



June 30, 2009

Niki Cutler, AICP  
Principal Planner  
City of Rolling Hills Estates

Dear Ms. Cutler,

We are writing on behalf of the Palos Verdes Peninsula Horseman's Association (PVPHA) with comments on the April 2009 Draft Environmental Impact Report for the Proposed Chandler Ranch/Rolling Hills Country Club Project ("Draft EIR"), State Clearinghouse Number 2008011027. The PVPHA is a non-profit tax exempt 501(c)(3) corporation dedicated to preserving horse keeping in the Palos Verdes Peninsula.

As will be explained, the draft EIR prepared by the Applicant is seriously flawed and has failed to adequately address the environmental impacts that will occur with a project of this magnitude.

When evaluating this project, we respectfully request that the City not lose sight of the fact that the Applicant wants to build a **private** golf course in a community that prides itself in the preservation of open space and public access to a small but wonderful trail system; what makes this even more troubling is that the Applicant wants special privileges from the City which will only benefit the small number of people that can afford to belong to this club or purchase one of the expensive homes.<sup>1</sup> Should this project ultimately be approved, the City will have elected to replace trail access and the rural nature of its community with a massive **private** golf course and mega housing complex for the rich that will greatly increase the density of the City housing.

As will be demonstrated in this comment letter, this project could be developed in an environmentally conscious manner but for the Applicant's desire to completely maximize the profits that it will ultimately realize on this venture. For example, there is no need to build the number of houses proposed by the Applicant except to increase profits (and the density of the area). In addition, the Applicant is refusing to incorporate a trail system that was proposed by the City in a Horsetrail Map because the Applicant does not want horses to interfere with its swanky development.<sup>2</sup>

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<sup>1</sup> We have been told that less than 10% of the residents of Rolling Hills Estates are members of the Rolling Hills Country Club. We have no idea if this number is accurate.

<sup>2</sup> The Map was drawn by J. Pool and last revised in February 1991.

## A. History of equestrian activities in rolling hills estates

The Palos Verdes Peninsula has a rich history of ranching and farming. From the arrival of Juan Rodriguez Cabrillo in 1542 to the grazing of livestock by Juan Jose Sepulveda 300 years later, this area has been characterized by the rural lifestyle. As land and farming have been cast aside in the name of development, several cities in the area have attempted to preserve what is left of the open space and country lifestyle.

The City of Rolling Hills Estates has always touted itself as being founded to preserve rural nature of the community and the equestrian lifestyle of the community—open space, large residential lots, and white picket fences are what make this City great. Until recently, the website for the City stated: "the City of Rolling Hills Estates was incorporated on September 18, 1957 in order to preserve the unique rural-residential and *equestrian environment*." (Emphasis added)<sup>3</sup> In fact, there is a picture of a little girl leading a pony on the home page of the website for the City.<sup>4</sup>

These goals of preserving open space and the equestrian lifestyle are set forth in the General Plan policies for Planning Area 2 which currently designates the project site as Very Low Density Residential with a maximum density of one unit per acre with a horse overlay. Moreover, the City had originally planned a horse trail that ran around the Project Site starting along Palos Verdes Drive East and moving towards the North and Northwest, which would connect to a vast network of existing trails.<sup>5</sup> Interestingly, this map does not appear to have been incorporated into the Draft EIR for this private golf course and community.

## B. The Applicant refused to meaningfully consult with equestrians regarding project development

On two occasions, members of the PVPHA board of directors met with the Applicant's Project Manager, Mike Cope, to discuss the project. The meetings were requested by the PVPHA as a way to provide input into the Project. The PVPHA believes that developments can be designed in a manner that accommodates the sometimes competing needs of the equestrians and the developers. In the case at hand, the Applicant has taken an "all or nothing" approach to the Project refusing to compromise on anything.

In reviewing the project with Cope, it became apparent that the Applicant had no intention of having equestrian trails through or around the project. We discussed with Cope the City of Rolling Hills Estates Horse Trail Map and proposed horse trail around the project site. Cope stated that the applicant did not want the liability of having horses and equestrians adjacent to the golf

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<sup>3</sup> Coincidentally, about the time that Applicant began developing this project, the City removed the statement regarding preserving the equestrian environment. The website previously stated: "the City of Rolling Hills Estates was incorporated on September 18, 1957 in order to preserve the unique rural-residential and equestrian environment." However, it was changed in April 2007 to read: "Fifty one years ago, the City of Rolling Hills Estates, located on the beautiful Palos Verdes Peninsula, officially became Los Angeles County's 60th municipality. In that first year in 1957, the City's population totaled only 3,500, but its new citizens were united in their concern over maintaining its unique rural atmosphere characterized by rolling hills, vast open spaces and three-rail white fences."

<sup>4</sup> See, [www.ci.rolling-hills-estates.ca.us](http://www.ci.rolling-hills-estates.ca.us)

<sup>5</sup> City of Rolling Hills Estates Horse Trail Map provided by Niki Cutler on February 4, 2008 attached as **Exhibit 1**.

course. He also stated that the Applicant would not be willing to pay for the expenses of putting in the trail or bear the expense of maintaining the trail. Most significantly, Cope stated that the Applicant did not want to have any horses around the golf course.

Cope started to suggest that the project could be mitigated by the Applicant providing the funding to complete the Rolling Hills Estates Equestrian facility. However, it soon became apparent that the Applicant was not serious about mitigating the environmental impacts associated with building this project and that the Applicant expected to have the Project approved regardless of the equestrians or environmentalists. *In fact, none of the mitigation measures suggested by the PVPHA even made it into the Draft EIR.*

### **C. Removal from horse overlay district creates a significant land use impact and the proposed mitigation measures are inadequate**

As noted in the Draft EIR, the applicant's request to remove the property from the Horse Overlay District creates a "significant land use impact."<sup>6</sup> Interestingly, however, the applicant states that the reason the Project needs to be removed from the Horse Overlay District is because "...the proposed golf course and equestrian facilities are incompatible with one another."<sup>7</sup> As there have been horse trails along the perimeter of the section of golf course on the west side of Palos Verdes Drive East for over 35 years, it is clear that the applicant is not intending to imply that horses and golfing cannot share the same locality.<sup>8</sup> In fact, the applicant later states that golf courses "...are not necessarily incompatible with equestrian uses, and that there are many examples in Los Angeles County of equestrian uses located in close proximity to golf courses."<sup>9</sup>

Rather, the Applicant desires to have the project removed from the Horse Overlay District so it can build more expensive houses and have a bigger **private** golf course. The Applicant states that "... it may not be practical to establish equestrian uses and facilities within the residential portion of the project (the proposed residential lots are clustered are not large enough to realistically permit the stabling of horses)..."<sup>10</sup> In other words, the number of houses that the applicant wants to build is the reason that it believes the proposed golf course and equestrian facilities are incompatible with one another.<sup>11</sup>

The Applicant states that provisions should be made to accommodate equestrian uses through the dedication of a trail within the project site that links with other trails in the community.<sup>12</sup> It does not appear, however, that the Applicant has any intention of honoring this statement. Instead, the Applicant wants the City to approve the project without any guarantee that the impacts from the proposed change in land use will be mitigated. The City cannot allow this to happen.

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<sup>6</sup> Draft EIR, page 3.8-18.

<sup>7</sup> Draft EIR, page 3.8-18.

<sup>8</sup> See Horse Trail Map attached as Exhibit 1 hereto depicting the trail starting around Sorrel Lane and going towards Dapple Gray. The area directly adjacent to the East is the golf course.

<sup>9</sup> Draft EIR, page 3.8-18.

<sup>10</sup> Draft EIR, page 3.8-18.

<sup>11</sup> The Applicant has failed to properly address the housing density issues in the Draft EIR. Moreover, the Project is inconsistent with the City of Rolling Hills Estates Housing Element and Resolution No. 1771 in several respects including low income housing requirements.

<sup>12</sup> Id.

About one year prior to the publishing of the Draft EIR, three members of the PVPHA's board of directors toured the Project Site with the Applicant's project manager Mike Cope. During the visit to the site, we showed Cope where the proposed trail that is marked on the City of Rolling Hills Estates Horsetrail Map was supposed be located. Cope summarily dismissed the idea of including the proposed trail because it would involve shortening the length of one of the greens on the golf course. He stated that Arnold Palmer would not allow his name to be used on the course unless the greens were a certain size. As the proposed trail literally runs along the borders of the proposed project, it is difficult to imagine how this could present a real obstacle to adding the trail. To the extent the applicant believes that it will, we request that the draft EIR examine what is involved with adding the proposed trail and the licensing requirements demanded by Palmer.

While the Draft EIR recognizes that removal of the Project Site is a "significant impact," the proposed mitigation is totally inadequate. The Draft EIR provides that the mitigation for this is that provisions should be made to accommodate equestrian uses through the dedication of a trail within the project site that links with other trails in the community. The problem is that the Draft EIR fails to commit the applicant to any mitigation whatsoever: "The exact location and alignment of such a trail would be subject to review to address safety concerns of equestrians and be designed in a way so as not to impede the primary (golf course) recreational use of the project site."<sup>13</sup> The applicant should be required to include real mitigation measures in the EIR.

Remember, the applicant is proposing a **private** golf course. We are informed that it currently costs around \$60,000 to join to the Rolling Hills Country Club. We are deeply concerned that the Applicant is requesting that the City approve a project that will benefit only a very small percentage of its residents (we are told less than 10%) while depriving the majority of the use of this open space and proposed trail network.

#### **D. The Draft EIR fails to adequately address the potential for the project to impact biological resources**

The Draft EIR relies on a report prepared in November 2007 by AMEC Earth & Environmental Inc., (AMEC) to base its analysis in the Draft EIR related to the impact on biological resources. As a preliminary matter, one site visit nearly two years ago is insufficient to determine what biological species exist at the site. It is likely that AMEC might have missed an animal because of the time of year that it chose to visit the site (some animals are migratory). In addition, site conditions might have changed since the site visit by AMEC. The Applicant should be required to conduct an expansive site assessment to properly analyze the impact to biological resources prior to the approval of the EIR.

The Draft EIR notes "a few small remnant patches of coastal sage scrub present along the steep sided margins and bluffs of some of the Chandler Quarry's mining pits." It takes the position that because the Applicant has basically destroyed whatever naturally occurring coastal sage scrub once existed, it is now gone and not a concern. If this project was within the coastal zone, the State would likely require that the Applicant restore all of the coastal sage scrub and the City should as well.

##### **i. BIO-2: Loss of coastal sage scrub is significant.**

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<sup>13</sup> Id.

According to a study by the World Wildlife Foundation (available online at [http://www.worldwildlife.org/wildworld/profiles/terrestrial/na/na1201\\_full.html](http://www.worldwildlife.org/wildworld/profiles/terrestrial/na/na1201_full.html)), approximately 85% of the Coastal Sage Scrub has been lost, mostly to agricultural development and urban expansion. This project will destroy all of the remaining Coastal Sage Scrub on the site. The planting of new vegetation in open spaces and manufactured slopes, as proposed in mitigation measure MM BIO-4, is no substitute for the preservation of the original habitat.

Furthermore, coastal sage scrub is the natural habitat of the California gnatcatcher, a federally-threatened species. Removing the coastal sage scrub will adversely affect the habitat of the gnatcatcher. If any federal permit is required for the project (e.g. a Clean Water Act section 404 dredged-and-fill permit), the issuing agency will be required to formally consult with U.S. Fish and Wildlife Service prior to issuing the permit.

Grading Plan would Fill Impermanent Streams in Existing Valleys on SouthWestern Portion of the Site. Section 3.5.3 says that the majority of the fill, from grading, would be placed within the quarry pit and in the existing valleys in the southwestern portion of the site. These valleys are probably impermanent streams protected by the federal Clean Water Act. Filling these streams with dirt may adversely affect water quality and habitat quality. Filling these valleys may require a CWA section 404 dredged-and-fill permit from the Army Corps of Engineers. This, in turn, may require the Corps to consult with U.S. Fish and Wildlife Service. None of this is disclosed in the EIR, as it should be.

#### **E. Global warming analysis is inadequate because it sets the baseline too high**

The baseline GHG emissions are calculated in Appendix C of the AQCCIA (which is itself Appendix B of the EIR). The result of that calculation is a baseline of 10,628 MTCO<sub>2</sub>e/yr from both Rolling Hills Country Club and Chandler Ranch. Calculations for the latter include 8,862.5 MTCO<sub>2</sub>e/yr from Chandler Ranch-related Off Site Vehicle Travel. Based on the assumption that Chandler Landfill off-site vehicle trips will be reduced to zero because of the closure of the Chandler Landfill, the EIR calculates that the project will provide a net reduction of 3,879 MTCO<sub>2</sub>e/yr in Greenhouse Gas (GHG) emissions, according to table 3.2.14.

However, the GHG emissions from off-site vehicle trips will not in actuality be reduced to zero since the landfill's customers will need to dispose of their waste elsewhere. They will presumably use the Chandler Landfill due to a combination of low cost and close proximity. If the Chandler Landfill becomes unavailable for disposal, they will have to dump their waste elsewhere, quite likely farther away; if this is the case it will increase off-site vehicle miles traveled, not decrease them. This increase will be directly attributable to the project, and must be included in the analysis of the environmental effects of the project. Therefore, the proper method of calculation of the net GHG effect of closing the landfill would be to subtract the existing off-site vehicle travel miles from the projected off-site vehicle travel miles that will be required in order to dispose of the waste that is currently being sent to the Chandler landfill.

Even if it is assumed that there is no net increase in offsite vehicle miles traveled as a result of the landfill closure, and the 8682 MTCO<sub>2</sub>e/yr (the amount of the current offsite vehicle miles travelled for disposal of waste at the Chandler landfill) is simply omitted from the baseline figure in the calculation, Table 3.2.14 would be revised as follows:

Table 3.2.14 – GHG Emissions Impact Screening	
Source	Emissions (MTCO <sub>2</sub> e/yr)
Construction Phase	113
Operation Phase	6,636
Baseline	-1946 (instead of -10,628)
Incremental Change	+4,803
SCAQMD Reporting Threshold	3,000
Exceeds Threshold?	YES

As this calculation shows, omitting the assumption that off-site vehicle miles for waste disposal will be reduced to zero by closing the landfill means that the project will result in significant increases in GHG omissions. The Draft EIR fails to provide the proper analysis of these increases because it wrongly assumes that GHG emission increases from the project are not significant. In particular, the Draft EIR provides for no mitigation of these effects. The Draft EIR also fails to adequately address cumulative impacts from increased GHG emissions. This section of the Draft EIR must be rewritten to incorporate realistic assumptions concerning the GHG emissions from vehicle trips related to the waste that would be disposed of at the Chandler landfill, if the landfill is closed.

**F. Conclusion**

For the reasons set forth in this letter and the comments prepared by Haley and Aldrich on behalf of the PVPHA, it should be painfully obvious that the Applicant has failed to properly analyze the environmental impacts of this Project as Required by CEQA and related laws.

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Dale Allen,  
President of PVPHA

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Vic Otten,  
VP Civic Affairs, PVPHA