

PLANNING AND LAND USE MANAGEMENT

FEB. 25, 2014

Item 13-1646 Ponte Vista

*for the
Record*

The EIR performed for this Ponte Vista site is highly deficient in a multitude of ways.

#1.

The review has ignored the incredible and highly explosive risk exposure from the adjacent ultra-hazardous Rancho Butane gas storage facility (whose own consultant acknowledges that their gas storage represents the equivalent of 54 atomic bombs in stored energy) the Naval fuel depot and the Phillips refinery. All of these dangerous storage sites fall within ½ to 1 mile from the proposed housing.

#2

The Ponte Vista EIR responds in no way whatsoever to the "drought conditions" that are forcing residents to conserve their water voluntarily with an impending mandate expected by next year to our city and State residents. A development of over 500 homes is required to confirm that there is adequate water supply to service the additional residents for 20 years! Under the precarious conditions that this State and City is facing with the scarcity of its water ... clearly acknowledged in several recent articles including the NBC news article being submitted to you. that warns of the more intense droughts expected in our near future, the question is exactly HOW does one guarantee the availability of this precious commodity in these difficult times?! This EIR does not respond to the current water crisis in any way!

#3

The area of this project is documented in LA's own City Planning Department as an "Earthquake Rupture Zone". An earthquake rupture zone is a "particularly" vulnerable area for disaster because it is the "point" where there is a convergence of "multiple faults". The LA City Planning Department, Mayor Garcetti, City Attorney Feuer, City Councilman Buscaino and all other City Council members are exhibiting extreme negligence and recklessness in ignoring its responsibility to protect its citizens by even the "consideration" of allowing this housing development in this area! It is incumbent upon this planning committee to respond immediately to the cavalier and thoughtless findings submitted in this environmental review. The disregard and disrespect for human safety must stop now! "Dolling" up an area...or the will to bring in new tax revenue to the City does not warrant closing your eyes and plugging your ears to the dangers and tragedies that this recklessness invites. STOP NOW!!



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ITEM # 6
13-1686

PRESENTATION TO THE PLUM COMMITTEE ON 2/25/2014

Chuck Hart, President of San Pedro Peninsula Homeowners, United

Good decisions can only result if all factual information is made available to those making the decision. The conclusions stated in the Ponte Vista EIR and the Planning Departments Recommendation Report of November 13th, 2013 referenced under 'Hazardous Material and Risk Upset' are based on misleading information. The EIR does not accurately address the potential devastating impacts of a true worst-case scenario from the neighboring Rancho LPG Facility. Why? Because the current Risk Management Plan (RMP) Regulations are designed to keep the truth from the Public and Planning Groups like yourself.

In 1990 the Federal Emergency Planning and Community Right-To-Know Act added explosiveness and flammability as substances of concern. It specified and standardized ways of assessing the dangers posed by chemical facilities and communicating the information to the public. The EPA produced draft regulations which would have calculated the radius of exposure from an immediate total release of one Rancho 12.5 million gallon tank as 3 miles

and affecting 29,000 people. Obviously the mile radius would have destroyed much of the L.A. Port and part of the Long Beach Port as well. The Tosco Refinery 1999 RMP Worst-Case Release states that one of their 5,092,000 gallon butane tanks would result in a 2.3 mile impact. The American Petroleum Institute sued the EPA, claiming that flammable materials should be allowed to use a calculation for toxic materials if there were passive mitigation such as Rancho's impound basin. As a result, no longer were RMP's Worst-Case-Release Scenarios based on a total immediate release, resulting from a ruptured tank. The new calculation assumes that the material stops being released in 10 minutes. Of course, that is not true, butane and propane will continue to be released from the smallest tank rupture and of course, the impound basin would mitigate only the first $\frac{1}{2}$ percent of release. But the EPA LAWYERS ALLOWED IT so now Rancho claims that it's radius of destruction for worst-case release is $\frac{1}{2}$ mile and involves only 770 people.

Fast-Forward to 2001 - and the Twin Towers Terrorism and the resulting passage of laws surrounding Homeland Security. Now the concern flipped, and instead of informing residents, the DHS wanted to keep the information secret. The DHS Program is so unwieldy and they are so far behind in checking sites

which are deemed to be terrorist temptations under its CHEMICAL FACILITY ANTI-TERRORISM STANDARDS that they were subjected to a review by the CONGRESSIONAL GENERAL ACCOUNTING OFFICE. The GAO Report says that since 2007 the DHS has assigned priorities to only 380 out of the 3500 possible dangerous facilities and that it will take another 8 to 10 years to prioritize the sites.

The States Program was similar to the Federal Program but had one serious flaw. It's so complicated that there is not a single agency that administers and enforces it. So they took the easy way out and handed the enforcement of this unwieldy and cross-referenced program to local Fire Departments. This was in spite of the Fire Departments stating they hadn't the expertise, manpower or money to adequately enforce the program.

The failure of the Federal and State Governments to deal with this issue is unconscionable. They are, in effect, gambling with people lives against the probability of an earthquake, a terrorist attack or an accident creating a catastrophic event. While the City has no regulatory authority, it does have an obligation to protect its citizens. Until the City can get this LPG facility removed, Ponte Vista and additional housing developments should not be permitted in the surrounding areas.

latimes.com/local/la-me-quake-faults-20140221,0,7243269.story

Ponte Vista
JFM

latimes.com

Bill targets new construction in California quake zones

The legislation by state Sen. Ted Lieu aims to close a loophole that allows building on or near earthquake faults that haven't been zoned by the state.

By Rosanna Xia, Rong-Gong Lin II and Doug Smith

9:06 PM PST, February 20, 2014

A state lawmaker is introducing a bill that would close a loophole that has allowed developers to build projects on or near dangerous earthquake faults. advertisement

California law already bans the construction of new buildings on top of faults that have been zoned by the state. But more than two dozen major faults have not been zoned, and a Times review found some buildings had been constructed along them.

Statewide, about 2,000 of California's 7,000 miles of faults have not been zoned, and the building ban is not enforced in those areas.

State Sen. Ted Lieu (D-Torrance) said developers should be required to search for earthquake faults along those remaining areas.

"This is to prevent future buildings from being built on fault lines," Lieu said in an interview. "Developers right now can ignore that there's a fault line, simply because it hasn't been technically zoned yet."

Lieu cited the results of a Times investigation in December, which found that Los Angeles and Santa Monica in the last decade approved more than a dozen construction projects on or near two well-known faults without requiring seismic studies to determine whether the buildings could be destroyed in an earthquake.

If state officials had drawn a zone around those two earthquake faults, the developers would have been required to dig to see whether a fault was underneath the project before approving construction.

The loophole has led to situations where buildings might be constructed on earthquake faults, putting them at risk for severe damage during an earthquake.

Questions have been raised about whether a fault exists under Blvd6200, a \$200-million residential and commercial development under construction in Hollywood. The developer's geologist was not required to do an in-depth fault investigation by the city. Based on his observations during excavation, he said there was no fault underneath the site. State geology officials later said they were confident a fault exists there.

"The intent is to prevent other projects too close to faults from going forward when there are still 2,000 miles" of

unzoned faults, Lieu said. "This bill technically closes that loophole and treats that fault line like it's a zoned fault line."

Lawmakers banned the construction of new buildings on top of active surface faults after the 1971 Sylmar earthquake, when buildings straddling the San Fernando fault were ripped apart. One side of the fault shifted from the other by as much as 8 feet. About 80% of the buildings along the fault suffered moderate to severe damage.

Other agencies have gone out of their way to avoid faults. The Los Angeles County Metropolitan Transportation Authority has spent millions to ensure subway stations aren't built on fissures. Some school districts have decided to tear down classrooms that straddle faults.

Mott Smith, a board member of a statewide developers group, the Council of Infill Builders, questioned whether it made sense to focus on new buildings before tackling older structures built before modern quake codes.

"We should be focusing on older buildings. Instead, we're focusing on development, and that just isn't where the biggest problem is," Smith said.

Smith said he was also concerned that Lieu's proposal shortcuts the state's normal process for zoning faults, which can take months of scientific research.

More digging of trenches to find faults would increase costs, another barrier to development, he said.

Bruce Clark, a retired engineering geologist and former chairman of the California Seismic Safety Commission, wondered whether the proposal could cast too wide a net and end up with some developers spending money only to find out their land isn't on top of a fault.

Still, "compared to a few hundred million for a project, it's small change. It's not a tremendously expensive thing," Clark said. "It is not a good idea to build a building across a fault.... When you have a fault rip a building apart, you really put the people inside at risk."

The state's top geologist has previously told The Times it is a good idea to do fault investigations before construction begins.

"Why would one risk constructing multimillion-dollar investments on ground that is known to be of very high hazard, and place in jeopardy the lives of those who inhabit the building?" said John Parrish, the state geologist. All the land encompassed by the state's existing earthquake fault zones totals about 0.86% of California.

"Reducing the loss of human lives, property, and to the costs to the economy are what the [law] is designed for," Parrish said.

Lieu said the California Geological Survey's existing map of all 7,000 miles of faults, published in 2010, is a good start to determine whether properties need fault investigations.

As a result, to ensure buildings aren't constructed on faults not yet drawn into a quake zone, Lieu said he was proposing any projects within about 500 feet of the fault line undergo a seismic evaluation.

Lieu's legislation would have a similar effect as a new Los Angeles building policy. A city spokesman in

November said Los Angeles would use the state's 2010 map to determine whether a fault study should be done before construction begins.

Over the last two decades, zoning these faults have slowed to a crawl because of budget cuts. Gov. Jerry Brown last month proposed a sharp increase in funding to complete the zoning mandated by the 1972 Alquist-Priolo Earthquake Fault Zoning Act.

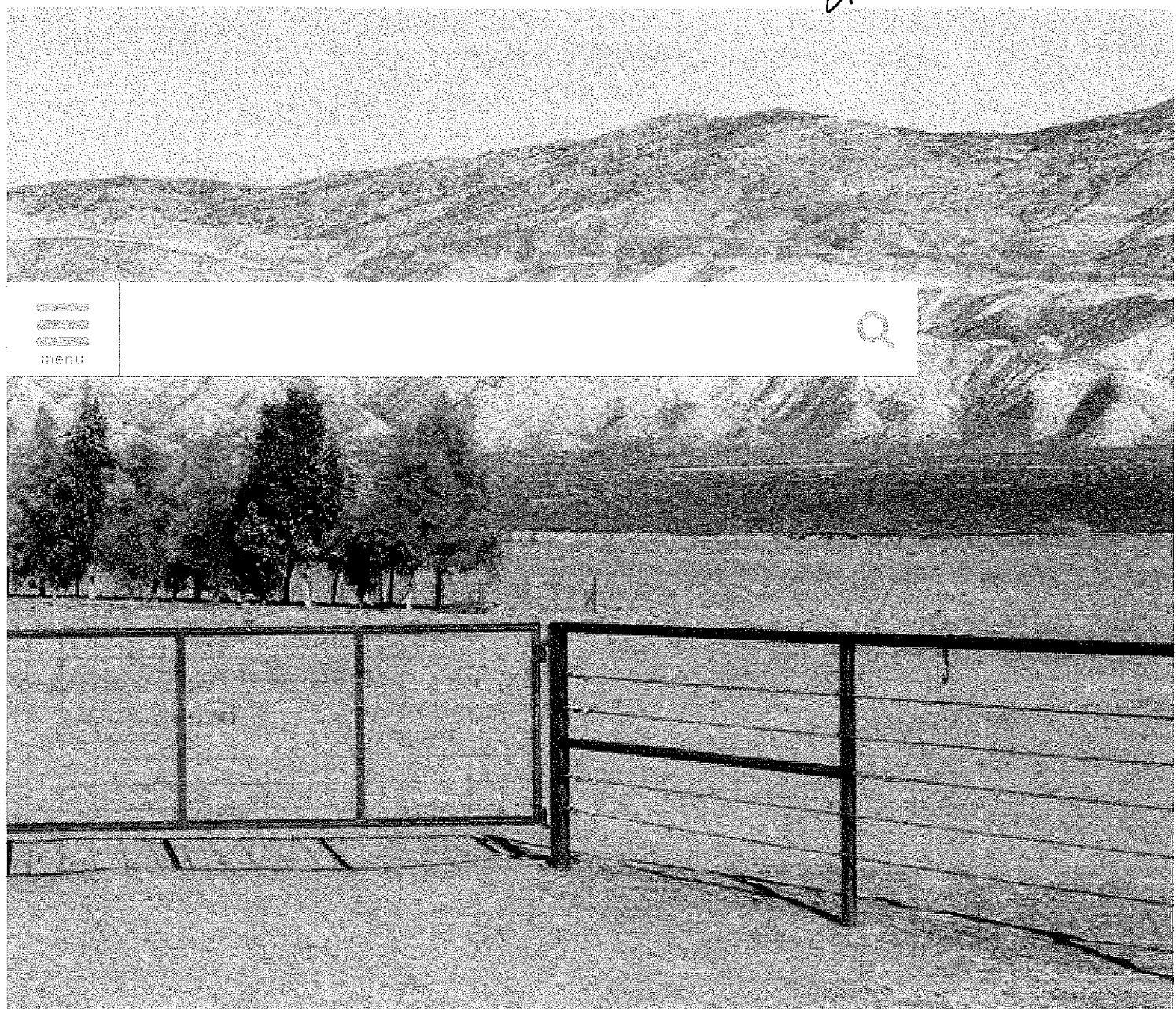
Lieu said his legislation would close the loophole until the state geologist completed the fault zones.

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CALIFORNIA DROUGHT



Parched: California Braces for Drought Without End in Sight

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BY JOHN ROACH

As California and other western states face what some scientists fear could be a prolonged drought amplified by global warming, water experts say there's simply no way to predict how long the dry spell will last.

The best thing to do, they said, is to prepare for the worst and hope for rain. It wouldn't be the first time California soil went parched for a long stretch. Tree growth rings in the region show evidence of prolonged periods of aridity in the past.

"To know that we are going into another pattern like that, that we could expect this drought to persist for 10 to 15 years is really, really, really hard to say," Brian Fuchs, a

  told NBC NEWS. "There is really nothing in our forecasting models that are being looked at that would suggest that we would even have the ability to do that."

"It is hard to know how bad this drought is going to get ... but the climate is changing. We know that droughts are becoming more frequent and more intense, so we need to begin thinking about the possibility of longer, more intense droughts in the future."

And even if a new mega-drought is here, he added, no one knows if the impacts would be as devastating as the droughts "700 years ago that moved entire societies out of regions," Fuchs said. "Are we able to offset some of that impact because of the developed water systems and technology? That's even a tough question to ask."

But variations of the question are nevertheless being asked across the state where, at last count, 10 communities have less than 60 days of water, forest fires flare up almost daily, water deliveries to 750,000 acres of farmland and 25 million people have been halted, cattle are starving on wilted rangelands, and homeowners are drilling thousands of wells to suck water from aquifers they only hope won't go dry.

"It is hard to know how bad this drought is going to get ... but the climate is changing. We know that droughts are becoming more frequent and more intense, so we need to

"begin thinking about the possibility of longer, more intense droughts in the future," Heather Cooley, co-director of the water program at the Pacific Institute, an Oakland-based environmental think tank, told NBC News.

Land fallowed, cattle sold

The impact to the state's \$45 billion agriculture industry has already been severe. An estimated 500,000 acres of farmland sits unplanted due to water shortages, a number that could nearly double if the drought extends into 2015, according to Doug Parker, the director of the California Institute of Water Resources housed at the University of California's Division of Agriculture and Natural Resources in Oakland.

Fallowed fields translate to high rates of unemployed farmworkers who fall back on social services such as food assistance programs.

"In the long term, it could change some of the cropping patterns in California, especially for the animal industry," Parker told NBC News, explaining that the economics of raising and tending livestock hinges on locally-grown feed. "Without water to grow it, you really end up just having to sell off animals." Much of the state's beef cattle, for example, roam unirrigated rangelands that are parched.



Ranch hand Ricardo Madrigal feeds cattle on the Van Vleck Ranch in Rancho Murieta, California, February 12,

2014. California's ongoing drought has greatly increased feed costs for ranchers, forcing some to sell their cattle. The Van Vleck ranch has been feeding \$1200 worth of hay per day, whereas in a normal year the cows would feed on grass for free.

To deal with the drought, farmers that can will fallow their land; others will revert to pumping groundwater. "It will be harder for farmers who have permanent crops — trees, nuts, orchards," noted Cooley, whose organization has advocated increased use of water efficient technology on farms such as drip irrigation systems as a way to save millions of acre feet of water a year.

The adoption of such technology has recently increased and may accelerate if this drought persists, especially if farmers with senior water rights lose their full annual allocations, which may happen this year. "That can be a pretty strong incentive to use the water that you have more efficiently," she said.

Diversity helps

Water problems are less acute, for now, in most of the state's largest cities, which operate with drought contingency plans to deal with dry years. The strategy typically involves tapping diverse sources of water — local and imported surface water, reserves stored in reservoirs and groundwater aquifers, wastewater recycling, even desalination along with a heavy dose of pleas for conservation.

"Generally speaking, the agencies that are currently facing the most severe challenges are those that have a limited number of surface water supplies and don't have easy access to groundwater as a backup," Gregory Weber, the executive director of the California Urban Water Conservation Council, told NBC News.

"The forecasts are not great for this year and even the longer term ones are showing a higher probability than normal of drought."

What makes this drought particularly worrying, he noted, is the unique combination of multiple years of scant precipitation combined with historically low water reserves in storage. The Metropolitan Water District of Los Angeles, which serves as a wholesaler of

imported water to Southern California, has reported sufficient water in reserves for another year due to conservation efforts. After that, the situation is less certain.

"Drought is an opportunity for people to realize that if it weren't for the conservation they were doing all the time, things would be an awful lot worse," Weber said. "And it gives them new incentive to try even harder."

'Simply not a lot of water'

Natural ecosystems, too, are reeling from drought. Low water levels in rivers, for example, are preventing young salmon from swimming toward the sea while adult salmon are unable to get through estuaries to the main stem of rivers to spawn, according to Brian Stranko, the California water resources director for The Nature Conservancy, an environmental advocacy group.

"We can try to take as many emergency actions as we can to help our farms, our fish, our wildlife, our communities, but we really don't have a lot of options," he told NBC News. "There is simply not a lot of water. We should really use this unfortunate event as an opportunity to think about how to prepare for the next drought and the one after that. We didn't do that in the last drought, we need to do it now."



An dry aqueduct near Le Grand, Calif. on on Thursday, Feb. 13.

At the top of The Nature Conservancy's agenda is promoting responsible management of groundwater resources, which are currently unregulated and unmonitored across much of California.

Many cities and farms turn to groundwater when surface water is in short supply, such as now, but they do so without accounting for how much is there, how much is replenished during wet years, or how much is held in reserve. "We just continue to pump," Stranko said. "Therefore we are depleting our overall water supply."

The climate factor

The long-term water woes in California are heightened by global climate change, which is expected to "increase the intensity and frequency of drought in drought prone areas," Ann Chan, the deputy secretary for climate and energy with the California Natural Resources Agency in Sacramento, told NBC News.

A key impact from long-term climate change will be the loss of water stored as snow in the mountains as winters warm and more precipitation falls as rain. "We know that we are going to have to come up with new storage solutions for water," she noted.

Those solutions will be added to what are already among the most managed hydrologic systems in the world, according to Betsy Otto, the water initiative director for the World Resources Institute in Washington.

"They were designed, in many instances, for a certain kind of hydrologic record or history, which included variability, but it is hard projecting forward to know how much more extreme will those variations become and what that will mean for the management of those systems," she told NBC News.

For now, many water experts are focused on the evolution of the current drought. "The forecasts," noted Parker with the California Institute of Water Resources, "are not great for this year and even the longer term ones are showing a higher probability than normal of drought."

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JOHN ROACH

John Roach is a contributing writer for NBC News. He started this role in November of 2005. Roach is responsible for environmental coverage on the website. Roach has also contributed to National Geographic... [Expand Bio](#)

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Aaron Ralston (Associated Press)

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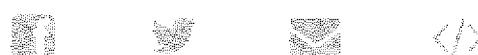
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