on cut slope;
- 4) Elimination of a soil layer between primary and secondary geosynthetic layers on the edge of the MSE wall, for a portion of the wall;
- 5) Changes in design grade in order to balance grading, resulting in changes to elevation of some public access facilities;
- 6) Redesign of Slot 6 due to geologic conditions encountered in the field, resulting in an adjustment in the elevation of the base of the MSE wall, reduced finished grade for the western portion of the site (including parts of the blufftop activity corridor and Halfway Point Preserve) and an increase in the limits of excavation of the backcut;
- 7) Elimination of the clay cap over the landslide repair area<sup>5</sup>;

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<sup>5</sup> Both the City and the Commission required that the golf course include a clay cap to prevent irrigation water from percolating into the soils, which could, given the geology of the site, increase instability. See Section C below and Exhibit.

- 8) Considerations for temporary cessation and resumption of landslide repair operations; and
- 9) Changes to grade, drainage features, and trail design in Ocean Trails Park, including installation of a drain line (Line A) across the engineered slope to beach level.

The applicant is not proposing changes to the habitat protection provisions of the permit, but the new drain, shown as "Line A" on the revised plans, will carry storm flow from Ocean Trails Park and peak storm flow from one of the golf course lakes, "Lake 9." Because it is planned to discharge at beach level, the new outfall is subject to Special Condition 11 Final Drainage Plans imposed to protect Marine Resources, which requires:

- d) *No discharge from golf course or project improvements to tide pools.*

The lake recycles water and routinely discharges excess to the project drains, which are located at some distance from the tide pools. Staff is recommending review of the location of the outfall from this facility and the quantity of discharge expected from it during storms to ensure protection of marine resources. Staff is also recommending that the applicant relocate this outfall if more detailed review shows that the line discharges to rocky intertidal habitat.

The applicant has already completed the many of proposed changes to the grading plan, but has not carried out the changes to the clubhouse. When it evaluates permits for development that has already taken place, the Commission evaluates the development as if it had not taken place. The fact that the development is in place does not prejudice the Commission's evaluation. If the Commission finds that the development is consistent with the applicable standards, it approves it. If the Commission finds that development is not consistent with the Coastal Act, the Commission can impose special conditions to bring the development into consistency with the Coastal Act or deny the development. If the Commission denies the development, or finds that there are other issues arising from its installation without a coastal development permit, the Commission can refer the matter to the enforcement staff for further action.

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

1. City of Rancho Palos Verdes, Revision "T" To The Ocean Trails Project - Expansion Of The Clubhouse, August 19, 2003
2. City of Rancho Palos Verdes, Revision "U" To The Ocean Trails Project - Expansion Of The Clubhouse, November 5, 2003
3. City of Rancho Palos Verdes, Delta 4 Revision to the Repair of Landslide C, CUP No. 163 et al. Revision "L" Delta 4.

**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 in order to protect 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 and recreation. Therefore, the Executive Director has determined that the change must be reported to the Commission and noticed to the public.

The Coastal Act and its regulations limit the applicant's ability to request changes after a permit has been approved. 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. This regulation applies equally to the original applicant and to any successor in interest.

Proposed changes:

**Revision to grading plans; addition of drainage devices.** On June 2, 1999, a landslide destroyed about seventeen acres of improvements and natural areas, including a portion of golf course Hole 18. As discussed in previous reports, this landslide is an unforeseen event that required massive grading in order to repair it. The applicant made changes to the grading plans in response to information discovered during excavation for the repair, such as the actual depth of the slide plane that required excavation deeper than anticipated. Similarly, the applicant changed the elevation of the finish grade when it recalculated the amount of fill dirt that it expected to be available. These estimates have changed as the applicant has completed road repairs and changes to the golf course. The applicant took other measures in response to new information concerning the soils of the site. The applicant and the City adopted these changes, shown on Deltas 1- 4 and described in detail in Section C below, based on new information that the applicant and its consultants discovered during excavation and that therefore could not have been known by the applicant in advance of issuance of the permit.

**Revisions to the final trail and park plans based on final geological investigations.** As noted elsewhere, the applicant proposes moving about 185 feet a bluff edge trail into the park, away from places where there might be sudden block failure. Technical review of the stability of a bluff edge trail occurred during preparation of the final park plans, when the instability of the trail was noted. The final elevation of the bluff edge trails and the replacement trail for the "Sunrise (formerly San Pedro) Trail" which leads from the eastern side of the park to beach level have changed based on elevations of the surface of the engineered fill. While



the final elevation of the park (about 170 MSL), is only one foot higher as now graded and in the proposed plans than that approved previously, the elevations of the trails that cross the engineered slope have been adjusted lower (about 165 MSL) to reflect final estimates of the quantity of fill available. With slightly less fill available than originally estimated, the elevation of the top of the fill is lower than expected. According to the applicant, the exact amount of fill will not be known until golf course re-grading is complete and elevations might be slightly higher when construction is complete. The quantity of fill is information that could not have been discovered or presented earlier, because fill compresses at unexpected rates during grading.

**The Commission cannot consider the changes to the public decks, the clubhouse and restaurants as originally proposed, as the need for those changes is not a result of new information or unexpected occurrences.**

Therefore, the Executive Director must reject them unless the changes, when contemplated along with newly imposed special conditions, are consistent with the intent of the Commission's prior action. As initially proposed, several changes to the clubhouse would have resulted in fewer and less accessible public serving facilities available for the park. These changes are the result of the expansion of the lower level of the clubhouse seaward in order to accommodate a deck outside of a "Golfers' Area and Bar" on the main level and expanding the pre-function room of the banquet facility, and providing other uses in the expanded lower level. The applicant proposes to achieve this by expanding the clubhouse on the seaward (south) side of the clubhouse, which is adjacent to the park, over a public deck. In response to comments about the public deck, the applicant enlarged this main level deck to provide more deck area that the public could use. After reviewing revisions to the clubhouse plans, including expansion of the main level deck to 18 feet, the Executive Director determined that with special conditions imposed to assure that the clubhouse will continue to function as a public visitor support facility, as the applicant asserts, the staff could accept application to expand the facility

#### **I. STAFF RECOMMENDATION:**

Staff recommends that the Commission **APPROVE** the amendment to the permit subject to the conditions enumerated below and adopt the following resolution:

**MOTION:**    *I move that the Commission approve the proposed amendment to Coastal Development Permit No. A5-RPV-93-005 pursuant to the staff recommendation.*

#### **STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE A PERMIT AMENDMENT:**

The Commission hereby approves the coastal development permit Amendment (A-5-RPV-93-005-A20) on the grounds that the development, as amended and subject to conditions, will be in conformity with the policies of the certified LCP and with the public access and public recreation policies of Chapter 3 of the Coastal Act. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

**II. STANDARD AND SPECIAL CONDITIONS:****THE FOLLOWING IS ADOPTED AS PART OF THE COMMISSION'S RESOLUTION:**

**NOTE:** Appendix A, attached, includes all standard and special conditions that apply to this development as approved by the Commission in its original action and its subsequent amendments, including this Amendment 20. Changes in the names of parks and trails adopted by the City of Rancho Palos Verdes are inserted into the park and trail designations. The previous designations are provided for purposes of clarity. Corrections to typographic or stylistic errors, which the Executive Director determined did not change the meaning of the conditions, have been made in this document without the use of annotated or highlighted text.

All of the Commission's adopted standard and special conditions and changes in the project description proposed by the applicant and approved during previous Commission actions continue to apply to the permit as a whole and to this amendment unless explicitly changed in this action. New conditions specifically imposed in this action on Amendment 20 are shown in the following section. Within Appendix A, recommended deletions from adopted special conditions are shown in ~~cross-out format~~. New provisions inserted in previously approved special conditions and new special conditions recommended for adoption in the present action are shown in **bold, and underlined format**. This will result in one set of adopted special conditions. The Executive Director is suggesting some changes in language or exhibit references for purposes of clarity that in the view of the Executive Director will not have any material effect. These changes are highlighted in Appendix A. Unless previous conditions are noted for revision, they are not being modified by the Commission's action on Amendment 20.

**Changes to existing special conditions and new special conditions imposed by this permit amendment:**



1. ADD NEW SPECIAL CONDITION 41.

41. GEOLOGIC REVIEW OF CLUBHOUSE EXPANSION

Prior to issuance of coastal development permit Amendment A-5-RPV-93-005-A20 and before any demolition of the clubhouse or construction of changes to the clubhouse may begin, the applicant shall provide for the review and approval of the Executive Director complete plans, including updated foundation plans and updated reports on the geologic safety of the clubhouse extensions in support of those plans. Such plans and reports shall be accompanied by any applicable reviews by the City of Rancho Palos Verdes Department of Building and Safety and its consultants, and evidence that the City has accepted these plans and reports and found them consistent with conditions imposed on Addenda No. 15 and 16 to Environmental Impact Report No. 36 and for Revisions "T" and "U", Conditional Use Permit No. 163 regarding geologic safety and stability of the structure. If such plans and reports require or include any change to the existing foundations of the clubhouse, the Executive Director shall determine whether or not the changes require an amendment to the permit or whether Amendment 20 may be released.

2. ADD NEW SPECIAL CONDITION 42.

42. REVISED PLANS FOR CLUBHOUSE EXPANSION

A. Prior to issuance of coastal development permit Amendment A-5-RPV-93-005-A20 or any construction on the golf course club house, the applicant shall provide revised plans for the review and approval of the Executive Director that show:

- 1) Relocation of the vestibule of the public park restroom and the restroom to the exterior wall of structure;
- 2) Improved handicapped access from the park to the lower level and from the lower level deck to the elevator connecting to the main level deck, including, at a minimum:
  - (a) Visible, handicapped accessible door not less than 36 inches in width on the lower level public deck
  - (b) Directional signage on door or exterior wall;
  - (c) Hallway leading directly to elevator from this lower level deck door;
- 3) Stairs from park trails to the park deck (on the lower level) at west end of deck as shown on Park Plans and on rendering (Exhibit 4 of Amendment 20);

- 4) Provide park seating, interpretive materials and water fountains on the lower level public park deck;
- 5) No planters may extend into park;
- 6) Signage. The applicant shall provide signage plans that show:
  - (a) Signage on the lower level deck shall state clearly that the deck is part of a publicly owned park;
  - (b) Signage on the main level deck stating clearly that no purchase is required for seating and that seating is not controlled by the restaurant;
  - (c) Signage at the restaurant entries stating clearly that seating is not reserved for golfers and is available to the general public.
  - (d)

3. ADD NEW SPECIAL CONDITION 43.

43. NEW DRAIN (LINE "A" DELTA 3 AND 4).

A. Prior to issuance of permit amendment A-5-RPV-93-005-A20 or the construction of any improvements authorized in that amendment, the applicant shall provide a written report by a qualified marine biologist as outlined in Special Condition 11, for the review and approval of the Executive Director that demonstrates that Line A depicted on Delta 3 and Delta 4 and proposed in Amendment 20 (A-5-RPV-93-005-A20) will not discharge into tide pools or rocky intertidal habitat and will otherwise comply with the requirements of Special Condition 11.

B. If the Executive Director determines that the reports do not support the present location of the outfall, the Executive Director will inform the applicant of this determination, and within 30 days of the determination, the applicant shall provide a written agreement and revised plans, also for the review and approval of the Executive Director, that show a) a location for the outfall that conforms with Special Condition 11, b) plans and a timetable for relocating the outfall as specified in a).

C. Pending review and approval of the final placement of Line A, Lake 9 shall not be allowed to discharge into Line A.

4. ADD NEW SPECIAL CONDITION 44.

44. CONFORMANCE WITH APPROVED PLANS

The permittee shall undertake development authorized in Amendment 20 in accordance with the approved final plans. Any proposed changes to the

approved final plans or phases of construction shall be reported to the Executive Director. No changes to the approved final plans or phases of construction shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. ADD NEW SPECIAL CONDITION 45.

45. CONDITION COMPLIANCE

Within ninety (90) days of Commission action on this permit amendment application (A-5-RPV-93-005-A20), or within such additional time as the Executive Director may grant for good cause, the applicants shall satisfy all requirements specified in the conditions hereto that the applicants are required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

6. REVISE SPECIAL CONDITION 3.

3. OFFER TO DEDICATE TRAIL EASEMENTS

Prior to the issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A~~15~~ 20, the landowner shall cause to be executed and recorded 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 (of the Commission's original approval.) 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 of the original approval. 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.

[The second paragraph is not to be changed]

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

[Paragraphs (1) – (10) are not to be changed]

(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 Sunset (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 **first connecting to the Sunrise Trail and then proceeding along the bluff edge** 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. In the area described by Exhibit 5 of Amendment 15 of this permit as "landslide reconstruction," that is underlain by artificial fill, or the "slide block" of slide C, as also noted in Condition 29 of Amendment 15, said trail shall be located only in an area certified by a licensed engineering geologist and/or structural engineer to have a localized factor of safety of 1.5 or more. ~~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.~~

[Paragraphs (12) – (19) are not to be changed]

[Subsection B. is not to be changed except the following paragraph:]

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,~~ **at any time,** any portion of the above-identified trails is still considered hazardous, the applicant shall submit a complete permit **amendment** 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 in 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.

7. **REVISE SPECIAL CONDITION 5.**

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

Prior to issuance of the permit or the construction of any fences authorized by Coastal Development Permit Amendment A-5-RPV-93-005-A15, 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 or 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 barless wire fences.

**(4) Post and cable barrier, 42 inches in height or less**

[... No changes to remaining Sections B, C and D or to conclusory statement.]

8. **REVISE SPECIAL CONDITION 18.E.**

18. **Assumption of Risk**

[...]

E. By acceptance of this amended permit A5-RPV-93-005-A19, **Prior to issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A20, the applicant shall execute and record a deed restriction, in a form**

**and content acceptable to the Executive Director, which shall state that** the applicant acknowledges and agrees (a) that the site may be subject to extraordinary hazard from landslide, earth movement and bluff failure, (b) that water features located upslope of a landslide area is subject to extraordinary hazards and that the design and execution of such work is the responsibility of the applicant, (c) to assume the risks to the applicant and the property that is the subject of this permit amendment of injury and damage from such hazards in connection with the permitted development, (d) to accept sole responsibility for the removal of any structural or other debris resulting from landslides, (e) to unconditionally waive any claims of damage or liability against the Commission, its officers, agents and employees for injury or damage from such hazards and (f) 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.

**9. REVISE SPECIAL CONDITION 19.**

**19. PUBLIC AVAILABILITY OF GOLF COURSE CLUBHOUSE AND OCEAN TRAILS PARK.**

Prior to issuance of the permit Coastal Development Permit Amendment A-5-RPV-93-005-A20, and before any construction of the golf course clubhouse, the landowners shall execute and record an amendment to the existing, recorded deed restriction that was recorded pursuant to the previous version of this condition, in a form and content acceptable to the Executive Director, so that the effective deed restriction, as revised, provides that the approved visitor-serving golf course facilities including the clubhouse, ~~will~~ shall conform to the following requirements:

A. PUBLIC FACILITY. The clubhouse, and golf course, treatment spa and restaurants 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, restaurants or other clubhouse facilities 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 no earlier than one hour after sunset.)

D. **RESTROOMS/PUBLIC FACILITIES.** 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 and main level patios (decks) 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 areas 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 (one half hour after sunset). No fee or validation shall be required for use of these facilities.

F. **PUBLIC USE.** The rest rooms, and the lower and main level patio (deck) areas 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 these facilities shall not be locked during daylight hours. The restaurant shall not control seating on the patios (decks) and table service shall be prohibited on the patios (decks.)

**G. PARK MANAGEMENT.** The management of the public parks remains the purview of the City and park facilities shall not be reserved or leased except as provided in Special Condition 1 of this permit. Gazebos and picnic tables in the park shall not be reserved in advance of the day of use or reserved through the clubhouse.

H. **G. SIGNS.** The parking lots, restrooms and lower and main level patio (deck) areas 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) and on the patios (decks).

**I. 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.

**J. VALET SERVICE. The applicant shall impose no fee or purchase requirement for the use of the valet parking service, and this provision shall be clearly posted at the entrance of the 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 permittee shall undertake development authorized in Amendment 20 and operation of all facilities subject to this permit in accordance with the approved final plans and special conditions. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.**

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~~ **restriction** shall be described in the ~~offer~~ **revised document** 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.

**10. REVISE SPECIAL CONDITION 21.****21. Lighting and Sound.**

Prior to issuance of the Coastal Development Permit amendment A-5-RPV-93-005-A20 amended permit, the applicants shall submit lighting and sound studies and revised plans for the review and approval of the Executive Director to protect the bluff face and restoration areas from light and noise generated by the project. The applicant shall prepare a professional analysis of the impacts on the bluff face and restoration areas of the expanded clubhouse and banquet facility and of the conversion of the third floor to a restaurant. The plan shall, at a minimum, include a wall or landscaped berm at the west and southerly end of the clubhouse 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 those expected in residential areas.

**11. REVISE SPECIAL CONDITION 23.****23. Signage, Final Public Amenity Plan.**

Prior to issuance of this permit amendment A-5-RPV-93-005-A20 and before any new construction of the clubhouse takes place, the applicant shall prepare for the review and approval of the Executive Director final trail maps, and a revised public amenity plan incorporating all features required by the Commission's Conditions. The plan shall include the overlooks, signs, railings, bridges, public decks, adequately sized public restrooms, benches, picnic tables, and other amenities proposed by the applicant and required by the Commission in this and prior actions. In the event of conflict or inconsistency between this and any other

action, the Commission's Conditions shall prevail. In addition to the signs **and benches** described in the permit special conditions and 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 public patios (decks)** and providing information regarding habitat restoration efforts **and trail safety**. 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 **or valet parking from dawn to dusk (one half hour after sundown)**." 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), **and the special conditions of this permit** shall be provided for the review and approval of the Executive Director. ~~on or before February 1, 1998.~~

# **11. DELETE SPECIAL CONDITION 40, DEED RESTRICTION.**

## **40. DEED RESTRICTION.**

**PRIOR TO ISSUANCE OF THE AMENDED COASTAL DEVELOPMENT PERMIT A5-RPV-93-005-A19**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

### III. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

#### A. PROJECT DESCRIPTION AND HISTORY

In this amendment to a permit for a golf course, parks, habitat preserves, a clubhouse and 75 residential lots, the applicant seeks after-the-fact approval for changes to a landslide repair approved by the Commission in 2000 including changes to the grading plan for a previously approved public park that is located near the center of its property. At the same time, the applicant is seeking approval to expand the project clubhouse.

In April 1993, two co-applicants, Zuckerman Building Company and Hon Investments received a permit to re-subdivide ten lots and develop 83 residential lots, a golf course, a trail and park system and a Habitat Enhancement Program into 2 tracts. The City had approved a project design that clustered 83 single-family units on two stable areas of the site and allowed the development of a golf course where the factor of safety was less than 1.2.<sup>6</sup> In addition to addressing geologic safety, the City conditions, the applicant's final project and the Commission's conditions of approval addressed two additional issues: the protection of existing public access on the site, and the protection of habitat. The Department of Fish and Game and the United States Fish and Wildlife Service (USFWS) had conceptually approved the Habitat Enhancement Program (HEP), which was required because of the discovery of a threatened bird, the coastal California gnatcatcher, on the property. The special conditions required protection of coastal sage scrub by requiring dedication and restoration of the bluff faces and of a strip adjacent to the bluff. The habitat issues are described in more detail in Section D below.

In response to testimony concerning long public use of the site, the applicants proposed a network of public trails linking public parks and open spaces along the bluff edge and at the project entrance, including a park on the promontory in the center of the project, Halfway Point. The applicant also proposed to develop and dedicate four on-site pedestrian routes from the frontage road, Palos Verdes Drive South, to the beach; and, in addition, agreed to improve a path from the road to the beach over the adjoining undeveloped public park, Shoreline Park, and to provide public parking on the project's streets and in public parking lots. The final proposal, as approved, included 75.5 acres of dedicated lands<sup>7</sup> in addition to approximately 24,000 linear feet of trails. The Commission approved the applicant's proposal, finding that it protected existing access on the site.

In 1994, the Commission amended the project to relocate the golf clubhouse from a location in the center of the property to a location nearer to the bluff top promontory at the center of the property (Halfway Point) where the applicant originally proposed a public

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<sup>6</sup> A factor of safety is the ratio of the forces resisting a potential landslide to the forces driving the potential landslide. A factor of safety of 1.5 generally is required before new residential development is permitted.

<sup>7</sup> 67.1 acres of habitat preserves and parks were required to be revegetated as habitat preserves, 8.4 acres of parks.

park and park restroom. As part of this proposal, the applicant proposed to remove the restroom it had offered to build in the park in the 1993 action and to build a public restroom, a snack bar and public viewing deck as part of the clubhouse. In addition, the applicant requested to remove a trail that the resources agencies could not approve from the west end of that project, and substitute a trail around the outside of the park. In mitigation, and to assure the Commission that the changes would not reduce the visibility and accessibility of the park, and the linear feet of trails available to the public, the applicant offered to enlarge the park from 4.9 acres to 5.1 acres, not including the area of the relocated trail. More information concerning public access issues is found below in Section B and in the exhibits.

In July 1993, a coalition of several groups: the Sierra Club, the California Native Plant Society, the Coastal Conservation Coalition, Save Our Coastline 2000, and Andrew Sargent, sued the City, the developer and the Commission. The result of the lawsuit was a 1995 settlement in which the developer agreed to improve and dedicate certain access facilities and add additional habitat (the parks, bluff edge and bluff to beach trails and habitat restoration areas).<sup>8</sup> The City agreed to accept easements over trails and fee ownership of habitat areas and parks and the Commission agreed that its permit would incorporate these requirements. The applicant requested an amendment to reduce the project to 75 single-family residential lots, incorporated four moderate cost units, additional parking, and additional areas of restored habitat on the non-active play areas of the golf course (identified as "non-golf setbacks" in the settlement). The Commission and the applicant incorporated the settlement agreement into the project description in Amendment 2 (A-5-RPV-93-005-A2), and the opponents agreed to refrain from opposing the project's completion.

In 1997, the Commission approved a modification to its conditions so that dedications of trail and park areas could occur before lot lines were established. The applicant recorded offers to dedicate based on mapped depictions of the areas to be dedicated, the permit issued and grading commenced. In May 1999, the residential lots in the easterly tract, Tract 50667, recorded, but pending discussions concerning liability, and the final location of lot boundaries in Tract 50666, the City of Rancho Palos Verdes has not accepted the parks and trails. All trails except for the trails along Palos Verdes Drive West and within Tract 50666 (the westerly tract) were complete.

In 1997-1998, the Commission allowed changes to the boundary of proposed Ocean Trails Park, formerly Halfway Point Park, to allow a putting green and also allowed the applicant to add a lower, or basement level, to the clubhouse. As a result, the park, now expanded to 5.21 acres, would occupy areas on the point and on the eastern side of the point, and connect to the public parking lot by means of a long neck extending between the clubhouse and the putting green (Exhibit 13). Since a jogging trail and combined bicycle, handicapped, and golf cart trail were already routed between the clubhouse and the active area of the park, this expansion included these trails. The redesigned park also included a golf cart/handicapped ramp connection to the lower level of the clubhouse on the seaward side of the clubhouse (Exhibit 12.)

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<sup>8</sup> Native Plant Society, Sierra Club v. Coastal Commission Los Angeles Superior Court, No. BC 083026



In June 1999, a landslide occurred that removed over 17 acres, including portions of four trails, about 5.88 acres of restored habitat and two holes of the golf course. The applicant proposed to repair the golf course, the habitat areas along the bluff top and the trails. In July 2000, the Commission approved an amendment, A-5-RPV-93-005-A-15, that authorized the repair. As part of the repair, the applicant agreed to restore the trails and habitat areas<sup>9</sup> and reconstruct the park at Halfway Point. The Commission approved this reconstructive work, and subsequently approved two immaterial amendments (A-5-RPV-93-005-A-16 and A-17) to the permit.

While the repairs were underway, ownership of the project transferred to a third party. The new owner, V. H. Properties Corporation, now proposes several changes in the project. In December 2003, the Commission approved changes in the configuration of some golf holes, relocation of golf course habitat, and new water features to the golf course. In the present proposal, the new owner proposes changes to the clubhouse and park and technical changes to the slide repair plan. In the future, the applicant plans to seek approval of driving range on some of the residential and open space lots on Tract 50666. The applicant has not yet submitted the plans for the driving range to the City or the resources agencies. The applicant has requested that the Executive Director report each phase of the revisions to the Commission separately. Since these proposals are physically separated, and change different features of the project, the Executive Director has determined that the impacts of each of the changes can be analyzed independently, without prejudicing Commission's review of any other of these proposals.

In the present amendment, the applicant proposes to add 8,211 square feet on the seaward side of the clubhouse. The applicant is also proposing to realign a bluff edge trail specified to be located outside of Ocean Trails Park to a route located partially inside the park. In addition, the applicant requests after-the-fact approval of several changes to the grading plan for the slide repair that was approved in 2000 as Amendment 15 of this permit.<sup>10</sup> Finally, the applicant indicates that it will need to place steps and possibly geo web near the shoreline to stabilize the "Sunrise" Trail that leads to beach level from Ocean Trails Park.

The approximately 8,211 square foot addition to the Ocean Trails clubhouse includes:

- a) Enclosing an existing deck by extending the enclosed portion of lower level 25'3" feet south (seaward), resulting in the addition of 6,147 sq. ft. to the lower level, and conversion of the space to a spa/salon and other non-recreational uses;
- b) Lengthening the golf cart/handicapped ramp, flattening its slope to 5% and relocating it 14 feet seaward, 10.5 feet into park land;

<sup>9</sup> Ten acres will be restored on the restored bluff top, additional areas will be restored in Shoreline Park and in Forrestal Draw.

<sup>10</sup> In Amendment 13, temporary stabilization measures were approved. In Amendment 15, the Commission approved the landslide repair plan. In Amendment 16, Commission changed timing conditions in adopted in Amendment 15, and in Amendment 17, the Commission allowed the applicant to close a parking lot for the duration of the repair in order to separate the public from heavy equipment. While all four actions addressed the repair, the repair was approved in Amendment 15.

- c) Extending a new lower level deck along the face of the clubhouse to provide a pedestrian connection between the ramp from the park and the exterior stairs of the clubhouse. The deck will extend 10.5 feet into the park acreage into an area formerly occupied by the handicapped ramp;
- d) Creation of main level (ground floor) 1,440 square foot "Golfers' Area and Bar" in space occupied by an existing "Casual Dining Area" and patio;
- e) Conversion of a 2,000 square foot. "Fine Dining Area" that is now located on the main level to a 1,456 sq. ft. "Casual Dining Area;"
- f) Creating a new 4061 square foot patio on the roof of the lower level extension, 2031 square feet of which would be devoted to a public deck and snack bar;
- g) Conversion of 2,310 square feet of offices in the upper (third) level in order to create a new 2040 sq. ft. "Fine Dining" restaurant on the upper level;
- h) Extending a portion of the upper level three feet seaward, which would increase the upper level square footage by 110 sq ft.; and
- i) The applicant proposes other changes in the location of the offices and pro-shop, including the addition of 3,121 square feet of storage space which it proposes to construct on the lower level. Additions of caps to the chimneys will make the chimneys slightly higher.

The Ocean Trails clubhouse is presently a 33,070 square foot, three-level structure built into a fill slope that overlooks Ocean Trails Park, a 5.21-acre park that, with the clubhouse, is the central feature of the project's public access component. There is considerable elevation difference between the public areas of the park and of the clubhouse. The lower level is 8.4 feet higher in elevation than the bike path that is directly seaward of the building and 31.4 feet above the lawn area in the middle of the park. The main level is at the same level as the golf course parking lot and eleven feet above the lower level; the floor of the upper level is 12.75 feet above the main level. The lower or basement level, improved as part of Amendment A12, contains the golf- cart storage area, public park restrooms, a snack bar about 2,200 square foot public deck, and a "lounge" located on the seaward side of the facility. The main level presently includes two restaurants totaling 3,070 square feet, a banquet facility, a pro-shop and lobby. The upper level is now devoted to offices (Exhibits 3,11).

The applicant also requests an amendment to Special Condition 3.A (11) to allow the realignment of 185 feet of the bluff edge trail inside the boundaries of Ocean Trails Park instead of outside its boundaries. The applicant states this request is in response to safety issues.<sup>11</sup> The applicant has provided reports from the its own consultant, Converse,

<sup>11</sup> 3.A. (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.** In the area described by Exhibit 5 of Amendment 15 of this permit as "landslide reconstruction," that is underlain by artificial fill, or the "slide block" of slide C, as also noted in Condition 29 of Amendment 15, said trail shall be located only in an area certified by a licensed engineering geologist and/or structural

and the City consultant, Cotton Shires, that state that existing cracks, and potential block failure makes the trail in the mapped location subject to sudden failure (Exhibits 17, 18).

Finally, the applicant proposes after-the-fact changes to the grading plan for the landslide repair approved in Amendment A15. The applicant seeks approval for the changes that it made during construction to adjust grading to field conditions and the changes to the elevation of the trails and the fine grading of Ocean Trails Park to reflect latest park plans and the availability of fill. To repair the slide, the applicant placed an array of shear pins at the seaward edge of the slide for temporary stability, and then excavated six slots in the slide. As the applicant's construction crew excavated each slot down below the slide plane, the crew installed a mechanically stabilized earth wall founded on stable soils. The purpose of the wall was to support the 18<sup>th</sup> hole of the golf course. The slide, when it moved, moved along a layer of bentonite. During excavations, it was evident that the upper layer of bentonite marking the slide plane dipped down lower than anticipated in some places, requiring deeper excavations. In other places, the soils were less stable than anticipated, requiring flatter temporary excavations, increasing the area of disturbance. For a more detailed analysis of the changes, see Section C, below.

## **B. CONSISTENCY WITH PUBLIC ACCESS AND RECREATION POLICIES OF THE COASTAL ACT AND THE CERTIFIED LOCAL COASTAL PROGRAM**

This proposal to expand the clubhouse and to reroute the handicapped access ramp and the bluff edge trail raises several public access issues. The project is presently obliged to provide public access to the beach; a public deck providing seating in the clubhouse, picnic facilities, a park restroom and adequate parking to accommodate the public and visitors to the restaurants and the golf course. The Commission notes that while the park is the size of a neighborhood park, like all coastal facilities, it serves a regional function – the Palos Verdes coast draws visitors from other areas of Los Angeles for diving, surfing and whale watching. Because it is a regional serving park, and located out of walking distance from commercial centers, amenities such as seating areas and food service are necessary.

The standard of review of a locally issued coastal development permit on appeal is the certified LCP, and, when it is located between the sea and the first public road paralleling the sea, the access and recreation policies of the Coastal Act. The Corridors Element of the certified LCP identifies the bluff corridors as access corridors. It requires a bluff edge public road on all projects in undeveloped areas, with areas seaward of the road to be dedicated for public use.

Section 30210 of the Coastal Act states:

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engineer to have a localized factor of safety of 1.5 or more. 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.

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

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

The Corridors (Access Corridor) Element of the certified LCP states:

Continuity of pathways between major access corridors, open spaces, etc., should be provided within private developments, but designed so as to retain privacy for adjacent residences within these developments.

The Corridors (Natural Corridor) Element of the certified LCP states:

Natural Corridors should, where desirable and feasible, be utilized as pedestrian access corridors providing access to the coastal bluff area and public use areas, and should have appropriate design treatment to insure pedestrian safety as well as retention and enhancement of the natural features.

Policy No. 2 of the Urban Environment Element of the certified LCP states:

It is the policy of the City to encourage new developments adjoining public trails to design internal trails to link with the public trails.

The original applicants proposed the park and trail system in 1993 to demonstrate consistency with the public access and recreation policies of the Coastal Act and with the policies of the certified Rancho Palo Verdes LCP. Since the geology and habitat resources of the site precluded a bluff edge road, the City and the Commission accepted a wide buffer of public trails and parks between the bluff edge and the golf course as an alternative to a public road. One of the parks, Ocean Trails Park, was to accommodate turf areas, a handicapped loop, a restroom and picnic areas.

In its action on the appeal in 1993, the Commission received testimony concerning historic public use of the trails and bluff edges on the site. At the public hearing on April 15, 1993, the applicants proposed increases in the park and trail system. The offers of dedication that 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<sup>12</sup> 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. The Commission agreed with the applicant that evidence of historic use was inconclusive, but found that the applicant's offers to dedicate trails and parks, as conditioned, did not interfere with "existing" trails, provided adequate public access and conformed with Sections 30210 and 30211 of the Coastal Act. In the settlement with third parties noted above, the applicant again agreed to dedicate the trails and parks on the site and to improve the parks and trails required in Coastal Development Permit A-5-RPV-93-005 as amended. The parks and trails are listed and described in Special Conditions 1 and 3 of this permit. (See Appendix A, Conditions beginning of Page 3.)

In 1995, when the previous applicants requested to move the clubhouse to a location just inland of the park, the Commission expressed concern that visitors would not be able to see the public park, and would not be aware that a public park existed. To support public use of the park and provide a lower cost amenity, as required in Sections 30222 and 30213, the previous applicants proposed to enlarge the park and to incorporate a public deck and snack bar on what is now the main level of the clubhouse<sup>13</sup>. The Commission imposed conditions to enforce this agreement in the form of a separate deed restriction, required pursuant to Special Condition 19, which states in part<sup>14</sup>:

**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.

[...]

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.

The previous owners agreed to the special conditions, recorded offers to dedicate (or depictions thereof) and vested the permit, grading a golf course and one of the two tracts on the property. After the 1999 landslide, the previous owner lost the property. The bank transferred the property to the current owner, identified as VH Properties Corporation. As

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<sup>12</sup> 67.1 acres of habitat preserves and parks were required to be revegetated as habitat preserves, 8.4 acres of parks.

<sup>13</sup> Later, when the applicant added a lower level, the applicant moved the public deck to the lower level.

<sup>14</sup> See page 58 of appendix A for the full text of this special condition.

part of the transfer, the officers of VH Properties acknowledged the Commission's conditions as required in Special Condition 35. (See special conditions.)

In the present proposal, the applicant initially proposed to remove the public deck. After discussions with staff, the applicant proposed to replace those functions on the main level public deck. In order to determine that the change is consistent with the intent of the existing permit, the Commission must find that the redesigned facility provides comparable access to the present facility. In some remaining areas, the proposal is still inconsistent with the approved permit and with the public access policies of the Coastal Act.

In Amendment 1 of this permit (A-5-RPV-93-005A), the previous applicant asked to remove the public restroom planned in Ocean Trails Park, and to construct it within the clubhouse. The applicant argued that the restroom could serve the park even though it was located in clubhouse because its location at an exterior wall made it visible and accessible without entering the clubhouse. The public restroom is now located on the exterior wall of the structure on the lower level, under the banquet facility, which the applicant proposes to expand.

The park restroom will remain in its current location on the lower level, and open to the public, but the applicant now proposes to place several storage rooms on the lower level of the clubhouse between the restroom and the park, in room now available under the expanded banquet facility. The result is that the park restroom, previously on the exterior wall of the clubhouse, would be located 27 feet inside the structure. The entry to the restroom will not be visible from the deck, and it may appear to be a private facility. Staff recommends the applicant be required to move the public park restroom seaward to the exterior wall of the structure.

The applicant initially proposed to replace the public snack bar, deck and lounge with a treatment spa and storage rooms on the seaward side of the lower level of the clubhouse. The applicant still proposes a treatment spa, but after discussions, the applicant now proposes to relocate the snack bar and public deck on the main level of the facility. Instead of a lower level deck, the applicant proposes a 4061 square foot main (second) level deck including a 2031 for outdoor dining and a 2030 square foot deck providing "outdoor circulation". Service would be available through a serving hutch from the "Golfers' Area and Bar." While the "Golfer's Area and Bar" will be open to the general public, the intent is to have facility oriented to golfers. Currently there are two food service facilities on the main level: a moderate priced restaurant and a high-end restaurant. Staff is recommending a change to Special Condition 19 to make it clear that provisions that protect public use of the "public viewing deck" apply to the main level deck. Special Condition 19 now provides that the public has a right to sit on the public deck without needing to be "seated" or to make a purchase. To make it clear that the deck is not part of the restaurant, staff is recommending that no sit down service should be provided.

The applicant is proposing both a staircase and a handicapped ramp to provide access from the park to the lower level deck. Access to the main level from the upper ends of the park ramp and stairs will require using the new lower level deck to reach either a flight of



stairs located on the east side of the building, or the building elevator, which is in the interior of the structure. Access to the elevator requires entering the french doors of the new salon, and passing through an interior hall to the elevator, which is located near the main lobby of the clubhouse. The applicant states that it is possible to redesign of the salon area to provide an entrance from the top of the cart/handicapped ramp to the hall leading to the elevator. While the applicant explains that there will be a door in the new salon, the plans do not show this yet. Similarly, only one of the several sets of plans shows the stairway from the park to the lower level deck. The Commission finds that it is necessary to require revised plans showing adequate pedestrian and handicapped access to the public deck from the park.

Signage is needed to convey public availability of the park and clubhouse. Staff is recommending signage to identify public areas and so that nomenclature such as "Golfer's Area and Bar" does not give the impression that any of the public facilities in the clubhouse can be restricted to "golfers", those who have golf tickets, or to any other group other than to the general public.

The second issue raised by this amendment is the loss of park area caused by 1) moving the bluff edge trail inland into Ocean Trails Park and 2) extending the lower level deck out over the park. Both are necessary changes, but both reduce the area of the park available for other recreation. The applicant argues that moving the trail inland into the park is necessary for safety because the trail in its current location is subject to sudden block failure. The Commission agrees that the applicant has provided evidence that it is necessary to move the trail (Exhibits 17, 18.) However, the Commission notes that the reason the trail was required to be located outside the park was that the trail around the park was to maintain the specified amount of park space.

As noted above, it is necessary to extend the lower level deck out into the parkland to provide a pedestrian link to the stairs leading to the upper level deck. This lower level deck will extend over a slope that had been crisscrossed with rows of retaining walls in such a way that it had little recreational use. Nonetheless, both changes reduce the area available for recreation for the public. Staff recommends that the applicant be required to enhance the lower level deck with viewing areas, benches and water fountains to provide a recreational experience. As conditioned, the expanded clubhouse will be consistent with the special conditions of the permit and with the public access and recreation policies of the Coastal Act.

The third issue is whether the increased restaurant area will reduce parking available to the public. The project is adding 490 square feet of enclosed restaurant service area and a 2031 square foot exterior service deck adjacent to the restaurant, while eliminating the lower level deck that provided some seating (Exhibits 3, 9, 10, 11.)

Restaurant changes proposed			
Restaurant service area	Existing size (in ft. <sup>2</sup> )	Proposed size (ft. <sup>2</sup> )	Net change
Total lower level enclosed	856	0	- 856
Total main level enclosed	3590	2896	- 694
Upper level enclosed	0	2040	+2040
Total enclosed restaurant space	4446	4936	+ 490
Lower level Food patios	2020	0	- 2020
Main level food patio	308	2030	+1722
Total patio space	2328	2030	- 298

The applicable parking standard is found in the certified LCP. This standard allows a 25 percent reduction in parking when there are overlapping uses –such as golfers and restaurant and park visitors. The City required parking for 2030 square feet of the new main level deck and estimates that the clubhouse expansion will require 37 additional parking spaces. The City calculations of the parking required for this expansion are found in the findings for Revision U to the City of Rancho Palos Verdes Conditional Use Permit 163. These findings include the following parking chart:

“The total number of parking spaces provided for the project as originally approved and as proposed is as follows:

Location of Parking Spaces and Use of Parking Spaces	Existing Parking Required through Existing Conditions of Approval	Existing Parking Provided When Site Is Fully Operational	Proposed Parking to be Provided When Site Is Fully Operational
Clubhouse Parking Lot - Used by Golf Course, Clubhouse and Public	150 parking spaces	150 parking spaces	164 parking spaces (14 of which will be valet)
Maintenance Building Parking Lot - Used by Golf Course, Clubhouse and Public	100 parking spaces (25 spaces for employees and 75 spaces for overflow Golf Course/Clubhouse/Public)	123 parking spaces	140 parking spaces (17 of which will be valet)
Ocean Trails Park Parking Lot - Used by Public and Clubhouse	45 parking spaces (spaces are to be used for public only during the daylight hours, and may be used for the Clubhouse during evening hours)	45 parking spaces	45 parking spaces
<b>Total Parking Spaces</b>	<b>250 during daylight hours 295 during evening hours</b>	<b>273 during daylight hours 318 during evening hours</b>	<b>304 during daylight hours 349 during evening hours</b>

"As shown in the tables above, according to the Development Code requirements, there are enough existing parking spaces provided on site (273 daylight parking spaces/318 evening parking spaces) to cover the number of parking spaces required by the Development Code for all existing uses (220 parking spaces) and for the proposed expansion (257 parking spaces)." (CUP 163, Revision U, November 5, 2003')

While the Commission agrees that there is adequate parking for this intensification of the clubhouse, the Commission disagrees that significant parking will be available for the restaurants in the 45-car public lot during the summer months. The Commission's special conditions require the lot to be reserved for the public until dusk. The City staff reinterpreted the term "dusk," as "evening." Evening rush in a restaurant is 7:00 or 8:00 p.m., but sunset may be after that. The Farmers Almanac shows that sunset is about 8:00 p.m. on July 4. Cliff-side walks are attractive at sunset, and it is inconsistent with the Commission's conditions to make it impossible for visitors to access public trails in the evenings because restaurant or valet parking has occupied the "public lot." In order to avoid confusion, the Commission has added the clarification "one half hour after sunset" to define "dusk" in Special Condition 23 addressing signage concerning trail, park and public parking. The Commission has agreed that the project trails not be open after dark. Many of the trails are not safe after dark. They are located on steep 1.5:1 and 2:1 cliffs that extend about 160 feet above mean sea level at the edge. On the other hand, the golf course trails are safe after dark and are open to the public.

Nevertheless, even without the 45 car public lot, there is a surplus of parking. The Commission concludes that the changes to the clubhouse will not reduce the amount of parking that is available for the public. As conditioned, to provide adequate public access support on the deck constructed into the park, to enhance access from the park to the main level and to preserve the previously provided lower deck public use on the new main level deck, the restaurant expansion will not reduce public recreation, public parking, or access to trails and other recreation facilities and conforms to the public access and recreation policies of the Coastal Act and of the certified LCP.

The fourth recreation and access issue involves the Sunrise Trail (formerly the San Pedro trail). At the time of the initial approval, the Sunrise Trail led east from Halfway Point to the beach. In comparison to many Rancho Palos Verdes trails, it appeared to be an easy trail, and the original applicant initially proposed the trail for handicapped access. However, the actual slopes, while appearing relatively easy, ranged from 8% to 12%, which are too steep to qualify as handicapped access trails. In spite of its steepness, the Sunrise Trail remained the best route to beach level because it was wide and the trail cross section had been graded flat in the past. The 1999 landslide destroyed the Sunrise Trail. The applicant agreed to replace it as part of the repair approved in Amendment 15, but proposed a revised route, which would be a shorter trail across the reconstructed slope, following a drainage swale, and then to beach level. The applicant could not provide detailed drawings showing the end of the trail until the grading was complete. The trail is now rough-graded until just above the vertical remnant of the cliff edge, about 12 feet above the beach, where the toe of the slide or the toe of the bluff meets the top of the wave run-up area. In this location, the beach is narrow and rocky -- the cliff ends only a few feet inland of the State Lands boundary. The applicant proposes to route the trail

down the bluff through an erosive feature and then on short switchbacks parallel to the bluff. Some parts of the proposed trail end are narrow or undercut. Some parts are steep, about 2:1, requiring rock steps set into the bluffs. To accomplish this, the applicant proposes to dig out obstructions and to stabilize undercut areas of the trail with geo web to assure a safe trail. Even so, the last 12 feet of the trail will be subject to rock fall and erosion. Because of the narrowness of the beach, the trail end will require repair after major storms. Currently the special conditions and the applicant's agreements with the City require the golf course owner to maintain the trails. Maintaining this trail will require grading with hand tools, stabilization with geoweb to get a wider tread, and placement of rocks in the steep slope above the beach to create steps. Unless some stabilization of the lower trail is provided, such as the rocks and stabilization with geo grid, the trail, which leads from a heavily used park, could quickly become impassible, reducing public access to the beach. A protective structure on the beach to protect the end of this trail is not proposed: it would be inconsistent with Special Condition 3, would not be feasible and would not be consistent with the certified LCP and the public access and recreation policies of the Coastal Act. The Commission finds, however, that geo grid and temporary rock steps on the trail itself require no permanent landform alteration, and are consistent with these policies. As conditioned, the amended permit A5-93-005-A20 will be consistent with the public access and recreation policies of the Coastal Act and with public access policies of the certified local coastal program.

### C. NATURAL HAZARDS

The certified LCP's Natural Environment Element acknowledges the presence of active and ancient landslides and steep bluffs along the Rancho Palos Verdes coastlines. The LCP includes several policies limiting the intensity of development in steep and unstable areas, and which require intensive geologic investigations before potentially unstable land is developed. In addition to mapping areas to show relative slopes and suspected unstable areas, the LCP includes the following policies:

N. 1. -- Allow only low intensity activities within Coastal Resource Management Districts of extreme (33% or greater) slopes (CRM 1).

N. 2. -- Require any development within the Coastal Resource Management Districts of high slopes (CRM 2) and insufficient information area (CRM 5) to perform at least one, and preferably two, independent engineering studies (performed by a licensed engineer) considering the geotechnical, soils, and other stability factors (including seismic considerations) affecting the site.

N. 3. -- Allow no new permanent structures within Coastal Resource Management Districts of extreme hazard (CRM #3A), and be cautious of allowing human passage. The same structural limitation applies to areas of high hazard (CRM 3B) but human passage may be more readily allowed.

N. 4. -- Allow non-residential structures not requiring significant excavation or grading (i. e. recreational facilities) within Coastal Resource Management Districts of marginal stable areas (CRM 4) and insufficient information areas (CRM 5).

N. 7. -- Prohibit activities, which create excessive silt, pollutant runoff, increase canyon wall erosion, or potential for landslide within or affecting Coastal Resource Management Districts containing hydrological factors (CRM 8).

This policy of low intensity development, initial study, and avoidance did not prevent the approval of the golf course on an ancient landslide. This is because Slide C, the ancient landslide that failed, was not regarded as active in 1993. In 1999, 17 acres of the slide moved. In its 2000 approval of the slide repair (A-5-RPV-93-005-A15), the Commission approved major grading in areas that the LCP would have restricted from grading in order to repair the damaged golf holes and public trails. The Commission approved placing an array of shear pins in the slide mass for temporary stability, excavation of the 17-acre slide, by excavating, serially, six slots through to the slide plane and installing a wall of mechanically stabilized earth, which would stabilize the seaward edge of the golf course where the slide occurred. The plans also included replacement of a bluff edge foot and bicycle trail on a geo web underpinning that extended seaward of the MSE wall. The applicant agreed to engineer the bluff edge bicycle and jogging trail to a factor of safety of 1.5, although it explained that the materials would subside over time, resulting in a trail that was lower in elevation than the previous trail. There would be a need to resurface the trail from time to time. The slide eliminated one major trail; trail 3A(7), the Sunrise (formerly San Pedro) trail, which led east from Ocean Trails Park (Halfway Point) to the shoreline. The applicant agreed to install a replacement of this trail along a drainage feature to the foot of the engineered slope and place a viewing area at the base of the graded slope, and from there to construct a primitive trail leading to the beach level. The applicant has rough graded this trail. The last thirty feet of the descent are steep; the last twelve feet of the drop is near vertical, but the trail can cross the slope laterally. This twelve-foot segment of the trail route requires reinforcement and is likely to need frequent repair because it is close to the mean high tide line and at the toe of Slide C, which is now considered active.

June 1999 Landslide: The slide that occurred on June 2, 1999 was a reactivation of an ancient slide, identified as "Slide C" in the project's documentation. Seventeen acres were affected. The slide moved a piece of the bluff face outward and down, leaving a depression at least 100 feet wide behind it (called a graben by geologists) and isolating a portion of the bluff top. The five-acre central block was fractured by numerous cracks, some of which were up to five feet wide and 80 feet deep. In simple terms, a large block of material slid seaward on a layer of bentonite identified as the "upper Bentonite layer," which extends from near sea level to an area about 150 feet inland of the former edge of the bluff. Bentonite is a highly plastic clay, derived from volcanic ash that swells and becomes a slick, soapy material when it is wet. The 0.5" to 3" thick layer of bentonite about 90 feet below the former ground surface was the slip surface for the slide. About the same time, other fissures were noted at the seaward tip of Ocean Trails Park and adjacent to a trail near the eastern end of the project. Those fissures are addressed in the public access section, above.

Main Excavation and Mechanically Stabilized Earth (MSE) Buttress Wall: The MSE buttress wall has now been installed and is a 100-foot wide, 1,280-foot long self-supporting wall. The upper bentonite layer has been removed and the base of the wall has been constructed on the material below the bentonite. The wall supports a wedge of fill extending north and landward into the present golf course and, on its seaward side, a

wedge extending into the present block. About a fourth of the slide block has been removed and replaced by the MSE buttress wall and backfill.

The mechanically stabilized earth (MSE) buttress wall was designed to provide a localized factor of safety of 1.5. Irrespective of the localized factor of safety, the wall will be seaward and down-slope of an area with a factor of safety of 1.2 or less. The factor of safety of much of the golf course is under 1.5 and has been estimated at 1.2 or less because of the adverse bedding planes. The wall is not designed to support the golf course. The wall may provide a marginal increase in stability for this area; however, the buttress wall is not intended to support the golf course itself or improve its stability. There remains the identical chance that existed at the time of the original approval (described by the factor of safety of 1.2) that the entire course will move on the lower bentonite, taking the wall with it.

The Commission approved the slide excavation, MSE buttress wall and backfill with a plan to use the "slot cut method", which the applicant did in fact use. Starting at one end of the graben, a 100- to 200-foot wide "slot" of slide material was excavated and stockpiled on site. The upper bentonite layer at the bottom of each slot was excavated. The material below the upper bentonite layer was scarified and benched. Subdrains were installed in the benches. The adjacent slide area was excavated and material from this excavation was used to rebuild in the initial excavation slot. The MSE buttress wall is a 100 foot-wide box that is constructed in the seaward portion of the initial slot excavation. A 1:1 cut slope seaward of the MSE buttress wall has been rebuilt with geosynthetically reinforced backfill and some unreinforced backfill. The geosynthetic material used in both the MSE buttress wall and the geosynthetically-stabilized earth is woven fabric made either from multifilament polyester yarn (for primary reinforcement), or from monofilament polypropylene yarn (for secondary reinforcement). The geosynthetic material interlain with the native soil, will increase the tensile strength and reduce creep deformation of the reconstructed slope. The area landward of the MSE buttress wall will be rebuilt with unreinforced backfill (Exhibit 17, p.2).

A clay cap, to control infiltration of ground water, was originally planned for all areas of the irrigated golf course as well as the landslide repair area. The applicant decided, however, that this cap was not necessary in the area of the landslide repair because of drainage devices installed within the repair, because the upper bentonite has been removed from this area, and because of the relative low permeability of the recompacted fill in the area of the landslide repair. The applicant's geological consultant, and the City reviewers, supported this change.

The landslide repair process has continued through subsequent excavation and filling of the slot cuts until the entire graben area has been excavated and replaced by the MSE buttress wall and back fill. Two return walls, 260 feet and 160 feet long, are installed. Now that the project is complete, none of these walls is visible from the surface. The reconstructed eighteenth hole of the golf course was approved to be located on fill inland of the MSE buttress. The jogging trail, the bike trail and the newly restored habitat area



are rough-graded on the MSE buttress wall and on reinforced fill located seaward of the MSE buttress. (Exhibit 17)

The Commission approved the slide repair based on a number of reports and calculations and a conceptual plan that included the excavation of six slots to the bentonite layer, sequentially, removal of the bentonite, installation of the MSE wall in each slot, and subsequent backfill. The anticipated depth of the cuts and the angle of the cut slopes were based on samples: based on 50-90 foot borings and soil tests that the applicant had conducted in the year preceding the application. The order of construction was similarly based on a through but preliminary survey. The Commission required that the applicant submit final engineered plans before the permit issued and in stages thereafter. Special Condition 9b found on Page 41 of Appendix A was imposed to assure that the developer carry out the work as initially proposed. Special Condition 9, said, in part:

"B. All final design and construction plans for landslide remediation approved in Coastal Development Permit Amendment A-5-RPV-93-005-A15, including but not limited to plans for shear pin installation, drainage, wall construction, earthwork, stockpiling, phasing of construction, shall be consistent with all recommendations contained in Sections 5, 6, 7, and 8 of the report entitled "Repair Design for Landslide "C", Ocean Trails Golf Course, Rancho Palos Verdes California," dated June 9, 2000, by Converse Consultants, as modified by any revised plans required as a result of the Commission's actions on Amendment 15. ... No work may commence on any phase of work until the applicant receives written authorization for that phase from the Executive Director..."

The applicant's engineers prepared final plans; and, on February 1, 2001, the Commission staff approved the plans and shortly thereafter the applicant commenced construction. During construction, the project engineer, the project-engineering geologist, the City Department of Building and Safety and the project consultants monitored the project, and made a number of changes, some of them significant. On April 6, 2001, the applicant made more changes to the plans; revising emergency contacts, plan notes, geotechnical requirement summary, sheets 2-10 and 12- 16. These sheets included detailed information concerning each slot. On June 21, 2001, the applicant made additional changes, revising sheets 2, 4, 7, 9, 11, 13, 14, 15 and 16. On June 28, 2002, the applicant again raised its emergency contacts, and geotechnical requirements summary sheet as well as sheets 2, 3, 14, and 15. On October 23 2002, the applicant made minor revisions on sheets 3, 14, and 27 per City conditions dated October 17, 1002. During this period, planning staff made periodic visits, generally to check on the placement of habitat protection fences, the location of stock plies and the protection of public access. However, planning staff was not equipped to evaluate the conformance with the technical plans. Technical staff visited the site in the late spring of 2002 and observed some divergences from the plans in terms of the location of the top of the cut in Ocean Trails Park. (The cut was flatter to avoid failure of material that with less cohesive than anticipated. The City and project engineers thought this cut could collapse if the it were as steep as originally proposed.) After this visit in 2002, the Commission staff contacted the applicant about the changes. At that time the applicant's representatives began mailing

copies of the revised plans and updated reports to the staff geologist and to the Long Beach office, but did not apply for an amendment to the permit.

The following are the main departures between the approved plans and Delta 3, as the Commission's staff geologist identified them (see Geotechnical Review Memorandum, Exhibit 15)

1. Changes in the specifications, number, and locations of the shear pins that were proposed to add stability to the part of the slide located seaward of the mechanically stabilized earth (MSE) wall during construction of the wall;
2. Changes in size, limits and order of excavation of slot cuts planned to allow the staged installation the MSE wall;
3. Relocating the Los Angeles County sewer line inland, so that sewer line would be located on a cut slope;
4. Elimination of a soil layer between primary and secondary geosynthetic layers on the edge of the MSE wall, for a portion of the wall;
5. Changes in design grade in order to balance grading, resulting in changes to elevation of some public access facilities;
6. Redesign of slot 6 due to geologic conditions encountered in the field, resulting in an adjustment in the elevation of the base of the MSE wall, reduced finished grade for the western portion of the site (including parts of the blufftop activity corridor and Halfway Point Preserve) and an increase in the limits of excavation of the backcut;
7. Elimination of the clay cap over landslide repair area<sup>15</sup>;
8. Considerations for temporary cessation and resumption of landslide repair operations;
9. Changes to grade, drainage features, and trail design in Ocean Trails Park, and
10. Geoweb channel. The channel accommodates the water from the park and from Lake 9 and connects to a discharge at the toe of the bluff. Building and Safety insisted on conduited drainage from Halfway Point (Ocean Trails Park). In a second change, the angle of the connection was changed from a right angle to a sharper angle. The replacement trail follows the geoweb channel.

After the preparation of Delta 3, the applicant's engineer made changes to the plans to incorporate changes in the golf course approved by the Commission in Amendment 19. Delta 4 incorporates final design grades in the park. A more detailed description of the changes is available in Exhibit 15, the Staff Geologist's Memorandum, giving detailed description of the changes and the reasons given for the changes.

The standard of review for these changes is three fold: consistency with the underlying permit, with the public access and recreation policies of the Coastal Act and with the habitat and geologic safety policies of the LCP. The LCP discourages grading in unstable areas,

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<sup>15</sup> Both the City and the Commission required that the golf course include a clay cap to prevent irrigation water from percolating into the soils, which could, given the geology of the site, increase instability. See Section C below and Exhibit.

and requires that any development in unstable areas or bluff faces be supported by professional investigations.

With regard to the access policies of the Coastal Act, the lower finished grade of the final bluff top slope in fact improves the consistency of the trail with the visual impact and access policies of the Coastal Act, separating the trail from Hole 18. The repair proceeded, the surface of the repair is complete, and the bluff edge trails (Catalina View Trails 3A (11) and 3A (12) the Sunrise Trail, trail 3A(7)) have been roughed graded consistent with the specifications of the special conditions.

With regard to the consistency of changes to the grading plan with the geologic safety policies of the LCP, the Commission concludes that there is evidence that the changes were the result of professional investigation and analysis by licensed professional engineers and geologists employed by both the City and the applicant, as required in the LCP. There is evidence that the changes were necessary to respond to new detailed knowledge of the soil characteristics of the site. For example, steel pipe available for shear pins was smaller than called for in the specifications, requiring changes in placement and numbers of shear pins; some soils had less cohesion than anticipated, and required a flatter back cut. The applicant argued persuasively that a clay cap, required elsewhere on the project to prevent moisture from percolating to the upper bentonite layer, was not necessary where the applicant had excavated the bentonite. The bentonite layer dipped lower than expected in slot six, requiring a deeper excavation. The applicant has asserted that no failures occurred during construction that resulted in serious injury or any additional damage to public facilities. The Commission notes that the new drain line improved geologic safety but raises issues with the conditions of the permit and the LCP policies that protect the marine resources (see Section D2 below).

While the applicant did not follow procedures outlined in the Special Conditions, the applicant made no changes that are inconsistent with the LCP policies concerning geologic safety. The applicant proceeded according to the conclusions of qualified professionals as required in the LCP; and, after reviewing the changes, the Commission concludes that the completed grading will be as stable as can be expected on this site.

The Commission notes that the end of the Sunrise Trail, the new beach access trail 3A7, will need frequent repair and may suffer from wave damage. The applicant is not proposing any measures to protect the Sunrise Trail other than periodic replacement of its lower end. The Commission concurs that periodic replacement is the best alternative to protect the trail in this location. A more permanent structure, such as a revetment, in this location, at the toe of Slide C is inconsistent with existing permit conditions as well as with the LCP, would cause damage to habitat, would not be economically feasible to install and would not withstand pressure from the slide above. The applicant is already responsible for repair of trails and public access facilities, as required in the Commission and City conditions, and has signed an agreement with the City to that effect. As conditioned, the changes are consistent with the public access and recreation policies of the Coastal Act and the policies of the certified LCP with regard to development and geologic safety.

## D. POLICIES PROTECTING ENVIRONMENTALLY SENSITIVE HABITAT AREAS

### 1. ENVIRONMENTALLY SENSITIVE HABITAT.

The Corridors Element of the certified LCP also protects sensitive habitat, identifying the bluff tops and bluff face as areas that should be investigated, and if habitat is found, protected. The LCP identified areas in which more study would be needed to identify the kind of habitat and the necessary degree of protection. The bluff faces and two major canyons of this site were identified as sensitive. The bluff top of this area was not identified as sensitive; instead, it was identified as supporting agriculture.

During the project's initial approval, the California Coastal Gnatcatcher (*Poliophtila californica californica*), a threatened species was identified on the property. The applicant, the City, the California Department of Fish and Game, and the United States Fish and Wildlife Service agreed to a Habitat Enhancement Plan (HEP) that, after approval of the project, the agencies and the City of Rancho Palos Verdes later 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 corridor along the bluff top was identified as one of the areas that must be revegetated to provide nesting areas for the gnatcatcher, the cactus wren (*Campylorhynchus bunneicapillus cousei*) and other increasingly rare and threatened species depending on Coastal Sage Scrub (CSS) and Coastal Bluff Scrub (CBS). The underlying permit, including the permit amendment addressing slide repairs is subject to numerous agreements and special conditions imposed by the Commission, the United States Fish and Wildlife Service and the State Department of Fish and Game to protect environmentally sensitive habitat areas.

After the landslide and after the Commission approved Amendment 15, the agencies and the City approved an amended HCP that required restoration of additional habitat areas within the project property and on the adjacent Shoreline Park. These increased restoration areas are now incorporated into the project description (see Page 1). One of the changes to the grading plan moved the toe of the cut higher at the lowest level of the repair area on the hill to avoid a stand of lemonadeberry that the project ecologist identified as the nesting area of the California coastal gnatcatcher. The changes to the project incorporated into this Amendment 20, will not require only one change to the terms and conditions and project description features of the original coastal development permit, as amended, that address habitat. The change involves the emission of light and noise. The applicant indicates that the amount of light emitted from the new upper level restaurant toward the West Bluff Habitat Preserve will be less than that emitted from the present offices. Windows will be double-glazed, which will reduce noise emissions. All but one of the windows overlook the park, instead of the West Bluff Preserve. To assure the accuracy of this initial assessment, the Commission is requiring an update to special condition 21, to assure that the light and noise impacts of this addition are evaluated the same way that the original structure was evaluated. With this one investigation completed, and recommendations carried out, the Commission can be assured that the

changes to the clubhouse will have no more impacts on habitat than the originally approved project.

The slide face is proposed to be revegetated, which is in process. The applicant plans to replant the bio-swale with grasses that are native and found elsewhere on the site; the slopes are in the process of being replanted with the native plants. The applicant intends to place topsoil reserved from the site onto the re-established surfaces, a process explained in more detail in Amendment 15. While a number of changes are proposed to the grading plan, with two exceptions, light and noise emissions and the discharge requirements noted below, the changes do not affect the consistency of the approved repair and park plan with prior special conditions and project plans that are supposed to protect environmentally sensitive habitat areas.

## **2. MARINE ENVIRONMENT.**

In approving the permit on appeal, the Commission required Special Conditions 10 and 11 to address runoff during and after construction. The Natural Environment Element of the certified LCP identifies the tide pools along the Rancho Palos Verdes shoreline as an important resource and requires that development protect that resource.

Special Condition 10 addresses control of sediment and silt during construction. Special Condition 11 (see Page 49 *ff.*) addresses post construction storm runoff. It establishes general conditions on the quality of the drainage, and allows two alternative storm drain systems to achieve those goals: tunneled pipe or drainage to natural canyons. The applicant hired a consultant, Dr. Alan Miller, to survey the location of its intended storm drain outfalls. Dr. Miller noted that at the tips of the promontories on the site, there was healthy rocky intertidal habitat, which he felt came under the protected status of "tide pools" noted in the special condition. After the applicant's consultant demonstrated that drainage to canyons would have fewer impacts than those directed to tidepools and rocky intertidal habitat than the originally proposed drains, which were planned to be hard-drilled through the promontories, the applicant amended the project. The two major storm drain systems now discharge through natural canyons and discharge onto wider beaches, which have more sand and other natural filters.

Presently, the applicant proposes a new drain, Line A, which traverses the slope of the slide repair and the engineered fill below it. Line A is designed to carry the sheet flow from the park and slide that would have discharged through natural drainages, as well as the overflow from Golf Course Lake 9. Normally, Lake 9 recirculates golf course runoff and discharges to the regular storm drain system and will continue to do so. However, it can and does overflow during major storms. The applicant has been not able to provide estimates considering the quantity that Lake 9 or the park might discharge through this line. Special Condition 11 of the approved permit requires in part:

"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 re-circulate golf course runoff;
- d) **No discharge from golf course or project improvements to tide pools** (emphasis added); and
- e) The applicant shall be responsible for removing all debris; 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: (See Appendix A, Page 49, for the full text of Special Condition 11.)

The applicant has not provided the surveys showing compliance with Special Condition 11 for this new drain similar to those that it provided before it constructed the drains that now exist on the property. Line A discharges runoff to the shoreline at the toe of the slope into what appears to be rocky intertidal habitat. Seaward of the toe of the slope, the shoreline is lined with rocks that are inundated at high tide. Line A is planned to carry drainage from Ocean Trails Park and from Lake 9. While it may be possible to control materials used on the park to avoid the pesticides and herbicides that do damage to habitat, the golf course lakes receive chemicals used on the golf course. Special Condition 11 of the permit requires that no "project improvements" drain into tide pools. Therefore, discharge from that lake and the park into the rocky intertidal habitat is inconsistent with the permit. Special Condition 11(d) requires that this discharge should be directed to an area that does not have tide pools or rocky intertidal habitat. In the case of the lake, drainage plans have already been approved that direct the lake drainage into the already-approved storm drain that drains to an area that, at least in the summer, is the sandy beach at the toe of a canyon. Therefore, the Commission requires that the applicant provide a professional survey of the location of the outfall for line A by a qualified marine biologist. If the survey finds that the area is tide pool habitat, the Commission finds that applicant should move the storm drain outfall and redirect the flow away from what appears to be the rocky intertidal habitat. In a new location, the outfall of Line A will comply with the requirements of the special condition and the policies of the certified LCP. New Special Condition 43 establishes this process, and time limits for this relocation.

#### E. VISUAL IMPACTS

In addition to protection of resources, the Rancho Palos Verdes LCP protects view corridors. These policies encourage clustering of development to allow views from public roads to the shoreline, and protect the views of the bluffs, the natural landforms, from the bluff top corridors. The Visual Corridor Section of the Corridors Element in the LCP identifies corridors, in which development should be regulated to protect views from Palos Verdes Drive to the shoreline. The City designated several large view corridors in Subregion 7, where this project is located. Policies in the Urban Environment Element encourage the preservation of trails in their "natural state" but allow fencing. In recognition

of the dangers of steep cliffs, the policies in the safety subsection allow fencing. Policy U. 1 states:

1. Sign and provide low railings where appropriate along unstable and shear bluff areas and adjoining bluff trails.

In order to protect both public views and allow safe public access, the Commission imposed Special Condition 5 to control the scale and materials of fencing. The proposed park plan for Ocean Trails Park includes a type of fencing, a post and cable barrier along the cliff side, that is not in the allowable list. However a post and cable barrier has limited visual impact, requires limited excavation to install and maintains views, while discouraging public access to hazardous areas. Therefore the Commission is amending the fencing condition to include this type of fencing. The fencing proposed in Amendment 20 is consistent with the LCP, and as amended permit A-5-RPV-93-005-A20 is consistent with the visual quality and safety standards of the Urban Environment Element of the certified LCP.

#### **F. UNPERMITTED DEVELOPMENT**

Development has occurred on the project site in non-compliance with previously approved plans and the required conditions of the previously issued coastal development permit approved by the Commission. While the applicant was carrying out the slide repair work authorized by Amendment 15 to the underlying permit, changes were made to the previously approved grading plan that resulted in modifications to the footprint of graded area, expansion of the staging areas, depth of the cut grading, and the timing of the development. The applicant has included the request for after-the-fact approval of the changes that were made to the previously approved slide repair grading plans as part of this proposed amendment. The applicant indicates that the Amended HCP requires revegetation of all damaged revegetation areas on the bluff top, and that the area where the footprint for excavation changed was in Ocean Trails Park, which contained no habitat and which was authorized for use for stockpiling. The applicant indicates that the ultimate size of Ocean Trails Park has not changed as a result of the changes of the grading plans (Exhibits 5 and 6.) To ensure that the unpermitted development component of the proposed amendment is resolved in a timely manner, Special Condition 45 requires that the applicants satisfy all conditions of this permit amendment which are prerequisite to the issuance of this permit amendment within ninety days of Commission action, or within such additional time as the Executive Director may grant for good cause.

In addition, in visiting the site the staff also noted that areas, including the street ends in Tract 50667 that are required to remain open for public parking and access pursuant to Special Condition 1 of the underlying permit, have been posted "no trespassing". The applicant has not included the request for after-the-fact approval of the closure of the streets or the unpermitted signs as part of this application. Staff has requested that the unpermitted "no trespassing" signs be immediately removed; however, the signs have not been removed as of the date of this report. The Commission's enforcement division will evaluate further actions to address this matter.



Although construction has taken place prior to submission of this permit amendment application, consideration of the application by the Commission has been based solely upon the policies of the certified LCP and the public access and recreation policies of the Coastal Act. Approval of this amendment does not constitute a waiver of any legal action with regard to any alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit.

#### **G. 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 Commission considered the alternative of denying the changes to the grading plans. These changes were proposed to enhance the safety of the project and have no different impact on the environment than the original landslide repair project – the size of the disturbed area has not been increased over the area originally approved to be disturbed for crack filling, stockpiling and grading of the site.

With respect to relocation of the bluff edge trail around the park, the alternative is to remove the trail or leave it in an unsafe location. Neither alternative is consistent with Coastal Act goals of providing access to the coastline to the public. Leaving the trail in place is not feasible. An alternative is to enhance other areas of the park, such as the new lower level deck adjacent to the park for public access.

The alternative of leaving the present clubhouse as designed would provide public access, but would result in a less efficient restaurant for the applicant. Redesigning the clubhouse without a public deck would provide less public access than the project as now redesigned and conditioned, and would be inconsistent with the Commission's prior actions. As now redesigned and as conditioned, the clubhouse conforms to the Commission's prior action and Coastal Act policies requiring public access and public recreation. The proposed alternative, as conditioned, will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project as conditioned is consistent with CEQA and the public access and recreation policies of the Coastal Act, and the certified LCP.

# HABITAT CONSERVATION PLAN (HCP)

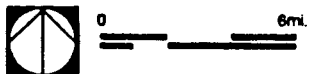
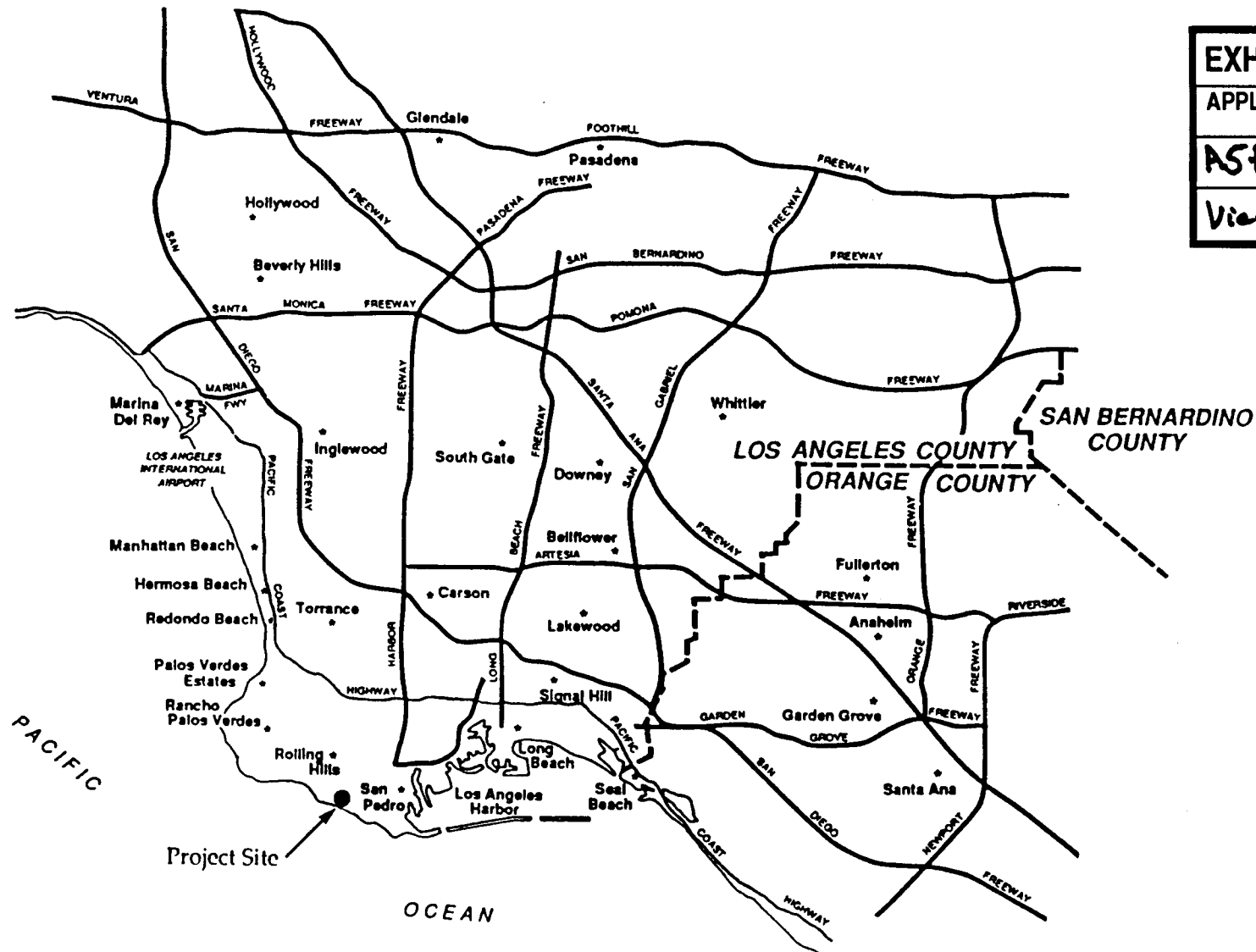
## Rancho Palos Verdes - Ocean Trails

EXHIBIT NO. 1

APPLICATION NO.

ASRPV.93.005.A20

Vicinity Map

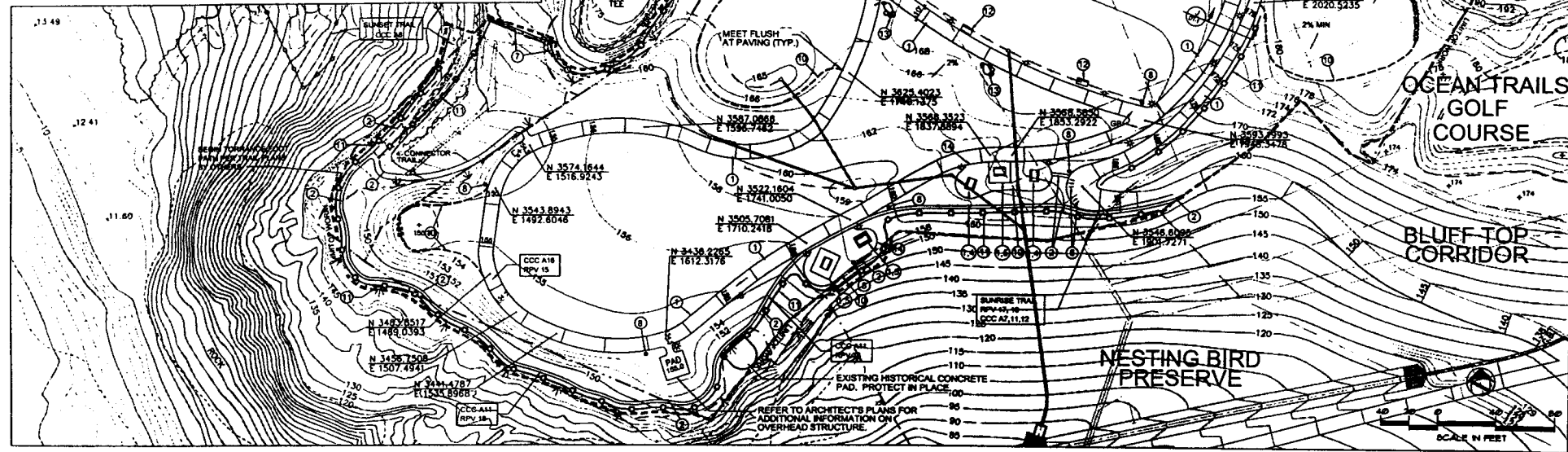


Source: RBF Sept. 1994

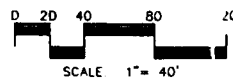
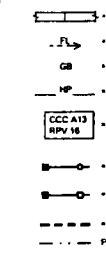
Ocean Trails Regional Vicinity Map

Figure 1

ITEM # OR SYMBOL	DESCRIPTION	MATERIALS	QUANTITY	NOTES/DETAIL
①	CONCRETE PAVING	N/A	PER PLAN	A & J
②	NATIVE SOIL FOOT PATH	N/A	PER PLAN	REF. ENGINEERING PLAN FOR TRAIL CONSTRUCTION
③	GRAVEL NATIVE ROCK SEATWALL (20" x 24" WID)	ON-SITE ROCK	PER PLAN	FIELD LAYOUT BY LANDSCAPE ARCHITECT
④	8 RECYCLED PLASTIC PONGE TABLE SURFACE PLATE MOUNT ON CONCRETE PAD "REDWOOD" COLORED SLATS W/ GREEN POWDER COATED METAL	DU MOR, INC/100-RPL, S-2 WAKEFIELD CO. (949) 562-1130	3	C & R PER MAJ. RECOMM.
⑤	1/4" HOOP ACCESSIBLE PONGE TABLE SURFACE PLATE MOUNT ON CONCRETE PAD "REDWOOD" COLORED SLATS W/ GREEN POWDER COATED METAL	DU MOR, INC/100-RPL, S-2 SMA TO E, WAKEFIELD CO. (949) 562-1130	2	J & DM PER PLAN
⑥	BICYCLE RACK, GRAPHITE COLOR, EMBEDDED IN CONCRETE	LANDSCAPE FORMS/ P1900S-EMAL, LAWRENCE CASEY (819) 761-2655	6	D
⑦	42" WROUGHT IRON FENCE	BY OWNER	2903 L.F. PER PLAN	I
⑧	ALUMINUM LIGHT BOLLARD "B" PATTERN W/2 BW FLOUR ESSENT LIGHTS BLACK COLOR	BROCKELINE PORTSMOUTH SL 7018P LIGHTS (819) 376-5300	15	F
⑨	ALUMINUM LIGHT BOLLARD "B" PATTERN W/2 BW FLOUR ESSENT LIGHTS BLACK COLOR	BROCKELINE PORTSMOUTH SL 7018P LIGHTS (819) 376-5300	6	F
⑩	TRASH RECEPTACLE EXPOSED AGGREGATE GRAY CONC. W/BLACK FIBERGLASS LID	QUICKCRETE/GR-CAL2532W WITH "T" MODEL FIBERGLASS LID	7	G
⑪	PARK SIGNAGE	N/A	1	N/A
⑫	CONCRETE MOW STRIP	N/A	PER PLAN	H FIELD VERIFIED LAYOUT BY LANDSCAPE ARCHITECT
⑬	POST & CABLE BARRIER FENCE (NOT IN CONTRACT)	BY OWNER	2975 L.F. PER PLAN	
⑭	6 RECYCLED PLASTIC BENCH GREEN GRAY COLOR	DUMOR, INC/WAKEFIELD CO. (949) 562-1130	2	E
⑮	GRAVEL NATIVE ROCK SEAT	ON-SITE ROCK	PER PLAN	B PLACEMENT BY LANDSCAPE ARCHITECT
⑯	PONGE AREA SURFACE	DECOMPOSED GRANITE	PER PLAN	J" THICK
⑰	CONCRETE PAD & BIKEWAY LAYOUT & FINISH	N/A	PER PLAN	J
⑱	4" PVC DRAIN PIPE UNDER CONC. WALK W/FRENCH DRAIN INLET	N/A	PER PLAN	



1. ALL FORMS AND POURING (GIVE)
2. CONTRACTOR'S SHALL BE HELD
3. CONTRACTOR'S PLANS IN EXCEL
4. ALL CONSTRUCTION STANDARD SPEC
5. THESE NOTES SHALL BE BROAD REPRESENTATION
6. CONTRACTOR MUST BEFORE START ANY DISCREPANCY
7. CONDITIONS NO FOR THE RESERVE
8. THE DRAWINGS TEMPORARY BY CONTRACTOR, C NOT INCLUDE IN WORKSHEET, THE INSPECTIONS
9. CLEAN-UP SHALL
10. REFER TO GOLF
11. REFER TO GOLF
12. REFER TO THE E



DATE: 02/03/04  
 DESIGNED BY: MS  
 DRAWN BY: SFF  
 CHECKED BY: MS  
 SCALE: 1" = 40'



**DUDEK & ASSOCIATES, INC.**  
 605 Third Street Encinitas, CA 92024  
 (619) 942-5147

REVISIONS				REMARKS
NO.	BY	DATE		

**A6 RPU 93 065 A20**  
**Exhibit 2 Park Design**

**OCEAN TRAILS GO OCEAN TRAILS CONSTRUCTION**

ENVIRONMENTAL  
 ENGINEERING  
 1000 S. GARDEN STREET  
 SANTA ANITA, CA 94068  
 (415) 351-1000  
 FAX (415) 351-1001  
 WWW.EE-ENVIRONMENTAL.COM

ARCHITECTURAL STAMP

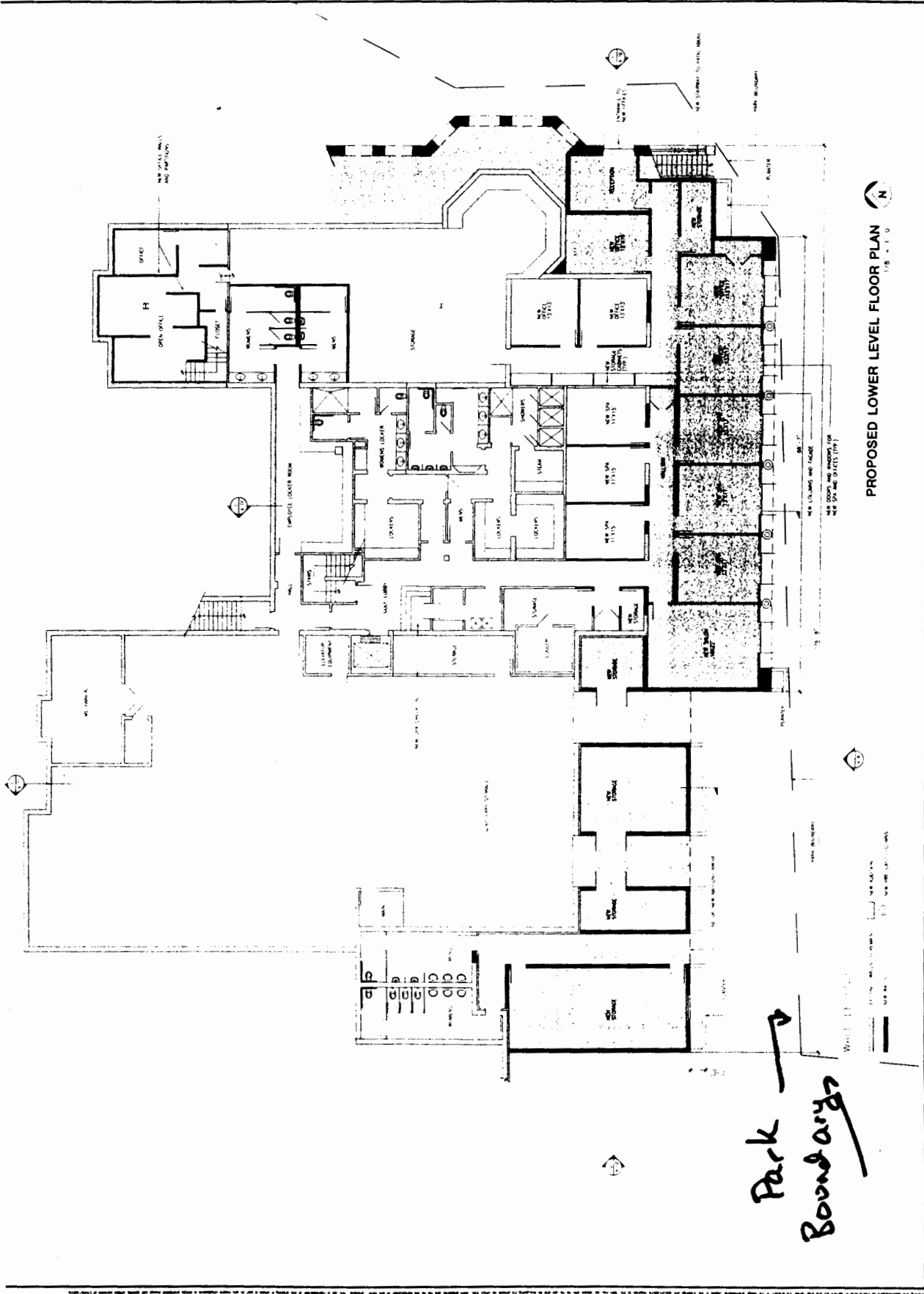
THE TRIAMP ORGANIZATION  
 OCEAN TRAILS DEVELOPMENT  
 ONE OCEAN TRAILS DRIVE  
 RANCHO PALOS VERDES, CA

PROPOSED  
 LOWER LEVEL  
 FLOOR PLAN

SHEET NO.  
 DATE  
 DRAWN BY  
 CHECKED BY  
 SHEET NO.

A-6

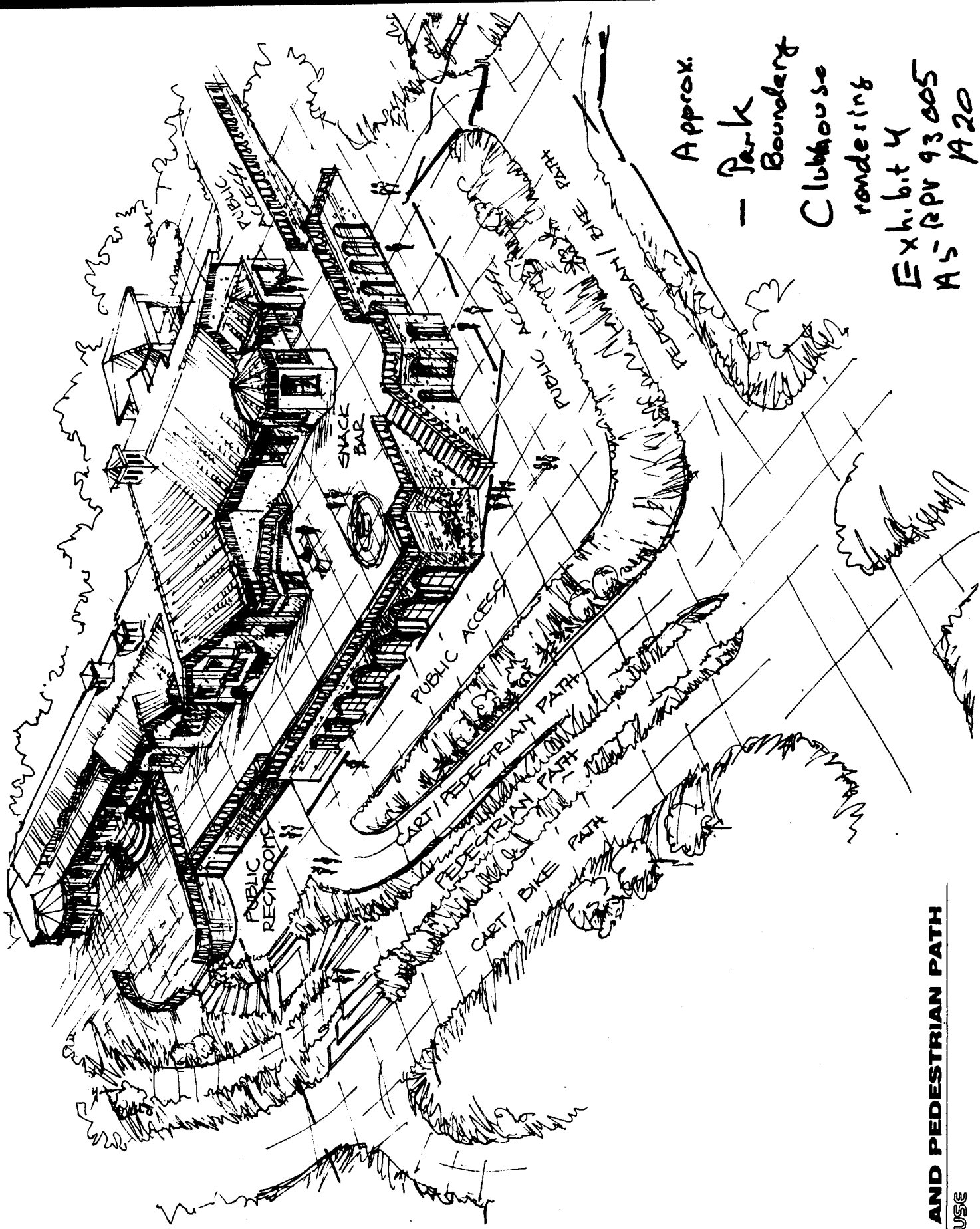
SHEET 6 OF 6  
 DATE PRINTED: 05-01-03



PROPOSED LOWER LEVEL FLOOR PLAN  
 1/8" = 1'-0"

A-5 REV. 93-005A20  
 Exhibit 3  
 lower clubhouse expansion  
 Level

Park  
 Boundary



Approx.  
 - Park Boundary  
 Clubhouse rendering  
 Exhibit 4  
 AS-RPR 93005  
 1A20

CEIVED  
 Coast Region  
 11 2004  
 IORNIA  
 COMMISSION

ED 02.10.04

USED CART AND PEDESTRIAN PATH

TRAILS CLUB HOUSE  
 Trails Drive  
 Los Verdes, CA

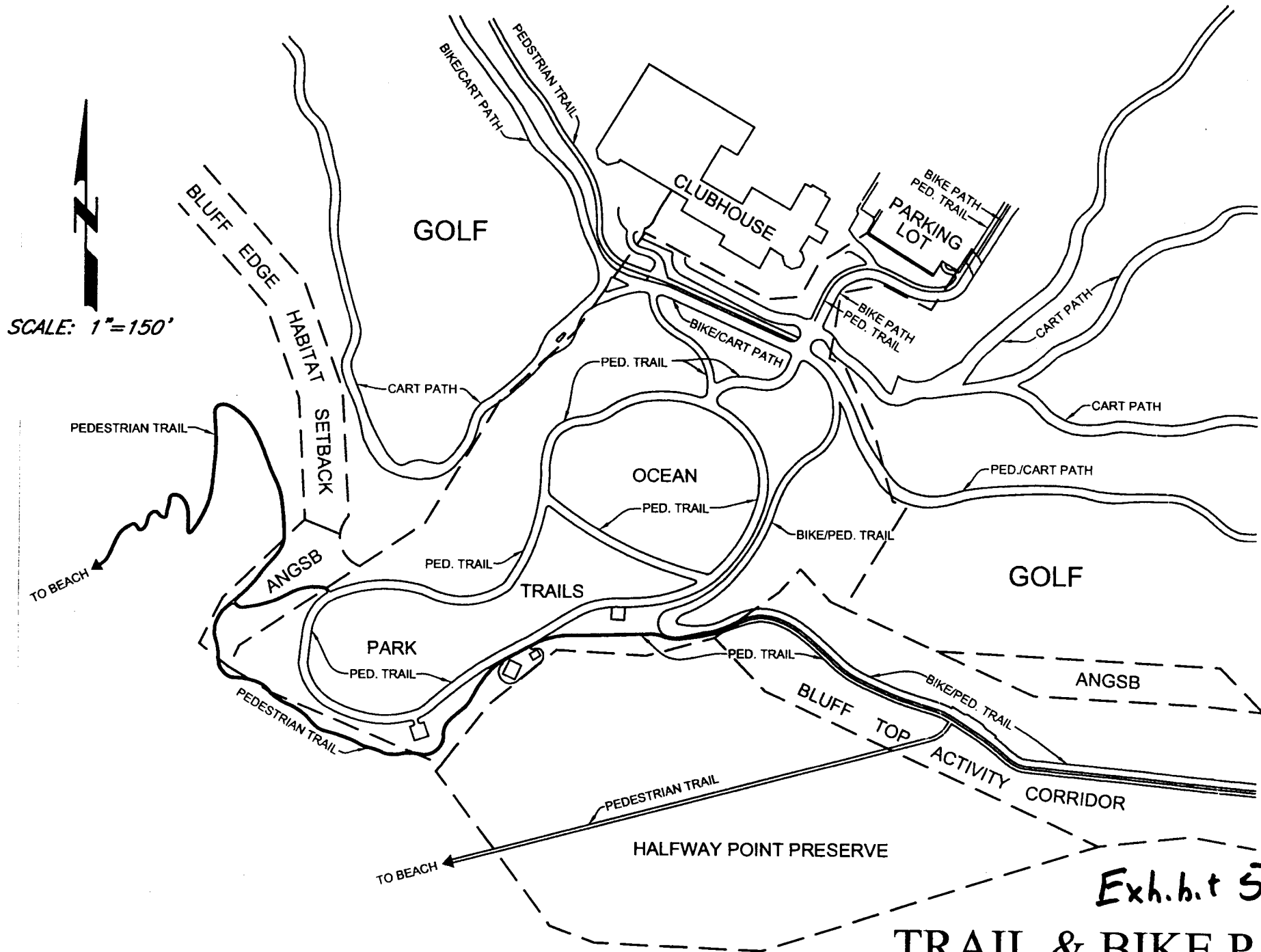


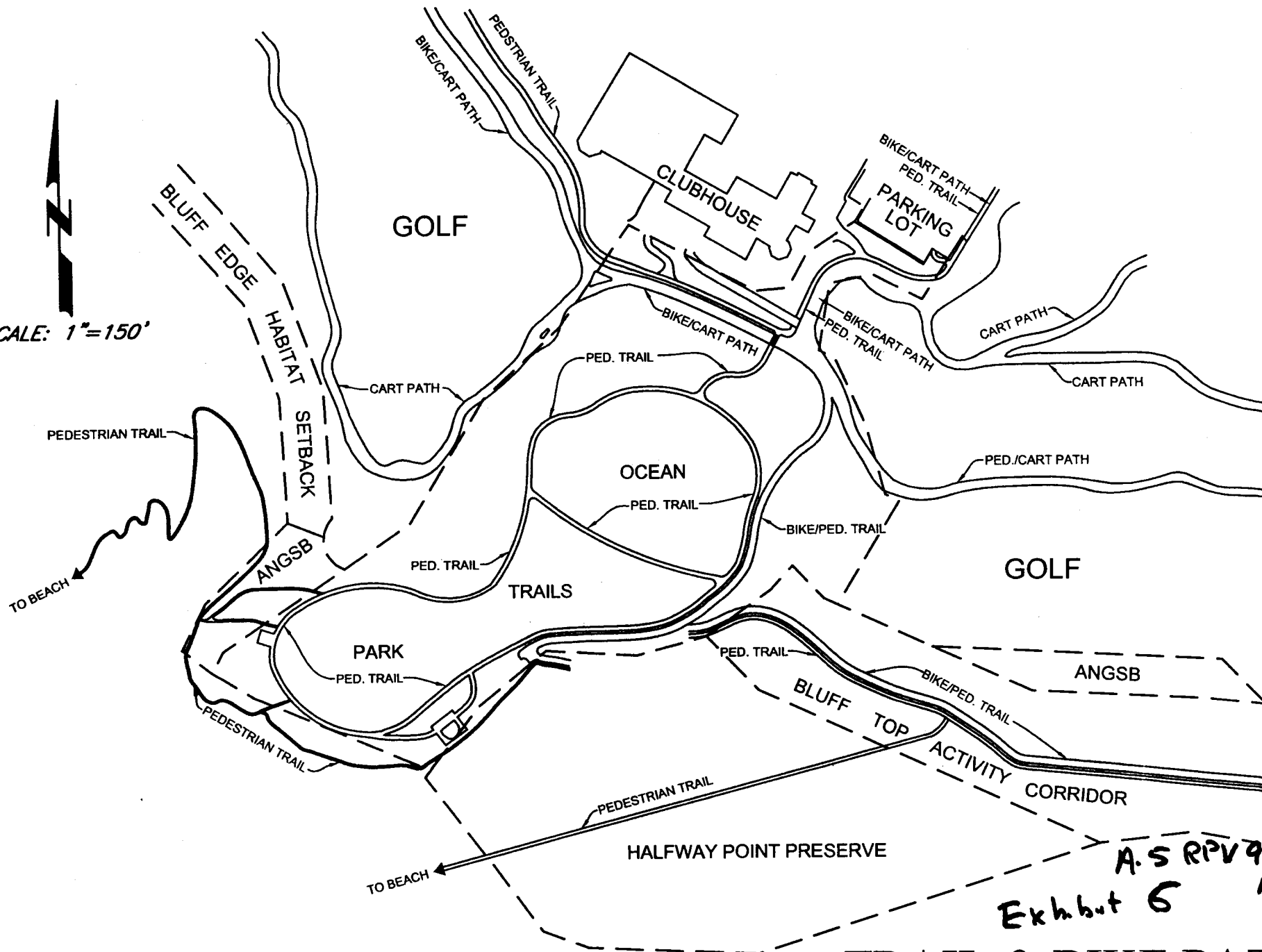
Exhibit 5

# TRAIL & BIKE PATHS PER DELTA 4 PLANS

SEPTEMBER 18, 2003

A.S.RPV 93005 A20

SCALE: 1"=150'

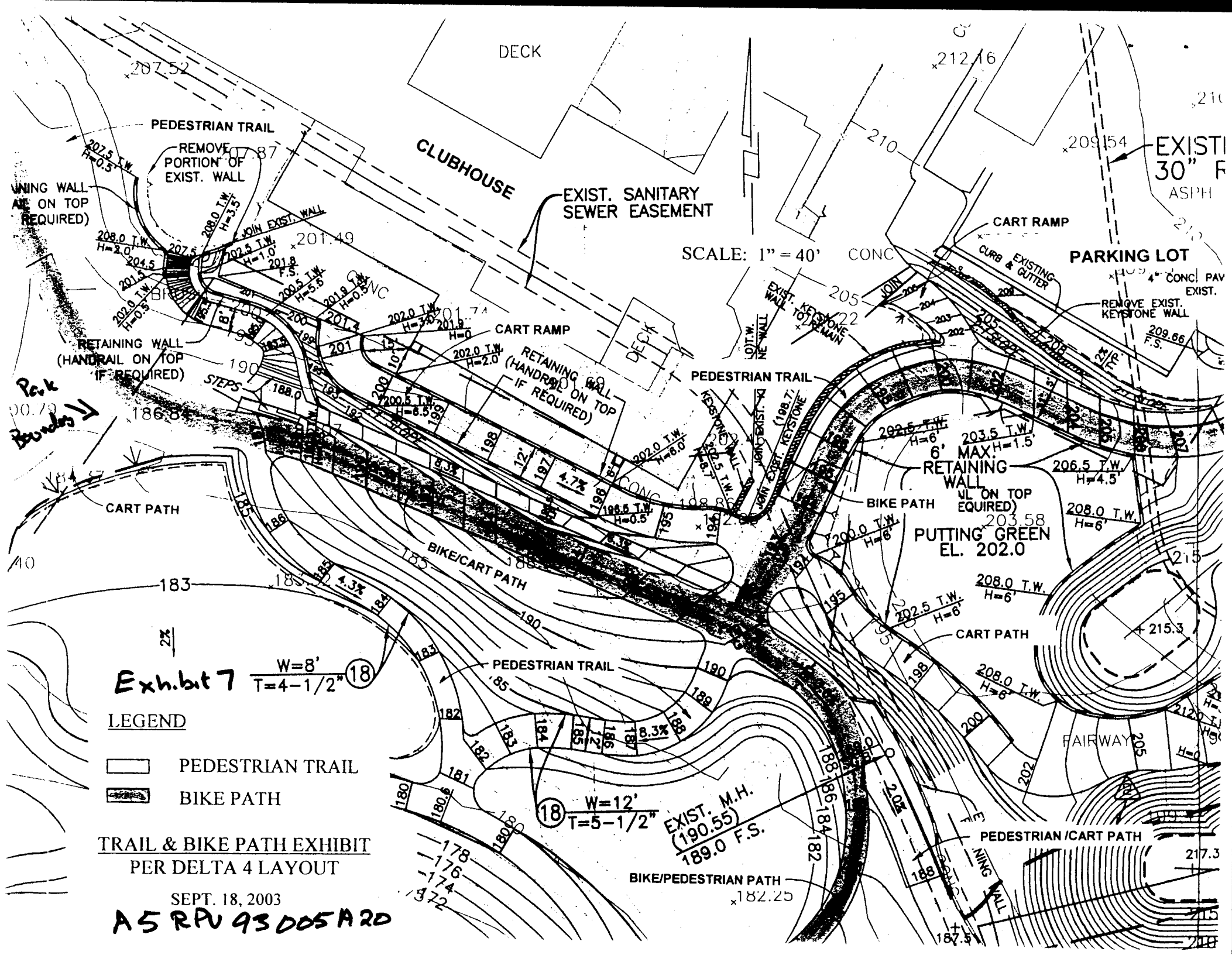


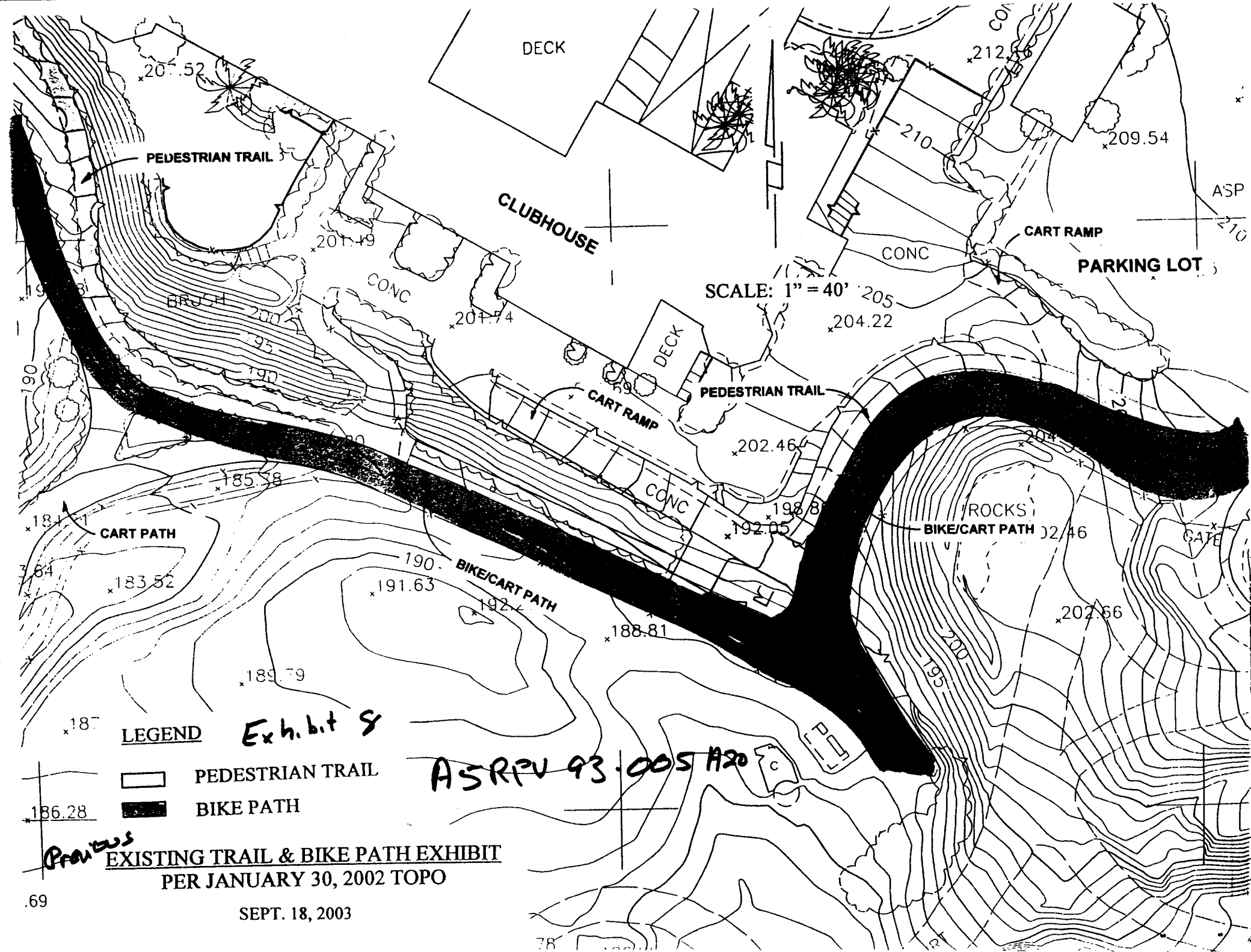
A.S. RPV 93.005  
A-20  
Exhibit 6

# TRAIL & BIKE PATHS PER PREVIOUSLY APPROVED PLANS

SEPTEMBER 18, 2003







PEDESTRIAN TRAIL

CLUBHOUSE

PARKING LOT

SCALE: 1" = 40'

CART PATH

BIKE/CART PATH

ROCKS

BIKE/CART PATH

GATE

LEGEND

Exhibit 9

ASRPV 93-005 A20

PEDESTRIAN TRAIL

BIKE PATH

EXISTING TRAIL & BIKE PATH EXHIBIT  
PER JANUARY 30, 2002 TOPO

SEPT. 18, 2003



EXHIBIT NO. 9
APPLICATION NO. applicant's letter
A5 RPV93-005
A 20

January 8, 2004

Pam Emerson  
Los Angeles Area Supervisor  
California Coastal Commission  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, CA 90802

CALIFORNIA  
COASTAL COMMISSION

Subject: Ocean Trails Clubhouse Enhancements, Delta 4 and Ocean Trails Park

Dear Ms. Emerson:

As shown in the attached plans, the proposed project includes an 8,211 square foot expansion to the Ocean Trails Clubhouse and a re-adjustment of existing internal uses. Specifically, We are proposing to turn the existing "Casual Dining Area", which is currently accessed off of the main entry level, into the "New Golfer's Area and Bar", while moving the existing "Casual Dining Area" into the area which is currently occupied by the "Fine Dining Area". The existing "Fine Dining Area" will be moved upstairs to the upper level, which is currently being occupied by offices. As part of the expansion, we are proposing to add a "New Spa/Salon", "New Offices", "New Starters", and "New Storage" to the seaward (south) side of the lower/basement level. A "New Outdoor 4,061 square foot Patio", with outdoor dining, outdoor grill and outdoor fire pit is proposed directly above the proposed additions to the lower/basement level. In addition to changing the upper level offices to the new "Fine Dining Area", We are also proposing to add a new Service Elevator. A new roof structure is proposed over the new Service Elevator. As shown in the attached plans, the new Service Elevator roof structure will attach to and extend inland (northward) from the existing elevator roof structure.

As shown on sheet C-1 of the attached plans, in order to accommodate the proposed addition to the south side of the Clubhouse, We are also proposing to re-locate the existing golf cart/pedestrian path on the south side of the building approximately 12' further to the south, into an existing small manufactured slope that is currently located between the Clubhouse and the future Ocean Trails Park. The existing and proposed golf cart/pedestrian path will be located within the Park property.

We are also proposing a variety of minor decorative exterior improvements which include, adding decorative roof structures over the existing chimneys, adding new pre-cast window trim and columns, adding a mission tile screen veneer to the exterior of the building, replacing the existing metal railings with cast stone balustrades and/or glass with pilasters, and enclosing the existing open arches along the "South Pre-function" area next to the "Banquet Room" with new windows.

As noted in the Project Description section above, We are proposing a variety of improvements to the Clubhouse building, most of which are located on the seaward (south) side of the existing structure. However, as noted above, there are also some minor changes to the existing roof structure to accommodate a new elevator and more decorative chimney caps. In reviewing the proposed improvements to the Clubhouse, We focused on the following four issues: Public Access,

**Ocean Trails - Clubhouse Expansion, Delta 4 and Ocean Trails Park**  
**January 8, 2004**

View, Parking and Geology. Below, I have provided a more detailed analysis on each of these issues.

**Public Access:**

As shown on the attached plans, access from the adjoining 45 space parking lot on the East side of the Clubhouse to the Park will remain the same. Public access from Ocean Trails Park to the lower level terrace area will be provided via the public access trail/ cart path with a handicap accessible grade of 4.7%. Public access from the lower terrace area to the upper terrace area containing an outdoor snack bar can be accessed via the stairs on the south east side or through the Clubhouse via the interior elevator for handicap access. Public restrooms will remain in the same area and will be properly signed. We are maintaining access from the Clubhouse parking lot via the lower terrace area to the east side parking lot. As you can see from the attached plans public access is enhanced and flows much better than the previously approved Clubhouse plans.

**View:**

As shown on sheet A-12 of the attached plans, the proposed addition is located on the seaward (south) side of the lower/basement level with the proposed outdoor dining patio located above. This addition will extend 25'-3" to the south of the existing building. A new 85 square foot balcony is also proposed to extend 5'-0" from the upper level ("New Fine Dining" area). Rancho Palos Verdes City staff analyzed these proposed improvements with respect to potential view impacts and determined that these proposed improvements will not cause any significant view impairment to surrounding residents. This is because the proposed addition is located on the seaward (south) side of the existing building and will not be visible from residents within the Seaview Tract (located north of Palos Verdes Drive South), the Portuguese Bend Club tract (located along the western property line of the Ocean Trails project), and most of the Seacliff Hills Tract (located north of Palos Verdes Drive South and East of Forrestal Drive). Although the proposed addition will be visible from some of the Ocean Terraces condominiums, given the existing expansive views from these residences and the distance between the Clubhouse and the condominiums, the Clubhouse addition will be extremely small and will not cause any significant view impacts.

In addition to the proposed expansion to the south side of the Clubhouse, We are also proposing to expand the existing elevator roof northward (inland) to accommodate a new Service Elevator to the upper floor "Fine Dining Area". The ridge elevation of the new roof structure will be the same as the existing roof structure (elevation 244'-6"), and will be 3'-6" lower than the allowable 248' maximum ridge elevation. Rancho Palos Verdes City staff feels that the proposed roof expansion does not cause any significant view impacts since the proposed expansion will be located in front of the existing roof structure, which currently hinders any view over this area.

We are also proposing chimney caps on top of the existing flat chimneys. The chimney caps are an aesthetic treatment that will consist of very small roof structures with clay tile to match the existing Clubhouse building roof material. The chimney caps were part of the original approval but were never constructed. They will also be below the maximum 248' ridge elevation.

**Exh. hit 9 p2 A5RPV 93 GDS A20**

**Ocean Trails - Clubhouse Expansion, Delta 4 and Ocean Trails Park**  
**January 8, 2004**

**Parking:**

Rancho Palos Verdes City staff and City Council were initially concerned regarding the increase in size of the proposed Clubhouse due to potential impacts to parking at the site. You have mentioned that on occasion it appears that there is an existing parking problem at the Ocean Trails site as the Clubhouse parking lot seems to be filled to capacity, leaving persons to park on Ocean Trails Drive. However, it is important to consider that the Ocean Trails project is still under construction. Although the 150-space Clubhouse parking lot has been open, the adjoining 45 space parking lot on the east side of the Clubhouse and the 100 space parking lot on the Maintenance Building site have not been used to their full capacity due to the closure of the 45-space lot for construction purposes (landslide repair) as well as the construction of the future Maintenance Building. As shown in the tables below, when all parking spaces are made available to the public, the project will conform to the Development Code required number of parking spaces for the existing structure as well as the proposed improvements.

Pursuant to the Development Code, the required parking for the Ocean Trails project, which includes golf course and Clubhouse, is calculated as follows: **Please see plans for latest tabulations.**

Use	Code Requirement	Parking Spaces Required
Golf Course	6 spaces for each hole plus the established parking requirements for all ancillary uses, less a 25% credit	108 parking spaces
Clubhouse Uses - Banquet Room - Restaurants/Bar - Offices - Pro Shop	1 space/50 square feet 1 space/75 square feet 1 space/275 square feet 1 space/150 square feet	186 parking spaces
	Subtotal	294 parking spaces
	Less 25% Credit	-(74) parking spaces
	<b>Total Required Parking Spaces</b>	<b>220 parking spaces</b>

Based upon the proposed addition, the required parking for the Ocean Trails project, which includes golf course and Clubhouse, will increase to the following:

Use	Code Requirement	Parking Spaces Required
Golf Course	6 spaces for each hole plus the established parking requirements for all ancillary uses, less a 25% credit	108 parking spaces
Clubhouse Uses - Banquet Room - Restaurants/Bar - Offices - Salon/Spa - Pro Shop	1 space/50 square feet 1 space/75 square feet 1 space/275 square feet 1 space/150 square feet 1 space/250 square feet	224 parking spaces
	Subtotal	334 parking spaces
	Less 25% Credit	-(84) parking spaces
	<b>Total Required Parking Spaces</b>	<b>250 parking spaces</b>

**A5-RPV-93.005 A20**  
**Exh.b.t 9 p3**

**Ocean Trails - Clubhouse Expansion, Delta 4 and Ocean Trails Park**  
**January 8, 2004**

The project as originally approved and as proposed is as follows:

<b>Location of Parking Spaces and Use of Parking Spaces</b>	<b>Existing Parking Required through Existing Conditions of Approval</b>	<b>Existing Parking Provided When Site is Fully Operational</b>	<b>Proposed Parking to be Provided When Site is Fully Operational</b>
Clubhouse Parking Lot - Used by Golf Course, Clubhouse and Public	150 parking spaces	150 parking spaces	164 parking spaces (14 of which will be valet)
Maintenance Building Parking Lot - Used by Golf Course, Clubhouse and Public	100 parking spaces (25 spaces for employees and 75 spaces for overflow Golf Course/Clubhouse/Public)	123 parking spaces	140 parking spaces (17 of which will be valet)
Ocean Trails Park Parking Lot - Used by Public and Clubhouse	45 parking spaces (spaces are to be used for public only during the daylight hours, and may be used for the Clubhouse during evening hours)	45 parking spaces	45 parking spaces
<b>Total Parking Spaces</b>	<b>250 during daylight hours 295 during evening hours</b>	<b>273 during daylight hours 318 during evening hours</b>	<b>304 during daylight hours 349 during evening hours</b>

As shown in the tables above, according to the Development Code requirements, there are enough existing parking spaces provided on site (273 daylight parking spaces/318 evening parking spaces) to cover the number of parking spaces required by the Development Code for all existing uses (220 parking spaces) and for the proposed expansion (250 parking spaces).

Although, according to the Development Code, there will be enough parking spaces on site, to improve upon the number of parking spaces available, We have proposed the use of valet parallel parking to add 14 additional spaces to the Clubhouse Parking Lot and 17 additional spaces to the Maintenance Building Parking Lot. We plan to utilize the valet parking spaces when an event is being held in the Ballroom. Once all parking lots are fully operational, and the valet system is in place, the total number of parking spaces available during daylight hours will be 304 spaces, while the total number during evening hours will be 349 spaces - exceeding the Development Code's requirement of 250 spaces by 54 and 99 spaces respectively. It is also important to note that Condition No. I.2-F of Vesting Tentative Tract Map No. 50666 requires 95 on-street parking spaces along Ocean Trails Drive (public right of way) that can be used for additional parking - increasing the total available parking to 399 during daylight hours and 444 parking spaces during evening hours.

Based upon the information noted above, The City of Rancho Palos Verdes and I feel that there will not be any additional parking impacts as a result of the proposed improvements and that when all parking areas are operational, there should be enough parking on site and off-site (Ocean Trails Drive) to accommodate all of the allowable on-site uses.

*A-5-RPV-A3.005-A20*  
*Exhibit 9 p 4*

**Ocean Trails - Clubhouse Expansion, Delta 4 and Ocean Trails Park**  
**January 8, 2004**

**Geology:**

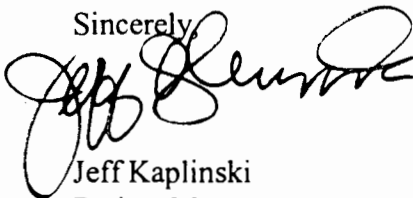
According to the City of Rancho Palos Verdes Condition C-1 of Conditional Use Permit No. 163 indicates, "...a minimum factor of safety of 1.5 shall be demonstrated for the clubhouse structure..." Although prior to issuance of building permits for the Clubhouse building, We obtained geological approval for the Clubhouse with a factor of safety of 1.5, the proposed additions to the Clubhouse, which will be constructed further towards the south of the existing structure, will also require geological approval to ensure a 1.5 factor of safety. This condition will continue to be enforced and will need to be satisfied prior to issuance of any building permits for the proposed expansion on the south side of the structure.

The City of RPV and Ocean Trails Staff believe that the proposed improvements will not cause any significant impacts to Public Access, Views, Parking and Geology. We feel that the proposed improvements will improve access to and from the park and the appearance of the existing Clubhouse and provide for a much more efficient use of space within and outside of the Clubhouse building.

Please note in addition to the Clubhouse submittal we have submitted final plans for Delta 4 Grading Plans and Ocean Trails Park plan revisions. Please incorporate into this amendment any part of these changes you feel requires an amendment to the permit.

If you need any additional explanations or supporting documents please do not hesitate to contact me at (310) 303-3215.

Sincerely,

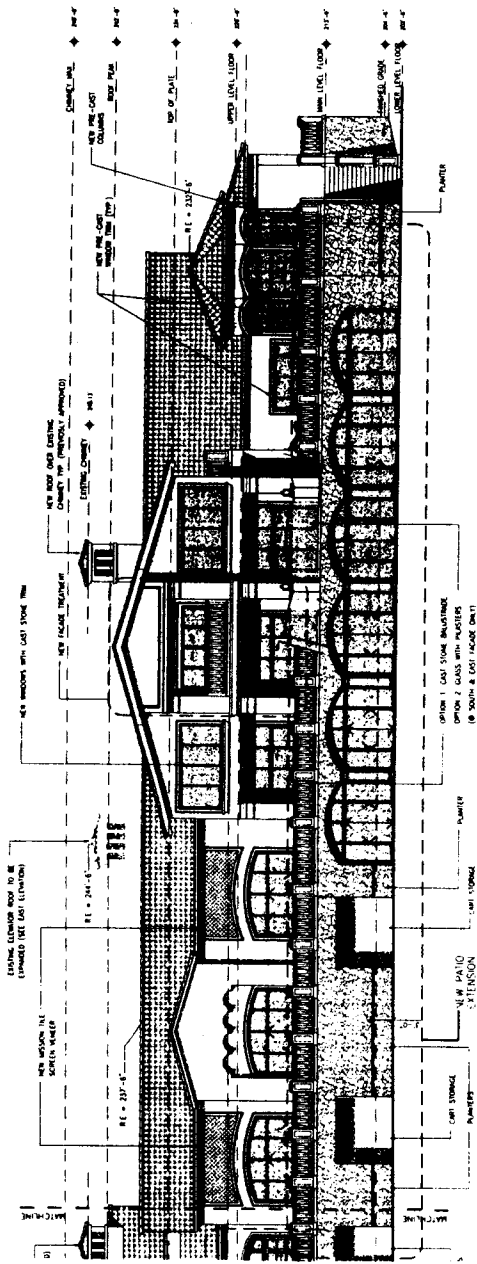


Jeff Kaplinski  
Project Manager

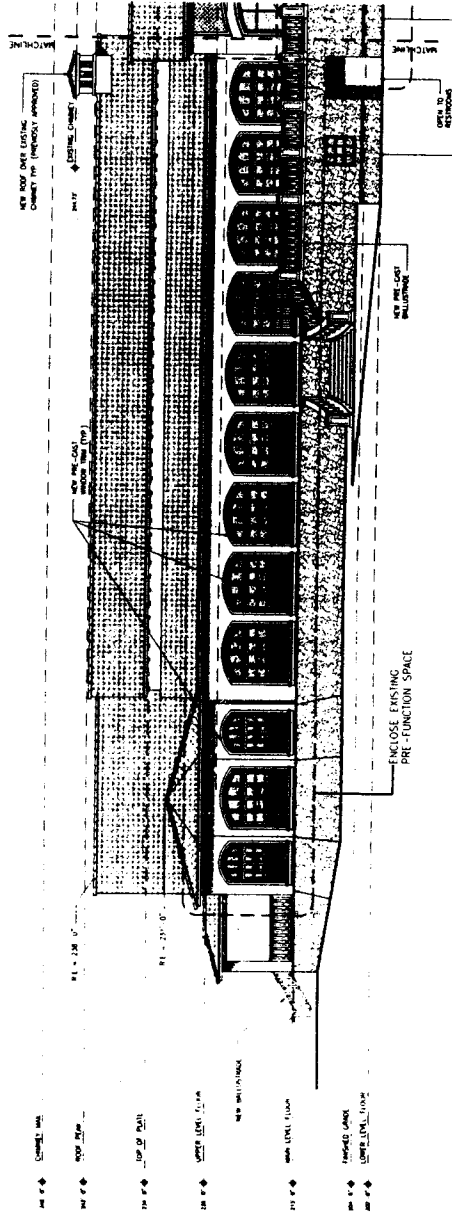
Cc: Vinny Stellio  
Ken Newville  
Greg Pfof

A-5- RPV-93-005 A70  
Exh. 6. + 9  
P 5



$1/0^+ = 1/0^-$ 

**0.1 = 0/1**



AS- RPU 93 005 A 20  
Exhibit 10  
Proposed Seaward side of club house

DATE PRINTED 10/24/2001

DESIGN DEVELOPMENT 10-28-03

ONE OCEAN TRAILS DRIVE  
RANCHO PALOS VERDES, CA

ONE OCEAN TRAILS DRIVE  
RANCHO PALOS VERDES, CA

800 EIGHTH STREET  
SANTA MONICA, CA 90401  
VOICE 310.375.6545  
FACSIMILE 310.375.6545  
E-MAIL [design@victoria.com](mailto:design@victoria.com)  
WEBSITE [victoriaviv.com](http://victoriaviv.com)

ИЗДАТЕЛЬСТВО "ИЗДАТЕЛЬСТВО"

DATE PRINTED 11 JUN 1963  
SHEET 6 OF 15

FILEPATH - C:\E:\ms\msb\3-866-2-3\04175-4-12\msb

A-7

JOB NO. 00-008  
DATE 06/14/2000  
SCALE AS NOTED  
DRAWN BY JAL  
CHECKED BY VC  
SHEET NO. 10

PROP. MAIN FLOOR DESIGN D

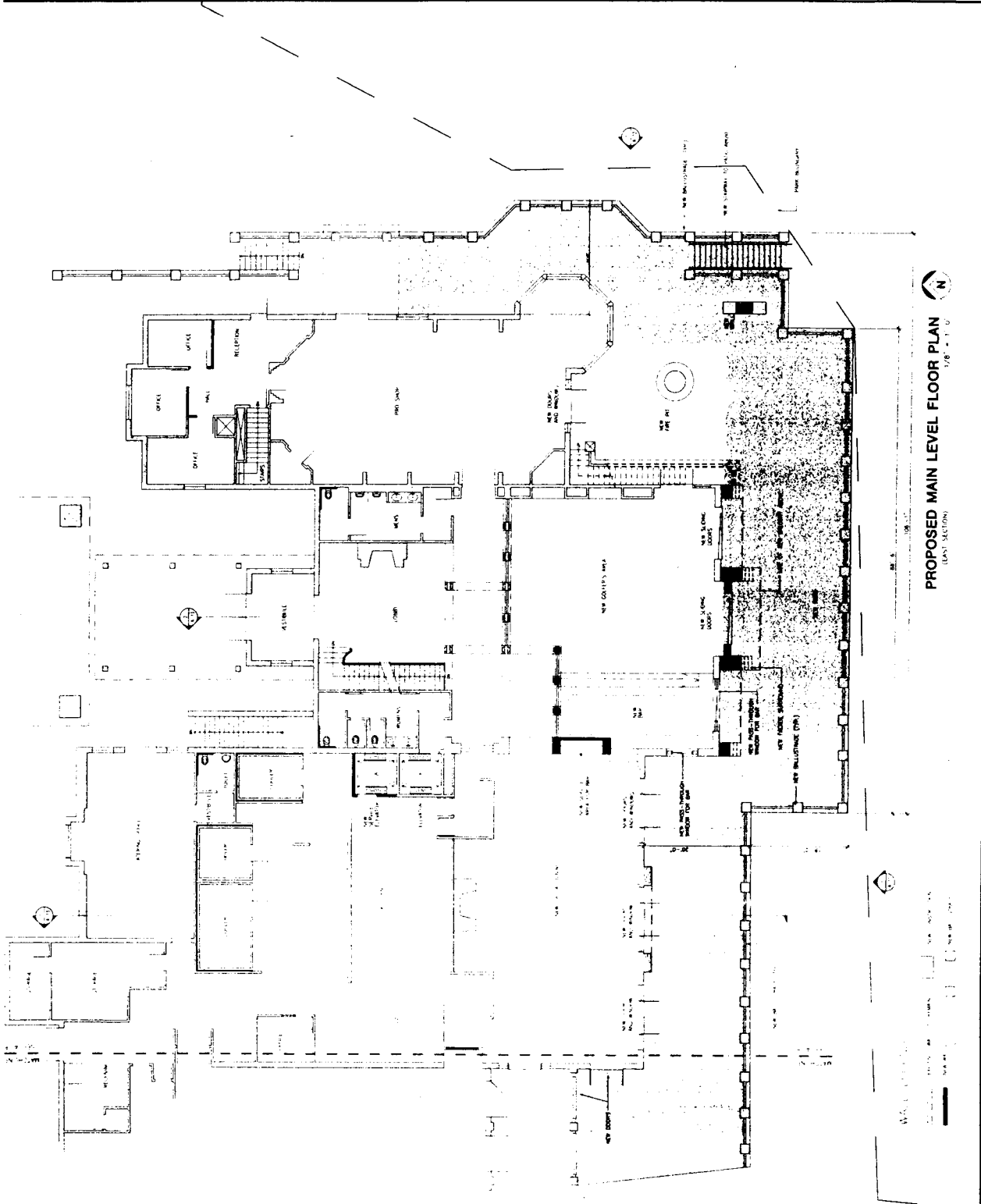
PROPOSED  
MAIN LEVEL  
FLOOR PLAN  
DESIGN DEVELOPMENT NO. 28-03

OCEAN TRAILS CLUBHOUSE  
ONE OCEAN TRAILS DRIVE  
RANCHO PALOS VERDES CA

THE TRUMP ORGANIZATION  
OCEAN TRAILS DEVELOPMENT  
ONE OCEAN TRAILS DRIVE  
RANCHO PALOS VERDES CA

ARCHITECTURAL STAMP

**ENVIROTECHNO**  
Industrie Ambientale - 11010 - 11010 - 11010



A5 RPV 93.005 A20

Exhibit 11  
proposed Main level floor plan

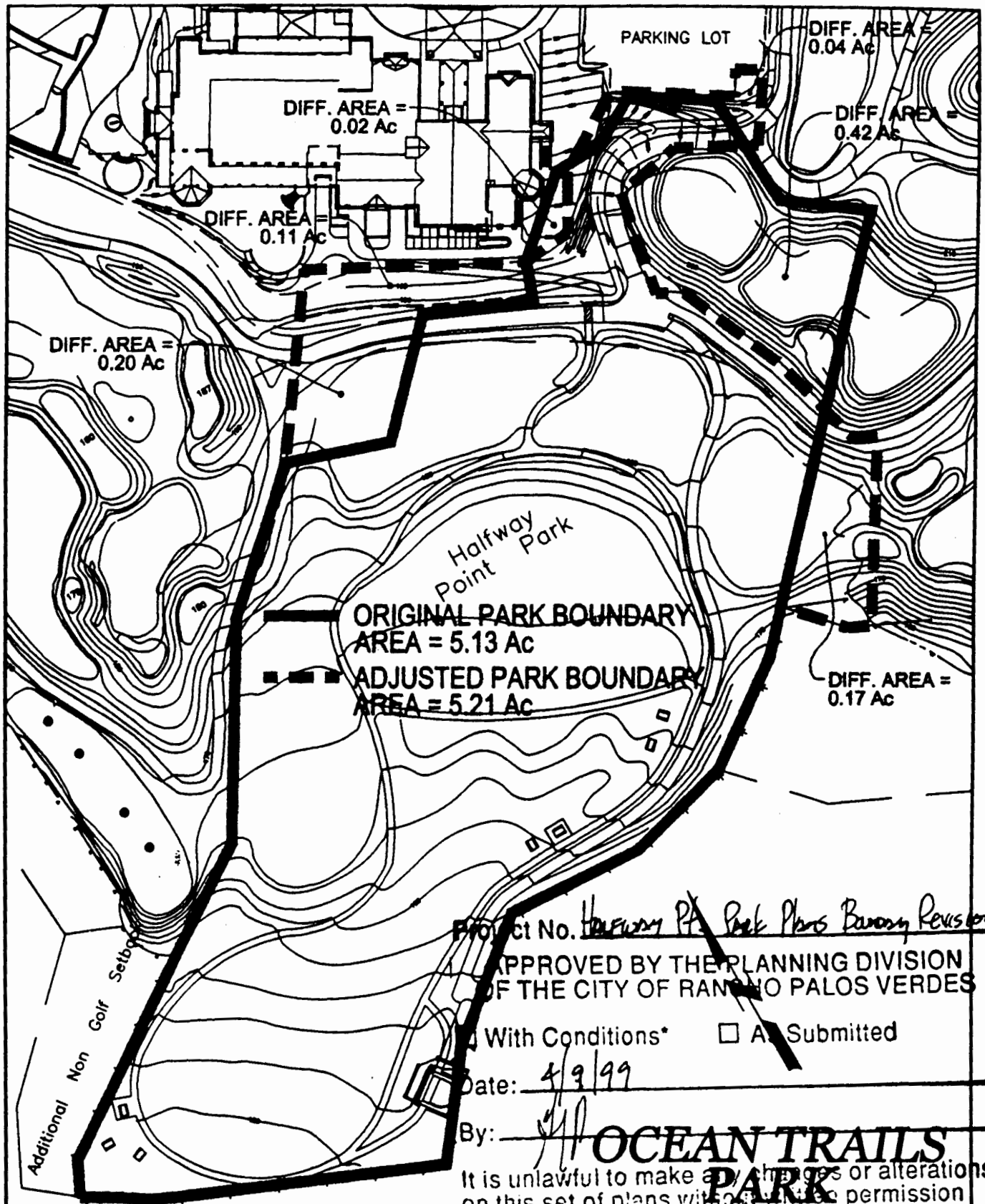
CALIFORNIA  
COASTAL COMMISSION

662001 PCCS  
PUBLIC AFFAIRS  
OFFICE  
CHANDIGARH

ICP

A5 RPV 93.005H20  
Exhibit 12 (cont course)

Previous  
Site plan



Project No. *Halfway Pt. Park Phase Boundary Revision*

APPROVED BY THE PLANNING DIVISION  
OF THE CITY OF RANCHO PALOS VERDES

With Conditions\* ☐ As Submitted

Date: *4/9/99*

By: *[Signature]* **OCEAN TRAILS**

It is unlawful to make any changes or alterations  
on this set of plans without written permission  
from the Planning Division. **VOID**  
days, unless otherwise specified in the  
conditions of approval. *Revised 4/8/99*  
\*Not valid unless completed  
clearance form.

**esco**

ENGINEERING SERVICE CORPORATION  
CONSULTANTS IN CIVIL ENGINEERING, LAND PLANNING & SURVEYING  
8841 AIRPORT BOULEVARD, SUITE 714  
LOS ANGELES, CALIFORNIA 90045  
TEL (310) 348-8080 FAX (310) 318-8888

RCE 1808

DATE

SCALE: 1"=100'

SHEET 1 OF 2

From amendment 11

*A5-RPV-03-005-A20*  
*Exhibit 13 park boundary*



January 15, 2004

Pam Emerson  
Los Angeles Area Supervisor  
California Coastal Commission  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802

Subject: Amendment to permit A-5 RPV -93-005-A20, proposed changes to Ocean Trails Golf course grading plan

Dear Ms. Emerson:

The following Landslide grading plan changes were made from the original approved Landslide Repair grading plan through Delta 4. These changes are depicted below:

- Adjusted the bottom of the MSE wall to reflect field location of the UBL (upper bentonite layer),
- Added additional drainage devices to collect runoff from Ocean Trails Park & open space area above the Blufftop 8' Pedestrian/ Bike trail,
- Relocated the Sewer Bench inland due to flatter backcut required in slot 1,
- Lowered finished elevations in a portion of the Blufftop Activity Corridor and Halfway Point Preserve to balance earthwork,
- Revised backcut in a portion of slot 6 to 1 ½: 1 (below Ocean Trails Park) at the request of the geotechnical engineer for safety reasons (no change in finish surface of grading),
- Revised finish grade in the golf course (Tees on hole 1, 12 & 18 & Lake 9 area) at the request of the golf course architect,
- Added finish grading for Ocean Trails Park to the plans in order to coordinate park & golf course grading,
- Adjusted grading & trails in Ocean Trails Park to reflect latest park plans & field conditions.

In conclusion, I hope that I have clearly explained the proposed changes. If there is any further information needed to proceed, please do not hesitate to contact me at (310) 350-3229.

Sincerely,

Jeff Kaplinski  
Project Manager

A5 RPV 93-005-A20  
Applicant's description  
of changes in  
grading plan  
Exhibit 14

## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



23 February, 2004

## GEOTECHNICAL REVIEW MEMORANDUM

To: Pam Emerson, Los Angeles Area Permit Supervisor  
From: Mark Johnsson, Staff Geologist  
Re: A-5-RPV-93-005-A20 (Ocean Trails)

EXHIBIT NO. 15
APPLICATION NO.
A-5-RPV-93-005-A20
Staff Geologist letter

The scope of this review is the evaluation of departures from the original Ocean Trails landslide repair plan approved by the Commission in July 2000 (Amendment 15 to the Coastal Development Permit issued by the Commission on appeal). All of these departures from the approved plan have already taken place; this application seeks "after the fact" approval of these changes, which have been referred to as constituting "delta 1" through "delta 4" revisions to the original landslide repair plan. This review does not include changes to the golf course design and landslide repair (including changes in grading, addition of water features, and construction of retaining walls) that were covered in Amendment 19, approved by the Commission in December 2003. My review involved the following documents:

- 1) Converse Consultants 2000, "Proposed geotechnical instrumentation and monitoring plan for Landslide "A" area, Ocean Trails Golf Course, Rancho Palos Verdes, California", 4 p. letter report addressed to Kenneth Zuckerman dated 10 August 2000 and signed by B. T. D. Lu (GE 2128).
- 2) Converse Consultants 2000, "Response to the referenced letter on shear pins for Ocean Trails Golf Course", 2 p. letter report addressed to Kenneth Zuckerman dated 11 August 2000 and signed by B. T. D. Lu (GE 2128).
- 3) Converse Consultants 2000, "Revised shear pin plan Ocean Trails landslide repair", 2 p. letter report addressed to Kenneth Zuckerman dated 30 August 2000 and signed by B. T. D. Lu (GE 2128).
- 4) Converse Consultants 2000, "Geotechnical evaluation and design bluff top pedestrian and bicycle trails Ocean Trails Golf Course, Rancho Palos Verdes, California", letter report addressed to Kenneth Zuckerman dated 1 September 2000 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 5) Converse Consultants 2000, "Slot-cut construction and stockpiling plans, Landslide "C" repair, Ocean Trails Golf Course, Rancho Palos Verdes, California", letter report addressed to Kenneth Zuckerman dated 1 September 2000 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 6) Converse Consultants 2000, "Supplemental report--Shear pin steel pipe yield strength, Ocean Trails landslide repair, Rancho Palos Verdes, California", 2 p. letter report addressed to Kenneth Zuckerman dated 14 September 2000 and signed by M. B. Schluter (CEG 1415).
- 7) Converse Consultants 2000, "Response to California State Lands Commission, six-inch subdrain line, Ocean Trails landslide remediation and repair project, Ocean Trails Golf



Course, Rancho Palos Verdes, California", 2 p. letter report addressed to Kenneth Zuckerman dated 17 October 2000 and signed by M. B. Schluter (CEG 1415).

- 8) Cotton, Shires and Associates 2000, "Review of proposed construction sequencing, grading, and stockpiling at Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 4 p. geotechnical review letter dated 24 October 2000 and signed by S. Helenschmidt (GE 2064) and W. R. Cotton (CEG 882).
- 9) Converse Consultants 2000, "Installation of inclinometer casings in landslide repair shear pins, Ocean Trails landslide repair, Rancho Palos Verdes, California", 2 p. letter report addressed to Jeff Kaplinski dated 30 October 2000 and signed by M. B. Schluter (CEG 1415).
- 10) Converse Consultants 2000, "Response to Cotton, Shires and Associates, Inc. geotechnical review dated October 24, 2000, on the subject of proposed construction sequencing, grading and stockpiling at Landslide "C"", 8 p. letter report addressed to Kenneth Zuckerman dated 1 December 2000 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 11) Cotton, Shires and Associates 2001, "Geotechnical review of revised landslide repair plan", 4 p. geotechnical review letter to Greg Pfof dated 10 January 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 12) Converse Consultants 2000, "Response to RPV's geotechnical review dated January 10, 2001, Landslide "C" repair", 5 p. letter report addressed to Kenneth Zuckerman dated 18 January 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 13) Cotton, Shires and Associates 2001, "Geotechnical review of revised landslide repair plan and construction sequencing grading and stockpiling, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 4 p. geotechnical review letter dated 23 February 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 14) Cotton, Shires and Associates 2001, "Geotechnical review of revised landslide repair plans, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter dated 31 January 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 15) Cotton, Shires and Associates 2001, "Geotechnical concerns regarding excavation limits and volume, construction of slot number 1, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. geotechnical review letter dated 23 February 2001 and signed by S. Helenschmidt (GE 2064).
- 16) Cotton, Shires and Associates 2001, "Geotechnical concerns regarding excavation limits and volume, construction of slot number 1, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter dated 7 March 2001 and signed by S. Helenschmidt (GE 2064).
- 17) Cotton, Shires and Associates 2001, "Recent inclinometer displacement at west side of Landslide C and recommended actions, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 6 p. geotechnical review letter dated 22 March 2001 and signed by S. Helenschmidt (GE 2064).
- 18) Converse Consultants 2001, "Landslide "C" repair construction safety, Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. letter report addressed to Leonard Thomas dated 5 April 2001 and signed by B. T. D. Lu (GE 2128).

- 19) Converse Consultants 2001, "Landslide "C" repair construction safety, Ocean Trails Golf Course, Rancho Palos Verdes, California", 1 p. letter report addressed to Bryan Zuppiger dated 5 April 2001 and signed by B. T. D. Lu (GE 2128).
- 20) Cotton, Shires and Associates 2001, "Modification to geosynthetic placement, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter dated 14 May 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 21) Cotton, Shires and Associates 2001, "Unresolved geotechnical issues regarding geosynthetic placement, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter to Greg Pfof dated 22 May 2001 and signed by S. Helenschmidt (GE 2064).
- 22) Converse Consultants 2001, "Response to Cotton, Shires and Associates, Inc. (CSA) geotechnical concern on the subject of unresolved geotechnical issues regarding modification to geosynthetic placement, dated May 22, 2001, Landslide "C", Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Kenneth Zuckerman dated 23 May 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 23) Converse Consultants 2001, "Geosynthetic installation procedures, Landslide "C" repair, Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. letter report addressed to Kenneth Zuckerman dated 31 May 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 24) Converse Consultants 2001, "T.C. Mirafi geosynthetic fabric interface friction testing, Ocean Trails landslide repair, Ocean Trails Golf Course, Rancho Palos Verdes, California 90275", 3 p. letter report addressed to Sam Allen dated 1 June 2001 and signed by M. B. Schluter (CEG 1415).
- 25) Cotton, Shires and Associates 2001, "Emergency response plan for potential temporary sewer and pump station damage, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. geotechnical review letter dated 1 June 2001 and signed by S. Helenschmidt (GE 2064).
- 26) Converse Consultants 2001, "Response to Cotton, Shires and Associates, Inc. (CSA) request for geotechnical review of emergency response plan to contain wastewater and restore sewer service, Ocean Trails landslide repair--Excavation slot Nos. 5 & 6, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Kenneth Zuckerman dated 21 June 2001 and signed by M. B. Schluter (CEG 1415) and B. T. D. Lu (GE 2128).
- 27) Converse Consultants 2001, "Review comments on study showing proposed relocation of sewer bench dated June 14, 2001, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Jeff Kaplinski dated 29 June 2001 and signed by M. B. Schluter (CEG 1415).
- 28) Converse Consultants 2001, "Revised slot construction backfill sequence, Ocean Trails Landslide "C" repair, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Kenneth Zuckerman dated 2 July 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 29) Converse Consultants 2001, "Recommendations for increased geosynthetic reinforcement strength in upper portion of MSE wall, Revised landslide repair plan (Delta 2 Plan revision, Dated June 21, 2001), Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Kenneth Zuckerman dated 9 July 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).

- 30) Cotton, Shires and Associates 2001, "Geotechnical review of recommendations for increased geosynthetic reinforcement strength in upper portion of MSE wall, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter dated 20 July 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 31) Cotton, Shires and Associates 2001, "Geotechnical review of revised slot construction backfill sequence, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 4 p. geotechnical review letter dated 20 July 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 32) Cotton, Shires and Associates 2001, "Geotechnical review of revised repair design in slot 6 area, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 4 p. geotechnical review letter dated 20 July 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 33) Cotton, Shires and Associates 2001, "Review of emergency response plan for potential temporary sewer and pump station damage, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter to Greg Pfof dated 22 July 2001 and signed by S. Helenschmidt (GE 2064).
- 34) Cotton, Shires and Associates 2001, "Construction of slot 4 and proposed haul road through slot 5, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter to Greg Pfof dated 6 September 2001 and signed by S. Helenschmidt (GE 2064).
- 35) Cotton, Shires and Associates 2001, "Geotechnical review of Converse Consultants' response to review comments: Unresolved geotechnical issues regarding geosynthetic placement, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter to Greg Pfof dated 24 September 2001 and signed by W. R. Morrison (GE 2468) and S. Helenschmidt (GE 2064).
- 36) Converse Consultants 2001, "Response to Cotton, Shires and Associates, Inc., "Geotechnical review of revised repair design in slot 6 area" dated July 20, 2001, Landslide "C" repair, Ocean Trails Golf Course", 8 p. letter report addressed to Kenneth Zuckerman dated 28 September 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 37) Converse Consultants 2001, "Recommendation for clay cap alternative provision in the Landslide "C" repair area, Revised Landslide "C" repair plan, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Kenneth Zuckerman dated 1 October 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 38) Cotton, Shires and Associates 2001, "Review of Converse Consultant's request for elimination of clay cap for Landslide C repair, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 4 p. geotechnical review letter to Greg Pfof dated 10 November 2001 and signed by S. Helenschmidt (GE 2064) and W. R. Cotton (CEG 882).
- 39) Converse Consultants 2001, "Response to Cotton, Shires & Associates, Inc. (CSA), Geotechnical review of recommendations for increased geosynthetic reinforcement strength in the upper portion of MSE wall, dated July 20, 2001, Landslide "C" repair, Ocean Trails Golf Course, Rancho Palos Verdes, California", 5 p. letter report addressed to Kenneth Zuckerman dated 15 November 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 40) Converse Consultants 2001, "Recommended geotechnical measures, temporary cessation of landslide repair construction, Landslide "C", Ocean Trails Golf Course, Rancho Palos Verdes,

California", 3 p. letter report addressed to Kenneth Zuckerman dated 28 December 2001 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).

- 41) Converse Consultants 2002, "Additional geotechnical recommendations, temporary cessation of landslide repair construction, Landslide "C" repair construction, Landslide "C" repair construction, Ocean Trails Golf Course, Rancho Palos Verdes, California 90275", 4 p. letter report addressed to Kenneth Zuckerman dated 7 January 2002 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 42) Cotton, Shires and Associates 2002, "Review of temporary cessation of landslide repair construction for Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. geotechnical review letter to Greg Pfof dated 23 January 2002 and signed by S. Helenschmidt (GE 2064).
- 43) Cotton, Shires and Associates 2002, "Summary of current site conditions Landslide C repair area, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. geotechnical review letter to Greg Pfof dated 22 March 2002 and signed by S. Helenschmidt (GE 2064).
- 44) Converse Consultants 2002, "Interim temporary geotechnical recommendations for extension of construction stoppage beyond the anticipated 3 to 4 months, Landslide "C" repair, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Norm Hanover dated 26 April 2002 and signed by M. B. Schluter (CEG 1415).
- 45) Converse Consultants 2002, "Geotechnical recommendations for restart of the Landslide "C" repair construction, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Jeff Kaplinski dated 20 June 2002 and signed by M. B. Schluter (CEG 1415) and B. T. D. Lu (GE 2128).
- 46) Cotton, Shires and Associates 2002, "Review of geotechnical recommendations for restart of the Landslide "C" repair construction, Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter to Greg Pfof dated 27 June 2002 and signed by S. Helenschmidt (GE 2064).
- 47) Converse Consultants 2002, "Geotechnical review, Delta 3 plan revision, Ocean Trails landslide repair plan, Ocean Trails Golf Course, Rancho Palos Verdes, California", 3 p. letter report addressed to Jeff Kaplinski dated 5 July 2002 and signed by M. B. Schluter (CEG 1415) and B. T. D. Lu (GE 2128).
- 48) Cotton, Shires and Associates 2002, "Geotechnical review of revised landslide repair plan (Delta 3), Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter to Greg Pfof dated 16 July 2002 and signed by S. Helenschmidt (GE 2064).
- 49) Cotton, Shires and Associates 2002, "Evaluation of potential erosion below proposed Geoweb channel, Landslide C repair, Ocean Trails Development, Rancho Palos Verdes, California", 2 p. geotechnical review letter to Greg Pfof dated 8 August 2002 and signed by S. Helenschmidt (GE 2064).
- 50) Converse Consultants 2002, "Geotechnical recommendations--Slot No. 6 excavation, Ocean Trails Golf Course, Landslide "C" repair, Rancho Palos Verdes, California", 5 p. letter report addressed to Jeff Kaplinski dated 23 August 2002 and signed by B. T. D. Lu (GE 2128) and M. B. Schluter (CEG 1415).
- 51) Converse Consultants 2002, "Geologic review of text description--proposed temporary irrigation system for habitat restoration on the Landslide "C" repair area, Ocean Trails Golf

Course, Rancho Palos Verdes, California", 2 p. letter report addressed to Jeff Kaplinski dated 5 September 2002 and signed by M. B. Schluter (CEG 1415).

- 52) Cotton, Shires and Associates 2002, "Geotechnical review of proposed backcut alteration above slot 6 and geotechnical considerations regarding backcut stability, Landslide C, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 5 p. geotechnical review letter to Greg Pfost dated 27 September 2002 and signed by S. Helenschmidt (GE 2064).
- 53) Converse Consultants 2003, "Pedestrian trail in Ocean Trails Park, grading plan sheet No 2 of 17, dated September 29, 2003, Ocean Trails landslide repair plan, Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. letter report addressed to Jeff Kaplinski dated 10 October 2003 and signed by M. B. Schluter (CEG 1415).
- 54) Cotton, Shires and Associates 2003, "Geotechnical review for Ocean Trails Park, The Ocean Trails Golf Course, Rancho Palos Verdes, California", 2 p. geotechnical review letter dated 31 December 2003 and signed by S. Helenschmidt (GE 2064).
- 55) Converse Consultants 2004, "Response to Cotton Shires and Associates, Inc. geotechnical review for Ocean Trails Park dated December 31, 2003, Ocean Trails landslide repair plan (Delta 4 revision), Ocean Trails Park, Rancho Palos Verdes, California", 10 p. letter report addressed to Jeff Kaplinski dated 16 February 2004 and signed by M. B. Schluter (CEG 1415) and B. T. D. Lu (GE 2128).

In addition, I have visited the site several times over the past four years, have reviewed numerous sets of plans corresponding to various revisions, and have had numerous conversations with project consultants, especially Mark Schluter, project geologist with Converse Consultants.

The remainder of this memo addresses the principal departures from the approved landslide repair project.

#### **Change in specifications, number, and locations of shear pins**

The original landslide repair plan called for the installation of 99 shear pins to add stability to the landslide mass during construction activities. The pins consist of steel pipes filled with concrete installed across the slide plane in the area of the displaced slide mass. Although Amendment 15 did not contain detailed findings related to the specifications, number, and locations of shear pins, the landslide repair plan reviewed by staff and approved in Amendment 15 did contain detailed information on the shear pins and their design criteria. The number of pins required to add the desired degree of stability (a factor of safety of approximately 1.13) depends on the strength of each individual pin.

In response to third-party review letters, references (2) and (3) answer technical questions related to the assumed strength of these shear pins, as well as outlining monitoring procedures to detect any additional slide movement (also described in reference (1)). Reference (3) explains that for the approved shear pin design plan to function as specified, steel casing pipe with a minimum yield strength of 65 ksi is required. However, as described in reference (6), Ocean Trails was not able to locate sufficient steel pipe meeting this strength criterion. Accordingly, pipe with a minimum yield strength of 58 ksi was substituted, requiring the installation of an additional 16 shear pins to reach the required design resistance. The locations of these additional shear pins were determined by the structural engineer in the field.

Although this is more of an engineering issue than a geologic one, I concur that provided that the total shear pin array is in substantially the same footprint as originally proposed, and that the total array meets or exceeds the design resistance of 90,530 kips as approved in Amendment 15, then this departure from the original plan is acceptable in terms of geologic stability. I note, also, that the purpose of the shear pins was only to stabilize the landslide mass during construction activities; their role has now been essentially fulfilled.

#### **Change in size, limits, and order of excavation of slot cuts**

Excavation of the landslide mass, construction of a mechanically-stabilized earth wall, and installation of compacted fill and drainage structures was to take place in six slot cuts. The procedure, as approved in Amendment 15, was to first remove topsoil from the repair area and stockpile it near the area of Ocean Trails Park. Then the first slot cut was to be excavated at the eastern edge of the repair area. The landslide debris excavated was to be stockpiled to the north and east of the slot cut. The next slot to the west, slot 2, then would be excavated. The material excavated from slot 2 was to be recompacted and used for the construction of the mechanically-stabilized earth (MSE) wall in slot 1 and the backfill behind it. Slot 3 would then be excavated, and the material excavated used to construct the MSE wall and backfill in slot 2. The process would repeat until the excavation of slot 6 and fill of slot 5 was complete, at which time the material stockpiled from the excavation of slot 1 would be used to construct the MSE wall and backfill in slot 6.

As construction proceeded, some deviation from the details of the approved plan occurred. Reference (11), (13), (15), and (16) explain the third-party reviewers' concerns that the slot 1 excavation limits had been exceeded and that the resulting excess material stockpiled above slot 1 caused concerns for stability of the excavation. The response from the project consultant, contained in references (10) and (12), was to recommend the stockpiling of excess material in the graben area of the landslide (above the slot 1 excavation). This was reviewed in reference (16), which noted that no stability analyses regarding the safety of this plan had been reviewed. Reference (17) reviewed recent movement recorded by slope inclinometers. Soon thereafter, in April 2001, there was a failure in the backcut of slot 1. Concerns for worker safety were expressed by the City and Cal/OSHA, which were addressed in references (18) and (19), which identified the backcut failure as a minor "pop-out" and outlined procedures for limiting hazard from similar recurrences. The backcut slope was reduced from 1:1 to 1.5:1, extending the limits of the backcut to the north. This extension of the backcut did not extend beyond the approved limits of grading, however, since the area to the north of slot 1 had been approved as a stockpile site.

An additional deviation from the originally approved construction procedure is documented in reference (28). Because of slow progress up to that time (July 2001), concern was expressed that the landslide repair could not be substantially completed before the beginning of the rainy season. Reference (28) addressed the feasibility of beginning the excavation of the next slot before the current open slot is completely filled. These recommendations were reviewed by the third-party reviewer in references (31) and (32); the concerns of the reviewers (technical matters regarding the slope stability analyses) were addressed adequately in reference (36).

Further changes in slot sequencing and design were necessitated in mid 2001 as space for stockpiling materials became critical, forcing the redesign of some haul roads (reference 34).

In my opinion, these deviations from the approved plans were necessitated by field conditions and timing constraints. Although there is no question that the originally devised plan provided better margins for error and a more logical construction sequence, the importance of completing the repair as quickly as possible had to be weighed against the risks. Despite the backcut failure in slot 1, safety plans worked as designed, no workers were injured, further plans to ensure the future safety of workers were implemented, and there was no resource impact.

#### **Relocation of sewer line required as a result of backcut failure in slot 1**

Because of the backcut failure in slot 1, and because of the County's requirement that the sewer line be placed in a cut slope rather than in recompacted fill, the sewer line traversing the site had to be moved landward from its proposed original location. This required the preparation and review of emergency response plans for potential sewer and pump station damage (references 25, 26, and 33). The geotechnical review of the new sewer bench design is in reference (27).

In my opinion, movement of the sewer line subsequent to the backcut failure in slot 1 was appropriate and conservative. Keeping the sewer line in the cut slope ensures that it will be at least as stable as the natural materials outside of the landslide repair area, and will not be affected by settlement of the recompacted fill in the repair area.

#### **Elimination of soil between primary and secondary geosynthetic layers**

The originally approved design called for a secondary layer of geosynthetic material in the MSE wall. Not only would this material add final stability to the wall in excess of that required and provided by the primary layer, but it would also facilitate the wall's construction and protect the MSE wall from erosion in the event that the material in front of the wall (the unsecured landslide mass seaward of the repair area) were to slide or erode away in the future. The original plan called for the placement of 2 to 3 inches of soil between the primary and secondary geosynthetic layers in order to assure that both fabric layers met their soil/fabric interface design criteria. However, construction was slowed and made more difficult by the necessity of installing this soil layer, and it was proposed that this layer be eliminated. In a series of review and response letters (references 20, 21, 22, and 23), the project geotechnical consultants and the third-party reviewers evaluated the feasibility of this proposal. Ultimately, outside testing (reference 24) was performed to demonstrate that the fabric-fabric interface had high enough strength to make such a plan feasible. In the event, the interlayer soil was eliminated for only a small part of the MSE wall; for much of the wall, soil layers were placed between primary and secondary geosynthetic layers.

Although I concur with the initial concerns of the third-party reviewer that elimination of the soil interface between the primary and secondary geosynthetic layers is not according to standard practice and does raise concerns regarding the potential for pullout along the fabric-fabric interface, I concur that the testing program undertaken demonstrated that this would not, in fact, be of concern in this case. Accordingly, the elimination of the soil interface between geosynthetic



layers does not, in my opinion, appreciably decrease the stability of the MSE wall. Further, the soil was eliminated between geosynthetic layers in only a very small part of the wall.

#### **Changes in design grade in order to balance grading**

As grading proceeded, it became apparent that the need to balance the grading on site might result in increases in the final grade of the landslide repair. This necessitated changes to the design of the MSE wall to buttress the extra fill. Specifications for changes to the MSE wall are outlined in reference (29) and reviewed by the third-party independent reviewer in reference (30). This review required further engineering calculations demonstrating that the increased height of the MSE wall could be attained using the geosynthetic placement methods proposed. The changes to the design grade were thought to be likely to amount to a 5 to 10 foot increases in the final grade over the approved plan in the eastern portion of the repair area. The extra height turned out not to be needed, however, and the final grade of the repair is very close to the design grade as approved in Amendment 15.

#### **Redesign of slot 6 due to geologic conditions encountered in the field**

During excavation of the westernmost slot (slot 6) it was found that the area had a complicated geologic structure that was not predicted on the basis of pre-construction investigations. This structure placed the upper bentonite layer (the layer on which the original slide occurred, and the principal target of the landslide repair effort) at a lower elevation than expected. Accordingly, reference (50) made recommendations to allow for the removal of the bentonite layer in this area. These included: deeper excavation than planned in slot 6; lowering the base elevation of the MSE wall in slot 6; reducing the slope of the slot 6 backcut as much as possible, ideally to 1.5:1 (from the originally proposed 1:1); removing the topsoil stockpile above slot 6 to increase slope stability; and increased monitoring. These plans were approved by the third-party review (reference 52), but at the recommendation of the third-party reviewer monitoring was further increased, hazard zones were identified, and the installation of a temporary buttress fill at the base of the backcut slope was undertaken.

The effects on the final design of the redesign of slot 6 are an adjustment in the elevation of the bottom of the MSE wall, reduced finished grade for the western portion of the site (including a portion of the blufftop activity corridor and Halfway Point Reserve) and an increase in the limits of excavation of the backcut. As best as I can determine, the increase in the limits of excavation resulted in grading somewhat outside of the originally proposed limits of grading, but did not impact habitat as this area was one originally intended for habitat restoration.

In my opinion, the changes to the proposed design were necessitated by unexpected geologic conditions at the site. The construction procedure was undertaken with due care, and the design changes ensure the ultimate stability of the repair.

#### **Elimination of clay cap over landslide repair area**

The approved plans for the landslide repair required the installation of a clay cap three feet thick, with a coefficient of permeability of less than  $3 \times 10^{-7}$  cm/s, over the golf course and the landslide

repair area. This was to prevent infiltration of ground water, which could possibly lead to destabilization of the golf course and repair area. Reference (37) recommends that the clay cap be deleted from the repair area because: 1) the average coefficient of permeability of the fill emplaced in the landslide repair area is  $4.75 \times 10^{-7}$  cm/s, equivalent to a clay cap with a coefficient of permeability of  $3 \times 10^{-7}$  cm/s 50 feet thick; and 2) the extensive set of subdrains and drainage features in the landslide repair area will intercept and drain away any water that does infiltrate. This recommendation was reviewed in reference (38), which did not concur with the assessment that the fill in the repair area would function equivalently to a 50-foot thick clay cap because of the coarse nature of the fill, but did concur that the drainage system in place does support the removal of the clay cap. Noting also that the upper bentonite layer, the slide surface for the 1999 landslide, has been entirely removed in the area of the landslide repair area, I concur that the clay cap is not needed in the area of the landslide repair.

### **Considerations for cessation and resumption of landslide repair operations**

In December 2001, Ocean Trails was facing a financial crisis, and funding for ongoing repair activities was no longer available. At this time, slot 6 was partly excavated, slot 5 was partially filled, and slot 4 was largely filled. Reference (40) made recommendations for measures to be taken to ensure site stability during a temporary cessation of repair operations, then anticipated to last for 3-4 months. These measures included the installation of hydraugers in the slope separating slots 5 and 6, the installation of a buttress fill in front of the slot 5 backcut, sealing the bottom of slot 5 to reduce infiltration, fencing slots 5 and 6, and ongoing maintenance and monitoring. Reference (41) supplemented these recommendations to provide drainage and runoff controls to the area of Lake 9 and the construction slope between slots 5 and 6, and measures to protect stockpiled geosynthetic material from the elements. These recommendations were reviewed in reference (42), and additional recommendations regarding monitoring and inspection were made. Interim reports (references 43 and 44) identified areas of maintenance concern and recommended that work be resumed so that it could be completed before the next rainy season in November 2002. Reference (45) made recommendations for resumption of activities, including repositioning exposed soils and inspection of geosynthetic materials. Reference (46) concurred with these recommendations.

Although the roughly six-month cessation of operations was not desirable, and left the site in a somewhat precarious state, I concur that the recommendations made by the project geotechnical consultants and the third-party reviewers ensured that the interruption in work would have the least possible effect on site stability and erosion.

### **New drainage features**

Several new drainage features have been constructed to collect runoff from Ocean Trails Park and the open space above the bluff-top pedestrian/bike trail. Most notable of these is a geoweb channel that extends longitudinally across the lower part of the landslide repair area to discharge at the bottom of the slope below the landslide repair area. This is a swale reinforced by geosynthetic material, needed to carry runoff that might have been accommodated by sheetflow in the original design. However, because of increased drainage area to be accommodated (now including runoff from part of the golf course and Ocean Trails Park, a drainage swale is now

needed. Reference (49), a third-party review of the proposed channel, expressed concern regarding erosion at the discharge point and recommended that measures to mitigate erosion be developed. I concur that this major drainage feature has the potential to create erosion in the area of the coastal bluff below the landslide repair. Nonetheless, a drainage channel such as the one proposed does seem to be warranted given the increase in gradient across the repair area brought about by the increase in finished grade at the eastern end of the repair, and the decrease in final grade at the western end.

#### **Changes to grade and trail design, Ocean Trails Park**

Several changes have been made to Ocean Trails Park. These include a slight increase in finished grade in the southern part of the park (about one foot above the approved plans), improved drainage facilities, and changes to the design of trails. Reference (53) recommends moving a footpath inland around an historic World War II vintage concrete search light foundation pad in order to increase the stability of the footpath. As detailed in that report, an area of fill, with geosynthetic reinforcement, has been added at the site of a slope failure that occurred during construction, below the pad. Moving the trail inland around the concrete pad further improves its stability. Reference (54), a third-party review of the final grading plans, called for an analysis of bluff edge stability, the need for a monitoring program, and questioned whether or not a clay cap was needed to reduce infiltration of irrigation waters. Reference (55) made recommendations regarding monitoring and signage regarding the instability of the natural bluff edge. In addition, reference (55) contains permeability data that demonstrate that the natural clay-rich soils at the site of the park, together with the drainage improvements already installed, would be sufficient to reduce the infiltration if irrigation waters such that stability should not be compromised. I concur with these assessments, and that the final design of Ocean Trails Park assures geologic stability of this area to the maximum extent practical.

#### **Summary**

To summarize, departures from the Commission-approved landslide repair plan were extensive and done, for the most part, without consultation with Commission staff. Nevertheless, they were done in conjunction with continued ongoing review by the City of Rancho Palos Verdes and their third-party independent reviewers. In retrospect, Commission staff concurs that the departures from the approved plans described above ensure geologic stability and serve to reduce erosion at the site to the greatest degree feasible. Accordingly, I recommend that the Commission approve these changes after the fact.

Sincerely,



Mark Johnson, Ph.D., CEG, CHG  
Staff Geologist



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

December 31, 2003  
EC0008

Mr. Greg Pfost  
Deputy Director of Planning  
City of Rancho Palos Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, California 90275

**SUBJECT:** Geotechnical Review for Ocean Trails Park  
**RE:** The Ocean Trails Golf Course  
Rancho Palos Verdes, California

Dear Mr. Pfost:

Cotton, Shires and Associates, Inc. (CSA) has reviewed the plan for Ocean Trails Park at the Ocean Trails Golf Course in Rancho Palos Verdes, California. Our review was performed using:

*Ocean Trails Golf Course, Ocean Trails Park (Plan Sheets 1 through 7) dated November 5, 2003 by Dudek & Associates, Inc.*

Based upon our review the following comments and recommended actions are provided.

**Pedestrian Safety** - It is recognized that the Ocean Trails Park area possesses a static factor of safety of less than 1.5, as do other portions of the bluff top trail. The current plan includes walkways adjacent to steep precipitous bluffs that may be prone to spalling or sudden movement. A zone of slope failure on the southeast side of the point was observed and monitored during the repair of Landslide C. A portion of this zone was regraded in conjunction with slope reconstruction. However, it appears that a remnant of the previous failure is present adjacent to the existing concrete pad on the southeast side of the point. The limits of unstable materials (if present) needs to be addressed as well as the potential risk of failure due to spalling, raveling or other mechanisms that could affect pedestrian safety along the top of the bluff.

**Recommended Actions** - The geotechnical consultant should provide documentation of the area of repair of the zone of instability above Landslide C at the southeast side of the point. Areas of ongoing or potential creep that were not mitigated by the Landslide C repair should be documented on a geologic map of the park area. Existing cracks, slumps and indications of lateral extension along the top of the bluff should be noted on a current geologic map. The geologic map generated should be utilized to identify areas of high risk of blockfalls or other sudden failure mechanisms that may impact pedestrian areas. Setbacks for walkways and pedestrian access areas with high risk of sudden failure should be determined and incorporated into plans. The geotechnical consultant should review the adequacy of existing survey monuments along the blufftop and make appropriate

recommendations for additional monuments (with reflectors if warranted for survey crew safety) in movement-prone areas. As a minimum, a reflector should be placed on the remaining portion of unstable soil at the southeast side of the point. Signage for unstable bluff areas should be considered.

Clay Cap - The proposed plan includes irrigation features within the park area. The park area is likely underlain by weak bentonitic clay layers, which may be prone to instability upon wetting and hydrostatic pressure. Other irrigated portions of the site underlain by weak bentonitic clays are mantled by a clay cap moisture barrier. No provision for prevention of irrigation water infiltration is currently delineated on the plans.

Recommended Actions - The plans should include provisions for construction of a clay cap or other moisture barrier to prevent infiltration of irrigation water into the subsoils. The plans should delineate the aerial extent, thickness, placement procedures and specifications for the moisture barrier.

### LIMITATIONS

Our services consist of providing technical advice to the City. Our services are limited to review of documents provided by the City and the Project Geotechnical Consultant and reconnaissance-level observations. Our opinions, conclusions, and recommendations are made in accordance with generally-accepted principles and practices of the geotechnical profession. No other warranty, expressed or implied, is made by providing our services on this project.

We appreciate the opportunity to be of service. If you have any questions regarding our comments, please call at your earliest convenience.

Respectfully Submitted,  
COTTON, SHIRES AND ASSOCIATES, INC.



Stanley Helenschmidt  
Managing Geotechnical Engineer  
GE 2064 (exp. 06/30/04)

cc: Mark Schluter/Converse Consultants  
Jeff Kaplinski/Ocean Trails  
Mike Sweesy/Dudek and Associates, Inc.

Exhibit 16 p2  
A-S RPV 93 005 A20



# Converse Consultants

Over 50 Years of Dedication in Geotechnical Engineering and Environmental Sciences

October 10, 2003

Ocean Trails Golf Course  
One Ocean Trails Drive  
Rancho Palos Verdes, California 90275

Attn: Mr. Jeff Kaplinski  
Project Manager

Subject: **PEDESTRIAN TRAIL IN OCEAN TRAILS PARK**  
Grading Plan Sheet No 2 of 17, Dated September 29, 2003  
Ocean Trails Landslide Repair Plan  
Ocean Trails Golf Course  
Rancho Palos Verdes, California  
Converse Project No. 02-31-210-40

Dear Mr. Kaplinski:

Converse Consultants (Converse) has prepared this letter to document our review of the planned location of the pedestrian trail in Ocean Trails Park as shown on Grading Plan Sheet No. 2 of 17, dated September 29, 2003, of the Ocean Trails Landslide Repair Plan.

Converse recommended the pedestrian trail be moved slightly landward into the park along a few sections of the trail for public safety concerns. One off these areas was near the historic concrete pad for a former World War II search light pad. The original Landslide "C" headscarp boundary runs along the southeast side of the concrete pad. The landslide materials located seaward of the historic concrete pad could not be removed and replaced with geosynthetic reinforced compacted fills without destroying the concrete pad itself and making significant changes to the natural sea cliff exposure. The repair work was extended as close as possible to the concrete pad without disturbing the pad.

The pedestrian trail was relocated along a few sections in Ocean Trails Park for public safety concerns in areas that could not be completely stabilized near the western edge of the landslide repair or that were located completely outside the landslide repair area itself. The planned pedestrian trail locations are shown on Grading Plan Sheet No. 2 of 17, September 29, 2003.

A 5-RPU 93-005 A20  
Exhibit 17 p1  
relocation of trail outside  
park



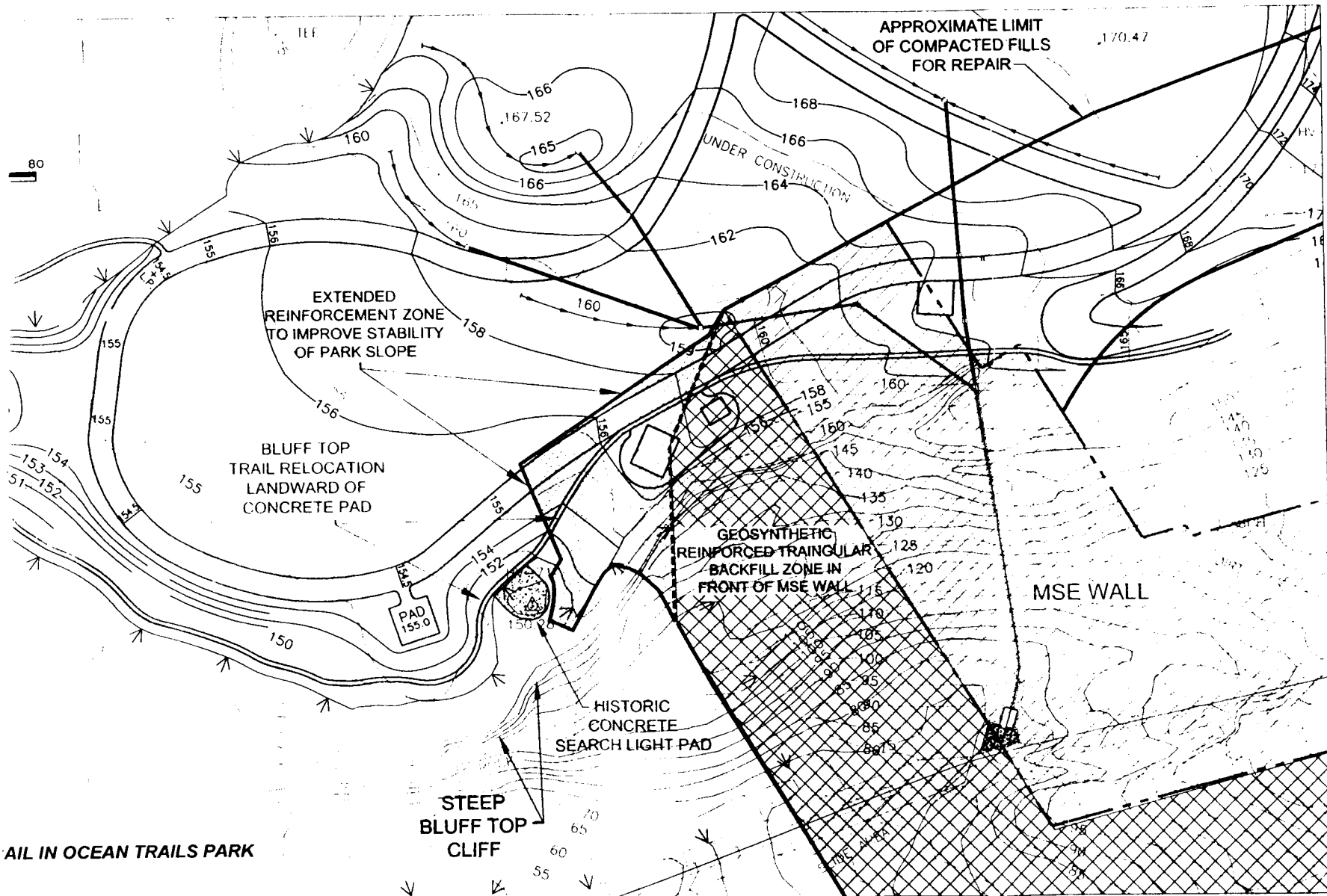
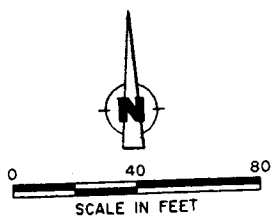
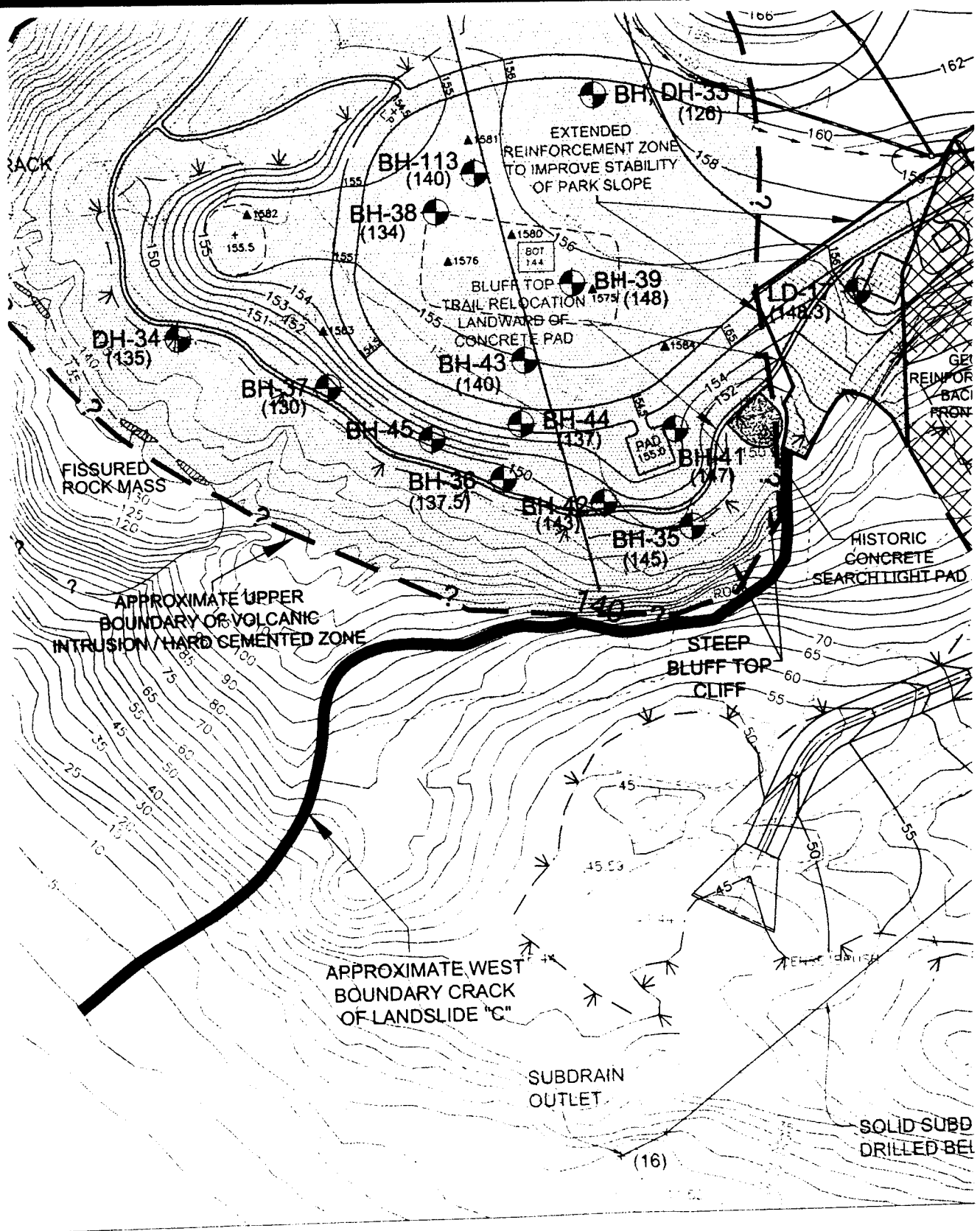


Exhibit 17 p 2

A 5-RPU 93005 A20

Geologic map of  
trail relocation





# **LEGEND**

A 5 REV 93 ODS A20

Exhibit 18

Seaward edge of park and  
New outlet

— 170 — INTERPRETED TOP OF BEDROCK

BH-41  
(147)



BORING NUMBER AND LOCATION  
(APPROXIMATE ELEVATION OF

SITING RECOMMENDATIONS FOR THE STORM DRAIN OUTFALLS ALONG THE  
BASE OF THE COASTAL BLUFF BORDERING THE OCEAN TRAILS DEVELOPMENT

Alan C. Miller, Ph.D.  
Marine Ecologist  
2919 Alma St.  
San Pedro, CA 90731  
Phone: 310-548-1705

INTRODUCTION

The charge of this contract was to examine in a general fashion the marine communities in the intertidal zones at the base of the coastal bluffs where it is proposed to have two separate storm drain systems terminate (Figures 1, 2, 3, and 4). Based on this cursory examination, recommendations were to be made concerning the siting of each outfall to minimize the impact of the untreated, fresh water runoff on the adjacent marine communities. I have completed this work and am suggesting some alternative sites for the outfalls (see below) since the current siting has both outfalls discharging into ecologically and recreationally valuable tidepool areas.

METHODS

The proposed sites were visited on foot, both at the top of the bluff and in the intertidal zone at the base of the bluff on 22 and 23 July 1997. Photographs of the sites were made and notes were taken on the marine life associated with the proposed outfall sites. Evaluations of alternative sites for the outfalls were based, in part, on my experience monitoring several marine species populations for 22 years on an intertidal site just below the bluff on the western border of the Ocean Trails development.

RESULTS

Recommendations on siting are made, below, for each of the discharge sites individually, followed by a section on what to expect in the future in terms of the visual and biological impacts of the outfalls based on an existing storm drain outfall approximately 2 miles down the coast from Ocean Trails.

RECOMMENDATION FOR THE "HALF-WAY POINT SITE"

MARINE HABITAT: Directly below the bluff at "Half-way Point" is a rocky marine community rich in plant and animal species, including some of the denser beds of mussels found along the coastline bordering Ocean Trails. There are numerous tidepools among the boulders and outcrops of solid bedrock that should not be exposed to the freshwater and toxic and nutrient-rich chemicals associated with storm drain outfalls. This intertidal zone has important recreational values, as well as being part of the larger marine ecosystem along the Palos Verdes coastline.

A5. RPU 93 005 A 20  
Exhibit 19  
Marine Biologist opinion of "tip"  
of Half Way Point

**OUTFALL SITING:** Based on the current proposed site in Figures 1 and 2, the outfall would dump directly into the tidepool region.

**PROPOSAL #1.** I propose that the outfall be directed somewhere at the top of the bluff into the existing small canyon that provides natural drainage and empties at the base of the bluff approximately 350 feet to the north-west of the current proposed site (Figures 1, 2, and 5).

The aeration and biological activity associated with this waterway should breakdown the nutrients and many toxic chemicals before they reach the ocean. Of course, during a large storm, the flow will be too fast for much of this to occur.

Any increase in sediment output from this canyon would enter the longshore transport currents and benefit sandy beach replenishment down the coast, which has been so severely impeded by channeling and cementing of larger natural waterways.

**PROPOSAL #2.** Alternatively, I would recommend that the outfall be situated at the base of the cliff approximately 100 feet to the north-west of the current site, very close to where the main trail on the north-west side of the point terminates on the rocky shore (Figures 1, 2, and 5).

In this area, there is an horizontal stretch of small rocks extending from the high tide line to the base of the cliff for about 80 feet (depending on time of year). This area is not generally wetted by the waves and would be a desirable terminus for the outfall because the chemicals in the discharge water have a chance of being modified by interstitial bacteria. This buffer zone should minimize the influence of the outfall on the intertidal community below. Also, by having the discharge structure further from the shoreline than the current site allows, the potential for storm damage to it is reduced.

#### RECOMMENDATION FOR THE SITE AT THE EASTERN EDGE OF THE GOLF COURSE (EAST OF LA ROTUNDA CANYON)

**MARINE HABITAT:** There is an uninterrupted area of boulders and fractured bedrock with numerous small tidepools along the base of this point (Figures 3, 6, and 7) extending down the coast (easterly). Although mussels are not as dense here as at "Half-way Point", there are numerous barnacles and algae, as well as the normal species component of limpets, other snails, crabs, and polychaete worms. The reduction in mussel abundance and qualitative increase in algae suggest that this intertidal area is influenced by different ecological factors than "Half-way Point" is. In addition, there are some giant kelp plants just off shore in deeper water (Figure 7). Besides being ecologically interesting, this area should be attractive for recreational visitations.

**OUTFALL SITING:** The current proposed site for this outfall has the discharge directed at the tide pools (Figure 7) without any buffer; the high tide drift line is right at the base of the bluff.

**PROPOSAL #1.** As at "Half-way Point", there is a small canyon ("La Rotunda") emptying at the base of the bluffs approximately 750 feet up the coast to the north-west (Figures 3 and 4). For the same reasons listed in Proposal #1 for "Half-way Point" (see above section), directing storm runoff into this canyon inland from the top of the bluff should be considered as an option.

Note that the intertidal section of the coastline at the canyon mouth is deeper than at the point itself (Figures 3 and 8) where the shallow rocks are exposed at low tide. Storm water discharged in this area would go immediately into deeper water where mixing and dilution of the freshwater, nutrients, and harmful chemicals would occur much faster than if the discharge is over the shallower, rocky intertidal regions just to the east along the point.

**PROPOSAL #2.** My alternative recommendation is to place the outfall somewhere else by this deeper intertidal region, such as at the base of the trail coming down the north-west side of the point (Figures 3 and 8). This would be about 400 feet up the coast (north-west) from the current proposed site at the point. As mentioned just above, discharging into deeper water is more desirable than into shallow water, especially tidepool areas.

#### WHAT TO EXPECT IN THE LONG-TERM

Based on a visit to a storm drain outfall at the base of the bluffs along Paseo del Mar in San Pedro (about 2 miles down the coast from Ocean Trails), you can expect the structure to become an artist's pallet and serve as a part-time habitation for humans (Figures 9 and 10). Since there will be some fresh water flow all year around, a riparian community of mostly "alien" vegetation will develop on, and adjacent to, the rip-rap ramp. At this particular site, there was one obvious pool of fresh water that had mosquito larvae living in it. Also, the higher tidal pools that receive the discharge have a thin film of green algae not found in similar tide pools away from the outfall, indicating the presence of increased nutrients at the discharge site.

All of this suggests to me that not having storm drain outfalls at the base of the bluffs is desirable. Routing the storm runoff through existing, natural drainage has positive attributes. However, whether the positives outweigh the negatives is a close call.

DATE: 1 August 1997



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## APPENDIX A A 5-RPV-93-005-A-A20

### STANDARD CONDITIONS AND SPECIAL CONDITIONS

Currently approved A-5-RPV-93-005 as amended-through A-5-RPV-93-005-A19; changes recommended in staff report for A-5-RPV-93-005-A20 are shown in **bold and underlined**.

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

**NOTE:** Appendix A, attached, includes all standard and special conditions that apply to this development as approved by the Commission in its original action and its subsequent amendments, including this Amendment 20. Changes in the names of parks and trails adopted by the City of Rancho Palos Verdes are inserted into the park and trail designations. The previous designations are provided for purposes of clarity. Corrections to typographic or stylistic errors, which the Executive Director determined did not change the meaning of the conditions, have been made in this document without the use of annotated or highlighted text.

All of the Commission's adopted standard and special conditions and changes in the project description proposed by the applicant and approved during previous Commission actions continue to apply to the permit as a whole and to this amendment unless explicitly changed in this action. New conditions specifically imposed in this action on Amendment 20 are shown in the following section. Within Appendix A, deletions to previously adopted special conditions are shown in ~~cross-out format~~. New language added to the previously approved special conditions are also shown in **bold, and underlined**. This will result in one set of adopted special conditions. The Executive Director is suggesting some changes in language or exhibit references for purposes of clarity, that in the view of the Executive Director will not have any material effect. These changes are highlighted in Appendix A. Unless previous conditions are noted for revision, they are not being modified by the Commission's action on Amendment 20.

#### **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.

**A 5-RPV-93-005-A-A20**  
**APPENDIX A**  
**RECOMMENDED STANDARD AND SPECIAL CONDITIONS**  
**Page 2 of 78**

(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. **Interpretation.** Any questions of intent or interpretation of any Condition will be resolved by the Executive Director or the Commission.
4. **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.
5. **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 special conditions:

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

Prior to the issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A15, 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 Exhibits I, 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, **and Exhibit 9 of amendment A11**. 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



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**APPENDIX A**  
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- |  |            |
|--|------------|
| Vista Park)  | 1.5 acres  |
| Lot H; Ocean Trails Park (Halfway Point Park), including<br>all areas inland of the bluff edge trail described<br>in 3.A (11) below, not less than:  | 5.21 acres |
|  |            |
| (2) LOT D VTTM 50666, Portuguese Bend Overlook<br>and Fuel Modification Area, as shown in Exhibit 49,<br>not less than:  | 1.0 acre   |
|  |            |
| (3) Bluff Top Activity Corridor, Lot K Vesting Tentative<br>Tract Map 50666 as shown in the Attached Exhibit I,<br>(Roman numeral one) generally described as southerly<br>of Lot 38 and being no less than 100 feet wide,<br>immediately adjacent to the bluff edge (west bluff<br>face is Lot G) extending from the easterly tract<br>boundary with VTTM 50667 to the intersection with<br>Lot F (Halfway Point Preserve Area), no less than 8.9 acres |            |
|  |            |
| (4) Catalina View Park, (Palos Verdes Drive--<br>East Vista Park), Lot D within Vesting Tentative Tract<br>Map 50667:  | 1.2 acres  |
|  |            |
| 5) (Bluff Top Activity Corridor Lot K, within<br>Vesting Tentative Tract Map 50667 as<br>shown in the attached Exhibit I (Roman numeral,<br>one) generally described as southerly of Lot 38,<br>being no less than 100 feet wide immediately<br>adjacent the edge of bluff (east bluff face is Lot I),<br>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 paths, to the extent

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necessary to install and maintain utilities within drainage, utility and sewer, easements shown on Exhibit 5 (Map G) of Amendment 6, and hydraugers, 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. 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.

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. Approximately seventeen acres including thirteen acres of habitat in the general area of holes 13 and 18 may be disturbed for landslide remediation as depicted in Exhibit 5 of Amendment 15 of this permit, and as shown in the grading plans and in the Geotechnical report, "Repair Design for Landslide "C", Ocean Trails Golf Course, Rancho Palos Verdes California," dated June 9, 2000, by Converse Consultants, and as shown in any revised plans required as a result of the Commission's actions on Amendment 15 to this permit.

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 1/20/97, except as authorized by a future coastal development permit, and as otherwise authorized by law. Drainage, landslide, and slope repairs shall occur only as specifically authorized in Special Condition 28 of Amendment 13 to this permit or in Amendment 15 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

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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,  
generally as indicated on Exhibits 2, 3 and 4  
except that no portion of Lot E shall be closer  
than 100 feet from any subdivided lot. 7.0 acres
  - Lot F, Halfway Point Preserve 3.3 acres
  - Lot G, the Bluff Face and Beach 24.4 acres
- (2) 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 of Amendment 6, 5) the drilling of testing wells and hydraugers generally as shown on Exhibit 6, Map K of Amendment 6, and 6) the sewer connections and drainage devices approved in this permit shall occur in these areas, 7) drainage, geologic exploration,

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landslide and slope repairs as specifically authorized and described in Special Condition 28 of Amendment 13 to this permit; and 8) approximately seventeen acres including thirteen acres of habitat in the general area of holes 13 and 18 may be disturbed for landslide remediation as depicted in Exhibit 5 of Amendment 15 of this permit, and as shown in the grading plans and in the Geotechnical report, "Repair Design for Landslide "C", Ocean Trails Golf Course, Rancho Palos Verdes California," dated June 9, 2000, by Converse Consultants, and as shown in any revised plans required as a result of the Commission's actions on Amendment 15. The beach portion, the southern lot line to 20 feet above mean sea level, of Lot G, VTTM 50666 and Lot I, VTTM 50667 shall be open for public recreational use.

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

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

50666:

Lot B, Forrestal Draw and Portuguese Bend Club connector  
Lot C managed firebreak.

(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 firebreak

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. Portions of Lot B, Tract 50666 and Lot C, Tract 50667 identified for habitat restoration in a fully executed HCP shall be restricted to habitat protection and restoration purposes and public utilities only. Said areas shall be identified in maps provided to the Executive Director and the Fish and Wildlife Service. The applicant shall record a depiction of such areas as found in the approved amended HCP along with all other documents that must be recorded prior to issuance of the amended permit A-5-93-005-A-15. The maps shall identify both the areas required for storm drains and dissipation, and the areas to be restored for habitat. The applicant shall provide a timetable for installation of improvements and for subsequent installation of restored habitat. Any disturbance to these areas as a result of drainage repair or public utility installation shall be restored in

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accordance with the standards of the executed HCP within 60 days of such disturbance. Areas unavoidably disturbed for drainage devices shall be revegetated such that plants are approximately 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 be 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 is 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. Public parks in the project shall be open from dawn to no earlier than one hour after sunset.

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 A (18). If, ~~on~~ **after** 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

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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 Condition 1 as set forth above and 3) are generally as indicated on Exhibit 5, Map G of Amendment 6 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 Condition 1 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 Condition 1, in the project description, in Conditions 3 and 4 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 Condition 1 as set forth above. Finally, the City may authorize no more than six temporary events per year, including filming events, that close off any portion of the publicly dedicated parking lots and/or parks on the property, subject to all provisions of the certified LCP and the following restrictions: (1) all public parking spaces shall be available to the public on all summer holiday weekends and on the Fourth of July; (2) no more than two such events shall take place in the summer

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(after Memorial Day and before Labor Day) of any year; (3) no event shall have a duration of more than four (4) days, (4) all events shall leave three accessways from Palos Verdes Drive South to the bluff top corridor open to the public; (5) all of the bluff-top trails and the bluff edge portion of Ocean Trails Park shall remain open to the public, and (6) all events shall retain no fewer than 50 parking spaces open to the public free of charge.

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 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 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 the issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A15, 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



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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 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

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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**

- (1) Prior to the issuance of 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.

- (2) Prior to issuance of the amended coastal development permit A-5-RPV-03-005-A-15, the applicants shall provide evidence that co-applicant City of Rancho Palos Verdes, 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, public access trails and view preservation over no fewer than 20.32 (twenty and a third) acres of its land within Shoreline Park over and above the area previously restricted under subsection (1) above. The area shall be as generally depicted in the draft amended HCP of June 2000, except that no portion of the area shall be located closer than 100 feet from the City boundary. The easement shall include the additional 20.32 acres, the 20 acres described in 2. B (1) above previously restricted by the

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County of Los Angeles, areas necessary to mitigate any road repair and identified in the draft HCP of June 2000, as well as trails otherwise required in permit A-5-RPV-93-005 as amended.

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 needed 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 slope repair necessary for any repair, maintenance or reconstruction of Palos Verdes Drive South, and conducted by the City in conformance with an executed HCP, 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 1 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

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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 the Bluff Edge Trail and the Sewer Line Trail.
- (8) Protect safe access to and along bluff on Shoreline Park 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.
- (9) The applicant shall not interfere with public rights that may have existed on the property. At a minimum, trails in Shoreline Park shall be open between dawn and dusk.

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.

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**3. OFFER TO DEDICATE TRAIL EASEMENTS**

Prior to the issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A~~15~~ **20**, the landowner shall cause to be executed and recorded 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 (of the Commission's original approval.) 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 of the original approval. 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, and/or 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,

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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

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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, also identified as Beach Access trail three (3)) Four foot wide, State Park standard, stabilized soft-footed, beach access trail, a bluff-to-beach access trail in the general location of Ocean Trails Park, extending to the ocean from the east side of the Ocean Trails Park. This trail shall be completed along with the golf course improvements and landslide repair approved in Amendment 15. It shall include a view platform with interpretive material about landslides. It shall include lockable swing gates at the top and bottom and warnings that the toe of the slide and other areas are deemed to be in an unsafe natural Condition by the City of Rancho Palos Verdes. The Sunrise Trail shall include railings at potentially dangerous locations, passing areas, and rest stops. (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 Sunset (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.



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~~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 **first connecting to the Sunrise Trail and then proceeding along the bluff edge** 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.~~ In the area described by Exhibit 5 of Amendment 15 of this permit as "landslide reconstruction," that is underlain by artificial fill, or the "slide block" of slide C, as also noted in Condition 29 of Amendment 15, said trail shall be located only in an area certified by a licensed engineering geologist and/or structural engineer to have a localized factor of safety of 1.5 or more. ~~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. In the area described by exhibit 5 of Amendment 15 of this permit as "landslide reconstruction," that is underlain by artificial fill, or the "slide block" of slide C, as also noted in Condition 29 of amendment 15, said trail shall be located only in an area certified by a licensed engineering geologist and/or structural engineer to have a localized factor of safety of 1.5 or more.

(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 daylight hours.

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(14) West Bluff Trail (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. 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

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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 **all necessary** the foot trails, stairs, decks, **passageways** and sidewalks shown on Exhibit 8 of permit amendment A-5-RPV-93-005A, and Exhibit 3 of amendment A11, and **Exhibit 4 of Amendment A-5-RPV-93-005A20** 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~~ **after** June 2, 2000, 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 A (11) and (A12) have been repaired and are available to the public, and the project has provided no fewer than five beach access trails.

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**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. (50667).
- (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

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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 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 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 Amendment 6, 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

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reasonable judgment of the Executive Director, does not materially and adversely affect the purposes of Condition 3 as set forth above, 7) 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). 8) Installation of the sewer connections and drainage devices approved in this permit and other development approved in this permit, and/or 9) landslide remediation as depicted in exhibit 5 of Amendment 15 of this permit, and as shown in the grading plans and in the Geotechnical report, "Repair Design for Landslide "C", Ocean Trails Golf Course, Rancho Palos Verdes California," dated June 9, 2000, by Converse Consultants, and as shown in any revised plans required as a result of the Commission's actions on Amendment 15 shall occur in the trail areas required in this permit and/or shown on the Public Amenities Plan Trails and Signage Map of 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~~, at any time, any portion of the above-identified trails is ~~still~~ considered hazardous, the applicant shall submit a complete permit amendment 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 in 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

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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 Condition 3 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 Condition 3 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 1/20/97, in the project description, in Condition 1 and in Condition 4 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 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 Condition 1 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



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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 the issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A15, 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 clubhouse, with the exception of a limited term non-profit golf school and the temporary 15-hole golf course. The third stage shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to the opening of the 18-hole golf course for play. The fourth stage shall be completed to the satisfaction of the Executive Director in consultation with the accepting agency prior to the 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

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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 shall be improved to the standards of the trail improvement plan over their entire length prior to the commencement of play on the 18-hole 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 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 and 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. Prior to opening the 15-hole golf course for play, the applicant shall provide for the review and approval of the Executive Director the revised plans required in Condition 29 of Amendment 15 of this permit.

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 or the 15-hole course to the public. Public access on all trails and parks listed below in subsection B (4) shall be restored prior to the opening the 15-hole golf course for play.

- 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; the 45 car, parking lot east of the park, "J Road", picnic area, public

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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 resource agencies serving trail 3(A) 5.
- f) Parking lot for 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):

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Trails required in Conditions 3, A (8) (except approximately 200 feet of the trail adjacent to East Vista Park, which shall be completed by October 15, 1999), A (16), A (17) A (18), 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.

4) Parks and Trails required to be open to the public before opening the 15 hole golf course for play:

- All trails in Tract 50667 and Shoreline Park except for the three trails paralleling Palos Verdes Drive South;
- All portions of the bluff top trails (3 A (11), (12) and 3B(7) located outside the area authorized for grading for landslide repair (Exhibit 5 of Amendment A15);
- The beach access trails identified as 3.B (5) Prickly Pear Trail and 3.A (6) Sunset Trail;
- A portion of the park loop trail 3.A (16) along on the western side of Ocean Trails Park and adjacent to holes 10 and 11 sufficient to connect the clubhouse to the Sunset Trail as shown on Exhibit 26 of Amendment 15; and west of Ocean Trails Park, sufficient to connect with the west end bluff edge Trails and the Portuguese Bend Overlook;
- Bluff top portions of three West bluff trails; 3.A (5) at overlook, 3.A (14) A (15), connecting to 3.A (16);
- Temporary Trail A (19), and
- East Vista Park, both clubhouse public parking areas.

**C. Third Stage.** All trail and park improvements listed below in subsections C (1) and C (2) shall be completed, inspected by the City and accepted by the City or other accepting agency before opening the golf course for play. However, the Executive Director may authorize a temporary golf school and/or a 15-hole golf course upon

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verification that all Stage 2 trails and temporary trails noted in subsection B (4) above are open to the public. 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. Pursuant to this requirement, the applicant shall submit evidence for the review and approval of the Executive Director of its compliance with all requirements concerning trail and habitat completion outlined above in sections A, B, in this section C and also in condition 8 of this permit. If the Executive Director determines that such facilities are completed and open as required in this permit, he or she shall authorize opening of the 18-hole golf course.

1) Park improvements required to be completed prior to opening of the 18-hole golf course for play (third stage):

- 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.
- b) Habitat and golf course safety fencing as approved according to Conditions 6 and 7, below.
- c) Landslide and rockfall signage.
- 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):

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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, or relocated consistent with Condition 29 below.

**3) Mitigation of Damage to State Lands.**

Within four months of the Commission's approval of this Amendment 15, unless additional time is granted by the Executive Director for good cause, the applicant shall submit for the review of the State Lands Commission a study plan for a biological survey of the areas affected by the landslide. Such survey shall, in conjunction with the 1997 and 1999 surveys, reassess the condition of the biological resources affected by the landslide, the nature and extent of the ecosystem presently functioning at the site and provide recommended mitigation measures to enhance existing resources on- or off-site, or re-establish historic biological resources at the site, with a schedule of implementation of such measures. Upon acceptance of the study plan by the State Lands Commission, the applicant shall apply to the Coastal Commission for an amendment to this permit for the Commission's review and approval of the mitigation measures recommended in the plan.

4) Prior to opening of the 18-hole golf course for play, the applicant shall provide evidence for the review and approval of the Executive Director that the study provided in 4. C (3) has been completed and submitted to the agencies outlined below; a mitigation plan developed by the applicant has been submitted to the State Lands Commission, and, finally, the applicant has agreed in writing to implement the identified mitigation measures pursuant to the schedule set forth in the plan. The following agencies may have jurisdiction over the implementation of such a proposal and shall be invited to review both the study and the mitigation plan: the National Marine Fisheries Services, the Fish and Wildlife Service, the United States Army Corps of Engineers and the Department of Fish and Game.

- D. 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

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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 five (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, inspected by the City and accepted by the City or other accepting agency and open to the public prior to construction of more than five model homes in Tract 50666 (fourth stage).

- a) View Overlook at the head of Forrestal Canyon.

- 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.

- c) 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 and other improvements required to be completed, inspected by the City and accepted by the City or other accepting agency and open to the public prior to construction of more than five model homes in Tract 50666 (fourth 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



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Canyon trail, A (17) west of the bridge and trails 3 B (1), B (3), B (4).

(3) Prior to occupancy of any residential unit in Tract 50666, the applicant shall provide evidence for the review and approval of the Executive Director that the mitigation measures identified in the plan for offshore damage required in subsections C (3) and C (4) above have been undertaken, and are complete or, in the case of approved mitigation measures that extend over a number of years (long-term mitigation measures), that the applicant has entered into an enforceable agreement with the State Lands Commission to assure completion of any long-term mitigation measures.

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 or the construction of any fences authorized by Coastal Development Permit Amendment A-5-RPV-93-005-A15, 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 or 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:

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- 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.

**(4) Post and cable barrier, 42 inches in height or less**

- 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.

- D. Along the western tract boundary with the Portuguese Bend Club: (Lot D Tract 50666)

(1) A six foot high wooden fence or block wall, consistent with City view impact requirements, as long as it is located at the property line and is no more than 605 feet in length beginning at the Palos Verdes Drive South right-of-way.

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.

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- (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.

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**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 Amendment A-5-RPV-93-005-A15, the applicant shall record a deed restriction, subject to the review and approval of the Executive Director that shall apply to lots 1-40, VTTM 50666, Lots 1-39 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 as required in Conditions 4 and 8 prior to final grading of individual lots or the construction of more than five "model homes" in Tract 50666 or the occupancy of any residential structures.

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B. The requirements for habitat and public access required in the Special 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 each owner's fair and reasonable share of the costs of 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.

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

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exemptions as defined in Section 30610 of the Coastal Act shall apply to the trails described above.

H. A restriction on all golf course lots, Lots 38 of VTTM 50666 and Lots 38 and 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. Nothing in this restriction imposes the obligation on a homeowner to personally work on the streets 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.

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

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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



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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 B 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, consistent with procedures set forth in sections A, B and C above, and all habitat required as a result of subsection 7 of this Condition or the amended HCP shall have been installed and shall have established consistent

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with the standards of the revised HCP before the 18-hole golf course may be opened for play. 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 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 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 Resource Agencies.

Prior to issuance of Amendment 11 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:

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- 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.
- (a) Mitigation for Landslide, and Landslide Exploration and Repair. Prior to issuance of Amendment A-5-RPV-93-005-A-15/16 for landslide remediation the applicant shall provide a revised HCP, signed by the applicant, the Department of Fish and Game and the City of Rancho Palos Verdes, and evidence acceptable to the Executive Director that such HCP has been published in the Federal Register. Prior to issuance of Amendment A-5-RPV-93-005-A-15 and A16, the applicant shall also agree in writing that no work will be done outside the limits of grading for the previously-approved winterization, as shown on Exhibit A, until the applicant has provided a fully executed revised HCP. Allowable landslide work prior to execution of the HCP includes shear pin installation and the construction of the associated haul roads and staging areas within the disturbed area. Such work does not include excavation of the slide block for purposes of installation of the MSE wall. The HCP and related materials provided by the applicant shall include:
- (a) The locations and types of on-site habitat restoration or enhancement required by the resource 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 resource agencies. All previously undisturbed habitat removed by grading activities shall be restored on site at a 3:1 basis.

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- (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 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 resource 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.
  - (f) A written agreement stating that if recurring landslide activity makes re-installation or maintenance of the required ten acres of coastal sage scrub habitat on the landslide block infeasible, the applicant will notify the Executive Director and the resource agencies within 60 days of such occurrence. Unless the resource agencies identify another location, the applicant shall restore no fewer than twenty acres in CSS or enhance no fewer than thirty acres of currently degraded habitat on the Switchback.
  - (g) A schedule of completion that includes the schedule for installation of any drainage facilities or public construction in the on-site canyons.
- (8) Adjustment of boundaries and locations of Golf course habitat, 2003-2004
- (a) Prior to issuance of the amended permit A5-RPV-93-005-A19, the applicant shall submit final detailed planting plans for the golf course habitat areas for the review and approval of the Executive Director. The applicant shall also agree in writing, in a form and content subject to the review and approval of the Executive Director, to maintain no fewer than 22.64 acres of coastal sage scrub on the golf

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course consistent with that plan. In addition the applicant shall identify, for the review and approval of the Executive Director, a location on or adjacent to the project site where it can plant no less than 0.66 acres additional coastal sage scrub mitigation. The golf course habitat shall be in locations generally consistent with the June 27, 2003 Plans by Dudek Associates. The final plan shall also include a maintenance schedule.

- (i) The coastal sage scrub installed in the 1.14 acre and 0.66 acre newly identified areas shall conform to the standards indicated in subsection 8D5 above for off-site habitat prior to opening of the 18-hole golf course for play. The golf course areas shall be maintained in accordance with the requirements of the coastal development permit.
- (b) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan including the installation of monitoring wells or other facilities within habitat areas shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

**9. GRADING PLANS AND STANDARDS.**

A. 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

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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.

B. All final design and construction plans for landslide remediation approved in Coastal Development Permit Amendment A-5-RPV-93-005-A15, including but not limited to plans for shear pin installation, drainage, wall construction, earthwork, stockpiling, phasing of construction, shall be consistent with all recommendations contained in Sections 5, 6, 7, and 8 of the report entitled "Repair Design for Landslide "C", Ocean Trails Golf Course, Rancho Palos Verdes California," dated June 9, 2000, by Converse Consultants, as modified by any revised plans required as a result of the Commission's actions on Amendment 15. PRIOR TO THE ISSUANCE OF THE AMENDED COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the Executive Director's review and approval, a schedule of plan review and approval, that has been approved by the City of Rancho Palos Verdes and final plans for shear pin installation. The applicant may submit engineered final plans for the remaining work in two additional phases separately, as long as all such plans are provided no less than four months after the issuance of the amended permit. The phases are (1) the MSE wall, and (2) the lake reconstruction, Ocean Trails Park, final trails, landscaping and revegetation work. Prior to authorization of any phase of work, including, but not limited to, the commencement of installation of shear pins, the applicant shall provide, for the Executive Director's review and written approval, detailed final grading, drainage, erosion control and stockpiling plans for that phase consistent with the June 9, 2000 Geotechnical report cited above. Said plans shall be accompanied by: (a) evidence that an appropriate licensed professional and the City of Rancho Palos Verdes have reviewed and approved the final design and construction plans for that phase and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site. No work may commence on any phase of work until the applicant receives written authorization for that phase from the Executive Director.

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

- (1). 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: a) landslide remediation as depicted in Exhibit 5 of Amendment 15 of this permit, and as shown in the grading plans and in the Geotechnical report, "Repair Design for Landslide "C", Ocean Trails Golf Course,

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Rancho Palos Verdes California," dated June 9, 2000, by Converse Consultants, and as shown in any revised plans required as a result of the Commission's actions on Amendment 15 and as previously approved. Grading limits shall be consistent with Exhibit 5 of Amendment 15 of this permit and Exhibit 7 of the EIR appendix; and other previously granted exceptions, including Ocean Trails Park (Halfway Point Park,) within the bicycle trails, within 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; within drainage, utility and sewer, easements shown on Exhibit 5 (Map G of Amendment 6) and hydrauger, and groundwater testing well easements shown on Exhibit 6 (Map K) of Amendment 6. Except as modified by this amendment, 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.

(2) 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.

(3). Equipment storage. No grading equipment shall be stored within any habitat area, or within open space easement area, with the exception of the 45-car public parking lot adjacent to Ocean Trails Park if such spaces are replaced with public recreation-only parking within the restaurant golf course/public lot. With the exception of areas within the landslide remediation project as shown on Exhibit 5 of Amendment 15 of this permit, no grading equipment shall be stored within 30 feet of the coastal bluff.

(4) 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.



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C. The permittee shall undertake development authorized in Amendment 15 in accordance with the approved final plans. Any proposed changes to the approved final plans or phases of construction shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

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

Prior to issuance of the Coastal Development Permit Amendment A-5-RPV-93-005-A15, 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, graded and disturbed areas, 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.

A. Erosion and siltation control. Prior to the commencement of grading on each tract, the golf course, and prior to the landslide repair permitted in Amendment 15, 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 and sediment control plans that will prevent all siltation and/or deposition of construction debris onto the beach, tide pools and habitat areas adjacent to the site. All sediment, construction debris, and waste products should be retained on-site unless removed to an appropriate approved dumping location. The approved plans shall be subject to the following requirements and include the following components:

1. Erosion on the site shall be controlled to avoid adverse impacts to beaches, tide pools and habitat areas. This shall include erosion due to on- and off-site drainage or release of water,

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construction activities, and the existence of roads and graded pads on the site. The applicant shall take all safe and reasonable measures to control siltation attributable to the landslide or other earth movement.

2. The following temporary erosion control measures shall be used during construction activity: a combination of temporary measures (e.g., geo-fabric blankets, spray tackifiers, silt fences, fiber rolls, sand bags and gravel bags), as appropriate, during each phase of site preparation, grading and project construction. Materials used shall be consistent with the HCP requirements concerning the introduction of weedy plant species. The applicant shall also provide containment methods to prevent man-made debris and/or chemicals from slope stabilization from entering the tide pools or the offshore waters.
3. Following construction, erosion on the site shall be controlled to avoid adverse impacts on dedicated trails, public roadways, beaches, tide pools and habitat areas
4. A copy of the Storm Water Pollution Prevention Plan (SWPPP) and any amendments thereto, prepared for compliance with the State Water Resources Control Board General Construction Activity Permit, which specifies BMPs appropriate for use during each phase of site preparation, grading and project construction, and procedures for their installation, based on soil loss calculations. The submitted calculations will account for factors such as soil conditions, hydrology (drainage flows), topography, slope gradients, vegetation cover, use of chemicals or fixatives, the type of equipment or materials proposed for use near shoreline areas and groundwater elevations.
5. A site plan showing the location of all temporary erosion control measures. Such site plan may acknowledge that minor adjustments in the location of temporary erosion control measures may occur if necessary to protect downstream resources. Such measures shall be noted on project grading plans.
6. A plan to mobilize crews, equipment, and staging areas for BMP installation during each phase of site preparation, grading and project construction, with timing of deployment based on the forecast percentage of rainfall occurrence. The plan shall also address provisions for delivery of erosion prevention/control

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materials, or access to onsite supplies including unit costs and specifications for adequate storage capabilities.

7. A plan for landscaping, consistent with section B below.
8. Limitations on grading activities during the rainy season, from November 1 to March 31 of each year, wherein grading may only occur in increments as determined by the City Engineer. 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 throughout the development process to control erosion, and to trap and remove manmade debris, coarse sediment and fine particulates from runoff waters leaving the site during construction activity, prior to such runoff being conveyed off site. All areas disturbed, but not completed, during the construction season, including graded pads, shall be stabilized in advance of the rainy season.

B. Landscape plans. 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 executed Habitat Conservation Plan.

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

1. 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

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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 resource agencies.

B.2. All areas disturbed by grading, including areas graded or disturbed in Amendment 15 of this permit, shall be initially stabilized with plant species consistent with the specifications of the amended HCP or if the HCP does not apply, section A above, immediately upon completion of grading operations of that area. The timing of revegetation efforts shall be as indicated in the revised HCP.

G.3. 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. Fill placed for landslide remediation shall be covered with the clay cap and topsoil as shown in the plans and replanted immediately upon completion of grading, consistent with the HCP and the approved tract landscape plan. 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 un-surfaced roads and pads;

D.4. The landscaping and erosion control plan shall identify the location of the temporary construction fence noted in the Habitat Conservation Plan, and in the amended Habitat Conservation

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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 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 and by the approved landslide repair approved in Amendment 15.

E.5. While grading may occur within the landslide repair area, noted as Exhibit 5 of Amendment 15 of this permit, prior to the commencement of any grading, the applicant shall place clearly visible security construction fences at the edges of all habitat areas at the boundary of the disturbed area noted in Exhibit 5, and along the outside of such areas within 100 feet from any construction road. The fences shall be located between habitat areas and all grading areas identified in Exhibit 5. No storage of equipment, or materials or stockpiling shall occur within any habitat area or on the beach. If a rock crusher is employed, it shall be placed on the undeveloped residential areas of the site or on the golf course. 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.6. At the end of rough grading, all rough graded lots, and all disturbed areas not included in park development, the golf course, roadways, or revegetation areas shall be revegetated with plants indigenous to the area consistent with the approved HCP and the approved landscaping plan. The plans shall specify seed and plant sources, using, as far as possible, locally collected seed.

G.7. Prior to issuance of the grading permit, the applicant shall provide evidence that a bond has been posted with the City of

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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.

H.8. 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 naturally occurring on the Palos Verdes Peninsula.

I.9. 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 Coastal Development permit and prior to issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A15, the applicant shall provide, for the review and written 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 drainage plans for Tract 50666 and for the landslide stabilization plans approved in Amendment A-5-RPV-93-005-A15. Prior to beginning preliminary grading for Tract 50666, the applicant shall provide for the review and written 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. If the applicant chooses to use Option b for Tract 50666, prior to authorization of such construction, the applicant shall submit for the review and approval of the Executive Director, final engineered working drawings for such drains consistent with the plans submitted with amendment 15 of this

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permit, and evidence of final approval of all of the above agencies. If the amount of hardscape required by option b increases by more than 15% an amendment to this permit will be required.

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 re-circulate 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; 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.



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- 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*; and,
- 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, and the Los Angeles County Flood Control District. If the City Engineer and the above agencies approve working drawings of the canyon alternative for any canyon, the Executive Director may authorize discharge of all storm water and treated golf course runoff through the approved canyons. The Executive Director shall review all plans for consistency with the preliminary plans dated 3/2/98 submitted along with Amendment 8, or the reduced plans submitted along with Amendment 15 of this permit, provided the following Conditions are met:

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- a) The final plans reflect the area required by the drain and its dissipators, the willow/freshwater marsh areas required by Fish and Game and the restored CSS habitat areas.
- b) The rerouted pipes, after final approval from the City Engineer, require no more than the 575 square feet of channelization in La Rotonda Canyon, and the design and location of the hardscape is consistent with the plans for La Rotonda Canyon dated 3/99,
- c) The amount of hardscape, including riprap, in Forrestal Canyon shall not exceed 2400 square feet and the design and location of the dissipators and riprap is consistent with the plans dated 6/6/00.
- d) The United States Army Corps of Engineers, the Regional Water Quality Control Board and the Department Fish and Game have granted all relevant permits and approvals for the revised project,
- e) The United States Fish and Wildlife Service has agreed in writing that the project as proposed is consistent with the revised HCP of 2000.
- f) 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;
- g) The Department of Fish and Game has agreed in writing that the redesigned golf course lakes can provide fresh water marsh habitat at no less than a 2:1 ratio as proposed by the Glen Lukos Corp. application dated April 16, 1998, and amounting to no less than 446 sq. ft.
- h) The project engineer and the City Geologist have concurred in writing with the retention of the project lakes as proposed in the mitigation plan.
- i) The project plans shall be accompanied by a schedule of completion that includes the schedule for any public construction and the installation of any habitat in the canyon.

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

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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

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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, or of any amendment to this 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.

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**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 A-5-RPV-93-005-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.

- D. Prior to issuance of Permit Amendment A-5-RPV-93-005-A15, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall state that the applicant acknowledges and agrees (a) 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, (c) to assume the risks to the applicant and the property that is the subject of this permit amendment of injury and damage from such hazards in connection with the permitted development, (d) to unconditionally waive any claims of damage or liability against the Commission, its officers, agents and employees for injury or damage from such hazards and (e) 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. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens.
- E. ~~By acceptance of this amended permit A5-RPV-93-005-A19,~~  
**Prior to issuance of Coastal Development Permit Amendment A-5-RPV-93-005-A20, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall state that** the applicant acknowledges and agrees (a) that the site may be subject to extraordinary hazard from landslide, earth movement and bluff failure, (b) that water features located upslope of a landslide area is subject to extraordinary hazards and that the design and execution of such work is the responsibility of the applicant, (c) to assume the risks to the applicant and the property that is the subject of this permit amendment of injury and damage from such hazards in connection with the permitted development, (d) to accept sole responsibility for the removal of any structural or other debris resulting from landslides, (e) to unconditionally waive any claims of damage or liability against the Commission, its officers, agents and employees for injury or damage from such hazards and (f) 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),

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expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

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**19. PUBLIC AVAILABILITY OF GOLF COURSE CLUBHOUSE AND OCEAN TRAILS PARK.**

Prior to issuance of the permit Coastal Development Permit Amendment A-5-RPV-93-005-A20, and before any construction of the golf course clubhouse, the landowners shall execute and record an amendment to the existing, recorded deed restriction that was recorded pursuant to the previous version of this condition, in a form and content acceptable to the Executive Director, so that the effective deed restriction, as revised, provides that the approved visitor-serving golf course facilities including the clubhouse, ~~will~~ shall conform to the following requirements:

A. PUBLIC FACILITY. The clubhouse, and golf course, treatment spa and restaurants 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, restaurants or other clubhouse facilities 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 no earlier than one hour after sunset.)

D. RESTROOMS/PUBLIC FACILITIES. 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 and main level patios (decks) 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 areas within the



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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 (one half hour after sunset). No fee or validation shall be required for use of these facilities.

F. PUBLIC USE. The rest rooms, and the lower and main level patio (deck) areas 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 these facilities shall not be locked during daylight hours. The restaurant shall not control seating on the patios (decks) and table service shall be prohibited on the patios (decks.)

G. PARK MANAGEMENT. The management of the public parks remains the purview of the City and park facilities shall not be reserved or leased except as provided in Special Condition 1 of this permit. Gazebos and picnic tables in the park shall not be reserved in advance of the day of use or reserved through the clubhouse.

H. G. SIGNS. The parking lots, restrooms and lower and main level patio (deck) areas 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) and on the patios (decks).

I. 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.

J. VALET SERVICE. The applicant shall impose no fee or purchase requirement for the use of the valet parking service, and this provision shall be clearly posted at the entrance of the parking lot.

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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 permittee shall undertake development authorized in Amendment 20 and operation of all facilities subject to this permit in accordance with the approved final plans and special conditions. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.**

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 restriction shall be described in the offer revised document 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.

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**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.
- E. Prior to issuance of the Coastal Development Permit Amendment A-5-RPV-93-005-A15, the applicant shall provide evidence that detailed plans have been provided to the State Lands Commission and that the State Lands Commission concurs that either no state lands are involved in the project or that the work proposed is permissible and not permanent. If the State Lands Commission requires any permit or waiver, such permit or waiver shall be obtained in advance of any work. In addition, the applicant shall agree in writing to proceed with an assessment of any damage that may have occurred to intertidal areas. As noted in Condition 4 above, the applicant shall provide a written agreement with the State Lands Commission concerning repair or mitigation of any damage identified by such study prior to opening of the golf course for play.

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

**21. LIGHTING AND SOUND.**

Prior to issuance of the Coastal Development Permit amendment A-5-RPV-93-005-A20 amended permit, the applicants shall submit lighting and sound studies and revised plans for the review and approval of the Executive Director to protect the bluff face and restoration areas

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from light and noise generated by the project. The applicant shall prepare a professional analysis of the impacts on the bluff face and restoration areas of the expanded clubhouse and banquet facility and of the conversion of the third floor to a restaurant. The plan shall, at a minimum, include a wall or landscaped berm at the west and southerly end of the clubhouse 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 soundproofed, and night entertainment shall be limited so that noise levels in the West Bluff Preserve are not increased beyond those 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 this permit amendment A-5-RPV-93-005-A20 and before any new construction of the clubhouse takes place, the applicant shall prepare for the review and approval of the Executive Director final trail maps, and a revised public amenity plan incorporating all features required by the Commission's Conditions. The plan shall include the overlooks, signs, railings, bridges, public decks, adequately sized public restrooms, benches, picnic tables, and other amenities proposed by the applicant and required by the Commission in this and prior actions. In the event of conflict or inconsistency between this and any other action, the Commission's Conditions shall prevail. In addition to the signs and benches described in the permit special conditions and

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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 public patios (decks) and providing information regarding habitat restoration efforts and trail safety. 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 or valet parking from dawn to dusk (one half hour after sundown)." 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)~~, and the special conditions of this permit 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 explicitly amended by subsequent Commission actions, including but not limited to 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 A-5-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.**

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 to the Commission's Conditions shall be shown on the revised tentative tract maps subject to

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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,

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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 areas 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) of Amendment 13, 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 and 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, the 45-car lot, 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

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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 Permit 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 and (g) other safety and erosion control devices as long as such devices are located in the disturbed area noted as Exhibit 17 of Amendment 13. 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 of Amendment 13, 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



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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 of Amendment 13, 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 of Amendment 13 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 to prevent accidental 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 erosion control work described in subsection A 7 above.

**29. REVISED PLANS**

A. Prior to issuance of the permit amendment A-5-RPV-93-005A15, the applicant shall submit, for the review and written approval of the Executive Director, revised conceptual golf course landslide repair and trail plans and a written agreement that final plans will comply with the following: The plans shall show that within the limits of the area graded for landslide repair as shown on Exhibit 5 of Amendment 15, that are also underlain by artificial fill, or by the slide block of Slide C, the bluff top pedestrian trail and the entire accompanying bluff top bicycle trail are located on land that (1) is not likely to be subject to catastrophic failure or deep and hazardous cracks, (2) can be reasonably maintained and (3) can be safely entered for repair and (4) has a localized factor of safety of 1.5 or more. The plan shall be prepared by a licensed geotechnical engineer or civil engineer and shall be approved by the accepting agency.

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- 1) Said plans shall be consistent with golf course risk analysis policy used in the initial design of the trails.
- 2) Said plans shall show the trails and their dimensions consistent with the requirements of Condition 3.
- 3) The methods to calculate the factor of safety shall be consistent with established professional standards.
- 4) If the golf course is required to be redesigned to accomplish this goal, said plans shall show the changes to the golf course design.
- 5) Said plans shall not employ an overhead wire cage (a "slinky") to assure trail user safety.

B. Consistent with the schedule submitted in conformance with condition 9B above, but no later than 120 days after the issuance of this permit amendment A-15, the applicant shall provide final engineered park, trail and landscaping plans and lake reconstruction plans, approved by the City and the resource agencies that are consistent with all provisions of the Commission's action. No construction shall occur in any phase until the Executive Director approves such plans as consistent with the Commission's actions and the provisions of this permit.

C. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**30. MONITORING THE LAKES**

Prior to issuance of the Coastal Development Permit Amendment A-5-RPV-93-005-A15, the applicant shall submit a ground water monitoring and inspection plan reviewed and approved by the City of Rancho Palos Verdes and the project geologists providing for monitoring all facilities on the property that may concentrate water. If any of these facilities show leaks, loss of water or build up of adjacent soil moisture, the applicant shall take all necessary measures to correct the conditions, including removal of lakes or other features.

**31. LANDSLIDE INVESTIGATIONS**

Prior to issuance of the Coastal Development Permit Amendment A-5-RPV-93-005-A15, the applicant shall submit a written agreement to remove the lakes if it is determined that the lakes create instability of the site. Pursuant to this agreement, the applicant shall provide the Executive Director with

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copies of the summary reports of all landslide cause investigations filed in court by the applicant or others, any expert opinions regarding the landslide causes filed in court and inform the Executive Director of any findings of fact regarding the causes of the slide.

**32. TRAIL REPLACEMENT**

A. By acceptance of this amended permit, Coastal Development Permit Amendment A-5-RPV-93-005-A15, the applicant acknowledges and agrees that if either of the bluff top trails (Trails identified in Conditions 3.A.11; 3.A.12; 3.B.3 or 3.B.7) fails, and cannot be reasonably repaired within two weeks of damage, the applicant will replace the trail(s). Said replacement trail(s) will be located in a safe area between the bluff edge and the golf course. In such relocation the applicant shall take all reasonable measures to assure the public safety from golf balls. No cage or "slinky" shall be permitted in lieu of golf course redesign. Further, the applicant agrees to complete all replacement trails approved in this permit within two months of damage to the trail. The design for such trails shall be accompanied by redesign and relocation, as necessary, of other improvements on the property, including the golf course.

B. PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS AMENDED COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of subsection (a) of this Condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

C. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this Condition.

**33. INSPECTIONS.**

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

**34. COMPLIANCE.**

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All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any changes approved in this and other amendments and subject to any revised plans provided in compliance with the Commission's special conditions and any other special conditions noted above. Any proposed change from the approved plans must be reviewed and approved by the Executive Director to determine if an amendment is necessary.

**35. BUYER' (S) ACKNOWLEDGMENT.**

- A. Prior to issuance of this amended coastal development permit **A-5-93-005-A18**, the owner(s) of the property that is the subject of this permit shall agree that before close of escrow on any sale or transfer of any of that property or any interest in that property that occurs before completion of all public amenities required in permit condition 4 and establishment of habitat restoration areas required in permit condition 8 (collectively, the "Improvements"), the owner-seller shall secure a letter from the buyer of the property (1) acknowledging (a) that the conditions imposed by this permit, as amended, run with the land, (b) that the use and/or development of the land may therefore be restricted by special conditions 4, 7, 8, 15, 18 and 19 of the permit, and by any agreements entered into (see, e.g., agreement among the applicant, the City and the resources agencies, known as the Habitat Conservation Plan) and deed restrictions recorded pursuant thereto, and may be further affected by special conditions 23 (and the public amenities plan prepared pursuant thereto), 26 (and the signage plan prepared pursuant thereto), and 32 (and any deed restriction(s) recorded pursuant thereto), and furthermore, (c) that pursuant to special conditions 1, 3, and 24 of the permit and the special offers recorded pursuant thereto or otherwise required in this coastal development permit, the public has certain rights with respect to future use of project streets and trails; and (2) agreeing that, prior to any further sale or transfer of any of the property or any interest in the property that occurs before completion of the Improvements, that that buyer-turned-seller shall secure from its buyer a letter to the same effect.
- B. Subsequent to the issuance of this amended coastal development permit, and prior to the close of escrow on the sale or transfer of any of the property or any interest in the property that is the subject of this permit that occurs before completion of all of the Improvements, the owner of the property being sold shall secure a letter from the buyer (1) acknowledging (a) that the conditions imposed by this permit, as amended, run with the land, (b) that the use and/or development of the land may therefore be restricted by special conditions 4, 7, 8, 15, 18 and

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19 of the permit and by any agreements entered into (see, e.g., agreement among the applicant, the City and the resources agencies, known as the Habitat Conservation Plan) and deed restrictions recorded pursuant thereto, and may be further affected by special conditions 23 (and the public amenities plan prepared pursuant thereto), 26 (and the signage plan prepared pursuant thereto), and 32 (and any deed restriction(s) recorded pursuant thereto), and furthermore, (c) that pursuant to Special Conditions 1, 3, and 24 of the permit and the special offers recorded pursuant thereto or otherwise required in this coastal development permit, the public has certain rights with respect to future use of project streets and trails; and (2) agreeing that, prior to any further sale or transfer of any of the property or any interest in the property that occurs before completion of the Improvements, that that buyer-turned-seller shall secure from its buyer a letter to the same effect.

- C. A copy of such letter(s) shall be provided to the Executive Director, and the Planning Director of the City of Rancho Palos Verdes.

**36. SAFETY AND CONSTRUCTION OF WATER FEATURES.**

A. Prior to issuance of the amended permit A5-RPV-93-005-A19, or construction of any water feature on Holes 1 or 12, within the landslide repair area, the applicant shall submit for the review and approval of the Executive Director written agreements to incorporate all safety features that were recommended in the Converse letters dated February 17, 2003, April 24, 2003 and May 8, 2003, and in the Cotton-Shires review letters dated March 12, 2003, May 2, 2003, and May 13, 2003 into the final designs of the water features and the new tees.

B. Pursuant to this agreement, the applicant shall:

1. Construct a new clay cap in areas to be irrigated under which the old clay cap does not extend,
2. Implement a testing program to ensure that material stockpiled for the construction of a new clay cap meets the requirements outlined in the Converse reports dated February 17, 2003, April 24, 2003 and May 8, 2003.
3. Implement a testing program to identify and avoid potential problems related to the construction of caisson-founded retaining walls as outlined in the Converse reports dated February 17, 2003, April 24, 2003 and May 8, 2003,
4. Construct the retaining walls consistent with the geotechnical parameters advised for their structural stability in the Converse report dated February 17, 2003;

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5. Construct drainage systems comparable to those required by the existing permit as described in the Converse letter dated February 17, 2003,
6. Install ground water monitoring wells as described in the Converse reports dated February 17, 2003, April 24, 2003 and May 8, 2003, and
7. Implement a monitoring program as described in the Converse reports dated February 17, 2003, April 24, 2003 and May 8, 2003

C. The applicant shall provide two copies of all monitoring reports required in this special condition, including reports of the lake monitor, to the Executive Director within ten days of their completion. The applicant shall also submit any recommendations or comments by the City of Rancho Palos Verdes Department of Building and Safety or their consultants to the Executive Director within 10 days of their receipt.

D. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall be carried out without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**37. EVIDENCE OF CONFORMANCE OF ACTUAL EXTENT OF HABITAT AREAS WITH ESTIMATED ACREAGE.**

A. Within 60 (sixty) days of the completion of the golf course, the applicant shall provide for the review and approval of the Executive Director accurate digitized aerial photogrammetry showing the final acreage (size) and condition of all land disturbed by grading, stockpiling and golf course enhancement and /or the approved recorded tract map of Tract 50667 and the approved preliminary tract map of Tract 50666 showing all parks, trails and habitat areas offered by the applicant and/or required by this permit. Trails through parks will be shown in their approximate location.) If any such lots or habitat areas are smaller than described in the applicant's proposal and/or in the special conditions, the applicant shall submit plans showing how any discrepancies will be resolved consistent with the terms and conditions of the permit. Within 60 (sixty) days of the Executive Director's review and approval of these plans, the applicant shall implement them, unless the Executive Director grants a written extension of time for good cause, and/or unless the Executive

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Director determines that a permit amendment is required.

**B.** The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall be carried out without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

**38. CONFLICTS WITH NEW TEE PLACEMENT AND DESIGN**

It is the intent of the Commission that conflicts between the public's safety and the design of the golf course be resolved in favor of the public. Consistent with Special Condition 5, no wire cage (or "slinky") may be constructed over any trail on the golf course. Conflicts shall be resolved without closing the trails described in Special Condition 3, and must be resolved by redesign, closure or relocation of new tees (added by Amendment 19) if injuries to trail users are attributed to the distance or design of the golf course or the relative elevation of any tee and a public trail.

Pursuant to this concern, prior to issuance of the amended permit A-5-RPV-93 005-A19; the applicant shall submit revised plans for the review and approval of the Executive Director, relocating the new tee at Hole 9 so that the new tee and its supporting fill slopes and retaining walls are entirely located outside the wetland mitigation area identified in Exhibit 2, and relocating the pad for the new tee at Hole 9 so that it is located 12 feet from trail 3A.12. The applicant shall also acknowledge in writing that both the new tee in Hole 5 and the revised tee in Hole 9 approved in amendment 19 be restricted to tournament use and may only be used during the six special events allowed on the golf course each year.

**39. WATER QUALITY IMPACTS OF WATER FEATURES.**

Prior to issuance of the amended permit A5-RPV-93-005-A19 the applicant shall provide for the review and approval of the Executive Director the following information concerning the artificial rock proposed for the water features:

- (a) All manufacturers' statements concerning the chemical makeup of the material, including information on any constituents that may or have in the past leached into nearby waters,

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- (b) Reports of any laboratory testing of the rocks and the constituents proposed for use in the rocks and any adhesives proposed to attach the rocks to the walls,
- (c) Any analysis of the tendency of the material to slough off or fragment into the water system.

The information shall be adequate to demonstrate to the satisfaction of the Executive Director that the artificial rocks and the materials used to construct them and/or attach them to the retaining walls will not be hazardous to marine life, plant or animal life or to the health of humans who may come into contact with the project lakes, streams or runoff.

**DELETED IN AMENDMENT 20**

**~~40. DEED RESTRICTION.~~**

~~**PRIOR TO ISSUANCE OF THE AMENDED COASTAL DEVELOPMENT PERMIT A5-RPV-93-005-A19.** The applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.~~

**41. GEOLOGIC REVIEW OF CLUBHOUSE EXPANSION**

Prior to issuance of coastal development permit Amendment A-5-RPV-93-005-A20 and before any demolition of the clubhouse or construction of changes to the clubhouse may begin, the applicant shall provide for the review and approval of the Executive Director complete plans, including updated foundation plans and updated



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reports on the geologic safety of the clubhouse extensions in support of those plans. Such plans and reports shall be accompanied by any applicable reviews by the City of Rancho Palos Verdes Department of Building and Safety and its consultants, and evidence that the City has accepted these plans and reports and found them consistent with conditions imposed on Addenda No. 15 and 16 to Environmental Impact Report No. 36 and for Revisions "T" and "U", Conditional Use Permit No. 163 regarding geologic safety and stability of the structure. If such plans and reports require or include any change to the existing foundations of the clubhouse, the Executive Director shall determine whether or not the changes require an amendment to the permit or whether Amendment 20 may be released.

**42. REVISED PLANS FOR CLUBHOUSE EXPANSION**

A. Prior to issuance of coastal development permit Amendment A-5-RPV-93-005-A20 or any construction on the golf course club house, the applicant shall provide revised plans for the review and approval of the Executive Director that show:

- 1) Relocation of the vestibule of the public park restroom and the restroom to the exterior wall of structure;
- 2) Improved handicapped access from the park to the lower level and from the lower level deck to the elevator connecting to the main level deck, including, at a minimum:
  - (a) Visible, handicapped accessible door not less than 36 inches in width on the lower level public deck
  - (b) Directional signage on door or exterior wall;
  - (c) Hallway leading directly to elevator from this lower level deck door;
- 3) Stairs from park trails to the park deck (on the lower level) at west end of deck as shown on Park Plans and on rendering (Exhibit 4 of Amendment 20);
- 4) Provide park seating, interpretive materials and water fountains on the lower level public park deck;
- 5) No planters may extend into park;
- 6) Signage. The applicant shall provide signage plans that show:
  - (a) Signage on the lower level deck shall state clearly that the deck is part of a publicly owned park;

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- (b) Signage on the main level deck stating clearly that no purchase is required for seating and that seating is not controlled by the restaurant;
- (c) Signage at the restaurant entries stating clearly that seating is not reserved for golfers and is available to the general public.

43. NEW DRAIN (LINE "A" DELTA 3 AND 4).

A. Prior to issuance of permit amendment A-5-RPV-93-005-A20 or the construction of any improvements authorized in that amendment, the applicant shall provide a written report by a qualified marine biologist as outlined in Special Condition 11, for the review and approval of the Executive Director that demonstrates that Line A depicted on Delta 3 and Delta 4 and proposed in Amendment 20 (A-5-RPV-93-005-A20) will not discharge into tide pools or rocky intertidal habitat and will otherwise comply with the requirements of Special Condition 11.

B. If the Executive Director determines that the reports do not support the present location of the outfall, the Executive Director will inform the applicant of this determination, and within 30 days of the determination, the applicant shall provide a written agreement and revised plans, also for the review and approval of the Executive Director, that show a) a location for the outfall that conforms with Special Condition 11, b) plans and a timetable for relocating the outfall as specified in a).

C. Pending review and approval of the final placement of Line A, Lake 9 shall not be allowed to discharge into Line A.

44. CONFORMANCE WITH APPROVED PLANS

The permittee shall undertake development authorized in Amendment 20 in accordance with the approved final plans. Any proposed changes to the approved final plans or phases of construction shall be reported to the Executive Director. No changes to the approved final plans or phases of construction shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

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**45. CONDITION COMPLIANCE**

**Within ninety (90) days of Commission action on this permit amendment application (A-5-RPV-93-005-A20), or within such additional time as the Executive Director may grant for good cause, the applicants shall satisfy all requirements specified in the conditions hereto that the applicants are required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.**

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**CALIFORNIA COASTAL COMMISSION**

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



**APPENDIX C**  
**A-5-RPV-93-005-A20**  
**SUBSTANTIVE FILE DOCUMENTS SPECIFIC TO THIS AMENDMENT**

1. Miller, Alan C, PhD, "Reexamination of the Biological Impacts of the 1999 Ocean Trails Golf Course Landslide C on the Adjacent Shoreline and Nearshore Environments," 14 February, 2003.
2. Morton, Jess, Coastal Conservation Coalition, letter to City of Rancho Palos Verdes regarding, Certain Water features, Driving range impacts to West Bluff Preserve, Maintenance of habitat, Tee in Halfway Point Park, parking, widening of fairways, CEQA.
3. Lu Bill, T. PhD, Schluter Mark, Converse Consultants, " Geotechnical Evaluation Ocean Trails Golf Course, Proposed Grading Plan Amendment Landslide C Repair Area," The Ocean Trails Golf Course, Rancho Palos Verdes, California Converse project No. 02.31-210 -01, February 17, 2003,
4. Lu Bill, T. PhD, Schluter, Mark, Converse Consultants, "Response to Cotton, Shires & Associates, Inc. Geotechnical Review, dated March 14, 2003, "Geotechnical Review Comments Proposed Grading Plan Amendment Landslide C Repair Area," Ocean Trails Golf Course, Rancho Palos Verdes, California April 24, 2003
5. Helenschmidt, Stan, Cotton, Shires & Associates, "Geotechnical review of Converse Consultant's response dated April 24, 2003, Proposed Grading Plan Amendment Landslide C Repair Area," Ocean Trails Golf Course, Rancho Palos Verdes, ECOOO8C California. May 7, 2003
6. Helenschmidt, Stan, Cotton, Shires and Assoc.: Geotechnical Review of Proposed Backcut Alteration above Slot 6 and Geotechnical Considerations Regarding Backcut Stability, September 27, 2002 (Cotton Shires review of new cut in Park (Delta 3) Change in footprint into Park: Note raises stability questions relating to Clubhouse.
7. Helenschmidt, Stan, Cotton, Shires and Assoc.: Evaluation of Potential Erosion below Proposed Geoweb Channel, Landslide C Repair, August 8, 2002. (Cotton Shires "Review of Drainage Feature at Base of Proposed Geoweb Channel.")
8. Architectural and Transportation Barriers Compliance Board, " Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Recreational Facilities, Final rule, 36 CFR; Part 1191 [Docket No.98—5] RIN 3014—AA16, Federal Register, Vol. 67, no. 170 Tuesday, September 3, 2002/ Rules and Regulations; Page 56352.
9. Longcore, Travis, Bibliography: "Effect of Lighting on Dune Butterflies," Electronic communication, Monday February 7, 2000.

