Council Agenda Report

City Council Meeting
07-11-22
Item 4.A.

To: Mayor Grisanti and Honorable Members of the City Council

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Reviewed by: Richard Mollica, Planning Director

Approved by: Steve McClary, City Manager

Date prepared: July 6, 2022 Meeting Date: July 11, 2022

Subject: Malibu Middle and High School Specific Plan - Final Environmental Impact Report No. 20-001, Local Coastal Program Amendment No. 21-002, General Plan Map Amendment No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002 - An application to redevelop and modernize the existing Malibu Middle and High School campus and former Juan Cabrillo Elementary School campus (Continued from June 27, 2022)

RECOMMENDED ACTION:

1) Adopt Resolution No. 22-32 (Attachment 1), adopting the findings of fact required by the California Environmental Quality Act (CEQA), certifying the adequacy of the Final Environmental Impact Report (EIR) (SCH No. 202008350), and adopting the Mitigation Monitoring and Reporting Program (MMRP) and the Statement of Overriding Considerations;

2) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 501 (Attachment 2) approving Local Coastal Program Amendment (LCPA) No. 21-002, Zoning Map Amendment (ZMA) No. 22-001, and Zoning Text Amendment (ZTA) No. 22-002 to: a) add Section 3.4.6 to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, b) exempt the Malibu Middle and High School (MMHS) from the prohibition of electronic message center (EMC) signs required by LIP Section 3.15.3, c) amend Malibu Municipal Code (MMC) Section 17.42.020 to add subsection “M.” to incorporate the MMHS Campus Specific Plan into the MMC consistent with the proposed LCPA

language, d) exempt the MMHS from the prohibition of EMC signs required by MMC Section 17.52.040, e) amend LCP Zoning Map No. 2 to add a boundary line around the MMHS Campus Specific Plan area, denoting the boundaries of the MMHS Campus Specific Plan area for three parcels (Assessor's Parcel Map Numbers [APNs] 4469-017-900, 4469-018-900, and 4469-018-904) located at 30215 Morning View Drive, and f) amend the MMC Zoning Map consistent with the update to LCP Zoning Map No. 2.

3) Adopt Resolution No. 22-33 (Attachment 3) approving the Malibu Middle and High School Campus Specific Plan (Exhibit A), Local Coastal Program Amendment (LCPA) No. 21-002, and General Plan Map Amendment (GPMA) No. 21-001 to: a) amend the LCP Land Use Plan (LUP) to add a new Environmental Sensitive Habitat Area (ESHA) Policy 3.24 and b) amend the City of Malibu General Plan Land Use Policy Map (Section 3) to revise the land use designation for three parcels (APNs 4469-017-900, 4469-018-900, and 4469-018-904) located at 30215 Morning View Drive.

4) Direct staff to schedule second reading and adoption of Ordinance No. 501 for the August 8, 2022 Regular City Council meeting.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2021-2022. This project is part of normal staff operations.

DISCUSSION: This item was originally scheduled to be considered by the City Council on June 13, 2022, but continued to June 27, 2022 to allow Santa Monica – Malibu Unified School District (SMMUSD) additional time to resolve outstanding concerns related to traffic and circulation. On June 16, 2022, City staff met with SMMUSD to discuss the outstanding issues, which are listed below. Given the nature of these concerns, this item was continued again to the July 11, 2022 City Council meeting to allow additional time for the City's traffic consultants to discuss these concerns with SMMUSD's traffic consultants:

- Full build-out of the specific plan will accommodate up to 1,200 students, but the traffic impact analysis was limited to 1,000 students due to declining enrollment and the belief that it is unlikely that the site will reach a 1,200-student capacity. SMMUSD has subsequently updated to the traffic analysis based on a 1,200-student capacity and identified mitigation measures to be implemented if/when student enrollment exceeds 1,000 students. A mitigation measure has been added to the MMRP which requires updated traffic impact analysis based on student population projection to be provided with each coastal development permit application for the subsequent phases of the Specific Plan. This will ensure the appropriate measures are identified and implemented to reduce potential impacts to traffic and circulation.

- The narrative in the traffic reports was inconsistent with the data provided in the figures and tables. These inconsistencies have been adequately addressed.

- The circulation and queuing impacts along Morning View Drive were incorrectly based on the existing student drop-off/pick-up locations, and not the reconfigured circulation pattern proposed in the Specific Plan. The traffic impact analysis has been updated to reflect the proposed circulation plan and the potential queuing impacts have been adequately addressed.

The issue before the City Council is the consideration of the MMHS Campus Specific Plan (Specific Plan), which establishes development standards and plans to redevelop and modernize the former Juan Cabrillo Elementary School (JCES) campus and the existing MMHS Campus to be implemented in four phases over the next 10 to 15 years. If approved, implementation of the Specific Plan requires the City Council to certify the adequacy of the Final EIR[1], which was certified by SMMUSD in January 2022, and the adoption of legislative changes to the LCP, MMC, and General Plan map. A full history of the CEQA process can be found in Resolution No. 22-32 (Attachment 1) and a discussion on the impacts identified in the EIR can be found *Environmental Review* section of this report.

On May 31, 2022, the Planning Commission held a public hearing[2] and considered the Final EIR and the MMHS Specific Plan including the proposed LCPA, ZMA, ZTA, and GPMA. The Commission adopted Planning Commission Resolution No. 22-40 (Attachment 4) recommending the City Council certify the adequacy of the Final EIR, adopt the LCPA, ZMA, ZTA, and GPMA, and approve the Specific Plan with several changes to staff's recommendations. These changes are noted below in *italics* with a brief discussion on the Planning Commission's reason for the recommendation. On June 8, 2022, SMMUSD provided a written response to the Planning Commission's recommendation agreeing with some, while opposing others. SMMUSD's responses are also summarized below and the response letter is included as Attachment 5 to this report:

1) *City staff will perform the monitoring functions required by the EIR's Mitigation Monitoring and Reporting Program (MMRP).* Since the District is a local governmental agency, they are authorized to monitor compliance with the MMRP but the Commission felt the City should also be involved in the compliance monitoring since the monitoring will need to occur during each project phase that will take place over the next 10 to 15 years. The Commission also felt that it would be important for

[1] The complete EIR and Statement of Overriding Considerations for the Malibu Middle and High School Specific Plan that were certified by SMMUSD are available on the City's website at https://www.malibucity.org/397/Malibu-Middle-High-School-Improvements

[2] The agenda report for the May 31, 2022 Special Planning Commission meeting can be accessed at: https://www.malibucity.org/AgendaCenter/ViewFile/Item/5562?fileID=30093

the City to be involved in monitoring issues that may impact or be of interest to the local community such as minimizing traffic and ESHA impacts.

The MMRP is included as Exhibit B to Resolution No. 22-32 (Attachment 1) and includes a column entitled "Responsibility for Monitoring" that would need to be updated to include the City as a responsible party. The Council may wish to have the City co-monitor with the District or monitor compliance with only certain environmental impacts such as traffic, biology, and lighting. To ensure compliance with the revisions to the specific plan, all subsequent CDPs will be conditioned to reflect the City Council's environmental determination.

SMMUSD has no objections to this recommendation.

2) *The Public Works Department shall review the traffic impacts from the project before the project is heard by the City Council.* Before the Planning Commission considered the Specific Plan and the proposed legislative amendments, the City Public Works Department had not yet signed off on the traffic analysis. The Commission felt it was important that all outstanding issues related to traffic be reviewed and finalized by the City's Public Works Department before the Council considers the Specific Plan.

   SMMUSD has no objections to this recommendation. As mentioned earlier, after several weeks of working with SMMUSD to address the outstanding traffic concerns, the Public Works Department has issued a conceptual approval of the traffic analysis. The transportation mitigation measures contained in the MMRP as part of Attachment 1 have been updated accordingly.

3) *The entire campus including the pool lights shall comply with the City's Dark Sky Ordinanc*e. As discussed in more detail later in this staff report, the Planning Commission felt that the pool lighting should comply with the Malibu Dark Sky Ordinance since the pool will be built in Phase 4 (around the year 2030 or later) when new technology may be available that would allow the pool lighting to meet illumination thresholds established by the Malibu Dark Sky Ordinance. In addition, the Dark Sky Ordinance allows exceptions to the City ordinance if State or Federal laws require increased lighting such as for ATMs.

   The Planning Commission recommendation would be consistent with the Environmental Review Board (ERB) recommendation (See Section 7), which recommended denial of the requested deviation from the Malibu Dark Sky Ordinance. The ERB believes that since the pool will be designed during Phase 4, which is anticipated to begin in 2030, new technology may likely allow the pool lighting to meet the City's Dark Sky Ordinance. SMMUSD's preference is to allow the pool lighting to exceed the Dark Sky Ordinance in the Specific Plan since future available lighting technology is unknown at this time. Staff had recommended requiring approval of a

deviation from the lighting standards prior to construction of the pool, pursuant to MMC 17.41.070, which would allow a review of the available technology but the Planning Commission felt that a better approach would be to require compliance with the Dark Sky Ordinance and if needed, the Specific Plan could be amended when the pool is designed in Phase IV. Amending the Specific Plan would require an LCPA since the Specific Plan development standards will be in the LCP.

SMMUSD is opposed to this recommendation, citing the lighting recommendations from the Illuminating Engineering Society of North America (IESNA). The Los Angeles County Building Code requires the pool lighting to be designed in a way to be used safely at night. While the Los Angeles County Building Code does not quantify the illumination standards to determine safety, the District relies on the IESNA for guidance to ensure the safety of swimmers, divers, instructors, lifeguards, and spectators who use.

One of the intended uses of the pool as a Class II facility is water polo for which the IESNA suggests the pool lighting should be at least 30 foot-candles while the deck should be at least 20 foot-candles. This illumination level would potentially increase sky glow which conflicts with the Malibu Dark Sky Ordinance.

4) *The marquee signs proposed in front of the school on Morning View Drive shall: a) be a maximum of five feet high, b) be turned off one-half hour after any school event and c) oriented in a north/south direction to face the school and away from Morning View Drive (parallel to the street).* As proposed by SMMUSD, the Specific Plan includes two single-sided monument signs 15 feet 6 inches wide by 7 feet 6 inches tall, that would contain a 10-foot by 4-foot LED display screen, 10 mm pixel spacing with dimmable brightness. The existing sign code prohibits the use of electronic message centers (EMCs) and allows a monument sign with a maximum size area of 48 square feet and a maximum height of 6 feet including the base of the sign.

The Commission felt that the proposed marquee signs were too large given the rural nature of the area around the school. The Commission also felt that given the purpose of the EMC signs to communicate upcoming school events, etc., the signs should be oriented to minimize aesthetic impacts from Morning View Drive. The Commission felt that if the signs were oriented in a north-south direction with one sign face facing the school, this would allow the signs to function as the District envisioned while reducing impacts on the surrounding community.

SMMUSD is opposed to this recommendation because requiring the signs to face the school campus with a north-south orientation would not fulfill the intent of the EMC signs to communicate event and safety information with people who are on and off campus. SMMUSD maintains that the most effective use of the sign requires a 7-foot,

6-inch height facing east to ensure visibility from motorists traveling west towards the campus.

5) *All public access to the campus shall be taken from Morning View Drive.* This recommendation was provided to increase school security while ensuring no vehicular or pedestrian access would be taken from Clover Heights Avenue. Requiring all campus access to be taken from Morning View Drive also eliminates Parking Lot F from the project scope which reduces potential noise, lighting, and circulation impacts on the residential neighborhood located north of the campus.

   The draft Specific Plan does not propose new vehicular access to the campus and, because SMMUSD has agreed to eliminate Parking Lot F from the project scope, the project reduces potential noise, lighting, and circulation impacts on the residential neighborhood located north of the campus. However, SMMUSD would like to maintain the existing pedestrian and equestrian access provided by the cul-de-sac at Clover Heights Avenue during non-school hours. SMMUSD believes that requiring pedestrian and equestrian access solely from Morning View Drive would impair access from the Malibu Park community to the MMHS campus, the Equestrian Park, and Zuma Beach.

6) *Parking Lot F proposed off of Clover Heights Drive shall be eliminated from the proposed project*. The Commission felt that given the concern expressed by community members who live on or near Clover Heights about introducing additional potential noise, lighting, and circulation impacts to the neighborhood, Parking Lot F should be eliminated. During deliberations, the District indicated they would be willing to allow the parking lot to be utilized for handicap parking only during daytime hours with no lighting. However, the Commission felt any new parking lot off of Clover Heights Avenue would adversely impact the residential neighborhood. After final action by the Commission, the District had decided to eliminate Parking Lot F from the Specific Plan.

   As discussed earlier, the District has eliminated Parking Lot F from the project scope to address community concerns.

The remainder of this report is organized as follows:

1. Overview
2. Project Chronology
3. Site Description and Surrounding Land Use
4. Project Overview and Description
5. Specific Plan Overview
6. Proposed Legislative Amendment Findings.
    a. Specific Plan

b. Local Coastal Program Amendment (LCPA)
c. General Plan Map Amendment (GPMA)
d. Zoning Map Amendment (ZMA)
e. Zoning Text Amendment (ZTA)

7. LCP Consistency Findings
8. Environmental Review (EIR and Environmental Review Board (ERB))

1. Overview

The existing MMHS campus was constructed as Malibu Park Junior High School in 1963, and in 1992 the school was converted for use as a high school. In the last 15 years, three bond measures have been passed and utilized to modernize and build new buildings and athletic fields, including the newly completed administration/library building (Buildings A and B) and a two-story classroom building (Building E). The Specific Plan area where redevelopment is proposed is defined by three of nine contiguous parcels owned by the Santa Monica-Malibu Unified School District (SMMUSD): APNs 4469-017-900 (40.06 acres), 4469-018- 900 (9.4 acres), and 4469-018-904 (2.57 acres). The total acreage of the project site is 52.03 acres.

Apart from the recently completed Buildings A, B, and E, SMMUSD has indicated that many of the existing buildings no longer meet SMMUSD's needs to support 21st-century learning, including technology improvements and flexible classrooms that allow for multiple learning modalities. The Specific Plan would result in the demolition of 18 existing buildings on the combined campuses; only the existing athletic fields and the recently completed Buildings A, B, and E on the MMHS campus would remain, and the construction of a new campus with dedicated spaces for the middle and high schools. The Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of new building space, providing the MMHS campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space. While the Specific Plan will upgrade the MMHS campus, it does not increase floor area ratio (FAR) nor does it allow for an increase in the maximum student population.

The Specific Plan proposes changes to several development standards to implement the campus plan. These changes include:

1. Increased building heights for the proposed high school building and middle school gymnasium (36 feet) and the high school gymnasium and theater/performing arts center (45 feet) where 28 feet is required;
2. Pool safety lighting will likely exceed the threshold established by the Malibu Dark Sky Ordinance;
3. New electronic message center (EMC) signs which are currently prohibited by the MMC;

4. Reduction of the 100-foot environmental sensitive habitat area (ESHA) setback to 50 feet to accommodate new permeable parking areas, teaching platforms, and fuel modification; and
5. Maximum quantities for cut and fill grading and increased heights of cut and fill grading in excess of 12 feet where the buildings function as retaining walls.

A detailed discussion of these changes is provided below in Section 4 – Specific Plan Overview.

Since the adoption of the Specific Plan requires legislative changes to the LCP, the General Plan Land Use Map, and the MMC, the City Council and the California Coastal Commission (CCC) would be the final decision-makers on the proposed Specific Plan and the legislative changes. The project entitlements before the City Council include an LCPA, GPMA, ZMA, and ZTA. SMMUSD, who serves as the lead agency under CEQA, prepared a Final EIR for the Specific Plan by the School District in accordance with CEQA.

After several months of discussions between City staff and SMMUSD, on December 21, 2021, SMMUSD submitted the proposed legislative amendments and the required coastal development permit (CDP) application for Phase 1 of the campus plan, which includes the construction of a new two-story high school building (Building C), a lot merger, new parking areas, ESHA restoration, and associated development. A second CDP is expected to be submitted for the abatement and demolition of the school facilities associated with the former JCES. The demolition of school facilities is also considered part of Phase 1. City staff determined the most efficient and streamlined approach was to process all entitlements concurrently which means the development proposed in Phase 1 cannot commence until the LCPA is certified by the CCC. SMMUSD has found that the timing to address the incomplete items for the CDP application was taking longer than anticipated and demotion activities are more time-sensitive than the other construction in Phase 1 to conduct necessary remediation work and allow for demolition-related nuisance during the summer to minimize disruption to the school while in session. The additional processing time required by the CCC to certify the LCPA could jeopardize the campus plan implementation. At SMMUSD's request, City staff agreed to allow the draft Specific Plan and the associated legislative entitlements to proceed through the City's public hearing process in advance of the CDP applications.

Upon completion of the CDP applications for Phase 1, the CDPs will be scheduled for a Planning Commission public hearing and, if the CDPs are approved, no work could commence until a final CCC approval of the Specific Plan. In addition, since the western portion of the project site is located within the Appealable Jurisdiction of the CCC as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map, the CDP for Phase 1 is not appealable to the CCC.

The required entitlements for development proposed in subsequent phases will be reviewed for compliance with the Specific Plan, MMC, and LCP.

Final Environmental Impact Report Determination

As discussed in detail in Section 6 (Environmental Review) of the staff report, a Draft EIR was prepared for the project and the Final EIR was certified by SMMUSD on January 26, 2022. The Final EIR determined the following resource areas could be mitigated to a level of less than significant: air quality, biological resources, cultural resources, geology/soils, hazardous materials, hydrology/water quality, and wildfire. The Final EIR also concluded that the project would cause two unavoidable significant impacts related to aesthetics (light and glare from new pool lighting and noise (construction noise impacts on sensitive receptors). City staff concurs with the conclusion related to the potential impacts of construction noise on sensitive receptors. However, after further consideration of the aesthetic impact analysis, City staff does not agree with the use of the City's Dark Sky Ordinance as a threshold for assessing aesthetic impacts. As part of the project, the existing 25-meter pool would be replaced with a new Olympic-size 50-meter pool. As noted in the EIR, the duration of illumination of the proposed pool would be the same as the existing use and operation. The pool would be lit for an annual total of 524 hours during evening hours, as detailed in Table 16, *Pool Lighting* in the EIR. In addition, pool lights are currently used during morning hours three days a week (Tuesday, Thursday, and Saturday) for two hours (5:30 a.m. to 7:30 a.m.), for a total of 310 hours. This results in a total lighting time of 834 hours in the current condition, which would continue in the same manner under the proposed Specific Plan.

Consistent with the Planning Commission's recommendation, the pool lighting will be required to meet the City's Dark Sky Ordinance so there will be no environmental impact from the pool lighting. Since the pool lighting impacts were specifically related to the potential for the proposed pool lighting to exceed the illumination standards required by City's Dark Sky Ordinance, staff further recommends that the EIR Findings of Fact and Mitigation Monitoring Plan be updated to remove the finding that pool lighting is a significant unavoidable impact.

2. Project Chronology

SMMUSD conducted a stakeholder engagement process that included teachers, administrative staff, students, parents, community surveys, community meetings, and focused interviews to develop the Malibu Middle and High School Campus Plan (Campus Plan). Over 50 community engagement meetings were held to develop the Campus Plan. Section 1.2 in the Specific Plan provides further details on the stakeholders involved in the development of the Campus Plan. The overall objective of the Campus Plan was to align education program goals with proposed facility improvements. The Campus Plan,

which was approved by the Board of Education (Board) in November 2019, serves as the basis for the Specific Plan.

As a first step in complying with the procedural requirements of CEQA following the Board's approval of the Campus Plan, the District, which serves as the lead agency pursuant to CEQA Guidelines Section 15367, prepared an Initial Study (IS) to determine whether any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment and, if so, to narrow the focus (or scope) of the environmental analysis. The IS indicated that an EIR would be the appropriate type of environmental document to address potential environmental impacts resulting from the project.

After completion of the IS, the District filed a Notice of Preparation (NOP) with the California Office of Planning and Research and the County of Los Angeles indicating that an EIR would be prepared. The IS/NOP, as well as the scoping comment letters and verbal comments, are included in Section 2 of the Final EIR.

On August 20, 2020, the District issued a Notice of Preparation of a Draft EIR and the project's IS for public review and comment. The comment period ended on September 21, 2020. Comment letters/emails were received that raised concerns, which the District addressed.

On September 9, 2020, District staff held a public scoping meeting. The Environmental Consultant and District staff considered all of these comments in preparing the project's Draft EIR.

On October 15, 2021, the District issued a Notice of Availability and the project's Draft EIR for public review and comment. The Notice of Availability was also published on the District's website and directly mailed to each commenter on the IS and affected public agencies, as well as community members within a 500-foot radius of the MMHS Campus. The Draft EIR was made available on the District's website and at the District's Offices, Malibu Public Library, City of Malibu Planning Counter, and the MMHS Administration Building. The comment period for the Draft EIR ended on November 29, 2021 (a total of 45 days).

On November 2, 2021, District staff conducted a community presentation on the project and the Draft EIR.

On December 28, 2021, responses to the commenters were delivered to each commenter.

On January 26, 2022, the SMMUSD certified the EIR with two statements of overriding significance finding that the project would cause two unavoidable significant impacts:

aesthetics and noise. Since the District found no feasible mitigation was deemed available for these two significant impacts, a Statement of Overriding Considerations was prepared.

3. Site Description and Surrounding Land Use

The project site is located in the Malibu Park neighborhood in west Malibu. The campus includes MMHS, the former JCES, the Boys and Girls Club, several outdoor sports fields and courts, support facilities and infrastructure, the Malibu Equestrian Center, and approximately ten acres of undeveloped land. As depicted in Figure 1, the campus is located on Morning View Drive, approximately one-quarter mile northeast of both Pacific Coast Highway (PCH) and Zuma Beach and generally between Merritt Drive to the west, Via Cabrillo Street to the east, and Harvester Road to the north. Residential properties along Via Cabrillo and Floris Heights, the Boys & Girls Club, and other recreational fields are located west of the project site. The Malibu Equestrian Center is located east of the project site behind a large berm separating the equestrian use from the school's main sports field. The Malibu United Methodist Church/Nursery School and residences along Morning View Drive are located south of the project site

Figure 1 – Vicinity Map

Source: Malibu GIS

Former JCES Campus

The former JCES campus covers approximately six acres and is on the western end of the Specific Plan Area to the north of Morning View Drive, west of the MMHS campus. JCES formerly served elementary school grades K-5. As part of SMMUSD's wider Malibu Schools Alignment Project, the JCES student population combined with the former Point Dume Marine Science School student population and moved to the Point Dume Marine Science School campus, renamed Malibu Elementary School, at the beginning of the 2019-20 school year. Currently, middle school students utilize the portable classrooms, and Boys & Girls Club utilizes the former library as the Wellness Center. No other JCES rooms are currently being used.

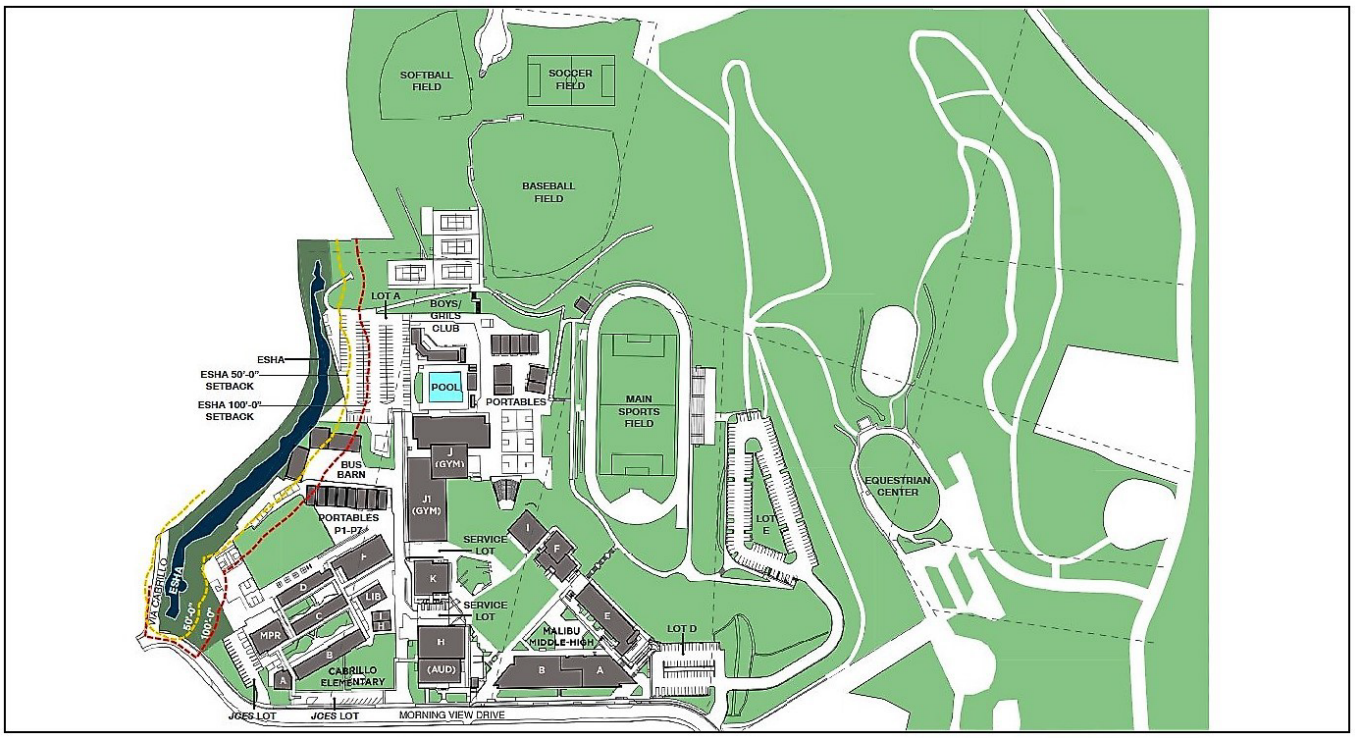
MMHS Campus

The MMHS campus covers approximately 34 acres of the overall District property and operates as a sixth- through twelfth-grade public school with a 2018-19 enrollment of 939 students and 134 staff. Presently, the MMHS campus has 60 classrooms (including 12 portable classrooms), a library, auditorium, administrative offices, athletic fields, two gymnasiums, pool, nine basketball courts, and four tennis courts, and parking for 282

vehicles in three parking lots. Additionally, the recently constructed Buildings A, B, and E would remain, with no work on these buildings identified in the Specific Plan.

The Specific Plan area is located in the southwestern portion of the Santa Monica Mountains. Maximum topographic relief onsite is approximately 94 feet, with elevations ranging from 86 to 180 feet above mean sea level. The campus consists of several near-level pad areas with generally ascending slopes to the north and descending slopes to PCH to the south. There is limited natural vegetation onsite consisting primarily of grasses, ivy, brush, shrubs, and scattered trees, with some patches of disturbed and isolated coastal sage scrub in and around the main sports field. LCP ESHA Overlay Map delineates a blueline stream along the campus' west property line. The stream consists of an underground pipe that flows under the school property south of Clover Heights Avenue which daylights into a natural streambed near Juan Cabrillo Elementary. Drainage from the campus flows overland and along parking lots and driveways in a southerly direction to Morning View Drive, where it collects into existing storm drains. The campus is accessed from PCH via Morning View Drive from the east or via Guernsey Avenue from the west. Figure 2 illustrates the existing MMHS campus layout.

Figure 2 - Existing Site Plan



Source: MMHS Specific Plan

4. Project Overview and Description

The Specific Plan establishes development standards for the Specific Plan area, which includes modifications to existing development standards for the environmentally sensitive habitat area setback, building height, lighting, and grading quantities. Once adopted, the standards in the Specific Plan would become the regulations against which later phases of the project would be reviewed by the City. The Specific Plan would be constructed in four phases.

As detailed in the Specific Plan, school enrollment is not projected to increase, as lower grades have been tracking below historic levels, indicating that a projected decrease in future enrollment at middle and high school grades may occur. The existing MMHS campus can seat approximately 1,200 students, as evidenced by the 2006 enrollment, but no longer meets the District's educational requirements due to the buildings' age and overall condition. The proposed Specific Plan would not increase the capacity of the MMHS campus but would be designed to support the regrowth of the community from the Woolsey Fire.

School hours would remain the same as existing, from 8 am to 3 pm, with staff and students of the middle/high school arriving on campus between approximately 7 am and 8 am and leaving between approximately 3 pm and 5 pm, with occasional special events and athletic events during weeknights and/or weekends. Additionally, the Visual and Performing Arts program uses the auditorium after school typically until 6 pm, and the Boys & Girls Club on the campus is open Monday through Friday from 9 am to 6:30 pm.

When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act permits certain community organizations and members to utilize school facilities for their events by obtaining a Civic Center Permit from the SMMUSD or the City of Malibu Master Facilities Use Agreement with SMMUSD. Permitted events may include community and/or City use of the playfields, common areas, and classrooms, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu Regarding the Joint Use of School District Facilities (SMMUSD/City of Malibu 2019).

Other Permits and Approvals

Additional permits and approvals are also required from the following departments and agencies:

- City of Malibu
    - Public Works Department *(encroachment permits)*
- County of Los Angeles

- Fire Department *(fire access, hydrant location, and fire flow approved)*
- Department of Public Works *(Waterworks District No. 29)*

- Regional Agencies
  - Los Angeles Regional Water Quality Control Board (RWQCB)*(issuance of waste discharge requirement (WDR) due to coverage under the regional OWTS WDR; coverage under the construction general National Pollution Discharge Elimination System (NPDES) permit; and coverage under the Regional Dewatering General WDR)*
  - South Coast Air Quality Management District (SCAQMD) *(Rule 1166 VOC Contaminated Soil Mitigation Plan)*
- State of California
  - Division of State Architect (DSA)*(approval of construction drawings)*
  - California Department of Fish and Game (CDFG)
  - California Department of Forestry *(fuel modification)*

5. Specific Plan Overview

A specific plan is a planning tool that provides for the systematic implementation of the general plan for all or part of the area covered by a city's general plan. Specific plans, which may be adopted either by ordinance or resolution, are in common use throughout California. A specific plan is a legislative act through which area-specific development standards may be established. This makes the specific plan a straightforward way to entitle a large, multi-phased project, such as the Malibu Middle and High School Campus Plan. The procedures for adoption and the required contents of specific plans are set forth in Government Code Sections 65450 through 65457.

Under Government Code Section 65451, a specific plan must include:

1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan;
2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;
3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable; and
4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

The specific plan must also include a statement of the relationship of the specific plan to the general plan. The specific plan may also address any other subjects which are

necessary or desirable for the implementation of the general plan. One advantage of a specific plan is the opportunity to customize development and use standards applicable to the project to address site- or project-specific considerations, so long as the standards are consistent with the general plan. In this way, the specific plan provides a comprehensive description of the intended project development.

The Specific Plan sets forth the following objectives:

1. Create unique and separate identities for the Malibu Middle School and Malibu High School campuses.

2. Advance educational facilities to support 21st Century learning and properly support the projected enrollment.

3. Improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses.

4. Provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development.

5. Improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.

6. Reorganize open space and foster intercampus circulation.

7. Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety.

8. Respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.

9. Adopt development standards for the MMHS allowing for the educational design requirements of many of the buildings.

10. Increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.

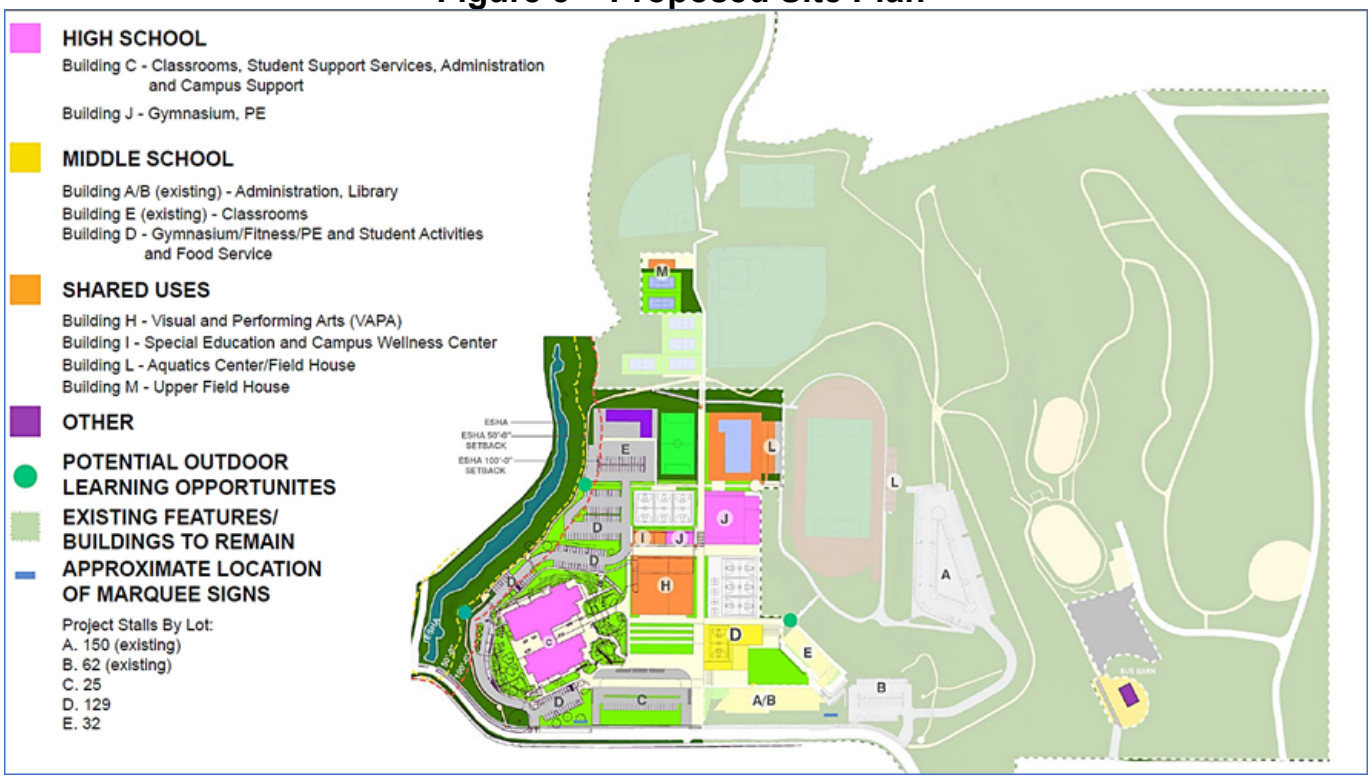
11. Remove hazardous buildings and structures.

As shown in Table 1, the Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of building space, providing the MMHS campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space, including the existing Buildings A, B, and E that would remain. No changes to the existing football/track baseball or softball fields would occur except for the development of new field houses and additional parking adjacent to the softball field.

Table 1 - Summary of New Development					
Building	**Status**	**Classroom**	**Lab**	**Square Footage**	**Maximum Height**
Middle School Core					
Building D: Gymnasium/ Fitness/ PE and Student Activities and Food Services	New	2	0	22,376	36 ft
Middle School Core Subtotal		**2**		**22,376**	
High School Core					
Building C: Classrooms, Student Support Services, Administrative and Campus Support	New	23	8	68,019	36 ft
Building J: Gymnasium/ PE	New	2	0	36,708	45 ft
High School Core Subtotal		**25**	**8**	**104,727**	
Shared Amenities					
Building I: Special Education and Campus Wellness Center	New	1	0	5,094	28 ft
Building H: Visual and Performing Arts (VAPA)	New	4	0	30,094	45 ft
Building L: Aquatics Center/Field House	New	0	0	9,249	28 ft
Building M: Upper Field House	New	0	0	2,055	28 ft
Shared Amenities Subtotal		**5**		**46,492**	
Subtotal – New Development		***32***	***8***	***173,595***	
Existing Buildings A/B and E					
Building A/B: Administration/Library	Existing	7	4	35,315	28 ft
Building E: Classroom Building	Existing	15	0	13,515	28 ft
Subtotal - Existing Buildings		***19***	***4***	***48,830***	
Total		**51**	**12**	**222,425**	

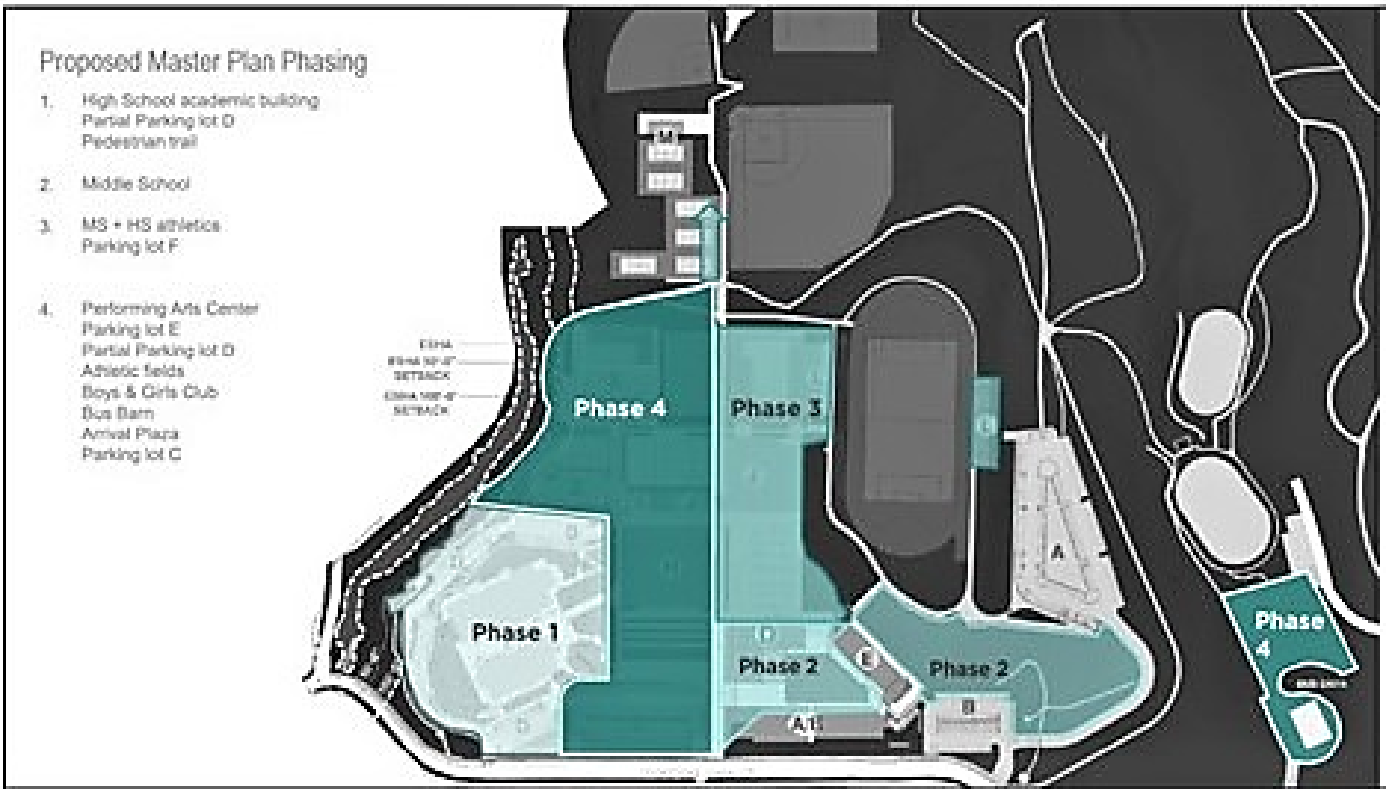
Source: SMMUSD 2021

Figure 3 – Proposed Site Plan



Source: MMHS Specific Plan

Figure 4 – Proposed Phasing Plan



Source: MMHS Specific Plan

The Specific Plan would be constructed in four phases:

Phase 1: Phase 1 would consist of the demolition of all existing former JCES campus buildings and portables P6 and P7 and construction of Building C, Parking Lot C, Parking D, and the Drop-off/Pick-up area Phase 1, which was anticipated to begin in Fall 2022 and be completed by Summer 2024. This timeline would be moved based on the date the CCC approves the Specific Plan.

Phase 2: Phase 2 would consist of the construction of Building D and the Middle School Quad. Phase 2 is anticipated to begin in Fall 2024 and be completed by Fall 2026, a new bond is required before subsequent phases can move forward.

Phase 3: Phase 3 would consist of the demolition of MMHS Buildings F, I; the existing field house; and the modular buildings adjacent to the existing pool, and the construction of Buildings J, L, and M and Parking Lot E. Phase 3 is anticipated to begin in Fall 2028 and be completed by Fall 2030.

Phase 4: Phase 4 would involve the demolition of MMHS Buildings K, J, J1; the pool and pool building; and Bus Barn, and the demolition and/or relocation of the Boys & Girls Club and construction of the new Buildings H and I. This phase would also

require the demolition of the existing MMHS Building H. Phase 4 is anticipated to begin in Spring 2030 and be completed by summer 2031.

As noted previously, the Specific Plan proposes to change several development standards, including the ESHA setback, building height, signage, grading quantities and height of cut and fill. Once adopted, the standards in the Specific Plan would become the regulations against which later phases of the project would be reviewed by the City. It is important to note that the project is not requesting variances but rather creating new development standards unique to the Campus Plan. Currently, the development standards in the Institutional Zone are not specific to schools and do not address the needs of specific institutional uses such as large modern school campuses. An additional explanation of the proposed development standards can be found in Chapter 5 of the Specific Plan and are discussed below.

Table 2 – Proposed Changes to Existing Development Standards			
	Specific Plan Specifications		Current LIP/ and MMC Requirements
Maximum Building Height[1]	Building J: Gym/PE	45 feet (with a deviation approval)	LIP Section 3.9.A1a and MMC Section 17.40.110 A.1.a: Structures shall not exceed a maximum height of 18 feet above natural or finished grade, except for chimneys, rooftop antenna, and light standards. The maximum height of the structure may be increased up to 28 feet for a flat or pitched roof if approved through a site plan review pursuant to LIP Section 13.27.
	Building H: Theater/ Performing Arts	45 feet (with a deviation approval)	
	Building D: Middle School Gym/MPR	36 feet (with a deviation approval)	
	Building C: High School Building	36 feet (Fume Hood 41 feet) (with a deviation approval)	
Rooftop Equipment Height	Building C: High School Building	Science Labs require exhaust hoods with stacks placed at a minimum of 10 feet above the roof surface.	LIP Section 3.9A.1b and MMC Section 17.40.110 A.1.b: Roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included) if approved through a site plan review pursuant to LIP Section 13.27.
	Building C: High School Building	Parapets and/or Guardrails that project up to 42 inches in height above the surface of the roof.	

Table 2 – Proposed Changes to Existing Development Standards		
	Specific Plan Specifications	Current LIP/ and MMC Requirements
Lighting	Nighttime pool lighting will be installed.	LIP Section 3.9.A1d and MMC Section 17.40.110 A.1.d: Sports field lighting shall be limited to the main sports field at Malibu High School and subject to the standards of LIP Sections 4.6.2 and 6.5.G.
Signage	Two new 15-foot, 6-inch x 7-foot, 6-inch electronic marquee signs, with a 10 feet x 4 feet LED Display Screen. One sign each at the Middle and High schools.	LIP Section 3.15.3.J and MMC Section 17.52.040.J: Except for those signs allowed under the provisions of LIP Section 3.15.4 (E), "Special permits," the following signs are prohibited: Automatic changing signs or electronic message center signs, except for public service, time, and temperature
Setback	The Specific Plan will remove existing parking and drive aisles located near ESHA and will maintain a 50-foot buffer from ESHA with the exception of a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations and parking. All new buildings will be set back 100-feet.	LIP Section 4.6: New development adjacent to the riparian habitats shall provide native vegetation buffer areas of no less than 100 feet to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect. Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in LIP Sections 4.6.1 (E) or (F).
Maximum Grading Quantity	The Specific Plan, as shown in Table 11, will exceed the grading limitations.	LIP Section 8.3.B. and MMC Section 17.40.110 A.4.a: Maximum Quantity of Grading. Notwithstanding any other provisions of the Malibu LIP, grading per lot of residential development, per acre of commercial development, or per acre of institutional development (total cut and fill) is limited to 1,000 cubic yards (per items a, b, c, and d).
Maximum Height of Cuts and Fills	Certain buildings may serve as a retaining wall.	LIP Section 8.3.C and MMC Section 17.40.110 A.4.b: Maximum Height of Cuts and Fills with Retaining Walls. 6 feet in height for any one wall, or 12 feet for any combination of walls, where a minimum 3-foot separation exists

Table 2 – Proposed Changes to Existing Development Standards		
	Specific Plan Specifications	Current LIP/ and MMC Requirements
		between walls, except single cuts up to 12 feet in height which are an integral part of the structure are permitted. Retaining walls shall be designed with smooth, continuous lines that conform to the topography.

Development Standard Deviations and Analysis

The Specific Plan proposes to change the following existing development standards to accommodate the project:

Building Height

As noted in the Specific Plan, the modernization of the high school includes the creation of flexible and creative classroom spaces that are characterized by higher ceilings. The additional height requested provides room for improved ventilation, noise attenuation, and natural lighting. With higher interior ceilings, the exterior dimensions of the buildings are also higher. Generally, there are between 6 to 8 feet between the interior ceiling and the exterior roofline to provide for internal wiring, lighting, and ventilation. Ventilation equipment and other rooftop architectural features would extend above the roofline.

Moreover, the District has indicated that in order to meet the standards established by the District's Educational Specifications, the California Interscholastic Federation, the National Federation of State High School Association, Buildings D, C, H and J must be 36 feet on average, with the science lab hood ventilation equipment for the science classrooms extending to 41 feet. The gymnasium and theater buildings are proposed at a maximum height of 45 feet. These building heights would exceed the current maximum height of 28 feet required by the LCP and MMC. Consistent with current requirements, building heights would be measured from natural or finished grade, whichever produces the lowest building height.

Chapter 5 in the Specific Plan provides the following detailed reasons for the needed height increase.

- ***Building J:*** *Gymnasiums must meet the National Federation of State High School Associations (NFHS) minimum interior height requirement of 23 feet from floor to ceiling for California Interscholastic Federation (CIF) Volleyball, the Specific Plan plans for 25 feet for adequate tolerance in design and construction and an additional 10 feet for long-span structure and 5 feet for roof slope and parapet.*

The proposed 456-foot-tall high school gymnasium is sited where a 48-foot-tall gymnasium building currently exists. In order to comply the NFHS, the minimum ceiling height must be 25 feet, while CIF recommends a ceiling height of 30-feet for volleyball. The site cross-sections provided by SMMUSD (Attachment 3 – MMHS Campus Site Cross Sections) indicate the proposed building height is consistent with the existing bulk and massing of buildings on site. City staff has not reviewed the structural plans for the gymnasium building and therefore, we are not able to determine whether the roofing material, including parapet, can fit within a 3-foot vertical space in order for the building to maintain a height of 28 feet or at a minimum reduce the proposed height of 36-foot.

- ***Building H:*** *High School Performing Arts facilities require a vertical stage opening of 25 feet (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5 feet for roof slope and parapet. This equates to a total height of 45 feet, providing for the school to produce the types of theatrical performances expected in a high school theater curriculum.*

  The proposed 40-foot-tall performing arts center is sited where a 34-foot-tall gymnasium building currently exists. The industry standard for theater design includes a ceiling height range from 25 feet to over 80 feet for theaters that include fly tower/loft. The site cross-sections provided by SMMUSD (Attachment 3 – MMHS Campus Site Cross Sections) indicate that although the proposed building would increase bulk and massing to this part of the campus, the development would be compatible with the existing development pattern.

- ***Building D:*** *The Middle School gymnasium and multipurpose room (MPR) must meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball, the Specific Plan plans for 24 feet for adequate tolerance in design and construction.*

  The proposed 36-foot-tall middle school is sited in an area where the recently completed 28-foot-tall middle school building. The site cross-sections provided by SMMUSD (Attachment 3 - MMHS Campus Site Cross Sections) indicate that although the proposed building would increase bulk and massing to this part of the campus, the development would be compatible with the existing development pattern. Comments provided for Building J above also apply in that City staff has not fully explored other options for a lower gymnasium height.

- ***Building C:*** *High School Building north wing second floor contains high bay/high volume spaces to house educational uses. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The Student Union is programmed with a central space of 4,000 square feet. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling. A high school library, based on the District's Educational specifications, requires a variety of spaces within the library, including a large 3,000 square feet area that can double as Staff Development space.*

  Although the proposed high school classroom building results in increased bulk and massing compared to the former JCES buildings proposed for demolition, the modernization of the high school classrooms with flexible and creative spaces require an increased ceiling height. As discussed earlier, the additional height requested provides room for improved ventilation, noise attenuation, and natural lighting. The proposed high school building includes architectural articulation to break up the building's massing and bulk. Some or all of these design amenities can be compromised should the building height be required to comply with 28 feet.

- Required rooftop equipment will exceed the two-foot maximum height above the roof plane for the science lab exhaust hood, as required by the American National Standard for Laboratory Ventilation (ANSI) Z9.5 as well as the National Fire Protection Association Standard NFPA 45, Chapter 7, section 7.2.

- Parapets and or Guardrails will project up to 42 inches in height above the surface of the roof.

  The roof top will be occupied by students to support outdoor learning, including visual observation of ESHA. With student access to the roof deck, higher parapets or Guards are required to be 42 inches minimum height per California Building Code, Part 2, Volume 1, Chapter 10, section 1015. Alternatively, building roofs can be restricted from students and only made available to maintenance workers.

<u>Lighting</u>

According to SMMUSD, the pool lighting will be installed to meet the requirements of a Class II facility as identified by the Illuminating Engineering Society of North America (IESNA) (10th ed.), where lighting should be a minimum of 50 foot-candles over the pool and 20 foot-candles over the deck, as measured at the water level. Consistent with IESNA

recommendations, lighting would also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). When the pool is not in use, accessible paths, including along the pool deck, would be lit with a minimum of 2 foot-candles until lights are turned off campus-wide. By meeting these standards, the pool lighting would also meet the requirements of California Building Code § 3115B.1

As stated earlier, Staff had recommended a revision to the draft Specific Plan which would require the pool lighting to be consistent with the Dark Sky Ordinance or require a site plan review approval from the Planning Commission pursuant to MMC Section 17.41.070 if it is demonstrated that compliance is not possible due to safety regulations. The Planning Commission recommended that the Specific Plan require the pool lighting to meet the Dark Sky Ordinance as discussed previously.

Signage

The LCP and MMC currently prohibit the use of EMC signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs. The EMC signs for MMHS, which are typical for institutional uses, are requested by the District to improve communications with the Students/Community. EMC signs serve a multitude of communication needs including emergency and safety communications.

As discussed earlier, the Planning Commission recommended a maximum five-foot height with the signs oriented away from Morning View Drive towards the school campus. The Commission also recommended a condition that would require the sign lighting to be turned off one-half hour after school events.

ESHA Setback

The existing MMHS Campus includes improvements that encroach into the required 100-foot stream ESHA buffer. These improvements include the vacated JCES, District Bus Barn facilities, parking lots, drive aisles, and fencing that, in some instances, provide no ESHA buffer.

All new buildings would maintain the required 100-foot ESHA buffer. The Specific Plan proposes a 50-foot ESHA buffer for the construction of a pedestrian path, elevated outdoor learning spaces, and permeable paved parking areas. SMMUSD has explored alternatives to siting the proposed parking area beyond the required 100-foot ESHA setback and found that the required fire department access and service road that runs down the middle of the campus and the need for the existing school buildings to remain operable during the implementation of the Specific Plan limits the location for parking areas to be sited.

To mitigate these impacts, the project includes a phased restoration plan for the ESHA within the District's property. The restoration plan would include removing of all hardscape within the proposed 100-foot buffer of the ESHA boundary. The District would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18 in the Specific Plan.

During Phase 1 of the Specific Plan, demolition of the hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock, and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1 of the project, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connected to existing trails on the campus.

Each phase of the Specific Plan would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acre of hardscape and structures.

A proposed trail outside of the 50-foot ESHA buffer creates accessible pedestrian access from Morning View Drive along the restored upland ESHA and the campus beyond. The trail is proposed to be decomposed granite paving, which is composed of natural, locally sourced, and permeable materials. The trail would connect users to outdoor education overlooks, small areas located for their views into the ESHA. These areas may include relevant interpretive signage dependent on the location.

The 100-foot ESHA buffer is anticipated to contain large areas of restored native landscape, after the removal of existing asphalt and lawn. It will also contain a small amount of vehicular circulation, which includes required fire access, and parking. The parking areas are proposed to be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems are also proposed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. These systems not only provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

Grading (Quantities and Height of Cut and Fill)

The LIP limits grading per acre of institutional development (total cut and fill) to 1,000 cubic yards per acre of institutional development and the maximum height of cuts and fills with retaining walls to 6 feet in height for each wall, or 12 feet for any combination of walls, where a minimum 3-foot separation exists between walls, except single cuts up to 12 feet in height which are an integral part of the structure are permitted.

The campus has varied topography within which several large buildings and plazas will be developed. To meet student safety and accessibility requirements, the buildings and areas surrounding them need to be as even as possible minimizing ramps, stairs, and abrupt elevation changes. This will result in site grading and a change in the topography to accommodate the buildings. In some cases, the existing grade is such that entry will occur at one level and exit at a different level.

The Specific Plan provides for the grading allowed for Phase 1 and the maximum cut and fill grading quantities for all other phases which would be considered as part of the development review process for the subsequent CDPs. After further analysis for the projected grading for all four phases of the Specific Plan, Staff believes that since the redevelopment occurs in areas where the existing building pads are nearly level, buildout of the Specific Plan will likely comply with current grading standards. Accordingly, staff recommended this development standard be removed from the Specific Plan. The Planning Commission discussed removing the grading quantities from the Specific Plan but ultimately decided they establish upper limits and should be left in the Specific Plan.

The draft Specific plan also includes a request for the maximum height of cut and fill to be allowed to exceed 12 feet for buildings that will serve as retaining walls. The maximum 12-foot height for cut and fill applies to those areas where retaining walls are required and is not applicable to buildings. Accordingly, staff recommended this development standard be removed from the Specific Plan. This specific issue was not not discussed during the Planning Commission's deliberation.

Solar Panel System

The District is proposing, as part of the Specific Plan, a ground-mount photovoltaic (PV) solar array system. The solar array would be treated to reduce glare and have battery storage and an energy control center. The District has indicated a solar panel system is needed to protect the learning environment, and maximize energy and operational savings. Like the rest of the City, the MMHS Campus is located in a very high fire hazard severity zone (VHFHSZ) with increased severity of wildfire risks in recent years. Mandated public safety utility shutdowns have led to approximately 20 days of lost instruction at the MMHS Campus. In addition, the cost of utility provision continues to rise in California.

The proposed solar panel system includes an approximately 422 kilowatt (KW) PV system that would be installed on the sloping hillside to the south of the existing Lot A and the Main Sports Field and to the north/northwest of the new Middle School Building E (core classrooms building). A 500 KW/1,000 KW hour battery storage system would be installed. The existing approximately 118 KW of PV located on the newly constructed Building A/B would connect with the larger system. The solar panel system as shown in Figure 21 in the Specific Plan, would be installed as part of Phase 2.

The purpose of the Specific Plan is to establish modified development standards for the implementation of the Campus Plan. Since the installation of the solar panel system does not appear to require modified development standards, staff recommends the removal of the solar panel discussion from the list of modified development standards. This specific issue was not discussed during the Planning Commission's deliberations.

6. Proposed Legislative Amendment Findings

Specific Plan Findings.

Finding A. The proposed MMHS Campus Specific Plan is consistent with and implements the following General Plan policies, objectives, and implementation measures:

LU Policy 1.1.1: The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.

Consistent. Implementation of the MMHS Campus Specific Plan would not result in a new land use onsite that would be incompatible with the natural environment. Instead, the MMHS Campus Specific Plan would redevelop and modernize the existing MMHS campus and former JCES campus to provide increased resources for the campus.

As discussed earlier, the existing MMHS campus includes structures that extend up to the edge of the ESHA and in some instances into the ESHA, with no setback. The Campus Plan includes the removal of development within the ESHA and ESHA buffer and the construction of new buildings that would maintain the required 100-foot ESHA buffer. The Specific Plan proposes a 50-foot ESHA buffer for the construction of a pedestrian path,

elevated outdoor learning spaces, and permeable paved parking areas. To mitigate these impacts, the project includes a phased restoration plan for the ESHA within the District's property.

The restoration plan would include the removal of all hardscape within the proposed 100-foot buffer of the ESHA boundary. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18 in the Specific Plan.

LU Policy 1.1.4: The City shall preserve the City's rural residential character.

Consistent. Implementation of the MMHS Campus Specific Plan would redevelop and modernize buildings within an existing school site. The institutional land use would remain the same. The MMHS Campus Specific Plan would not impede upon the surrounding rural residential character. The MMHS Campus Specific Plan's lighting program would be consistent with the existing lighting program on the MMHS campus and the City of Malibu's Dark Sky Ordinance. All campus lighting would be designed to provide for the security and safety of students, staff, and visitors.

As proposed, the Campus Plan will maintain the terraced development pattern that is consistent with the existing topography, thereby preserving the rural character of the area.

LU Policy 1.2.1: The City shall prohibit development in Environmentally Sensitive Habitat Areas (ESHA) unless no feasible alternative is available.

Consistent. The MMHS Campus Specific Plan proposes to remove existing parking and drive aisles and maintain a 100-foot buffer from ESHA except for a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations, permeable parking areas, and fuel modification. Therefore, no development would occur in the ESHA.

LU Policy 1.4.1: The City shall preserve significant ridgelines and other significant topographic features (such as canyons, knolls, hills, and promontories).

Consistent. The MMHS campus is set amongst rolling hills and its buildings and athletic fields are terraced into its hillside setting. The existing topography of the site would be maintained, and no significant topographic features would be altered because of the Specific Plan's implementation.

LU Policy 2.1.4: The City shall require development to be landscaped so that the project blends in with the environment and neighborhood.

Consistent. The MMHS Campus Specific Plan is a redevelopment and modernization of an existing public educational use. New development would be designed and landscaped in a manner that preserves the existing topography, incorporates sustainable building practices, maintains open spaces, and reflects the rural community character of Malibu. Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas.

LU Policy 2.2.1: The City shall require adequate infrastructure, including but not limited to roads, water, and wastewater disposal capacity, as a condition of proposed development.

Consistent. The MMHS Campus Specific Plan will include adequate infrastructure to serve the Malibu Middle and High School Campus. The future on-site utilities would connect to existing facilities serving the site. The MMHS Campus Specific Plan modifications to the wastewater and drainage system will adequately serve the Malibu Middle and High School Campus.

LU Policy 2.3.1: The City shall protect and preserve the unique character of Malibu's many distinct neighborhoods.

Consistent. Implementation of the MMHS Campus Specific Plan would modernize and renovate buildings within an existing school site. The MMHS Campus Specific Plan is consistent with similar modern school facilities and the design limits its scale and massing to blend with the surrounding topography and buildings.

The existing MMHS Campus is on several split-level building pads to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with vegetation contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops.

The redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, while integrating the buildings with the landscape.

LU Policy 2.4.6: The City shall avoid improvements which create a suburban atmosphere such as sidewalks and streetlights.

Consistent. The MMHS Campus Specific Plan would not create new sidewalks. However, the MMHS Campus Specific Plan would include lighting on the existing and new campus parking lots, pedestrian pathways, pool lighting, and other nighttime security- and safety-required lighting, consistent with existing conditions. Pool lighting would be regulated by the requirements of California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. The MMHS Campus Specific Plan's lighting program would be consistent with the City of Malibu's Dark Sky Ordinance. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

Finding B. The MMHS Campus Specific Plan will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood.

The Specific Plan will 1) create unique and separate identities for the Malibu Middle and High School campuses which will advance educational facilities to support 21st Century learning; 2) improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; 3) provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development; 4) improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement; 5) Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and 6) respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.

Local Coastal Program Amendment Findings.

A. The amendments to the LCP meet the requirements of and are in conformance with the goals, objectives, and purposes of the LCP. Development standards specific to the Malibu Middle and High School Campus ensure that the development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

B. As a part of the LIP, the MMHS Campus Specific Plan ensures that future development projects and land uses within the Specific Plan conform to applicable

LCP policies, goals, and provisions while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the build-out of the MMHS Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health, safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

General Plan Map Amendment Findings

A. The subject General Plan Map Amendment will make the land use designation for the subject property consistent with the LCP Land Use Map as adopted with the MMHS Specific Plan.

Zoning Text/Map Amendment Findings.

A. The subject zoning text and map amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The Planning Commission finds that the subject zoning text and map amendments are in compliance with the City of Malibu General Plan, MMC and the LCP.

7. LCPA Consistency Findings

The MMHS Campus Specific Plan will amend the LCP to revise several existing development standards including the ESHA setback, building height, signage, and grading quantities as summarized in Table 12 in the MMHS Campus Specific Plan.

ESHA

The MMHS Specific Plan proposes to reconfigure the existing parking and drive aisles to maintain a 50-foot stream ESHA buffer along the western property line, with the exception of a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations and parking. LIP Section 3.4.6(A)(2) would require all buildings to have a 100-foot setback from ESHA and a 50-foot setback for trails, fencing, parking, and other improvements. LUP Policy 3.24 and LIP Section 3.4.6(A)(6) would update the list of allowed uses in an ESHA buffer including public accessways, educational signs, creek-related educational uses and viewing platforms, and improvements to roads and parking lots that currently encroach in the 100-foot ESHA buffer if the listed uses do not significantly disrupt the habitat values of ESHA. Safety fencing, restoration, and protection of habitat would be allowed where all feasible mitigation measures have been provided to

minimize adverse environmental effects. A feasible habitat buffer between the development and the habitat is provided.

There is a significant grade change in both directions on the campus property: along Morning View Drive from east to west there is approximately a 30-foot grade change and from south to north where the grade ascends approximately 60 feet. Existing structures on the site range from approximately 18 feet to 48 feet.

The site's topography and limited means of vehicular and pedestrian access limit the development alternatives. Development on the upper portion of the campus would result in a significant increase in site disturbance, grading, and increased visibility of campus facilities compared to what currently exists or is proposed under the Specific Plan. Additional development on the northern portion of the campus would also increase traffic and noise in the residential neighborhood near the Clover Heights cul-de-sac. The proposed project's layout was chosen to utilize the building pads while distributing parking areas on all sides of the Campus, with the largest parking lot serving the high school students. The most sustainable solution for new buildings is to replace dated and underutilized buildings with new efficient ones.

Coastal Act Section 30240 requires the protection of ESHAs against any significant disruption of habitat values. No development, with the exception of any use dependent on the resource, may be allowed within any ESHA. This policy further requires that development in areas adjacent to ESHA must be sited and designed to prevent impacts that would significantly degrade ESHA and must be compatible with the continuance of the habitat areas.

In addition to requiring the protection of ESHA, the Coastal Act requires that streams and associated riparian habitats be protected to maintain the biological productivity and quality of coastal waters. Section 30231 requires that natural vegetation buffer areas that protect riparian habitats be maintained, and that the alteration of natural streams is minimized.

There is very little natural vegetation on the MMHS Campus, consisting primarily of grasses, ivy, brush, ruderal species, and scattered ornamental trees with pockets of native riparian and upland species, including native trees in various stages of development. The stream course designated as an ESHA occurs on the western edge of the MMHS campus. Approximately 0.50 acre of the existing developed campus, specifically the JCES play yard, the bus barn, and portions of Existing Parking Lot A are within the 100-foot buffer of ESHA. The MMHS Campus Specific Plan proposes the demolition of these structures within the buffer area and the restoration of the adjacent ESHA.

LIP Policy 3.4.6(A)(7) would require a phased restoration plan for ESHA within the District's property which is proposed as part of the MMHS Campus Specific Plan. The restoration plan would include removing all hardscape within the proposed 100-foot buffer

of the ESHA boundary. The District would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration and trail enhancements would reestablish the ESHA as viable habitat.

The proposed LUP amendments are consistent with the general ESHA and native vegetation protection requirements of Coastal Act Section 30240 and the proposed LIP amendments are consistent with the ESHA protection policies in the LUP including existing LUP Policies 3.8, 3.9, 3.14, and 3.15:

LUP Policy 3.8 Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

LUP Policy 3.9 Public accessways and trails are considered resource-dependent uses. Accessways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures, including but not limited to, signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

LUP Policy 3.14 New development shall be sited and designed to avoid impacts to ESHA. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective in the context of a Natural Community Conservation Plan that is certified by the Commission as an amendment to the LCP. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA.

LUP Policy 3.15 Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the City annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the

standards are met. However, if after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

These policies will ensure that development in areas adjacent to ESHA will be sited and designed to prevent impacts that would significantly degrade ESHA, in conformity with Section 30240 of the Coastal Act.

To reduce site grading and restore the natural topography of the hill to the greatest extent possible, the proposed Phase 1 High School building pad is located at a topographic elevation (115 feet) that allows for accessibility standards to be met while achieving reduced site grading. Moving the building and road farther east (away from the ESHA) would require large retaining walls, elevators, and extensive ramps to make accessibility to the rest of campus possible due to the existing adjacent grades to the east around existing buildings.

Building Height, Signs, and Grading

Under Section 30251 of the Coastal Act, development must be sited and designed to protect views to and along the coast, minimize alteration of natural landforms, and be visually compatible with the surrounding area. The LUP includes the following policies consistent with Section 30251:

LUP Policy 6.5 New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.

LUP Policy 6.9 All new development shall be sited and designed to minimize alteration of natural landforms by:

a. Conforming to the natural topography.
b. Preventing substantial grading or reconfiguration of the project site.
c. Eliminating flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.
d. Requiring that man-made contours mimic the natural contours.

e. Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.

f. Minimizing grading permitted outside of the building footprint.

g. Clustering structures to minimize site disturbance and to minimize development area.

h. Minimizing height and length of cut and fill slopes.

I. Minimizing the height and length of retaining walls.

j. Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.

LUP Policy 6.10 New development, including a building pad, if provided, shall be sited on the flattest area of the project site, except where there is an alternative location that would be more protective of visual resources or ESHA.

LUP Policy 6.30 Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views.

LIP Section 3.4.6 proposes to create a Specific Plan Overlay District that would accommodate future specific plans. Subsection A creates the MMHS Campus Overlay District that provides height, setback, site development criteria, grading, and signage requirements. The MMHS Campus Overlay District will allow an increase in building heights, grading quantities, and sign height as summarized in Table 12 in the MMHS Campus Specific Plan.

The project site is set amongst rolling hills, with buildings and athletic fields on four terraces set into the hillside, each on a slightly higher elevation. The split-level configuration of the campus serves to blend development with the existing terrain of the project site and the surrounding area.

As the project site is already developed with campus uses along Morning View Drive, the redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, as stipulated in LUP Policy 6.7, the new buildings would conform to the slopes and would be terraced with the existing topography.

To meet student safety and accessibility requirements, the buildings and areas surrounding them need to be as even as possible minimizing ramps, stairs, and abrupt changes in the elevation. This will result in site grading and a change in the topography to accommodate the buildings. In some cases, the existing grade is such that entry will occur at one level and exit at a different level. The proposed high school building allows the District to meet the student and safety accessibility requirements while reducing grading and site-work to the maximum extent feasible.

The new construction would be integrated into the terraced landscape, consistent with the current design. While there would be grading on the site, it would not result in a substantial change in existing elevations. The project would incorporate design features that are compatible with the existing development pattern. To lessen the visual impact of the massing, the building would conform to the slope of the street along Morning View Drive and would be terraced with the existing topography. All new buildings along Morning View Drive result in an increased setback from the street to establish a community gateway. The access road designs would be consistent with LUP Policy 6.11, which requires the road to follow the natural topography and be a neutral color that blends with the surrounding landforms and vegetation. Incorporation of these design features would ensure that the development of the proposed parking lots and access road would alter but not significantly degrade the visual character and quality of the surrounding area.

The proposed LIP development standard amendments are consistent with view protection requirements of Section 30251 of the Coastal Act and the LIP policies in LIP Chapter 6 as the development will be sited and designed to protect views to and along the coast, minimize alteration of natural landforms, and be visually compatible with the surrounding area. Compliance with all applicable policies contained in the LUP and the project design features such as the building design, building materials, and landscape plan, would ensure that the project would not significantly degrade the quality of scenic vistas currently available from public viewing areas.

In summary, the amendments to the LIP meet the requirements and are in conformance with the goals, objectives, and purposes of the LUP. Development standards specific to the Malibu Middle and High School Campus ensure that the development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

As a part of the LIP, the MMHS Campus Specific Plan ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the built out of the MMHS Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health,

safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

8. Environmental Review (EIR and Environmental Review Board [ERB])

Acting as the lead agency in accordance with CEQA and CEQA Guidelines Section 15051, on January 26, 2022, the District Board adopted a Final EIR for the project (State Clearinghouse No. 202008350. A Draft EIR was prepared for the project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on September 9, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potential significant environmental impacts that would result from the project; however, the Board found that the inclusion of certain mitigation measures as part of the project approval would reduce most potentially-significant impacts to a less-than-significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project and included in the Final EIR. The EIR identified significant and unavoidable impacts with respect to Lighting and Construction Noise. Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the project, including the specific economic, legal, social, and technological benefits, against the unavoidable lighting and construction noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as lead agency for the project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for Specific Plan the City will consider the Final EIR prior to acting upon or approving the project and will have to certify that the information contained in the EIR is adequate for such approval. Otherwise, the City may consider a method of relief pursuant to CEQA Guidelines Section 15096(e) if the City finds that the EIR is not adequate for use by the responsible agency (City).

CEQA Guidelines Section 15096(e) states:

(e) Decision on Adequacy of EIR or Negative Declaration. If a responsible agency believes that the final EIR or negative declaration prepared by the lead agency is not adequate for use by the responsible agency, the responsible agency must either:

(1) Take the issue to court within 30 days after the lead agency files a notice of determination;

(2) Be deemed to have waived any objection to the adequacy of the EIR or negative declaration;

(3) Prepare a subsequent EIR if permissible under Section 15162; or

(4) Assume the lead agency role as provided in Section 15052(a)(3).

On September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. On January 27, 2022, a Notice of Decision for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350).

Final EIR Summary – Significant and Unavoidable Impacts

A summary of all environmental issues studied in the Final EIR and their identified level of significance is included as Attachment 4. The MMRP associated with the Final EIR will be part of the conditions of approval and are included in Exhibit A to Planning Commission Resolution No. 22-40 (Attachment 1).

The project would cause one unavoidable significant impact to construction noise. Although mitigation measures would be implemented to lessen the impacts, there are no other feasible mitigation measures available to reduce the noise impacts to less significant impacts. As a result, City Council may certify the adequacy of the Final EIR and adopt a Statement of Overriding Considerations, explaining that certain economic, legal, social, technological, or other benefits of the project outweigh the unavoidable significant environmental impacts, which make them nonetheless acceptable. The project will provide many generations of students with safe and secure facilities that maximize their learning environment. This long-term social benefit outweighs the significant, unavoidable impacts related to construction noise. These noise impacts would only occur during the construction of each of the phases.

Noise

Impact 5.11-1 Construction-related activities would result in temporary noise increases in the vicinity of the project in excess of established standards.

Potential noise impacts during construction to on- and off-site sensitive receptors would be reduced to the extent feasible. Specifically, the effective use of temporary noise barriers, as required under Mitigation Measure N-1, can achieve up to 15 dBA of noise reduction when breaking the line-of-sight between the construction site and the receptor (Bies et al. 2017). Implementation of Mitigation Measure N-1 would ensure that interior noise levels in classrooms do not exceed 50 dBA Leq.

During Phase 1, with the installation of temporary noise barriers along the southern boundary of the phase area adjacent to Morning View Drive, construction noise would be reduced to approximately 70 dBA Leq, which would be below the threshold of 80 dBA Leq. Although project-level details for Phases 2 through 4 are not known at this time, Mitigation Measure N-1 would ensure that temporary noise barriers are erected when construction activities would be within the screening distance of 100 feet from the sensitive receptor property line.

Due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction. Therefore, the use of temporary noise barriers would not be as effective in reducing construction noise. Also, because of the anticipated construction duration over multiple years for full buildout, construction noise impacts associated with the implementation of the project are considered significant and unavoidable for off-site receptors.

Pursuant to CEQA Guidelines Section 15096(g)(2), within its powers as the recommending body for the subject MMHS Campus Specific Plan, the City Council finds that there are no feasible alternatives or feasible mitigation measures that would substantially reduce the project's impacts on resource areas identified in the EIR. Pursuant to CEQA Guidelines section 15096(h), the City Council finds that the CEQA Findings of Fact, prepared by the District's environmental consultant, attached as Exhibit B, are the findings of the City Council. If the City Council determined the three findings below can be made, the City Council may recommend certifying the adequacy of the FEIR to the City Council.

The required findings are:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the Planning Commission, and the Commission has reviewed and considered the information in the Final EIR prior to making its recommendation on the project.
3. The Final EIR reflects the City's independent judgment and analysis.

The City Council may certify the adequacy of the Final EIR, with the Findings of Fact in support of findings and adopt the amended Statement of Overriding Considerations and amended MMRP, as discussed in Resolution No. 22-32.

Environmental Review Board (ERB)

Pursuant to LUP Policy 5.5, the Planning Director determined that the project required review by the ERB due to the project's proximity to ESHA. ERB's recommendations are summarized below, followed by the course of action taken.

1. Planted infiltration areas (rain gardens) around the portions of the parking areas between the proposed parking areas and the 50-foot stream buffer to reduce runoff to the stream and Zuma Beach, which is an Area of Special Biological Significance (ASBS) should be considered.

A modular suspended pavement system is proposed for the parking areas adjacent to ESHA to manage stormwater runoff. Similar to a rain garden or biofiltration planting areas, this system captures stormwater runoff and provides storage and filtration capability. It is used in conjunction with permeable pavement and tree planting areas that capture runoff. The result is a stormwater management system above and below grade that also promotes healthy root growth for parking lot shade trees. A condition of approval to this effect will be included in the required CDP for Phases 1 and 4.

2. Before the demolition of the existing Bus Barn as part of Phase 4, landscape contours should be assessed to consider the potential for toxic runoff and/or flooding due to the low elevation of the drainage area.

The District has agreed to assess the landscape contours carefully during the demolition phases to ensure that excess erosion does not occur. A condition of approval to this effect will be included in the required CDP for Phase 4.

3. The boundary of the restoration plan should be modified to remove encroachment into Zone B of the required fuel modification plan.

SMMUSD has verified that although the fuel modification plan requirements established by the Los Angeles County Fire Code do not apply to the project[3], the project is subject to the State fuel modification requirements established by California Code of Regulations (CCR) Section 1299.03[4]. The ESHA restoration plan has been modified to remove encroachment into Zone 2.

4. The request to deviate from the Malibu Dark Sky Ordinance should be denied until Phase 3 when Santa Monica-Malibu Unified School District (SMMUSD) has had an opportunity to design the pool lighting to comply with the current code.

Despite concerns raised by City staff and the ERB, SMMUSD insists that the Specific Plan allow pool lighting to exceed the illumination threshold established by the Malibu Dark Sky

[3] Pursuant to Los Angeles County Fire Code Section 4908.1, structures that do not require a building permit are exempt from obtaining an approved fuel modification plan from the Los Angeles County Fire Department. Since the project falls under the plan check authority of the Divisions of State Architects, building permits are not required.
[4] CCR Section 1299.03 requires 100 feet of defensible space clearance to be maintained in two distinct "Zones" as follows: "Zone 1" extends 30 ft. from each "Building or Structure," or to the property line, whichever comes first; "Zone 2" extends from 30 ft. to 100 ft. from each "Building or Structure. This requirements consistent with the Los Angeles Fire Code.

Ordinance because it will streamline the permitting process in the event that compliant pool lighting technology is unavailable. As stated previously, staff recommended that the pool lighting be designed to comply with the Dark Sky Ordinance and a deviation be used should it be determined later that compliance is not feasible due to safety standards. The Planning Commission considered the pool lighting and is also recommending that the pool lighting be consistent with the Dark Sky Ordinance; however, if the District determines compliance is not possible, the Specific Plan could be amended.

CORRESPONDENCE: Past correspondence on the project was submitted in reference to the project's EIR and was incorporated into the project's Draft and Final EIRs. Staff has received letters of opposition to the construction of Parking F, citing concerns about potential noise, lighting, and circulation impacts (Attachment 5).

Staff also received comments regarding concerns about unpermitted tilling within the blueline stream on SMMUSD-owned property (APN 4469-017-900). According to SMMUSD, the work was performed as part of recurring fuel modification authorized in a CCC-issued CDP. However, the CCC has no records that authorize tilling on this property. Moreover, given the distance of existing residential structures adjacent to the property in question, it is likely that the fuel modification required to occur on this property would be limited to brush clearance associated with Zone C.

In the absence of a CDP to authorize the tilling, City staff has determined this work to be unpermitted and requires the area to be restored. Staff continues to work with SMMUSD to ensure compliance with the LCP and MMC.

After the May 31, 2022 Planning Commission meeting, staff also received correspondence in support for the proposed swimming pool and the elimination of Parking Lot F from the project scope. There was also correspondence that expressed concerns fo the increased height of several buildings proposed in the specific plan.

PUBLIC NOTICE: On May 26, 2022, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 1000-foot radius of the subject property, all interested parties on file for this project, and all homeowners/property owners' associations, on file with the City of Malibu Planning Department, in the City (Attachment 6).

SUMMARY: The required findings can be made that the project complies with the LCP and MMC. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolutions and ordinance, staff recommends approval of this project.

ATTACHMENTS:

1. City Council Resolution No. 22-32
   Exhibit A (Mitigation Monitoring and Reporting Program)
   Exhibit B (CEQA Findings of Fact and Statement of Overriding Considerations)
2. Ordinance No. 501
   Exhibit A (LIP Amendment)
   Exhibit B (MMC Amendment)
   Exhibit C (MMC Zoning Map)
3. City Council Resolution No. 22-33
   Exhibit A (Draft MMHS Specific Plan)
   Exhibit B (LCP Land Use Plan Amendment)
   Exhibit C (General Plan Map Amendment)
4. Planning Commission Resolution No. 22-40
5. Correspondence
6. Public Hearing Notice

The complete EIR and Statement of Overriding Considerations for the Malibu Middle and High School Specific Plan are available on the City's website at https://www.malibucity.org/397/Malibu-Middle-High-School-Improvements

RESOLUTION NO. 22-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU CERTIFYING THE ADEQUACY OF FINAL ENVIRONMENTAL IMPACT REPORT NO. 20-001 (STATE CLEARINGHOUSE NO. 202008350), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On August 20, 2020, the Santa Monica-Malibu Unified School District (SMMUSD) issued a Notice of Preparation of a Draft Environmental Impact Report (EIR) and the proposed project's Initial Study (IS) for public review and comment. The comment period ended on September 21, 2020.

B. On September 9, 2020, SMMUSD held a public scoping meeting.

C. On October 15, 2021, SMMUSD issued a Notice of Availability and the proposed project's Draft EIR for public review and comment. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and ended on November 29, 2021.

D. On November 2, 2021, SMMUSD staff conducted a community presentation on the project and Draft EIR.

E. On December 28, 2021, the response to comments on the Draft EIR was circulated to all of those who submitted comments.

F. On January 26, 2022, SMMUSD certified the Final EIR.

G. On December 21, 2021, the SMMUSD submitted an application for a specific plan for the Malibu Middle and High School Campus along with a coastal development permit for Phase 1 of the Specific Plan, which includes abatement and demolition of the school facilities associated with the former Juan Cabrillo Elementary School (JCES), construction of a new two-story high school building, a lot merger, new parking areas, Environmentally Sensitive Habitat Area (ESHA) restoration, and associated development.

H. In April 2022, SMMUSD expressed a concern that the timing to address the incomplete items in the pending Coastal Development Permit (CDP) application for Phase 1 was taking longer than anticipated and the additional processing time required by the California Coastal Commission (CCC) to certify the Local Coastal Program Amendment

(LCPA) could jeopardize the campus plan implementation. At SMMUSD's request, City staff agreed to allow the draft Specific Plan and the associated legislative entitlements to proceed through the City's public hearing process in advance of the CDP application.

I. On May 5, 2022, the project Environmental Review Board (ERB) reviewed the proposed project and made recommendations. Staff recommends all feasible recommendations be incorporated into the final project.

J. On May 5, 2022, a Notice of Availability of Local Coastal Program (LCP) Documents and a Notice of Planning Commission Public Hearing were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

K. On May 26, 2022 a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

L. On May 31, 2022, the Planning Commission held a duly noticed public hearing on the Final EIR, LCPA No. 21-002, General Plan Map Amendment (GPMA) No. 21-002, Zoning Map Amendment (ZMA) No. 22-001, and Zoning Text Amendment (ZTA) No. 22-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

M. On June 13, 2022, the City Council continued this item to the June 27, 2022 Regular City Council meeting.

N. On June 27, 2022, the City Council continued this item to the July 11, 2022 Regular City Council meeting.

O. On July 11, 2022, The City Council held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Acting as the lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the District Board adopted a Final EIR for the project (State Clearinghouse No. 202008350). A Draft EIR was prepared for the project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on September 9, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potentially significant environmental impacts that would result from the project; however, the Board found that the inclusion of certain mitigation measures as part of the project approval would reduce most potentially-significant impacts to a less than significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project and included in the Final EIR. The EIR identified significant and unavoidable impacts with respect to Lighting and Construction Noise. Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the project, including the specific economic, legal, social, and technological benefits, against the unavoidable lighting and construction noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Santa Monica-Malibu Unified School District "District" acting as the lead agency for the project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for the Specific Plan, the City will consider the adequacy of the Final EIR prior to acting upon or approving the project and will have to certify that the information contained in the EIR is adequate for such approval. Otherwise, the City may consider a method of relief pursuant to CEQA Guidelines Section 15096(e) if the City finds that the EIR is not adequate for use by the responsible agency (City).

On September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. On January 27, 2022, a Notice of Decision for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350).

SECTION 3. Adoption of CEQA findings.

Pursuant to CEQA Guidelines Section 15096(g)(2), within its powers as the recommending body for the subject Malibu Middle and High School (MMHS) Campus Specific Plan, the City Council finds that there are feasible alternatives and feasible mitigation measures (as described in the amended Mitigation Monitoring and Report Program attached as Exhibit A) that would substantially reduce the project's impacts on resource areas identified in the EIR. Pursuant to CEQA Guidelines section 15096(h), the City Council finds that the amended CEQA Findings of Fact, attached as Exhibit B, are the findings of the City Council.

Further, compliance with the City's Dark Sky ordinance will reduce the significant unavoidable impacts from two (construction noise impacts and aesthetic impacts related to pool lighting) to one (construction noise impacts). Further, the addition of the City of Malibu as a jointly responsible agency for certain components of the of MMRP will only further ensure compliance. To ensure compliance with the revisions to the specific plan,

all subsequent CDPs will be conditioned to reflect the City Council's environmental determination.

SECTION 4. Statement of Overriding Considerations.

The City Council has: (i) independently reviewed the information in the final EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the project to the extent feasible by adopting Mitigation Measures in the EIR as conditions of approval; and (iii) balanced the project's benefits against the project's significant unavoidable aesthetic and construction noise impacts.

The City Council finds that each of the following benefits is an overriding consideration independent of other benefits, which warrants approval of the project notwithstanding the project's significant and unavoidable construction noise impacts, but does not find significant and unavoidable aesthetic impacts related to pool lighting as the Project must comply with the City's Dark Sky Ordinance. The City Council finds that specific economic, social, or other considerations make infeasible additional mitigation and, pursuant to Public Resource Section (PRC) Section 21081(a)(3), hereby adopts a Statement of Overriding Considerations for this impact which it determines as acceptable. The proposed project will provide many generations of students with safe and secure facilities that maximize their learning environment. Any one or a combination of the specific community benefits from the adoption of the MMHS Campus Specific Plan and related CDP would outweigh the unavoidable environmental impacts:

1. The project represents an improvement to an existing school and would reorganize open space and foster intercampus circulation; improve access, circulation, and drop-off and pick-up, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and remove hazardous buildings and structures.

2. The project will create unique and separate identities for the Malibu Middle School and Malibu High School campuses.

3. The project will improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.

SECTION 5. Certification of the Final EIR.

The City Council hereby certifies the Final EIR for the MMHS Campus Specific Plan as amended by the above CEQA findings and changes reflected in the attached Exhibit A and B.

SECTION 6. Adoption of Mitigation Monitoring and Reporting Program

The City Council adopts the amended Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A.

SECTION 7. The City Clerk shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 11th day of July 2022.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:
THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the Malibu Municipal Code and Code of Civil Procedure

Exhibit A: Mitigation Monitoring and Reporting Program
Exhibit B: Findings of Fact/Statement of Overriding Considerations

EXHIBIT A

January 2022 | Mitigation Monitoring and Reporting Program

State Clearinghouse No. 2020080350

MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN PROJECT

for Santa Monica-Malibu Unified School District

Prepared for:

Santa Monica-Malibu Unified School District
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PLACEWORKS

Table of Contents

Table of Contents

List of Tables

1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020080350. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and Santa Monica-Malibu Unified School District (SMMUSD or District) Monitoring Requirements. Section 21081.6 states:

> (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
>
> (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
>
> (b) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
>
> (c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency

> having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

The Mitigation Monitoring and Reporting Program (MMRP) will serve to document compliance with adopted/certified mitigation measures that are formulated to minimize impacts associated with development under the Malibu Middle and High School Campus Specific Plan Project (Proposed Project).

1.2 PROJECT LOCATION

The Santa Monica–Malibu Unified School District (SMMUSD or District) property is located at 30215 Morning View Drive (Assessor's Parcel Map Numbers (APN) 4469-017-900, 4469-018-900, 4469-018-901, 4469-018- 902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902) in the city of Malibu, Los Angeles County, California. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing Malibu Middle and High School (MMHS) campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west (Project Site). The Project Site is situated on three of nine parcels: APN 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres. The majority of the Malibu Middle and High School Campus Specific Plan Project (Proposed Project) would be developed within the existing MMHS campus and the former JCES campus, with one component of the Proposed Project in the Malibu Equestrian Park. The Project Site is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Project Site is in the City of Malibu Institutional (I) Zoning District that authorizes public educational institutions with a conditional use permit.

The Project Site is approximately 0.25-mile northeast of the Pacific Coast Highway (PCH) and Zuma Beach, and is bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Project Site to the north.

2. Mitigation Monitoring Process

1.3 PROJECT SUMMARY

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create generally three separate and distinct areas: Middle School Core, High School Core, and shared facilities. Implementation of the Proposed Project would result in demolition of all 7 buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. The existing 25-meter lighted, outdoor pool complex would be demolished, and new 50- meter lighted, outdoor pool complex would be developed. The existing Building E and Buildings A/B at the Project Site would remain, and all other structures would be removed. No changes to the existing main football/track sports field, baseball, or softball fields would be made with the exception of minor improvements, including the development of new field houses and additional parking adjacent to the softball field. The Proposed Project would relocate the existing on-campus Bus Barn to a disturbed location on the adjacent, District-owned Malibu Equestrian Park. It would also include restoration in the campus-adjacent Environmentally Sensitive Habitat Area (ESHA) and establishment of a new trail along the ESHA that would connect to the existing, larger trail network around the campus. The Proposed Project would result in 32 classrooms, 8 labs and maker spaces, and support spaces—a total of 173,595 square feet of building space, providing the middle/high school campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space.

1.1 ENVIRONMENTAL IMPACTS

1.1.1 Impacts Considered Less Than Significant

During preparation of the Initial Study, SMMUSD determined that four environmental impact categories would not be significantly affected by the proposed Malibu Middle and High School Campus Specific Plan Project. These categories are not discussed in detail in this DEIR.

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Tribal Cultural Resources

The DEIR determined that eight environmental factors would have less than significant impacts if the Proposed Project is implemented.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials

- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation
- Utilities and Service System
- Wildfire

1.1.2 Potentially Significant Adverse Impacts That Can Be Mitigated

The DEIR determined that seven environmental factors would have potentially significant impacts without mitigation.

- Air Quality
  - Construction-related pollutants
- Biological Resources
  - Impact to sensitive species
  - Loss of sensitive habitat types
  - Impact approximately 0.033 acres of USACE, RWQCB and CDFW Jurisdiction
  - Require compliance with the local tree ordinance
- Cultural Resources
  - Impacts on archaeological resources
- Geology and Soils
  - Hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils
  - Impact to paleontological resources or unique geologic feature
- Noise
  - Permanent operation-related noise
- Transportation

- Potentially hazardous conditions and potential conflicting uses

- Wildfire
  - Exacerbate wildfire risks
  - Exposure to risks, including downslope or downstream flooding or landslides

1.1.3 Unavoidable Significant Adverse Impacts

This DEIR identifies one significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the Proposed Project. Unavoidable adverse impacts may be considered significant on a project-specific, cumulatively significant, and/or potentially significant basis. If a project is determined to have a significant impact, the District must prepare a "statement of overriding considerations" before it can approve the project, where in the decision-making body must find and determine whether the benefits of the Proposed Project were balanced against the project's unavoidable significant environmental effects outweigh the adverse effects, and therefore the adverse effects are considered acceptable. The impact that was found in the DEIR to be significant and unavoidable is:

- Noise
  - Construction-generated noise

2. Monitoring and Reporting Requirements

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Pub. Resources Code, § 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the DEIR, specifications are made herein that identify the action required and the monitoring and reporting that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program. To effectively track and document the status of mitigation measures, a mitigation matrix has been prepared (see Table 2-1, *Mitigation Monitoring Requirements*).

2. Mitigation Monitoring Process

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Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
5.1 AESTHETICS					
AES-1	To minimize spill lighting and glare impacts, all lighting from the Proposed Project, including from pool lighting, shall be LED, have full-cutoff shielding, be aimed specifically to direct areas.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District City of Malibu	
AES-2	Atmospheric lighting pollution shall be reduced by using full cut-off shielded lighting fixtures that eliminate light directed to the sky. Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District City of Malibu	
AES-3	Santa Monica-Malibu Unified School District (SMMUSD) shall minimize the effects of new sources of night lighting. Such measures, which may include the following and/or other measures, will be incorporated into each phase of the Proposed Project's design and operation: • All exterior lighting shall be delineated as either "night lighting" or "security lighting" and controlled by separate automatic timers. Lights delineated as security lighting shall be determined by the campus principal, security, and facility manager. • All lighting delineated as "night lighting" shall be shut off automatically at 10:00 p.m. on school nights. This includes pool lights. • When operation of "night lighting" is necessary after 10:00 p.m., SMMUSD as operator of the Project Site shall provide notice to the community by posting such notice on the campus website and the school message board and marquee. • When school is not in session (such as summer and winter break and weekends), "night lighting" shall not be permitted, and only required security lighting shall be illuminated.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District City of Malibu	
AES-4	All structures shall incorporate nonreflective exterior building materials in their designs, and the use of reflective glass shall be prohibited.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
AES-5	Pool and deck lighting shall comply with Malibu Dark Sky Ordinance. Pool lighting shall be turned off within ½ hour of aquatic use and the 2-foot candle safety perimeter lighting shall be turned off with all other automatic campus lighting.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of the pool phase (before construction and operation)	Santa Monica-Malibu Unified School District City of Malibu	
5.2 AIR QUALITY					
AQ-1	Construction bids for Phase 1 through 4 activities at the Project Site shall specify use of offroad equipment that meets the United States Environmental Protection Agency (US EPA) Tier 4 interim emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated that such equipment is not available. In the event the equipment is not available, as demonstrated by the contractor, Tier 3 equipment retrofitted with a California Air Resources Board's Level 3 Verified Diesel Emissions Control Strategy (VDECS) shall be used. The following shall be specified in the construction bid: • Construction contractors shall use engines that meet US EPA Tier 4 Interim emission standards for equipment over 50 horsepower. • Construction contractors shall maintain a list of all operating equipment in use on the Project Site in use for more than 20 hours for verification by the District. The construction equipment list shall state the makes, models, and number of construction equipment on-site. • Construction contractors shall ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. • Construction contractors shall communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449. Construction contractors shall be responsible for	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	ensuring that this requirement is met.				
5.3 BIOLOGICAL RESOURCES					
BIO-1	**Pre-Construction Burrowing Owl Surveys and Avoidance:** In the year prior to initiation of Proposed Project activities in Phase 4, and/or before recommencing construction activities if suspended/delayed for six months or more, a qualified biologist shall conduct pre-construction burrowing owl surveys in accordance with the 2012 CDFW Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CDFW 2012). If wintering or breeding burrowing owl are observed adjacent to the impact area, mitigation shall be conducted in accordance with the CDFW guidelines (CDFW 2012).	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phase 4 of the Project	Santa Monica-Malibu Unified School District City of Malibu	
BIO-2	**Pre-Construction Nesting Bird Surveys:** To the extent possible, vegetation removal shall be conducted during the non-breeding season (i.e., September 1 to January 31) in order to minimize direct impacts on nesting birds and raptors. If construction activities would be initiated during the breeding season for nesting birds/raptors (i.e., February 1–August 31), a pre-construction survey will be conducted by a qualified Biologist within three days prior to the initiation of construction (including demolition of structures). If construction activities are delayed or suspended for more than 7 days during the breeding season, nesting bird surveys shall be repeated before construction activities can begin or restart. In addition, nesting bird surveys shall be conducted prior to starting phased Project construction and activities. The absence of nesting birds and raptors shall be considered valid only until the following breeding season. The area will be surveyed for 2 hours between dawn and 10:00 AM on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, on at least three of the surveys, surveys will also be conducted during the period immediately before nightfall. The nesting bird/raptor	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	Survey Area will include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors (including burrowing owl). If the Biologist does not find any active nests in or immediately adjacent to the impact area, construction activities can proceed. If the Biologist detects an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted by increased activity around the nest, the Biologist shall determine an appropriate protective buffer around the nest depending on the sensitivity of the species and the nature of the construction activity. The protective buffer shall be between 25 to 300 feet for nesting birds; 300 to 500 feet for nesting raptors. The active nest will be protected within the designated buffer until nesting activity has ended. Any protective buffers will be mapped on construction plans and designated as "Environmentally Sensitive Areas". Construction can proceed within the protective buffer when the qualified Biologist has determined that the nest is no longer active (i.e., fledglings have left the nest or the nest has failed).				
BIO-3	**Vegetation Assessments:** Vegetation types shall be verified prior to work activities occurring in Phases 2 and 4 if seven years have elapsed from the latest point in time the vegetation mapping described in this Biological Assessment was conducted (April 15, 2021). Vegetation types in the BSA shall be assessed during a field visit and compared to the vegetation types mapped and described herein. Any changes shall be documented in a revised vegetation map and provided to the City of Malibu and the District. Special status vegetation types shall be identified, and if impacts are anticipated, the Proposed Project shall comply with Mitigation Measure, BIO-4.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phases 2 and 4 of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
BIO-4	**Special Status Vegetation Types:** The loss of special status vegetation types within the impact area is considered a significant impact. These vegetation types will be restored onsite or, if appropriate, offsite at a ratio of not less than 1:1, as agreed to by the City of Malibu and the District. A revegetation program shall be implemented in accordance with a City-approved landscape palette on all graded areas not utilized for improvements or structures. The revegetation program will be submitted to the City of Malibu for review and approval by a qualified biologist prior to issuance of grading permits. Restoration will consist of seeding and container planting of appropriate species. Impacts are considered less than significant after implementation of the following measures: A detailed restoration program will be developed prior to map recordation and implemented, and will contain the following items: • *Responsibilities and qualifications of the personnel to implement and supervise the plan*. The responsibilities of the landowner, specialists, and maintenance personnel that will supervise and implement the plan will be specified. • *Site selection*. The site(s) for mitigation will be determined in coordination with the District and the City of Malibu. The site will be located in a dedicated open space area and will be contiguous with other natural open space areas. • *Site preparation and planting implementation*. The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) erosion control measures (i.e., rice or willow	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
wattles), and 6) native seed mix application. • *Schedule.* Establishment of restoration/revegetation sites will be conducted between October 1 and January 30. Seeding and planting of container plants will take place immediately after preparation of the restoration sites. • *Maintenance plan/guidelines*. The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting. • *Monitoring Plan*. The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the City, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the City for three to five years. The monitoring will be conducted for three to five years, depending upon the performance of the mitigation site. • *Long-term preservation.* Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. • *Performance standards will be identified and will apply for the revegetation of special status vegetation types.* Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing, restored, and created habitat areas.				

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	In addition, earth-moving equipment will avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the construction boundary limits will be marked by the construction supervisor and the Project biologist. These limits will be identified on the grading plan. The District will submit a letter to the City of Malibu verifying that construction limits have been flagged in the field. No earth-moving equipment will be allowed outside of the construction boundary.				
BIO-5	**RWQCB and CDFW Jurisdiction Areas:** Upon completion of construction activities, impacts to approximately 0.033 acre of non-wetland RWQCB and CDFW jurisdictional waters will be mitigated within the Proposed Project boundaries at a minimum ratio (i.e., no less than) of 1:1 through the creation of 0.033 acre of non-wetland jurisdictional waters. Acquisition of a § 1602 "lake or streambed alteration" agreement from the CDFW and waste discharge requirements from the RWQCB would be required. Prior to the final submittal of a Report of Waste Discharge from the RWQCB, and/or CDFW notification of lake or streambed alteration, the District will develop a mitigation plan for the RWQCB, CDFW, and City of Malibu. The objective of the mitigation is to ensure no net loss of habitat values as a result of the Proposed Project. The detailed restoration program shall contain the following items: • *Responsibilities and qualifications of the personnel to implement and supervise the plan*. The responsibilities of the landowner, specialists and maintenance personnel that would supervise and implement the plan will be specified and shall include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists. • *Site selection*. The site(s) for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The site will be located in a dedicated open space area and will be contiguous with other natural open space. • *Site preparation and planting implementation.* The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) temporary irrigation installation, 6) erosion control measures (i.e., rice or willow wattles), 7) native seed mix application, and 8) native container species. • *Schedule. A* schedule will be developed which includes planting and seeding to occur in late fall and early winter, between October 1 and January 30 in order to optimize the successful establishment and germination of native plants and seeds. • *Maintenance plan/guidelines.* The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting. • *Monitoring Plan.* The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative				

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the resource agencies for three to five years. Coordination will take place on a regular basis between the biological monitor, landscape contractor and irrigation specialist with regard to non-native species targeted for removal as well as irrigation schedule to ensure that the restoration in on track for achievement of performance criteria. In addition, remedial as well as contingency measures shall also be specified should the site not meet specified performance standards. The site will be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request from RWQCB and CDFW to be released from monitoring requirements. • *Long-Term Preservation.* Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. • Performance standards will be identified and will apply for the restoration of riparian habitat. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing and restored and/or created habitat areas. The qualifications of the personnel to implement and supervise the plan				

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	would include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.				
BIO-6	**Adherence to City of Malibu Tree Protection Ordinance:** Prior to initiation of Proposed Project activities in each Phase of the Proposed Project, the tree survey map created for the Proposed Project (Appendix C) shall be consulted and if impacts to any protected trees are anticipated, the Proposed Project shall comply with mitigation included in the Malibu Local Coastal Program Native Tree Protection Ordinance.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	
5.4. CULTURAL RESOURCES					
CUL-1	Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project: • Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)

cultural (prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
• In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.
  • If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
  • If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery				

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per § 7050.5 of the California Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until				

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.				
5.6 GEOLOGY AND SOILS					
GEO-1	Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	
GEO-2	Design recommendations regarding future irrigation systems identified in the Geotechnical Report shall be followed to ensure that irrigation shall not be allowed within at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Details of these recommendations are included in Appendix H.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	
5.11 NOISE					
N-1	Construction contractors shall implement the following measures for construction activities conducted at the Project Site during each phase of construction. Construction plans submitted to the District shall identify these measures on demolition, grading, and construction plans. The District shall verify that grading, demolition, and/or construction plans submitted include these notations prior to demolition, grading, and/or building construction. • During the active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) wherever feasible. • Impact tools (e.g., jack hammers and hoe rams) shall be hydraulic- or electric-powered wherever	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. • Stationary equipment such as generators and air compressors shall be located as far as feasible from noise-sensitive uses. • The District's construction contractors and subcontractors shall be required through contract specifications to locate construction staging areas, construction worker parking, and material stockpiling as far away from vibration- and noise-sensitive sites as possible. Additionally, these activities shall be located away from occupied buildings on campus, occupied residential dwellings adjacent to the campus, and other sensitive receptors, where feasible. Prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours as well as the contact information of the District's and contractor's representatives who are authorized to respond in the event of a noise or vibration complaint. If the contractor's authorized representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the District. • Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than 5 minutes. • During the entire active construction period and to the extent feasible, the use of noise producing signals, including horns, whistles, alarms, and bells, shall				

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws. • Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the Proposed Project Site providing a schedule for major construction activities through the duration of the construction period. When construction activity would occur within 100 feet of nearby receptor property lines, contractors shall erect temporary noise barriers where feasible. The temporary noise barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a ¾-inch-thick plywood wall OR (b) a hanging acoustical blanket/curtain with a surface density or at least 1.5 pounds per square foot. • Prior to construction, the contractor shall submit to the District a list of equipment and activities required during construction to ensure proper planning of the most intense construction activities during time periods that would least impact campus operations. When construction activity would occur within 150 feet of active classrooms, contractors shall ensure that interior classroom noise levels do not exceed 50 dBA Leq. Feasible methods to achieve this include those listed above, scheduling work during less sensitive time periods when the classroom is not in use, and classroom use rescheduling to move active classes away from high noise construction activities, as necessary. Construction activities within 50 feet of occupied classrooms would be prohibited				

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	during preparation and testing for National Standardized testing days of students at MMHS.				
N-2	The proposed bus barn shall be an enclosed structure constructed of wood, masonry, concrete, or other similar solid material (e.g., not corrugated metal). The structure will have no gaps and minimal window area. All bus testing shall be conducted inside the enclosed bus barn.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of the relocated bus barn	Santa Monica-Malibu Unified School District City of Malibu	
5.14 TRANSPORTATION					
T-1	During each phase of construction activity, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Construction Traffic Mitigation Plan that is specific to the needs of each phase and shall include the following: • Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur 30 minutes before or after student arrival and dismissal times—8:30 am Monday through Friday, 1 pm to 3 pm Monday through Thursday, and 12 pm to 1:30 pm on Friday. • The plan shall eliminate curbside parking on the south side of Morning View Drive south of the construction staging area to provide adequate turn radius and site distance to access for trucks entering and leaving work sites. This would apply to construction Phases 1, 2, and 3 only, which would have access via the segment of Morning View Drive adjacent to the school frontage. • The plan shall include a Traffic Education Program to assist in educating parents, students, and staff on drop-off/pick-up procedures specific to each phase of construction. Informational materials shall be disseminated regarding student drop-off and pick-up procedures via regular parent/school communication methods and shall be posted on the school website.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	• The use of portable message signs and information signs at construction sites shall be employed as needed. • Construction activities for each phase shall be coordinated with the responsible agency departments, including the City of Malibu Public Works and Planning Departments, and the Los Angeles County Sheriff and Fire Departments no less than 10 days prior to the start of the work for each phase. Notification shall specify whether any temporary vehicle, pedestrian, or bicycle construction detours are needed, if construction work would encroach into the public right-of-way, or if temporary use of public streets surrounding the Project Site is needed.				
T-2	To facilitate safe and efficient vehicular and pedestrian circulation during student drop-off and pickup, times during Phase 1, prior to initiation of construction activities, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Traffic and Parking C Plan to include the following: • Designation of vehicular drop-off and pick-up areas outside Morning View Drive at off-street Parking Lots A, D, and E. Vehicular access to these lots shall allow vehicles to enter and return from the area from the intersection of Morning View Drive at PCH. • Student drop-off and pick-up shall be implemented in a counterclockwise circulation pattern. Figure 7 (see Appendix L) depicts vehicular circulation patterns that shall be used in Parking Lots A, D, and E during Phase 1 construction. • If needed, construction traffic can be restricted to ensure that most construction trips occur outside of the drop-off and pick-up periods.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	• The school shall educate students and parents on drop-off and pick-up routes and procedures. This may be achieved with a combination of information bulletins shared with students and parents.				
T-3	Construction scheduling during Phases 2 to 4 shall be scheduled such that any activities that would result in potential lane closures along Morning View Drive, including, but not limited to, reconstruction of the student drop-off/pick-up area and sidewalks along Morning View Drive, shall be limited to summer months when school is not in session to eliminate conflicts with local traffic and pedestrian activities.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phases 2 and 4 of Project	Santa Monica-Malibu Unified School District City of Malibu	
T-4	The SMMUSD shall coordinate with the City of Malibu Public Works Department to relocate crosswalks and school-area signage in relation to the proposed access driveways according to City of Malibu and applicable State criteria. Crossing guards shall be relocated as necessary, based on the ultimate location of crosswalks.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
T-5	Drop-off and pick-up during Phases 2 to 4 can take place in the newly constructed drop-off and pick-up areas in Parking Lots C and D. The school can continue to use Parking Lots B and the Parking Lots D and E that will be implemented in Phase 1. During Phases 2 to 4, the following mitigation measures would be required to ensure proper circulation is provided: o Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur during the drop-off/pick-up hours of 7:00 to 9:00 AM and 2:30 to 4:30 PM.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	
T-6	Each coastal development permit application required to implement Phases 2 – 4 must include traffic impact analyses to reflect the most recent student population projections. In the event the student population projection exceeds 1,000 students, at least one of the following mitigation measures must be implemented:	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• **Intersection 1 - Morning View Drive and Pacific Coast Highway:** o Restripe the westbound approach to PCH to have two 12-foot lanes: a left turn lane and a shared left/right-turn lane. Given the curb-to-curb width of approximately 38 feet, the centerline would need to be moved to accommodate the two westbound lanes. Therefore, the eastbound lane would need to be modified with a width of 14 feet. The restriping and left turn pocket would have a minimum length of 200 feet to accommodate the anticipated queue. o Extend the northbound right turn pocket to a total length of 250 feet o Optimize the signal timing • **Intersection 2 – Morning View Drive and Merritt Drive:** o Repaint the pavement markings indicating vehicles to "KEEP CLEAR" and add "KEEP CLEAR" signage on the eastbound and westbound approaches at Morning View Drive per MUTCD standards. The KEEP CLEAR marking should also be shifted east and west prior to the respective approaches to be more visible for drivers so the intersection is not blocked. • **Intersection 4 – Guernsey Avenue and Pacific Coast Highway:** o Option 1: Install a traffic signal at Guernsey & PCH o Option 2: Modify the signal timing at the signalized intersection to the north at Trancas Canyon to increase traffic gaps to reduce the westbound approach traffic delays at Guernsey Avenue. The modifications at PCH & Morning View, PCH & Guernsey, and PCH & Trancas would require approval from				

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	Caltrans. If enrollment is projected to increase over 1,000 students based on the annual reporting the District will send to the City, the District would be required to coordinate with the City and Caltrans to implement these improvements. The District would be responsible for providing permits and engineering studies such as a signal warrants study at the intersection of PCH & Guernsey per the MUTCD, under consultation with Caltrans.				
5.16 WILDFIRE					
W-1	The District and its general contractor will prepare a Construction Fire Protection Plan (CFPP) that shall be implemented during all phases of construction activity. The CFPP will be approved by the County of Los Angeles Fire Department (LACoFD) prior to building construction and may also be reviewed and approved in phases based on the phased development of the Proposed Project. The CFPP shall include, but not be limited to, guidance for: • Prevention, control, and extinguishment of fires during construction activities. • Smoking- and fire-related rules, storage, and parking area. • Delineating work areas from natural/open space areas and establishing sufficient setbacks. • Vegetation management prior to and during construction activity, consistent with LACoFD protocols. • Requirement to use spark arrestors on construction equipment. • Limiting the type and duration of construction activities during red flag warning events issued by the National Weather Service covering the project area.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	
GEO-1	Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District City of Malibu	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
recommendations are included in Appendix H.				

CEQA FINDINGS OF FACT
REGARDING THE
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE
MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN PROJECT
STATE CLEARINGHOUSE NO. 2020080350

Exhibit B

I. BACKGROUND

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to sections 15091 and 15093 of the CEQA Guidelines and section 21081 of the Public Resources Code. This document provides the findings required by CEQA and the specific reasons for considering the project acceptable even though the project has significant impacts that are infeasible to mitigate.

The lead agency is responsible for the adequacy and objectivity of the EIR. The Santa Monica-Malibu Unified School District (SMMUSD or District), as lead agency, has subjected the Draft EIR (DEIR) and Final EIR (FEIR) to the agency's own independent review and analysis.

A. PROJECT LOCATION

The District's property is located at 30215 Morning View Drive (Assessor's Parcel Map Numbers (APN) 4469-017-900, 4469-018-900, 4469-018-901, 4469-018- 902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902) in the city of Malibu, Los Angeles County, California. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing Malibu Middle and High School (MMHS) campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west (Project Site). The Project Site is situated on three of nine parcels: APN 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres. The majority of the MMHS Campus Specific Plan Project (Proposed Project) would be developed within the existing MMHS campus and the former JCES campus, with one component of the Proposed Project in the Malibu Equestrian Park. The Project Site is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Project Site is in the City of Malibu Institutional (I) Zoning District that authorizes public educational institutions with a conditional use permit.
The Project Site is approximately 0.25-mile northeast of the Pacific Coast Highway (PCH) and Zuma Beach, and is bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Project Site to the north.

B. PROJECT SUMMARY

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create generally three separate and distinct areas: Middle School Core, High School Core, and shared facilities. Implementation of the Proposed Project would result in demolition of all 7 buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. The existing 25-meter lighted, outdoor pool complex would be demolished, and new 50-meter lighted, outdoor pool complex would be developed. The existing Building E and Buildings A/B at the Project Site would remain, and all other structures would be removed (see Figure 3-4*, Proposed Site Plan*). No changes to the existing main football/track sports field, baseball, or softball fields would be made with the exception of minor improvements, including the development of new field houses and additional parking adjacent to the softball field. The Proposed Project would relocate the existing on-campus Bus Barn to a disturbed location on the adjacent, District-owned Malibu Equestrian Park. It would also include restoration in the campus-adjacent Environmentally Sensitive Habitat Area (ESHA) and establishment of a new trail along the ESHA that would connect to the existing, larger trail network around the campus. As shown in Table 3-2, *Summary of Total Development*, the Proposed Project would result in 32 classrooms, 8 labs and maker spaces, and support spaces—a total of 173,595 square feet of building space, providing the middle/high school campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space.

C. ENVIRONMENTAL REVIEW PROCESS

In conformance with CEQA and the CEQA Guidelines, the District conducted an extensive environmental review of the Proposed Project. The environmental review process has included:

- Completion of an Initial Study (IS)/Notice of Preparation (NOP) on August 20, 2020. The public review period extended from August 20, 2020 to September 21, 2020. Copies of the IS were made available for public review at the Santa Monica-Malibu Unified School District Office and MMHS.

- Completion of the scoping process where the public was invited by the District to participate in a scoping meeting held virtually on September 9, 2020, due to current orders and guidance to minimize the spread of COVID-19. The notice of a public scoping meeting was included in the NOP.

- Preparation of a DEIR and supporting technical appendices, which was made available for a 45-day public review period beginning October 15, 2021 and ending September 29, 2021. The scope of the DEIR was determined based on the IS/NOP, comments received in response to the NOP, and comments received at the scoping meeting conducted by the SMMUSD. Section 2.3, *Scope of this DEIR*, of the DEIR describes the issues identified for analysis in the DEIR. In compliance with sections 15085(a) and 15087(a)(1) of the CEQA Guidelines, the SMMUSD, serving as the Lead Agency, has

published a Notice of Completion (NOC) and Notice of Availability (NOA) of the DEIR, which indicates that the DEIR and all associated technical appendices can be viewed at the following locations:

- Santa Monica–Malibu Unified School District, 1651 16th Street, Santa Monica, CA 90404
- Malibu Middle and High School Administrative Offices "Lobby", 30215 Morning View Drive, Malibu, CA 90265
- City of Malibu Planning Counter, 23825 Stuart Ranch Road, Malibu, CA 90265
- City of Malibu Public Library, 23555 West Civic Center Way, Malibu, CA 90265
- In addition, the DEIR is available online at the SMMUSD website https://www.smmusd.org/cms/lib/CA50000164/Centricity/Domain/4188/Malibu-HS/DEIR0921.pdf **Error! Hyperlink reference not valid.**and the City of Malibu website (www.malibucity.org).

The NOC and NOA were transmitted to the State Clearinghouse and County Clerk and were distributed to all property owners within 500 feet of the Project Site and/or those who have previously requested such notice.

- A public informational meeting was held on November 2, 2021 to present an overview of the CEQA process, the project description, and the conclusions in the DEIR. The meeting was conducted in-person at the Former JCES Campus Multipurpose Room and virtually due to COVID-19. Attendees were given the option to present verbal and written comments during the meeting.

- Preparation of a Final EIR (FEIR), including the Responses to Comments to the DEIR, the Findings of Fact, Mitigation Monitoring and Reporting Plan (MMRP), and the Statement of Overriding Considerations. The FEIR/Response to Comments contains comments on the DEIR and responses to those comments.

- The FEIR was posted to the SMMUSD website on December 28, 2021 (INSERT LINK). A 10-day notification of the FEIR was sent to commenting agencies electronically on that same day.

- A public hearing on the Proposed Project and the FEIR was held before the Santa Monica-Malibu Unified School District Board of Education on January 13, 2022.

D. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings the Proposed Project includes, but is not limited to, the following documents and other evidence:

- The NOP, NOA, and all other public notices issued by the District in conjunction with the Proposed Project.
- The DEIR and FEIR for the Proposed Project.
- All timely written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All timely written and verbal public testimony presented during a noticed public hearing for the Proposed Project.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the DEIR and FEIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and FEIR.
- The Resolutions adopted by the District's Board of Education in connection with the Proposed Project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the District, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- The District's file for the Proposed Project.

E. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the District's actions related to the Proposed Project are at the following locations:

- Santa Monica–Malibu Unified School District, 1651 16th Street, Santa Monica, CA 90404
- Malibu Middle and High School Administration Offices, 30215 Morning View Drive, Malibu, CA 90265
- City of Malibu Planning Counter, 23825 Stuart Ranch Road, Malibu, CA 90265
- City of Malibu Public Library, 23555 West Civic Center Way, Malibu, CA 90265

The District is the custodian of the administrative record for the Proposed Project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the District.

Santa Monica-Malibu Unified School District
Attn: Carey Upton - FIP Department
1651 16th Street
Santa Monica, California 90404
cupton@smmusd.org

This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

II. FINDINGS AND FACTS AND OVERRIDING CONSIDERATIONS

The District, as lead agency, is required under CEQA to make written findings concerning each alternative and each significant environmental impact identified in the DEIR and FEIR. Specifically, regarding findings, CEQA Guidelines section 15091 provides:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The

finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The "changes or alterations" referred to in section 15091(a)(1) may include a wide variety of measures or actions as set forth in CEQA Guidelines section 15370, including:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

A. FORMAT

This section summarizes the significant environmental impacts of the Proposed Project, describes how these impacts are to be mitigated, and discusses various alternatives to the Proposed Project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

The remainder of this section is divided into the following subsections:

Section B, Summary of Environmental Impacts, presents the summary of impacts of the Proposed Project.

Section C, Findings on Impacts Determined to Be Less Than Significant, presents the impacts of the Proposed Project that were determined in the DEIR to be less than significant without the addition of mitigation measures and presents the rationales for these determinations.

Section D, Findings on Impacts Mitigated to Less Than Significant, presents significant impacts of the Proposed Project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

Section E, Findings on Significant Unavoidable Impacts, presents significant impacts of the Proposed Project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, the findings for significant impacts, and the rationales for the findings.

Section F, Findings on Project Alternatives, presents alternatives to the Proposed Project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

B. SUMMARY OF ENVIRONMENTAL IMPACTS

The following is a summary of the environmental topics considered in the Initial Study to have no impact, a less than significant impact, a less than significant impact with incorporation of mitigation measures, and a significant and unavoidable impact.
It should be noted that topics identified as significant and unavoidable contain individual impacts that would be less than significant or less than significant with mitigation.

Less than Significant Impact (Before Mitigation) or No Impact

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise

- Public Services
- Recreation
- Transportation
- Utilities and Service System
- Wildfire

Less Than Significant Impact with Mitigation Incorporated

- Air Quality
  - Construction-related pollutants
- Biological Resources
  - Impact to sensitive species
  - Loss of sensitive habitat types
  - Impact approximately 0.033 acres of USACE, RWQCB and CDFW Jurisdiction
  - Require compliance with the local tree ordinance
- Cultural Resources
  - Impacts on archaeological resources
- Geology and Soils
  - Hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils
  - Impact to paleontological resources or unique geologic feature
- Noise
  - Permanent operation-related noise
- Transportation
  - Potentially hazardous conditions and potential conflicting uses
- Wildfire
  - Exacerbate wildfire risks
  - Exposure to risks, including downslope or downstream flooding or landslides

Significant and Unavoidable Impact

- Noise
  - Construction-generated noise

C. FINDINGS ON IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

Initial Study

An IS was prepared by the District to identify the potential significant effects of the Proposed Project. The Initial Study was completed and distributed with the NOP for the Proposed

Project, dated August 20, 2020. The IS determined that the Proposed Project would have no impact or less than significant impacts to the following topics: Agriculture and Forestry Resources, Population and Housing, Mineral Resources, and Tribal Cultural Resources. All other topical areas of evaluation included in the Environmental Checklist were determined to require further assessment in an EIR.

DEIR

It was determined that several potential environmental effects would not result from the Proposed Project or would result but would not have a significant impact on the environment. This determination was made based on the findings of the DEIR prepared for the Proposed Project. The following summary briefly describes those environmental topics that were found not to be significant with implementation of existing regulations, as detailed in each respective topical section of Chapter 5 of the DEIR.

1. Aesthetics

Impact 5.1-1: The Proposed Project would not have a substantial adverse effect on a scenic vista.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-57 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letters A5 (see A5-7 and A5-8).

The Project Site is not located in the viewshed of a designated vista point. The nearest vista point recognized in the City of Malibu's General Plan Conservation Element is the Point Dume Vista Point, which does not afford views of the Project Site or surrounding neighborhood. Other protected scenic vistas in the City of Malibu include views of the Pacific Ocean and other scenic areas from public viewing areas, which include public roads, trails, parklands, and beaches, considered to be public viewing areas. Public viewing areas in the vicinity of the Project Site include nearby roads and trails, including Morning View Drive (also a designated trail), Merritt Drive, Busch Drive and Pathway (a roadway and designated trail), Clover Heights Avenue, and nearby trails including the Equestrian School Trail (located on the Project Site), and Busch Pathway.

Views afforded from public viewing areas, located in elevations equal to or greater than the Project Site and to the north and east, which excludes Morning View Drive (because it is at the base of the slope and bound by development), consists mostly of rolling hills, ridgelines, vegetation, structures, and panoramic views of the Pacific Ocean and the Santa Monica Mountains, in the horizon. Distant ridgelines, mountains, and the Pacific Ocean typically dominate views. Partial views of the developed campus on the Project Site are available from a number of public viewing areas to the north of the Project Site that offer scenic vistas of the Pacific Ocean and mountains.

Views of the Pacific Ocean, mountains, and other scenic features such as ridges, hillsides, and vegetation would continue to be widely available from all selected public viewing points,

consistent with section 30251 of the CCA, which requires that all new development be sited to preserve views of scenic resources.

The Proposed Project would adhere to design standards of the MMHS Campus Site Design Guidelines to incorporate colors and exterior materials that are compatible with the surrounding landscape. For instance, furnishings and fixtures would be incorporate natural tones and features such as seating terraced into the hillside, built-in wooden benches, boulder-shaped seating; hardscape materials would include accent paving, natural tones; walls and fencing would include materials that relate to the architectural form of the proposed Campus; signage would use topography, materials, and form to adapt to the conditions on the Project Site; landscape design would incorporate native or locally adapted drought-tolerant species to play a functional role such as framing views. With compliance to applicable policies of the LUP, development of the Proposed Project would not degrade or obstruct scenic vistas available from public viewing areas. In addition, construction of the Proposed Project would not significantly obstruct or otherwise degrade scenic vistas, that consist of views of scenic resources, including the ocean, mountains, ridges, hills, and vegetation from public viewing areas.

Finding:

Impacts to scenic vista would be less than significant and no mitigation measures are necessary.

Impact 5.1-2: The Proposed Project would not alter scenic resources within a state scenic highway.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-71 of Section 5.1, *Aesthetics* of the DEIR.

The Project Site is not within the viewshed or corridor of a state-designated scenic highway. The only road in Malibu that has been officially designated as an eligible scenic highway by Caltrans is PCH, located 0.25-mile southwest of the Project Site. Although primary access to Morning View Drive is from PCH, no views of the developed portions of the Project Site are available from PCH because of the presence of low bluffs and hillsides that screen views into the canyon. Signage for the school is positioned on Morning View Drive at PCH and would remain with implementation of the Proposed Project. Morning View Drive has been designated by the City of Malibu as a neighborhood trail but has not been classified as a scenic highway and is not subject to regulations and policies relating to scenic highways.

No scenic resources, as defined by the City of Malibu's General Plan Conservation Element, are located on or near to the Project Site. As such, the Proposed Project does not have the potential to substantially damage a scenic resource within the viewshed of a State-designated scenic highway, or any other identified scenic resource.

Finding:

No impacts to scenic resources within a state scenic highway would occur and no mitigation measures are necessary.

Impact 5.1-3: The Proposed Project would not substantially degrade the existing visual character or quality of public views of the Project Site and its surroundings.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-71 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letter A5 (see A5-7 and A5-8).

The existing visual character of the Project Site is of a school campus in a rural residential neighborhood. Existing development on campus is on several split-level building pads in order to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with the abundance of vegetation both native and non-native, and the scenic resources on the Project Site and surrounding areas contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops. As the Project Site is already developed with campus uses along Morning View Drive, the redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, in order to integrate the buildings with the landscape.

Development of the Proposed Project would be subject to the policies contained in the City of Malibu's LUP. Compliance with these policies, as listed above, would ensure that implementation of the Proposed Project would not result in the significant degradation of the visual character and quality of the Project Site and surrounding area.

Finding:

Impacts to the existing visual character or quality of public views of the Project Site and its surroundings would be less than significant and no mitigation measures are necessary.

2. Air Quality

Impact 5.2-1: The Proposed Project would be consistent with the applicable air quality management plan.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-27 of Section 5.2, *Air Quality* of the DEIR.

Changes in population, housing, or employment growth projections have the potential to affect SCAG's demographic projections and therefore the assumptions in South Coast AQMD's AQMP. Based on the scope and nature of the Proposed Project in that student capacity, staffing, and community event use would not increase, the Proposed Project would not substantially affect housing, employment, or population projections within the region. Finally, the long-term emissions generated by the Proposed Project would not produce criteria

air pollutants that exceed the South Coast AQMD significance thresholds for Proposed Project operations (see Impact 5.2-3). South Coast AQMD's significance thresholds identify whether a project has the potential to cumulatively contribute to the SoCAB's nonattainment designations. Because the Proposed Project would not exceed the South Coast AQMD's regional significance thresholds (see Impact 5.2-2 and Impact 5.2-3) and growth is consistent with regional growth projections, the Proposed Project would not interfere with South Coast AQMD's ability to achieve the long-term air quality goals identified in the AQMP. Therefore, the Proposed Project would be consistent with the AQMP, and impacts would be less than significant.

Finding:

Impacts to applicable air quality management plans would be less than significant and no mitigation measures are necessary.

Impact 5.2-2: Construction activities associated with the Proposed Project would not generate short-term emissions in exceedance of South Coast AQMD's threshold criteria.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-28 of Section 5.2, *Air Quality* of the DEIR.

Construction of the Proposed Project would generate criteria air pollutants associated with construction equipment exhaust and fugitive dust from demolition and debris haul, grading and soil haul, utilities trenching, building construction, architectural coating, pavement of asphalt and non-asphalt surfaces, and finishing and landscaping of the site. Air pollutant emissions from construction activities on-site would vary daily as construction activity levels change.

The SoCAB is designated nonattainment for O_3 and $PM_{2.5}$ under the California and National AAQS, nonattainment for PM10 under the California AAQS, and nonattainment for lead (Los Angeles County only) under the National AAQS. According to South Coast AQMD methodology, any project that does not exceed or can be mitigated to less than the daily threshold values would not add significantly to a cumulative impact (South Coast AQMD 1993). The maximum daily emissions for VOC, NOx, CO, SO_2, PM_{10}, and $PM_{2.5}$ from construction-related activities for Phase 1 and Phases 2 through 4 would be less than their respective South Coast AQMD regional significance threshold values. Therefore, short-term air quality impacts from Proposed Project-related construction activities would be less than significant.

Finding:

Short-term construction-related impacts to air quality would be less than significant and no mitigation measures are necessary.

Impact 5.2-3: Long-term operation of the Proposed Project would not generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-30 of Section 5.2, *Air Quality* of the DEIR.

Following full buildout of the four phases of the Proposed Project, operation would generate a net increase in criteria air pollutant emissions from area sources (e.g., landscaping equipment, architectural coating) and energy (i.e., natural gas used for heating and cooking). The maximum daily operation emissions would be less than their respective South Coast AQMD regional significance threshold values. Projects that do not exceed the South Coast AQMD regional significance thresholds would not result in an incremental increase in health impacts in the SoCAB from Project-related increases in criteria air pollutants. Therefore, impacts to the regional air quality associated with operation of the Proposed Project would be less than significant.

Finding:

Long-term construction-related impacts to air quality would be less than significant and no mitigation measures are necessary.

Impact 5.2-5: The Proposed Project would not expose sensitive receptors to substantial pollutant concentrations during operation.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-35 of Section 5.2, *Air Quality* of the DEIR.

Operational Phase LSTs

Operation of the Proposed Project would not generate substantial quantities of emissions from on-site, stationary sources. Land uses that have the potential to generate substantial stationary sources of emissions require a permit from South Coast AQMD, such as chemical processing or warehousing operations where substantial truck idling could occur on-site. Emissions from uses such as chemistry labs would be minimal and would not be greater than emissions from current uses on-site. Overall, the Proposed Project does not fall within these categories of uses. Therefore, net localized air quality impacts from Proposed Project-related operations would be less than significant.

Operational Health Risk – Bus Barn

A potential source of TACs from operation of the Proposed Project would be from school buses associated with the relocated bus barn. As noted in MATES V previously, regional DPM emissions represent approximately 72 percent of the potential health risk from air toxics. However, the District bus fleet is not diesel fueled, but consists of 8 compressed natural gas (CNG) buses and 17 gasoline buses. In general, the TACs emitted from CNG and gasoline-fueled vehicle produce much lower health risks than diesel-fueled vehicles despite that gasoline vehicles account for over 95 percent of the vehicle population in Los Angeles County (CARB

2021c). In addition, the Proposed Project would not increase the amount of bus activity occurring at the relocated bus barn. Therefore, the Proposed Project would not expose sensitive receptors to substantial concentrations of TACs during operation. Impacts would be less than significant.

Carbon Monoxide Hotspots

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 ppm or the eight-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hot spots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. The SoCAB has been designated in attainment of both the National and California AAQS for CO. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—to generate a significant CO impact (BAAQMD 2017). The Proposed Project would generate a net increase of 651 AM peak-hour trips, which is substantially below the incremental increase in peak-hour vehicle trips needed to generate a significant CO impact. Implementation of the Proposed Project would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the Project Site, therefore, impacts would be less than significant.

Finding:

Impacts to sensitive receptors from substantial pollutant concentrations would be less than significant and no mitigation measures are necessary.

3. Biological Resources

Impact 5.3-4: The Proposed Project would not affect wildlife movement.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-27 of Section 5.3, *Biological Resources,* of the DEIR and contained within Responses to Comment Letter A3 (see A3-39) and A5 (see A5-21).

Wildlife Movement and Habitat Fragmentation

The Project Site does not represent an area of important regional movement. The existing structures and paved parking lots, adjacent PCH, and surrounding residential streets and structures present a barrier to movement for wildlife moving through the area. Wildlife looking to move through the foothills would likely utilize canyons in the open space north of the Project Site. Proposed Project activities would not impact these open space areas. The adjacent canyons would continue to be available for movement; thus, regional wildlife movement would not be disrupted, and impacts on regional wildlife movement would be considered less than significant.

Construction activities would create dust and noise within and adjacent to the impact area; however, dust control required by SCAQMD Rule 403 would be implemented. During active construction, wildlife movement may be deterred by noise and human activity; however, most wildlife movement would occur at night while construction activities would occur during the day. Should any temporary fencing be needed during construction, it would meet the requirements of the LCP and LUP, and would be wildlife permeable. Proposed Project implementation would not isolate any native habitats or create any bottle necks for wildlife movement because small amounts of native vegetation, on the edges of disturbance or development, would be impacted. Therefore, construction impacts on local wildlife movement would be considered adverse, but less than significant.

Finding:

Impacts to wildlife movement would be less than significant and no mitigation measures are necessary.

4. Cultural Resources

Impact 5.4-1: There are no historical resources in the Project Site; development pursuant to the Proposed Project would not result in an impact on identified historic resources.

Support for this environmental impact conclusion is fully discussed starting on page 5.4-14 of Section 5.4, *Cultural Resources* of the DEIR.

There are currently no locally, state-, or federal- designated historic resources in the Project Site. Additionally, the Project Site was not listed in any of the following state or federal resources: NRHP, CRHR, California Points of Historical Interest, California Historical Landmarks, National Historic Landmarks, Los Angeles Conservancy, and Los Angeles Historic Resources Inventory.

However, there are historic-period buildings located within both MMHS and former JCES Campuses. Therefore, all historic-era buildings within the Project Site were evaluated, both as individual resources and as a historic complex, using CRHR eligibility criteria. However, due to lack of associated significance, none of the historic buildings and structures within the Project Site are recommended as eligible for listing at the local, state, or national level and are not considered historically significant. The buildings are not associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States and, therefore, not recommended as eligible for listing under Criterion 1. They are not associated with the lives of persons important to local, California, or national history and, therefore, not recommended as eligible for listing under Criterion 2. They do not embody the distinctive characteristics of a type, period, region, or method of construction or represent the work of a master or possess high artistic values and therefore, not recommended as eligible for listing under Criterion 3. Lastly, they have not yielded, nor have the potential to yield, information important to the prehistory or history of the local area, California, or the nation and therefore are not recommended as eligible for listing under Criterion 4. Therefore, impacts to historic resources as a result of implementation

the Proposed Project, including demolition and removal of structures, are considered less than significant.

Finding:

Impacts to historical resources would be less than significant and no mitigation measures are necessary.

5. Energy

Impact 5.5-1: The Proposed Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-8 of Section 5.5, *Energy* of the DEIR.

Short-Term Construction Impacts

During each of the four phases of construction of the Proposed Project, there would be temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use.

Electrical Energy
Construction of the Proposed Project would not require electricity to power most construction equipment. Electricity use during construction would vary during different phases of construction. The majority of construction equipment during demolition and grading would be gas- or diesel-powered, and the later construction phases would require electricity-powered equipment for interior construction and architectural coatings. Overall, the use of electricity would be temporary and would fluctuate according to the phase of construction. Additionally, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Therefore, Project-related construction activities would not result in wasteful or unnecessary electricity demands, and impacts would be less than significant.

Natural Gas Energy
It is not anticipated that construction equipment used for the Proposed Project would be powered by natural gas, and no natural gas demand is anticipated during construction. Therefore, impacts would be less than significant with respect to natural gas usage.

Transportation Energy
Energy consumption for each of the four phases of construction was calculated using the CalEEMod (Version 2020.4) computer model and data from the EMFAC2017 (Version 1.0.3) and OFFROAD2017 (Version 1.0.1) databases. The use of energy resources by construction vehicles would fluctuate according to the phase of construction and would be temporary. It is anticipated that the majority of off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered. In addition, all construction

equipment would cease operating onsite upon completion of Project construction. Thus, impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Furthermore, to limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize nonessential idling of construction equipment during construction, in accordance with section 2449 of CCR, Title 13, Article 4.8, Chapter 9, which limits nonessential idling of diesel-powered off-road equipment to 5 minutes or less.

The Proposed Project would not result in wasteful, inefficient, or unnecessary use of energy during construction. It is anticipated that the construction equipment would be well maintained and meet the appropriate tier ratings per US EPA emissions standards, so that adequate energy-efficiency level is achieved. Construction trips would not result in unnecessary use of energy since the Project Site is centrally located and is served by numerous regional circulation systems that provide the most direct routes from various areas of the region. Thus, energy use during construction of the Proposed Project would not be considered inefficient, wasteful, or unnecessary. Impacts would be less than significant.

Long-Term Impacts During Operation

Operation of the Proposed Project would generate additional demand for electricity and natural gas on the Project Site beyond current uses. The Project Site currently contains 203,734 total square feet of buildings that use energy. Following buildout of the Project, there would be a total of 222,425 square feet of building space. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

Electrical Energy

As with the existing school facilities, operation of the Proposed Project would consume electricity for various purposes, including, but not limited to, heating, cooling, and ventilation of buildings, water heating, operation of electrical systems, lighting, and use of on-site equipment and appliances. Electrical service to the Proposed Project would continue to be provided by SCE through connections to existing off-site electrical lines and new on-site infrastructure as needed for each phase. For all existing buildings to remain following Phase 1 buildout and full buildout of the Proposed Project, energy use from electricity were based on historical electricity consumption default data from CalEEMod 2020.4. Electricity use from new buildings were based on CalEEMod 2020.4 non-historical electricity default data.

While the Proposed Project would generate new electricity demand on-site, it would be required to comply with the current Building Energy-Efficiency Standards and CALGreen. In addition, the new buildings to be constructed would be more energy efficient than the existing school buildings energy to be replaced. Furthermore, the proposed and existing photovoltaic (PV) systems would further reduce electricity consumption on the Project Site. Therefore, the Proposed Project would not result in wasteful or unnecessary electricity demands and would result in a less-than-significant impact related to electricity.

Natural Gas Energy

The Proposed Project would generate an average natural gas demand of 2,306,942 kilo British thermal units per year (kBTU/year) following Phase 1 buildout and 2,820,413 kBTU/year following full buildout of the Proposed Project. This would result in a net increase of 231,224 kBTU/year following Phase 1 and 744,695 kBTU/year after full buildout of the Proposed Project as compared to existing conditions. While the Proposed Project would generate new natural gas demand on-site, it would be required to comply with the current Building Energy Efficiency Standards and CALGreen. In addition, the new buildings to be constructed would be more energy efficient than the existing school buildings energy to be replaced. Therefore, the Proposed Project would not result in wasteful or unnecessary natural gas demands. Operation of the Proposed Project would result in less-than-significant impacts with respect to natural gas usage.

Transportation Energy
The Proposed Project would consume transportation energy during operations from the use of motor vehicles. The efficiency of these motor vehicles is unknown, such as the average mpg. Estimates of transportation energy use are based on the overall VMT and its associated transportation energy use. The Project-related VMT would primarily come from students and staff. However, because student capacity and staffing levels would not increase, the Proposed Project would not result in additional trips or an increase in VMT. Therefore, there would be no impact with respect to operation-related fuel usage.

Finding:

Impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation would be less than significant and no mitigation measures are necessary.

Impact 5.5-2: The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-13 of Section 5.5, *Energy* of the DEIR.

California Renewables Portfolio Standard

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers, such as SCE, which is the utility that would provide all of the electricity needs for the Proposed Project. Compliance of SCE in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. The Proposed Project also would be subject to the Building Energy-Efficiency Standards and CALGreen. Because the new school buildings associated with the Proposed Project would comply with the latest 2019 energy standards, it would offer an improvement over the existing buildings on-site. In addition, the District has an adopted Districtwide Plan for Sustainability. The plan incorporates sustainability into education services and all aspects of student learning and integrates climate protection, resource efficiency, waste management, and other sustainability practices into District operations. The Proposed Project would also include installation of additional solar PV systems. Therefore, implementation of the Proposed Project would not

conflict with or obstruct plans for renewable energy and energy efficiency and no impact would occur.

Finding:

Impacts to a state or local plan for renewable energy or energy efficiency would not occur and no mitigation measures are necessary.

6. Geology and Soils

Impact 5.6-1: Future development in the Project Site, pursuant to the Proposed Project would not expose increased numbers of persons and structures to strong ground shaking from active faults in the region.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-16 of Section 5.6, *Geology and Soils* of the DEIR and contained within Responses to Comment Letter A5 (see A5-33 through A5-28).

The Project Site is not at a greater risk of seismic activity or impacts than other sites in southern California. Seismic shaking is a risk throughout Southern California. Additionally, California and the City regulate development in Malibu through a variety of tools that reduce geologic and seismic hazards, including earthquakes. The CBC, adopted by reference in the City's municipal code, contain provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. The design and construction of the Proposed Project would be required to adhere to the provisions of the CBC, which are imposed on project developments by the City's Planning Department during the development review and building plan check process. Compliance with the requirements of the CBC for structural safety during a seismic event would reduce hazards from strong seismic ground shaking.
Furthermore, future development accommodated by the Proposed Project would be required to have site-specific geotechnical investigation reports prepared by the District's geotechnical consultant, in accordance with the CBC. The geotechnical investigations would determine seismic design parameters for the site and the proposed building type per CBC requirements. Thus, compliance with the provisions of the CCR and CBC and required implementation of the recommended design recommendations outlined in the geotechnical reports would reduce hazards arising from strong seismic ground shaking. Therefore, impacts resulting from strong ground shaking would be less than significant.

Findings:

Impacts resulting from strong ground shaking would be less than significant would be less than significant and no mitigation measures are necessary.

Impact 5.6-2: Future development in the Project Site would not result in substantial soil erosion or the loss of topsoil.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-18 of Section 5.6, *Geology and Soils* of the DEIR.

Each phase of the Proposed Project would be required to comply with NPDES permit requirements to control pollutants from being discharged into the water. Under the NPDES permit, which applies to grading activities of more than one acre and is administered under the Regional Water Quality Control Board (RWQCB), the SMMUSD would be required to prepare and implement a SWPPP, including a best management practices (BMP) program to address construction-related discharges. BMPs include, but are not limited to, the implementation of erosion and sediment controls. Because construction would occur throughout the year, erosion-control BMPs must be implemented to ensure that sediment is confined to the construction area and not transported off-site. During construction, all stormwater runoff would be diverted to the appropriate catch basins and drainage channels subject to all applicable regulatory statutes and permits, including those found in Title 15 (Building and Construction) of the Malibu Municipal Code, which adopts Title 26 (Building Code) of the Los Angeles County Code. Soil erosion during the operation of the Proposed Project would be controlled by implementation of an approved landscape and irrigation plan, installation, and maintenance of post-construction BMPs, and paving of surface parking areas. Therefore, the Proposed Project would have a less than significant impact associated with soil erosion or loss of topsoil. No mitigation is required.

Findings:

Impacts to soil erosion or loss of topsoil would be less than significant and no mitigation measures are necessary.

Impact 5.6-4: Soil conditions at the Project Site could adequately support proposed septic tanks.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-20 of Section 5.6, *Geology and Soils* of the DEIR and contained within Reponses to Comment Letter A5 (see A5-36 and A5-37).

The Proposed Project would result in seven total septic systems. The Proposed Project would remove septic systems 6 through 11 and would add five septic systems.

Results of the Geotechnical Investigation indicated that the near-surface soils are considered severely corrosive to ferrous metals (metals that contain mostly iron) and moderate sulfate attack of concrete. Water-soluble sulfates in soil can react adversely with concrete. As referenced in the 2019 CBC, section 1904A, concrete subject to exposure to sulfates shall comply with requirements in American Concrete Institute (ACI) 318. Based on testing results of the on-site soils from recent and prior investigations, concrete structures in contact with the on-site soil would likely have "negligible" to "moderate" exposure to water-soluble sulfates in the soil. Therefore, common Type II Portland cement may be used for concrete construction in contact with site soils. Consistent with the recommendations of the Geotechnical Investigation, subgrade soil should be tested for water-soluble sulfate content prior to final design of the concrete structures once grading is complete. Import fill soil should be geotechnically tested for corrosivity and sulfate attack before import to the site. Further testing of import soils should include analytical testing for chemicals of concern prior to import and acceptance.

Ferrous pipe buried in moist to wet site earth materials should be avoided by using high-density polyethylene (HDPE), polyvinyl chloride (PVC), and/or other nonferrous pipe when possible. Ferrous pipe can also be protected by polyethylene bags, tap or coatings, di-electric fittings, or other means to separate the pipe from on-site soils. The Proposed Project would comply with the 2019 CBC and requirements in the site-specific Geotechnical Investigation. Thus, soil conditions at the Project Site would adequately support the proposed septic tanks relocations. Therefore, impacts would be less than significant.

Findings:

Impacts to soil conditions at the Project Site would be less than significant and no mitigation measures are necessary.

7. Greenhouse Gas Emissions

Impact 5.7-1: Implementation of the Proposed Project would not generate a net increase in GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.7-20 of Section 5.7, *Greenhouse Gas Emissions* of the DEIR.
Since student capacity, staffing, and other community-related uses on the campus would not increase or change after full buildout of the four phases, the Proposed Project would not result in an increase in emissions from mobile sources, solid waste generation, water use, or wastewater generation. In addition, because older buildings would be replaced and the Proposed Project would include energy saving features such as a PV system, the overall water use, wastewater and solid waste generation, and energy use would be further reduced. The Proposed Project would generate a net increase in GHG emissions from energy use (indirectly from purchased electricity use and directly through fuel consumed for building heating) and area sources (e.g., landscaping equipment used on-site, consumer products, coatings). Annual average construction emissions were amortized over 30 years and included in the emissions inventory to account for one-time GHG emissions from the construction of Phase 1, Phase 2, Phase 3, and two sets of Phase 4 activities of the Proposed Project. Overall, construction and operation of the Proposed Project would not generate annual emissions that exceed the South Coast AQMD bright-line threshold of 3,000 MTCO2e per year. Therefore, the Proposed Project's cumulative contribution to GHG emissions would be less than significant.

Findings:

A net increase in GHG emissions as a result of the Proposed Project would be less than significant and no mitigation measures are necessary.

Impact 5.7-2: Implementation of the Proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Support for this environmental impact conclusion is fully discussed starting on page 5.7-21 of Section 5.7, *Greenhouse Gas Emissions* of the DEIR.
Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. A consistency analysis with these plans is presented below.

CARB Scoping Plan
CARB's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32, which is to return to 1990 emission levels by year 2020. The CARB Scoping Plan is applicable to state agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Since adoption of the 2008 Scoping Plan, state agencies have adopted programs identified in the plan, and the legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy standards, and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions reduction goals of AB 32. New buildings are required to comply with the latest applicable Building Energy Efficiency Standards and CALGreen. On December 24, 2017, CARB adopted the Final 2017 Climate Change Scoping Plan Update to address the new 2030 interim target to achieve a 40 percent reduction below 1990 levels by 2030, established by SB 32 (CARB 2017b). While measures in the Scoping Plan apply to state agencies and not the Proposed Project, the Proposed Project's GHG emissions would be reduced by statewide compliance with measures that have been adopted since AB 32 and SB 32 were adopted. Therefore, the Proposed Project would not obstruct implementation of the CARB Scoping Plan, and impacts would be less than significant.

SCAG's Regional Transportation Plan / Sustainable Communities Strategy
SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal) in September 2020 for the purpose of transportation conformity. Connect SoCal finds that land use strategies that focus on new housing and job growth in areas rich with destinations and mobility options would be consistent with a land use development pattern that supports and complements the proposed transportation network. The overarching strategy in Connect SoCal is to plan for the southern California region to grow in more compact communities in transit priority areas and priority growth areas; provide neighborhoods with efficient and plentiful public transit; establish abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands and farmlands (SCAG 2020). Connect SoCal's transportation projects help more efficiently distribute population, housing, and employment growth, and forecast development is generally consistent with regional-level general plan data to promote active transportation and reduce GHG emissions. The projected

regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region.

The Connect SoCal Plan does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers. The Proposed Project would provide new facilities for the existing and future students of MMHS. The Proposed Project would serve the local population within the nearby surrounding communities. However, because the Proposed Project would not result in an increase in student capacity, it would not generate an increase in VMT. Therefore, the Proposed Project would not interfere with SCAG's ability to implement the regional strategies in Connect SoCal, and impacts would be less than significant.

Findings:

Impacts to an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be less than significant and no mitigation measures are necessary.

8. HAZARDS AND HAZARDOUS MATERIALS

Impact 5.8-1: The Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-22 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

Construction

The Project Site has been investigated under the oversight of the DTSC, and no significant hazardous materials are being used or stored that would be removed during construction. No routine transport, use, or disposal of hazardous materials currently occurs on-site, and no new or expanded handling of hazardous materials would result from Project implementation. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during construction of each phase of the Proposed Project would be less than significant.

Operation

Operation of the Proposed Project would involve the use of small amounts of hazardous materials for cleaning and maintenance purposes typical of janitorial staff, and pesticides by school maintenance staff. The use, storage, transport, and disposal of hazardous materials by school staff would be required to comply with existing regulations of several agencies, including DTSC, EPA, Occupational Safety and Health Administration, Los Angeles Regional Water Quality Control Board, and the Los Angeles County Department of Public Works. The Proposed Project would continue to operate in the same manner as current conditions as a school. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during operation of the Proposed Project would be less than significant.

Findings:

Impacts to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant and no mitigation measures are necessary.

Impact 5.8-2: The Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-22 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.
PEAs were prepared in 2009 and 2015 for the Project Site due to RECs identified in the 2009 Phase I ESA. The PEAs investigated the possibility of residual pesticides in soil from termiticide usage, lead in soil from lead-based paint, residual petroleum hydrocarbons from the former USTs and bus wash in the vicinity of the bus barn, and the potential for hazardous materials from the laboratories, woodshop, art studio, and photography darkroom being released to the septic system within the redevelopment area and adjacent to the development area. The PEA evaluated historical information for indications of the past use, storage, disposal, or release of hazardous waste/substances at the site; evaluated available information for indications of naturally occurring hazardous materials at the site; established the nature of hazardous wastes/substances that may be present in soil at the site, their concentration, and general extent; and estimated the potential threat to public health and/or the environment posed by hazardous constituents, if any, at the site using a residential land-use scenario.

A human health risk assessment that was included in the PEA determined that an approximately 0.66-acre area of the bus barn area posed an unacceptable human health risk using a residential land use risk scenario but was appropriate for school-based use. The remainder of the Project Site did not have an unacceptable risk for unrestricted residential land use, and it was determined that no further action was needed. The 2015 PEA concluded that there are no current environmental concerns, and no significant risks due to exposure to chemicals in soil and soil vapor are expected for the current or future students and staff. If land use in the bus barn area should ever change to residential, soil vapor may need to be reevaluated at that time. Based on the PEA finding and LUC, it is anticipated that the Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

ACMs would need to be removed from the campus if present and transported to a licensed disposal facility. ACMs were used in building materials from approximately the 1930s to 1977. Although it is anticipated that ACMs from the school buildings were removed, the Proposed Project may encounter previously unidentified ACMs during demolition. Additionally, the potential for encountering lead-based paint (LBP) during construction also exists. However, the District is required to implement regulatory requirements outlined in the Title 8 CCR Subchapter 4, section 1529 (pertaining to asbestos) and section 1532.1 (pertaining to lead-based paint); 29 CFR section 1926, Subpart Z; 40 CFR section 61, Subpart M (pertaining to asbestos); and 29 CFR section 1926, Subpart D (pertaining to lead) to ensure that all removal and disturbance of ACM and LBP and subsequent waste disposal are performed in accordance

with these rules and regulations that provide exposure limits, exposure monitoring, respiratory protection, and good working practice by trained workers.

All removal and disturbance of ACM and subsequent waste disposal shall be performed by an asbestos abatement contractor, using 40-hour asbestos trained workers (Asbestos Worker trained as outlined in 40 CFR section 763). The abatement contractor's workforce shall be supervised by experienced trained workers, knowledgeable and qualified in the techniques of asbestos abatement, handling, and disposal of asbestos-containing and/or asbestos-contaminated materials, and the subsequent cleaning of contaminated areas, including, at a minimum, Competent Person/Contractor Supervisor training as outlined in 40 CFR section 763. All removal and disturbance of lead-based paints and subsequent waste disposal shall be performed by a state-licensed contractor using workers certified by the California Department of Public Health (CDPH) and at least one CDPH-certified Supervisor. The abatement contractor's workforce shall be supervised by experienced trained workers, knowledgeable and qualified in the techniques of lead abatement, handling, and disposal of lead-containing and/or lead-contaminated materials, and the subsequent cleaning of contaminated areas. All construction work concerning ACMs and LBP would be performed in accordance with all applicable and relevant laws and regulations. The Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving release of hazardous materials into the environment, and impacts would be less than significant.

Findings:

Impacts to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant and no mitigation measures are necessary.

Impact 5.8-3: The Proposed Project would not be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-25 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

The Project Site was not on state and federal hazardous materials sites, except for having a former release from a UST, but that case was granted closure and therefore no significant hazard to the public or the environment would occur. Additionally, the site has been investigated under the oversight of the DTSC for use as a school, and a 0.66-acre area was identified as being acceptable for use as a school but not for residential. A land use covenant is in effect for the 0.66-acre area near the former USTs that is annually inspected by the District and the LUC Inspection Report is approved by the DTSC, and no significant hazard to the public or the environment would occur. Therefore, impacts related to being located on a listed hazardous materials site compiled pursuant to Government Code section 65962.5 would be less than significant.

Findings:

Impacts a site which is included on a list of hazardous materials compiled pursuant to Government Code section 65962.5 would be less than significant and no mitigation measures are necessary.

Impact 5.8-4: Project development would not affect the implementation of an emergency responder or evacuation plan.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-25 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR and contained within Responses to Comment Letter A2 (see A2-1) and R3-8.

Construction

During each of the four phases of Project construction, construction vehicles including employees, vendors, and equipment would be traveling to and from the Project Site. Construction activities may occur during the school year, and therefore all construction staging areas and access locations must be well identified so that access for pick-up/drop-off as well as emergency responders is maintained. The Proposed Project would implement Mitigation Measure T-1 to ensure that access is sufficiently maintained during construction activities. Implementation of this measure would ensure impacts remain less than significant regarding emergency access and response during construction.

Operation

The Proposed Project would not substantially change the access configurations, and the Proposed Project would not result in more trips or a change in traffic patterns. The access and configurations of the parking lots would not worsen traffic conditions or emergency access in the study area. The configuration of the new Parking Lots C, D, and E would improve traffic conditions because access to Lots D and E are farther west and away from the drop-off and pick-up area adjacent to the school on Morning View Drive, and Parking Lot C provides better on-site circulation and vehicular storage than the existing JCES parking lot. Additionally, Therefore, full buildout of all phases of the Proposed Project would not affect the implementation of an emergency responder or evacuation plan, and impacts would be less than significant.

Findings:

Impacts to an emergency responder or evacuation plan would be less than significant and no mitigation measures are necessary.

Impact 5.8-5: The Proposed Project Site would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-26 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR and contained within Responses to Comment Letter A1 (see A1-4).

The Project Site is in a Very High Fire Hazard Severity Zone in a local response area. The Proposed Project would be required to comply with current CBC standards, CFC standards, Title 5 regulations, and local fire code requirements, including fire protection features. These features include fuel modification requirements for landscape and highly ignition-resistant buildings to minimize the likelihood of exposing students, visitors, staff, and structures to a significant risk related to wildfires.

The Proposed Project would create greater setbacks from the environmentally sensitive habitat area (ESHA) and would not introduce large amounts of nonnative vegetation on-site. The Proposed Project would result in demolition of structures within the ESHA buffer area, such as the bus barn, the playfield at the former JCES, and surface parking. The District would implement a restoration plan for the ESHA that would include weed abatement, establish invasive plant controls, and implement erosion prevention and bank stability improvements. Several plants suitable for consideration for ESHA restoration efforts would be fire-resistant species. Fuel modification zones would be included as part of project design. Fire-resistant landscape plants would act as a defensible space to gradually reduce fire intensity and flame lengths from advancing fire by strategically placing thinning zones and irrigated zones next to each other.

An "islandable microgrid," or ground-mounted PV solar array system with battery storage and energy control center, would be constructed to avoid loss of instruction at MMHS due to mandated public utility shutdowns to prevent fires. A 500- to 1,000-kW-hour battery storage system would be installed. The battery storage system would have a fire rating in conformance with CBC and CFC standards and local fire codes. The structure would also have cooling systems to maintain cool temperatures within the unit. Therefore, the battery storage structure would not exacerbate fire risk at the Project Site. With implementation of fire protection building and design features and compliance with existing current standards, regulations, and code requirements, the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

Findings:

Impacts to significant risk of loss, injury, or death involving wildland fires would be less than significant and no mitigation measures are necessary.

9. HYDROLOGY AND WATER QUALITY

Impact 5.9-1: The Proposed Project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-39 of Section 5.9, *Hydrology and Water Quality* of the DEIR and contained within Responses to Comment Letter A5 (see A3-34 through A3-38).

Construction

Construction of the Proposed Project would likely involve the use of some hazardous materials, such as vehicle fuels, lubricants, greases, and transmission fluids in construction equipment, and paints and coatings in building construction that could affect water quality. Construction of the Proposed Project would not create a significant hazard through the transport, use or disposal of hazardous materials during construction. No significant hazardous materials are being used or stored that would be removed during construction. The use and storage of hazardous materials during construction would comply with U.S. Occupational Safety and Health Administration regulations, which ensure that such hazardous materials are properly handled on-site and would not enter stormwater or waterways.
Earthwork activities during construction may also cause erosion and generate sediment that can enter waterways. Prior to construction of each phase of the Proposed Project, the District would be required to prepare and implement site specific BMPs consistent with its Construction General NPDES Permit, Construction SWPPP, and MMC section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere MMC sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act and Municipal NPDES Permit. Groundwater is not anticipated to be encountered. While not anticipated, if dewatering during construction is needed, the Proposed Project would also be required to obtain a general permit for construction dewatering issued by the RWQCB. The construction of the Proposed Project therefore would not violate water quality standards or waste discharge requirements and would not otherwise substantially degrade water quality; a less than significant impact would occur.

Operation

The Project Site Hydrology Report (Psomas 2021c) evaluated existing stormwater drainage on-site to determine the capacity of the existing infrastructure and proposed on-site stormwater infrastructure to accommodate stormwater from rain events. The Proposed Project would incorporate adequate stormwater treatment capacity as specified by the Project Site Hydrology Report.

The Project Site Hydrology Report further reviewed storm drain hydraulics in the ESHA to establish existing water surface elevations and existing flow velocities for various storm events. Under existing conditions, erosive velocities average six feet per second with an average depth of three feet during the 2-year storm event and eight feet per second with an average depth of five feet during the 50-year event. The model also indicates that flows for the design storm event are contained by the channel banks and do not overtop. The Proposed Project would not substantially contribute to stormwater velocities in the ESHA, and restoration of the ESHA as part of the Proposed Project would reduce stormwater velocities in the ESHA.
The phased storm drains would be designed to accommodate 50-year design storm peak flow rates. Therefore, the stormwater system on-site and stormwater improvements conducted as part of the Proposed Project would ensure that stormwater is adequately conveyed and would not violate water quality standards.

Operation of the Proposed Project would have the potential to discharge sediment and pollutants to storm drains and receiving waters, thereby leading to a potential water quality impact. However, the Proposed Project includes the implementation of a stormwater system what would capture and treat stormwater on-site prior to being released to public storm drain systems. Stormwater infrastructure on-site would constructed along with each phase of the Proposed Project, which would ensure that each phase of the Proposed Project is adequately served by on-site stormwater system. Consistent with the MMC 13.04.120, prior to construction of each phase, a water quality management plan would be prepared, which would identify BMPs to ensure that on-site infrastructure and stormwater meet the stormwater on-site retention requirements and discharge requirements. The Proposed Project would be required to comply with the City's MS4 Permit and Municipal Code Chapter 13.04 (Stormwater Management and Discharge Control), which requires reduction of pollutants in stormwater to the maximum extent practical and prohibits the discharge of non-stormwaters unless covered by a separate NPDES permit or Water Board's conditional discharge exemption (13.04.030(A)(1) and 13.04.060(D)). The operation of the Proposed Project therefore would not violate water quality standards or waste discharge requirements and would not otherwise substantially degrade water quality; a less than significant impact would occur.

Septic Upgrades

The Proposed Project would require decommissioning of existing septic systems and sizing and replacement with new septic system infrastructure. The decommissioning and installation of new septic systems would comply with all applicable state and local guidelines, including the Los Angeles County Department of Public Health and MMC. Chapter 15.40 of the MMC establishes standards for the siting, design, installation, operation, and maintenance of OWTS, which are adopted in compliance with the City's LCP and LIP to protect the overall quality of coastal waters and resources in the City and consistent with California Water Resources Control Board OWTS Policy and Los Angeles Regional Water Quality Control Board's Basin Plan. These standards apply to all existing, new, or replacement OWTS in the City. Additionally, plans for the on-site wastewater system would be submitted for review and approval by the County Department of Public Health (LADPH 2018). Compliance with regulatory requirements would ensure that no potential sewage or related contaminants are released from this activity.

The Proposed Project would include adequate infrastructure to serve the Project Site, including the reconfiguration of existing septic systems. The proposed septic systems would include an appropriately sized two-compartment fiberglass septic tank. The location of the septic tanks and associated leach fields would be reviewed as part of each phase. However, the proposed septic systems would be designed and sited to avoid impacts to the ESHA, as all septic systems would be located more than 100 feet from the ESHA.
Decommissioning and modifications of the existing septic systems, and the addition of the replacement infrastructure would not be anticipated to disrupt service on the Project Site. Modifications to the wastewater and drainage system would have the capacity to adequately serve the Project Site during all phases of the Proposed Project, and Project-generated wastewater would be adequately treated. Therefore, the septic system upgrades would not

violate any water quality standard or waste discharge requirements and would not substantially degrade surface or ground water quality; a less than significant impact would occur.

Findings:

Impacts to water quality standards or waste discharge requirements would be less than significant and no mitigation measures are necessary.

Impact 5.9-2: The Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Proposed Project may impede sustainable groundwater management of the basin.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-41 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Proposed Project's potable water use, and fire water lines would connect to an existing public water main on Morning View Drive. Los Angeles County Waterworks District No. 29 provides potable water to the City of Malibu, including the Project Site. Following full buildout of the Project, water demands would not change from current conditions as operational characteristics (enrollment, staffing, fire needs) would be the same as current operation. Therefore, operation of the Proposed Project would not substantially decrease groundwater supplies.

The MMHS and JCES campuses are largely developed with limited pervious surfaces. The Project Site is underlain by low permeability clay soil. Therefore, limited amounts of rainwater currently percolate to the groundwater on-site. Existing stormwater on the Project Site currently flows southward towards a network of storm drain systems and catch basins that outlet through the curb face to the adjacent Morning View Drive and to the existing ESHA. The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions. However, the minor increase in impervious surfaces would not interfere substantially with groundwater recharge. Similar to existing conditions, the stormwater generated under the Proposed Project would be directed to on-site stormwater infrastructure and be discharged to Morning View Drive and the ESHA. Additionally, the likelihood of encountering groundwater during construction such that dewatering is necessary is low, since groundwater was not encountered during the maximum depth drilled of approximately 46.5 feet bgs and depth of groundwater is measured to be 77.4 feet bgs with depth of static water level at 58.7 feet bgs. As such, the Proposed Project would not interfere substantially with groundwater recharge.

Therefore, the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge during operation or construction, and a less than significant impact would occur.

Findings:

Impacts to groundwater supplies or groundwater recharge during operation or construction would be less than significant and no mitigation measures are necessary.

Impact 5.9-3: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would result in a substantial erosion or siltation on- or off-site.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-42 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

Construction

Soils in the Project Site could experience erosion during construction of each phase due to natural processes, such as wind and rain, or by earthwork activities, such as grading and excavation. Prior to construction of each phase of the Proposed Project, the District would be required to prepare and implement site specific BMPs consistent with its Construction General NPDES Permit, Construction SWPPP, and MMC section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere MMC sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act (CWA) and Municipal NPDES Permit. While not anticipated, if dewatering during construction is needed, the Proposed Project would also be required to obtain a general permit for construction dewatering issued by the RWQCB. Therefore, compliance with federal, state, and local regulations would ensure that the Proposed Project would not result in substantial erosion or siltation on or off-site. A less than significant impact related to substantial erosion or siltation would occur during each phase of construction.

Operation

During operation, the Proposed Project would result in a minor increase to impervious surfaces compared to existing conditions and would result in alteration of the existing site's drainage patterns but not in a manner that would result in substantial erosion or siltation on or off-site. The Proposed Project would install new stormwater retention basins that would be developed to infiltrate and treat runoff from the Proposed Project. Stormwater from the Proposed Project would either drain to the existing ESHA via Clover Heights Avenue and the on-site drainage channel or to Morning View Drive, similar to existing conditions. ESHA restoration activities would include removal of all hardscape within the 100-foot buffer for the ESHA. The District would conduct weed abatement, establish invasive plant controls, and introduce native seed and plant species within the ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. For the parking areas and trails within the ESHA's 100-foot buffer, the District would use permeable surface materials to increase infiltration.
The Project Site would be divided into seven drainage management areas (DMA) that would coordinate drainage to Morning View Drive. New stormwater retention basins would be developed to infiltrate and treat runoff from the Proposed Project. Stormwater infrastructure on-site would be developed as part of each phase, such that DMA A and B would be developed during Phase 1; DMA C would be developed during Phase 2; DMA D would be developed during Phase 3; and DMA E through G would be developed during Phase 4 (see Figure 3-8, Conceptual Storm Drain and Water Quality: Phase 1, and Figure 3-9, Conceptual Storm Drain Water Quality: Phases 2–4). Drainage from the proposed bus barn site would direct flows to

the existing storm drain system in the equestrian center. All DMAs and the drainage for the proposed bus barn site would be required to comply with local and federal permits governing water quality and on-site stormwater capture and drainage, such as Los Angeles County Municipal Stormwater NPDES Permit and MMC sections 13.04.050, -090, -110, and -120. Therefore, operation of each phase would be adequately served by stormwater infrastructure for the respective DMA. No discretionary permit be issued until the City's authorized enforcement officer confirms that the Project plans comply with the applicable stormwater mitigation plans and design criteria requirements.

Implementation of the proposed stormwater infrastructure, ESHA restoration (e.g., the erosion prevention and bank stability improvements), and compliance with federal, state, and local regulations would ensure that the Proposed Project would not result in substantial erosion or siltation on or off-site. A less than significant impact related to substantial erosion or siltation would occur during the operation of the Proposed Project.

Findings:

Impacts to existing drainage pattern that would result in a substantial erosion or siltation on- or off-site would be less than significant and no mitigation measures are necessary.

Impact 5.9-4: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would substantially increase the rate or amount of surface runoff which would result in flooding on- or off-site.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-44 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions and would install stormwater infrastructure on the Project Site. The Proposed Project would include a new stormwater system that would retain, infiltrate, and treat stormwater on the Project Site. Similar to existing conditions, the Proposed Project would continue to drain stormwater to the ESHA and to storm water infrastructure on Morning View Drive. Project design features, such as stormwater pipe sizing and stormwater treatment capacities, and restoration of the ESHA, including permeable surface material within the ESHA's 100-foot buffer, would ensure that the Proposed Project does not substantially increase the rate or amount of surface runoff in a manner that leads to on- or off-site flooding. The Proposed Project would also be required to comply with all local, state, and federals regulating stormwater runoff. Pursuant to MMC section 13.04.120, the Proposed Project would be designed to control runoff volume and would be required to implement a water quality mitigation plan that retains stormwater runoff on-site from either an 85 percentile 24-hour runoff event or the volume of runoff produced from a three-quarter inch, 24-hour rain event, whichever is greater. The Proposed Project would implement a WQMP and a SWPPP during construction and operation consistent with state and local regulations, including the County's NPDES permit, that would include the installation of BMPs. Each phase of Proposed Project would be required to meet the standards and requirements for stormwater retention, treatment, and discharge. The Proposed Project would not result in flooding on or off-site. A less than significant impact related to flooding on- or off-site would occur.

Findings:

Impacts to the existing drainage pattern of the site would be less than significant and no mitigation measures are necessary.

Impact 5.9-5: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-43 of Section 5.9, *Hydrology and Water Quality* of the DEIR and contained within Responses to Comment Letter A5 (see R5-34 and R5-35).

Construction

Construction of the Proposed Project would temporarily introduce potential sources of pollution on-site, such as oils, paints, solvents, and gasoline, that are typical of construction activities. Equipment and potentially hazardous materials would be maintained and stored in accordance with manufacturer instructions. The Proposed Project would be required to prepare and implement a BMPs consistent with its Construction General NPDES Permit, Municipal NPDES Permit, Construction SWPPP. BMPs include structural and non-structural strategies to minimize pollution of stormwater. Therefore, compliance with federal, state, and local regulations and implementation of best management practices would ensure that the Proposed Project would not result in substantial additional sources of polluted runoff during construction. A less than significant impact related to substantial additional sources of polluted runoff would occur during each construction phase.

Operation

The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions and would implement a stormwater system on-site that would alter the existing drainage pattern on the Project Site. The Proposed Project would have a stormwater drainage system on-site, which would include stormwater retention basins that would be developed to infiltrate and treat runoff from the Proposed Project consistent with MCC section 13.04.120 requirement of either an 85 percentile 24-hour runoff event or the volume of runoff produced from a three-quarter inch, 24-hour rain event, whichever is greater. The Proposed Project would adhere to a WQMP and SWPPP prepared for the operation of the Proposed Project, which would incorporate best management practices. As such, stormwater entering the ESHA and storm drains on Morning View Drive would be treated. Each phase of the Proposed Project would be required to comply with the standards and requirements of MCC section 13.04.120 for all of its phases by designing a system to satisfy the standards and requirement for the entire site during the first phase and implementing these standards and requirement for each phase of development or redevelopment of the site during the first phase or prior to commencement of construction of a later phase to the extent necessary to treat the stormwater from such later phase. Additionally, in compliance with SUSMP requirements, the Proposed Project's on-site stormwater drainage system would be designed to adequately store

and convey stormwater runoff from the Project Site and there would be no net increase in stormwater runoff to the off-site storm drain system.

The Proposed Project would include potential sources of pollution typical of school uses, such as chemicals used for educational purposes; oils, gasoline, chlorine, paints, and solvents for ongoing maintenance of the campus and buses, and pesticides and fertilizers landscaping on-site. These potential materials would be stored and handling in accordance with manufacturer specifications and is not expected to generate substantial new sources of pollution. Additionally, the operation and use of the new septic systems on-site would comply with the City and County's requirements and procedures for septic systems and OWTS. Compliance with local and state requirements would ensure that on-site septic systems would not generate pollution which could enter stormwater runoff.

Therefore, compliance with federal, state, and local regulations and implementation of best management practices would ensure that the Proposed Project would not alter existing drainage patterns in a manner that would result in substantial additional sources of polluted runoff during operation. A less than significant impact related to substantial additional sources of polluted runoff would occur during the operation of the Proposed Project.

Debris/Mud Flow

During certain rain events in existing conditions, debris and mud flows emanate from the main and tributary canyon upslope of the Project Site located approximately 2,400 feet north of the Project Site and transported down gradient. Two rainfall events that occurred in November and early December 2018 after the Woolsey Fire resulted in debris flows such that there is limited unconsolidated soil remaining on the slopes north of the Project Site in this area. Since the December 2018 debris flow the slopes have revegetated with light grasses, homes are being rebuilt, and drainage pathways corrected, all of which minimize potential debris flows during rain events. The District installed emergency drainage improvements on the campus following the mudflow events, including earthen berm, gravel bag barriers, concrete channel with side walls, and debris rack cage. Additionally, the District will install K-rails on Clover Heights Avenue prior to any forecast significant rain event. Construction of the Proposed Project would install new stormwater and drainage system on-site and incorporate best management practices. The Proposed Project would not contribute to a substantial additional source of polluted runoff due to debris or mudflow, and a less than significant impact would occur.

Findings:

Impacts to existing drainage pattern of the site or area in a manner that would create or contribute runoff water would be less than significant and no mitigation measures are necessary.

Impact 5.9-6: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would impede or redirect flood flows.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-46 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Project Site is located within an area of minimal flood hazard but would not be subject to flooding from a 100-year or 500-year storm event. Therefore, construction and operation of the Proposed Project would not impede or redirect flood flows, and impacts would be less than significant.

Findings:

Impacts to flood flows during construction and operation would be less than significant and no mitigation measures are necessary.

Impact 5.9-7: The Proposed Project would not risk release of pollutants due to Project inundation due to flooding, tsunami, or seiche.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-46 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Project Site is located within an area of minimal flood hazard but would not be subject to flooding from a 100-year or 500-year storm event. The Project Site is also not within an area subject to tsunami nor seiches. All chemicals and potentially hazardous materials on-site would be stored, used, and transported in compliance with local, state, and federal regulations. Therefore, the Proposed Project would result in no impact related to release of pollutants due to Project inundation from flooding, tsunami, and seiche.

Findings:

No impact related to release of pollutants due to Project inundation from flooding, tsunami, and seiche would occur and no mitigation measures are necessary.

10. Land Use and Planning

Impact 5.10-1: Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-8 of Section 5.10, *Land Use and Planning* of the DEIR.

The Project Site is designated Institutional (I), which accommodates existing public and quasi-public facilities, such as educational facilities. The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create three distinct areas: Middle School Core, High School Core, and shared facilities. The existing Building E and Buildings A/B at the MMHS Campus would remain, with all other structures removed.
The Proposed Project would be consistent with the goals and policies identified in the General Plan's Land Use Element, the City's LCP, and the City's Municipal Code that have been adopted for the purposes of avoiding or mitigating environmental impacts. Additionally, to meet the standards established by the District's Education Specifications, the California Interscholastic Federation, and the National Federation of State High School Association, Buildings D, C, H, and J would exceed the LCP and City's 28-foot height requirements.

Development of the Proposed Project would conform to all existing development standards under section 17.40.110 of the City's Municipal Code for Institutional Development and section 3.9 of the City's LIP. The table outlines the Proposed Project's specifications along with the current City's LIP and Municipal Code and reasoning for exceeding current City regulations. Therefore, implementation of the Proposed Project would result in less than significant impacts relating to land use.

Findings:

Impacts to applicable plans adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant and no mitigation measures are necessary.

11. Noise

Impact 5.11-3: The Proposed Project would not generate excessive groundborne vibration or groundborne noise levels.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-23 of Section 5.11, *Noise* of the DEIR.

Construction Vibration

Potential vibration impacts associated with development projects are usually related to the use of heavy construction equipment during the demolition and grading phases of construction. Construction can generate varying degrees of ground vibration, depending on the construction procedures and equipment. The effect on buildings in the vicinity varies depending on soil type, ground strata, and receptor-building construction. The effects from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures.
For reference, a peak particle velocity of 0.2 in/sec PPV is used as the limit for nonengineered timber and masonry buildings (which would apply to the surrounding residential structures) (FTA 2018). Vibration levels for typical construction equipment at a reference distance of 25 feet and at the nearest sensitive-receptor buildings 120 feet to the south. During construction of the Proposed Project, vibration would not exceed the threshold of 0.2 in/sec PPV, and impacts would be less than significant.

Operational Vibration

The Proposed Project would include bus movement activity at the Project Site. However, since the Project's bus movements would be at lower speeds than freeways and over smooth surfaces (not roadways in poor conditions), project-related vibration associated with bus activity would not result in excessive groundborne vibrations—no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial groundborne vibration associated with the project, such as rail or subways. The Proposed Project would not create or cause any vibration impacts due to operations.

Findings:

Impacts related to vibration annoyance would be less than significant and no mitigation measures are necessary.

12. Public Services

Impact 5.12-1: The Proposed Project would not affect response times or other performance objectives that would result in the need for new or physically altered fire protection facilities, the construction of which would cause significant environmental impacts.

Support for this environmental impact conclusion is fully discussed starting on page 5.12-10 of Section 5.12, *Public Services* of the DEIR and contained within responses to Comment Letter A1.

Construction

According to the California Department of Forestry and Fire Protection, the Project Site is in a very high fire hazard severity zone (VHFHSZ) in a local responsibility area (LRA); the likelihood is high that it would be exposed to a wildland fire and secondary effects of wildland fires.

Project construction activities could result in exacerbated fire risks due to sparks, dry vegetation, smoking, and weather, particularly in areas where construction activities are in proximity to surrounding open space areas (i.e., Phases 1, 2, and 4). Mitigation Measure W-1, would ensure fire prevention requirements are in place during all phases of construction activities. The Proposed Project would be required to comply with the most currently adopted fire codes, building codes, and nationally recognized fire and life safety standards of Malibu, Los Angeles County, and the State of California. Compliance with these codes and standards is ensured through the City's and LACoFD's development review and building plan check process.

Additionally, in the event of an emergency at the Project Site that requires more resources than Station 71 could provide, LACoFD would direct resources to the site from other nearby stations, including Fire Station 99 (3.9 miles from the Project Site), Fire Station 88 (8.9 miles from the Project Site), and Fire Station 70 (11.1 miles from the Project Site). If necessary, LACoFD could request assistance from other nearby fire departments, including the City of Los Angeles Fire Department and the Ventura County Fire Department. Therefore, construction of the Proposed Project would not affect response times or other performance objectives that result in the need for new or physically altered fire protection facilities, the construction of which would cause significant environmental impacts. Construction impacts would be less than significant.

Operation

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site. According to the

LACoFD's Planning Division, the fire services need in the City of Malibu are currently being met, and there are no plans for additional resources, personnel, and equipment in the Project Area. Additionally, though new development projects may create greater demands on existing resources, the Proposed Project would have a negligible effect on service standards (LACoFD 2020) (see Appendix L). Therefore, operation of the Proposed Project would not increase the requirement for fire protection facilities and personnel, would not adversely affect the LACoFD's ability to provide adequate service, and would not require new or expanded police facilities that could result in adverse environmental impacts. Operational impacts of the Proposed Project would be less than significant.

Findings:

Impacts to LACoFD response times or other performance objectives would be less than significant and no mitigation measures are necessary.

Impact 5.12-2: The Proposed Project would not affect response times or other performance objectives that result in the need for new or physically altered police protection facilities, the construction of which would cause significant environmental impacts.

Support for this environmental impact conclusion is fully discussed starting on page 5.12-12 of Section 5.12, *Public Services* of the DEIR and contained within Responses to Comment Letter A2.

Construction

Access to the Project Site and the surrounding areas could be affected by construction of the Proposed Project. Temporary construction-related traffic could delay or obstruct the movement of LASD vehicles within or through the project area. However, construction traffic would be scheduled in concert with the operations of the school, ensuring that trucks are not moving in or out during drop-off or pick-up times. Additionally, designated construction staging areas would be implemented for stockpiling and storage of construction equipment, and all workers would be expected to park within the site limits. The District would provide notice of construction activities that would affect access to emergency facilities. Any disruptions in access would be temporary and short term. Therefore, the Proposed Project would not adversely affect the LASD's ability to provide adequate service during construction of the Proposed Project and would not require new or expanded police facilities that could result in adverse environmental impacts. Impacts would be less than significant.

Operation

The Malibu/Lost Hills Station currently has 130 sworn personnel and 30 professional staff, and the station can serve the Proposed Project with existing facilities. Implementation of the Proposed Project is not anticipated to significantly increase LASD's response times to either to the Project Site or the surrounding vicinity; however, in the event of an emergency at the Project Site that requires more resources than the Malibu/Lost Hills Station could provide, LASD would direct resources to the site from other nearby stations, including the Marina Del Rey Sheriff's Station and the West Hollywood Sheriff's Station. If necessary, LASD can

request assistance from other nearby police/sheriff's departments, including the Santa Monica Police Department, the Los Angeles Police Department, and the Ventura County Sheriff's Department.

The Proposed Project is intended the modernize the campus facilities and retain the existing capacity of 1,200 students (750 high school students and 450 middle school students). The Proposed Project would not include a residential component that would directly increase the residential population in the area, so the student and staff populations of the school are not anticipated to increase. Thus, according to the LASD's Facilities and Planning Bureau, the Malibu/Lost Hills Station would be able to serve the Proposed Project with existing facilities. Although the Proposed Project would be open to community use in addition to the student population, which could pose the need for additional resources, the station could meet the increased needs with the existing resources and personnel (LASD 2020) (see Appendix L). Implementation of the Proposed Project would comply with all applicable building codes and safety standards of Malibu, Los Angeles County, and the State of California. Therefore, the Proposed Project would not adversely affect the LASD's ability to provide adequate service and would not require new or expanded police facilities that could result in adverse environmental impacts. Impacts would be less than significant.

Findings:

Impacts to LASD response times or other performance objectives would be less than significant and no mitigation measures are necessary.

13. Recreation

Impact 5.13-1: Project implementation would not result in environmental impacts to provide new and/or expanded recreational facilities.

Support for this environmental impact conclusion is fully discussed starting on page 5.13-9 of Section 5.13, *Recreation* of the DEIR.

The Proposed Project includes the improvement of existing publicly available recreational facilities and amenities within the Project Site, including the middle school gymnasium/fitness center (Building D), and the high school gymnasium (Building J). Additionally, new recreational shared facilities would be developed, including an aquatics center/field house (Building L) and pool, and the upper field house (Building M). The improved shared facilities would be built to the north of the Middle School and High School Cores and west of the existing Main Sports Field. The Boys & Girls Club building would be relocated from its current location north of the pool and the existing Building J to the northwestern portion of the campus, north of Parking Lot E and south of the tennis courts.

A new field house (Building M) would be constructed for the existing baseball and softball fields, and one for the existing athletic field (Building L). Additionally, the Proposed Project would add two new tennis courts to the existing tennis court area on the northern side of the Project Site. The Proposed Project would also extend pedestrian trails throughout the campus that would start along the ESHA on the west and connect to a larger system of existing walking

trails around the Equestrian Park and surrounding hills to improve pedestrian circulation and connect to the larger existing pedestrian trail network on District property. The pedestrian trails along the ESHA would include turnouts, which would be used as outdoor learning spaces overlooking the ESHA within 50 feet of the ESHA boundaries. No changes to equestrian uses or trails would occur as part of the Proposed Project.

The Proposed Project would not involve any construction of recreational facilities beyond what is proposed to serve the existing and future students. Additionally, when the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, use of the playfields, common areas, and classrooms would be available for public use, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu Regarding the Joint Use of School District Facilities. Development and operation of new recreational facilities and amenities in the Project Site may have an adverse physical effect on the environment, including impacts relating to air quality, lighting, noise, and traffic. As demonstrated in this DEIR, the development of recreational facilities and amenities in the Project Site would not result in significant impacts to the environment. Therefore, implementation of the Proposed Project would result in less than significant impacts related to new and/or expanded recreational facilities.

Findings:

Impacts to recreational facilities would be less than significant and no mitigation measures are necessary.

14. Transportation

Impact 5.14-1: The Proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-16 of Section 5.14, *Transportation* of the DEIR and contained within Responses to Comment Letter R3 (see A3-40 and A3-41). The Proposed Project would be confined to the Project Site and would not construct or modify the surrounding circulation network, including roads transit, bicycle, and pedestrian facilities. Therefore, the Proposed Project would not conflict with any regulations set forth by the City of Malibu's General Plan and/or LCP. Therefore, the Proposed Project would not conflict with a program, plan, ordinance, or policy regarding public transit, roadway, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Impacts would be considered less than significant.

Findings:

Impacts to a program, plan, ordinance, or policy addressing the circulation system would be less than significant and no mitigation measures are necessary.

Impact 5.14-2: The Proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Support for this environmental impact conclusion is fully discussed starting on page 5.14-23 of Section 5.14, *Transportation* of the DEIR.

Construction Vehicle Miles Traveled

Construction of the Proposed Project would require the mobilization of workers, vendors, equipment, and haul trucks to and from the Project Site, which would generate a temporary increase in traffic and may cause delays on roadways adjacent to the Project Site. However, the increase in trips and the subsequent increase in VMT to the Project Site would be temporary and vary with the level of effort necessitated by each phase of construction. To further reduce the amount of VMT to the Project Site, the construction management team can include strategies to encourage workers to carpool or use transit when possible and source materials and equipment locally. Thus, increases to VMT during construction activities would be considered negligible and construction-related VMT impacts would be considered less than significant.

Construction traffic during Phases 2 through 4 would add vehicle trips to the Project Site; however, construction activities would not establish permanent traffic patterns that would contribute to ongoing VMT increases. The nature of construction activities requires employee and truck trips from one phase work area to the next as construction suppliers and employees work on different phases. Any subsequent increase in VMT to the Project Site during construction would be temporary. Therefore, impacts would be considered less than significant.

Operation

The Proposed Project would not increase the student or employment population at MMHS, and the attendance boundaries of the school would not change; the Proposed Project would not result in more vehicle trips to and from the school during operation of the Proposed Project when compared to existing conditions. In addition, the Proposed Project would not modify primary site access locations and traffic patterns—which could potentially result in an increase in the average trip lengths. Because total VMT is a function of the total number of trips multiplied by the average trip lengths, the Proposed Project would not result in a VMT increase. Therefore, impacts related to VMT associated with full buildout of the Proposed Project would be considered less than significant.

Bus Barn Relocation Assessment

The existing bus barn would be relocated to the east of Parking Lot A within the District-owned Malibu Equestrian Park as part of Phase 4 of the Project. The relocated bus barn would hold up to five buses; however, three buses would typically be in operation, and would operate from 6:45 a.m. to 6:00 p.m. every weekday. No refueling or maintenance will occur at the new bus barn. Due to the operation of three buses, bus access would continue to come from Morning View Drive, and the impacts to the circulation network and changes in VMT would

be negligible. Therefore, impacts related to VMT as a result of the new bus barn, would be considered less than significant.

Findings:

Impacts to CEQA Guidelines section 15064.3, subdivision (b)would be less than significant, and no mitigation measures are necessary.

15. Utilities and Services Systems

Impact 5.15-1: Existing and/or proposed water, wastewater, stormwater, electric, natural gas, and telecommunication facilities would be able to accommodate Project-generated utility demands.

Support for this environmental impact conclusion is fully discussed starting on page 5.15-19 of Section 5.15, *Utilities and Services Systems* of the DEIR and contained within Responses to Comment Letter A3 (see A3-36).

All utility infrastructure improvements (specifically water, electrical, natural gas, telecommunications) would be developed internal to the Project Site during each phase of construction. Therefore, the environmental effects of these upgraded infrastructures are evaluated in each chapter of this DEIR and mitigation is required where necessary.

Following full buildout of the Proposed Project, the school would operate under the same staffing and enrollment capacity as under current conditions. Larger off-site improvements to connecting facilities would not be necessary. Additionally, the new structures would be developed with modernized building materials and fixtures meeting current code requirements, resulting in a more efficient use of utilities. Impacts associated with the replacement of the existing on-site wastewater treatment systems (the 10 septic systems) are addressed in Impact 5.6-4. Impacts associated with stormwater drainage are discussed in Impact 5.9-4. Therefore, the Proposed Project would result in less than significant impacts regarding the relocation or construction of new or expanded utilities.

Findings:

Impacts to existing and/or proposed water, wastewater, stormwater, electric, natural gas, and telecommunication facilities would be less than significant, and no mitigation measures are necessary.

Impact 5.15-2: Available water supplies are sufficient to serve the Proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years.

Support for this environmental impact conclusion is fully discussed starting on page 5.15-19 of Section 5.15, *Utilities and Services Systems* of the DEIR.

The Proposed Project would not increase the student or staff population within the proposed high school or middle school; thus, there would be no net change in indoor water supply as a result of the Proposed Project. Additionally, the majority of the Project Site that would require irrigation, including the sports fields and landscaped areas throughout the campus, would remain unchanged; thus, there would be no net change in outdoor water supply.

The Proposed Project would be designed using applicable green building practices, including those of the most current Building Energy Efficiency Standards (Title 24, CCR, Part 6) and California Green Building Standards Code (CALGreen; Title 24, CCR, Part 11). The Building Energy Efficiency Standards contain water efficiency requirements for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Therefore, the Project Site would have sufficient water supplies available to serve the students, staff, and MMHS campus and reasonably foreseeable future development during normal, dry, and multiple-dry years; and impacts to available water supplies would be less than significant.

Findings:

Impacts to available water supplies would be less than significant and no mitigation measures are necessary.

Impact 5.15-3: Project-generated wastewater could be adequately treated by the wastewater service provider for the Proposed Project.

Support for this environmental impact conclusion is fully discussed starting on page 5.15-20 of Section 5.15, *Utilities and Services Systems* of the DEIR and contained within Responses to Comment Letter A3 (see A3-36).

The Proposed Project would include adequate infrastructure to serve the Project Site, including the reconfiguration of existing septic systems. The Project Site currently has 10 onsite waste treatment systems on the former JCES and MMHS campuses. The Proposed Project would result in 7 total septic systems. The Proposed Project would remove septic systems 6 through 11 and would add five septic systems that would be developed under the Proposed Project in the following locations:
Proposed septic systems would include an appropriately sized, two-compartment, fiberglass septic tank. The location of the septic tanks, and associated leach fields would be reviewed as part of each phase. However, the proposed septic systems would be designed and sited to avoid impacts to the ESHA, and all septic systems would be more than 100 feet from the ESHA.

Decommissioning and modifications of the existing septic systems and the addition of the replacement infrastructure would not be anticipated to disrupt service on the Project Site. Modifications to the wastewater and drainage system would have the capacity to adequately serve the Project Site during all phases of the Proposed Project, and Project-generated wastewater would be adequately treated. Therefore, impacts would be less than significant.

Findings:

Impacts to wastewater would be less than significant and no mitigation measures are necessary.

16. Wildfire

Impact 5.16-2: Future development on the Project Site pursuant to the Proposed Project could require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities)

that may exacerbate fire risk or result in temporary or ongoing impacts to the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.16-21 of Section 5.16, *Wildfire* of the DEIR.

The Proposed Project would not require the installation of new power lines or other off-site utilities, including infrastructure for emergency/fire water lines. The proposed domestic and fire water lines would connect to the existing 12-inch public water main on Morning View Drive, and water would be supplied by the Los Angeles County Waterworks District No. 29. An "islandable microgrid," or ground-mounted PV solar array system with battery storage and energy control center would be constructed to avoid loss of instruction at MMHS due to mandated public utility shutdowns to prevent fires. The PV system would be installed on the sloping hillside to the south of the existing Lot A and the main sports field and to the north and northwest of Building E (core classrooms building). A 500 to 1,000 kW-hour battery storage system would be installed. Though battery storage systems generally burn with difficulty, they can burn or become damaged by fire and generate fumes and corrosive gases. Dry chemicals, carbon dioxide, and foam are the preferred methods for extinguishing a fire involving batteries—water is not effective. Class D extinguishers are used for lithium-metal fires only. To further increase safety, the battery units are usually low voltage, encased in a steel enclosure, and set apart from combustible materials. The battery storage system would have a fire rating in conformance with CBC and CFC standards and local fire codes. The structure would also have cooling systems to maintain cool temperatures within the unit. Compliance with all applicable laws, regulations, and design standards would minimize the potential impacts to the public or environment due to the installation or maintenance of associated infrastructure that may exacerbate fire risk. Impacts would be less than significant.

Findings:

Impacts that may exacerbate fire risk would be less than significant and no mitigation measures are necessary.

D. FINDINGS ON IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The following summary describes impacts of the Proposed Project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the DEIR, these impacts would be considered less than significant.

1. Aesthetics

Impact 5.1-4: The Proposed Project could generate additional light and glare.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-52 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letter A5 (see A5-9 through A5-17) and R3 (R3-6, R3-18, and R3-21).

The Proposed Project would occur on the currently developed former JCES and MMHS campuses, in an area visually characterized as a rural residential neighborhood. There is a potential for the new marquee signs, pool lighting, campus lighting configuration, and new building surfaces to adversely affect nighttime views in the area and result in substantial glare. Therefore, impacts are considered potentially significant. Mitigation Measures AES- 1 and AES-2 would require that each of the light sources will be directed onto the Project Site or campus and will be equipped with a visor that will further direct the lighting downward, reducing the potential for spill lighting outside of the parking lots and the access road. Implementation of Mitigation Measure AES-3 would ensure that night lighting not required for security is restricted to 10:00 p.m. on school nights and would not be operated when school is not in session. Mitigation Measure AES-4 would require the use of nonreflective textured surfaces on building exteriors, as well as prohibiting the use of reflective glass.

Mitigation Measures

AES-1 To minimize spill lighting and glare impacts, all lighting from the Proposed Project, including from pool lighting, shall be LED, have full-cutoff shielding, be aimed specifically to direct areas.

AES-2 Atmospheric lighting pollution shall be reduced by using full cut-off shielded lighting fixtures that eliminate light directed to the sky. Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.

AES-3 Santa Monica-Malibu Unified School District (SMMUSD) shall minimize the effects of new sources of night lighting. Such measures, which may include the following and/or other measures, will be incorporated into each phase of the Proposed Project's design and operation:

- All exterior lighting shall be delineated as either "night lighting" or "security lighting" and controlled by separate automatic timers. Lights delineated as security lighting shall be determined by the campus principal, security, and facility manager.
- All lighting delineated as "night lighting" shall be shut off automatically at 10:00 p.m. on school nights. This includes pool lights.
- When operation of "night lighting" is necessary after 10:00 p.m., SMMUSD as operator of the Project Site shall provide notice to the community by posting such notice on the campus website and the school message board and marquee.
- When school is not in session (such as summer and winter break and weekends), "night lighting" shall not be permitted, and only required security lighting shall be illuminated.

AES-4 All structures shall incorporate nonreflective exterior building materials in their designs, and the use of reflective glass shall be prohibited.

AES-5 Pool and deck lighting shall comply with Malibu Dark Sky Ordinance. Pool lighting shall be turned off within ½ hour of aquatic use, and the 2-foot candle safety perimeter lighting shall be turned off with all other automatic campus lighting.

Findings:

Mitigation Measures AES-1 through AES-5 would reduce potential impacts related to an increase in light and glare for the general outdoor lighting program to a level that is less than significant and no significant unavoidable adverse impacts relating to aesthetics would result.

2. Air Quality

Impact 5.2-4: The Proposed Project could expose sensitive receptors to substantial pollutant concentrations during construction.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-32 of Section 5.2, *Air Quality* of the DEIR.

Construction-Phase LSTs

Screening-level LSTs (pounds per day) are the amount of Project-related mass emissions at which localized concentrations (ppm or μg/m3) could exceed the AAQS for criteria air pollutants for which the SoCAB is designated nonattainment. The screening-level LSTs are based on the Project Site size and distance to the nearest sensitive receptor and are based on the California AAQS, which are the most stringent AAQS, established to protect sensitive receptors most susceptible to respiratory distress. Construction of the Proposed Project would not generate construction-related on-site emissions that would exceed the screening-level LSTs. Thus, Project-related construction activities would not have the potential to expose sensitive receptors to substantial pollutant concentrations. Therefore, localized air quality impacts from construction activities would be less than significant.

Construction Health Risk

The Proposed Project would elevate concentrations of TACs (i.e., DPM) in the vicinity of sensitive land uses during construction activities. The nearest sensitive receptors to the Project Site are the on-site students who will be on campus during periods of construction activity and the single-family residence to the northwest on Via Cabrillo Street. Consequently, a site-specific construction HRA of TACs was prepared. The results of the HRA are based on the maximum receptor concentration over an approximately nine-year construction exposure duration for off-site receptors.

- Cancer risk for the maximum exposed off-site resident from construction activities related to the Proposed Project were calculated to be 19.0 in a million and would exceed the 10 in a million-significance threshold.

- Cancer risk for the maximum exposed on-site student receptor from construction activities would be 10.3 in a million and would also exceed the 10 in a million-significance threshold.

- For non-carcinogenic effects, the chronic hazard index identified for each toxicological endpoint totaled less than one for all the off-site sensitive receptors. Therefore, chronic non-carcinogenic hazards are less than significant.

Because cancer risks for the off-site residential MER and the student MER would exceed South Coast AQMD significance threshold, construction activities associated with the Proposed Project are potentially significant. Mitigation Measure AQ-1 in Section 5.2.4 would ensure that air quality-related impacts associated with health risk in sensitive populations would be reduced.

Mitigation Measures

AQ-1 Construction bids for Phase 1 through 4 activities at the Project Site shall specify use of off-road equipment that meets the United States Environmental Protection Agency (US EPA) Tier 4 interim emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated that such equipment is not available. In the event the equipment is not available, as demonstrated by the contractor, Tier 3 equipment retrofitted with a California Air Resources Board's Level 3 Verified Diesel Emissions Control Strategy (VDECS) shall be used. The following shall be specified in the construction bid:

- Construction contractors shall use engines that meet US EPA Tier 4 Interim emission standards for equipment over 50 horsepower.
- Construction contractors shall maintain a list of all operating equipment in use on the Project Site in use for more than 20 hours for verification by the District. The construction equipment list shall state the makes, models, and number of construction equipment on-site.
- Construction contractors shall ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.
- Construction contractors shall communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449. Construction contractors shall be responsible for ensuring that this requirement is met.

Findings:

Implementation of Mitigation Measure AQ-1 would reduce potential impacts associated with air quality below the South Coast AQMD cancer risk threshold of 10 in a million. Therefore, the Proposed Project would not expose off-site nor on-site sensitive receptors to substantial concentrations of air pollutant emissions during construction and impacts would be reduced to a level that is less than significant with mitigation. Therefore, no significant unavoidable adverse impacts relating to air quality have been identified.

3. Biological Resources

Impact 5.3-1: Development of the Proposed Project could impact sensitive species.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-70 of Section 5.3, *Biological Resources* of the DEIR and contained within Reponses to Comment Letter A3 (see entire letter).

Common Wildlife

The Proposed Project would result in the loss of approximately 0.60 acre of native habitat over all phases. The Proposed Project would also impact approximately 16.87 acres of developed/ornamental vegetation and a total of approximately 1.97 acres of impacts to disturbed areas. A total of 1.01 acres of non-native or weedy vegetation (turf and upland mustards) would be impacted. A total of 0.29 acre of ornamental – planted habitat would be impacted by the Proposed Project. Removing or altering non-native habitats on the Project Site would result in the loss of small mammals, reptiles, amphibians, and animals of slow mobility that live in the Proposed Project's direct impact area. More mobile wildlife species now using the Project Site would be forced to move into remaining areas of open space, consequently increasing competition for available resources in those areas. This situation may result in the loss of individuals that cannot successfully compete. The loss of native and non-native vegetation that provides wildlife habitat is considered an adverse impact. However, the loss of a small pocket of native habitat (0.60 acre) and disturbed, developed, and/or non-native habitat (20.14 acres) would not be expected to reduce wildlife populations below self-sustaining levels because the combined 20.74 acres of degraded habitat are expected to support small numbers of individuals due to the existing habitat's marginal suitability for resident wildlife based on its fragmented nature, lack of species diversity and connectivity to adjacent native habitat, combined with existing developed areas surrounding the Proposed Project. Therefore, impacts to these areas are considered adverse but less than significant, and no mitigation would be required.

Special Status Plants

No impacts to special status plants would occur through Project implementation because no special status plants currently occur and are not expected to occur in the future within the Project impact area for all Phases. Habitat suitability for special status plants is expected to stay at baseline or degrade further in the future due anticipated future development in the surrounding area. Therefore, no impacts to special status plants would occur with Project implementation, and no mitigation would be required.

Special Status Wildlife

One special status reptile has the potential to occur in the Project impact area, the San Diegan tiger whiptail. Project implementation would result in the loss of 0.31 acre of potentially suitable habitat types (e.g., California sagebrush scrub, coyote brush – California sagebrush scrub/upland mustards, and riparian herb) for this species. This 0.31 acre would support very small numbers of individuals and the loss is considered very small due to the fragmented and degraded nature of this habitat. These impacts would be considered adverse but not substantial

enough to cause regional populations to drop below self-sustaining numbers. Therefore, these impacts are considered less than significant, and no mitigation would be required.
A burrowing owl was incidentally observed to be wintering on the Project Site in the north-central portion of the site (outside of the Project impact area). Implementation of Phase 3 may directly impact 0.17 acre of because no potentially suitable habitat for the burrowing owl, while implementation would be directly impacted. of Phases 2 and 4 may indirectly impact the burrowing owl, if present in adjacent potentially suitable habitat. Any impacts to burrowing owl would be considered potentially significant. No breeding burrowing owls have ever been observed. Implementation of Mitigation Measure, BIO-1, which requires adherence to the CDFW Burrowing Owl Mitigation Guidelines, would reduce potential impacts to less than significant.

If construction is initiated during nesting season for passerines and raptors (i.e., February 1–August 31), it could impact nesting birds protected by the MBTA and California Fish and Game Code sections 3503, 3503.5, and 3513. Common raptor species including owls have the potential to nest on the Project Site. Should an active raptor nest be found on the Project Site, the loss of an active nest would be considered a violation of the California Fish and Game Code sections 3503, 3503.5, and 3513. The loss of any active bird or raptor nest would be considered a potentially significant impact. Implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection would reduce this impact to a less than significant level.

The western mastiff bat has the potential to occur in the BSA for foraging. There is no suitable roosting habitat in the BSA. Construction activities would only occur during daylight hours; therefore, nocturnal foraging would continue to be available over the Project impact area throughout the duration of construction and would remain unchanged following completion of the Proposed Project. There are no impacts to western mastiff bat would occur with Project implementation and mitigation would not be required.

Noise Impacts

During construction and operation, temporary noise impacts have the potential to disrupt foraging, nesting, roosting, and/or denning activities for wildlife species occurring within or adjacent to Project Work Areas. Although final use may slightly increase noise over ambient, it would be less than construction. Wildlife species stressed by noise may disperse from the habitat located in the immediate vicinity of the Proposed Project. Because the Proposed Project disturbance areas are limited in extent, this impact is considered adverse but less than significant and no mitigation would be required. However, if raptor species are nesting in the vicinity of the Proposed Project during construction, they may be temporarily displaced by construction noise. Indirect noise impacts on these species would be considered significant because nesting birds are protected by the California Fish and Game Code. Impacts on active nests would be reduced to a less than significant level with implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection.
Mitigation Measures

BIO-1 Pre-Construction Burrowing Owl Surveys and Avoidance: In the year prior to initiation of Proposed Project activities in Phase 4, and/or before

recommencing construction activities if suspended/delayed for six months or more, a qualified biologist shall conduct pre-construction burrowing owl surveys in accordance with the 2012 CDFW Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CDFW 2012). If wintering or breeding burrowing owl are observed adjacent to the impact area, mitigation shall be conducted in accordance with the CDFW guidelines (CDFW 2012).

BIO-2 Pre-Construction Nesting Bird Surveys: To the extent possible, vegetation removal shall be conducted during the non-breeding season (i.e., September 1 to January 31) in order to minimize direct impacts on nesting birds and raptors. If construction activities would be initiated during the breeding season for nesting birds/raptors (i.e., February 1–August 31), a pre-construction survey will be conducted by a qualified Biologist within three days prior to the initiation of construction (including demolition of structures). If construction activities are delayed or suspended for more than 7 days during the breeding season, nesting bird surveys shall be repeated before construction activities can begin or restart. In addition, nesting bird surveys shall be conducted prior to starting phased Project construction and activities. The absence of nesting birds and raptors shall be considered valid only until the following breeding season. The area will be surveyed for 2 hours between dawn and 10:00 AM on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, on at least three of the surveys, surveys will also be conducted during the period immediately before nightfall. The nesting bird/raptor Survey Area will include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors (including burrowing owl). If the Biologist does not find any active nests in or immediately adjacent to the impact area, construction activities can proceed.

If the Biologist detects an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted by increased activity around the nest, the Biologist shall determine an appropriate protective buffer around the nest depending on the sensitivity of the species and the nature of the construction activity. The protective buffer shall be between 25 to 300 feet for nesting birds; 300 to 500 feet for nesting raptors. The active nest will be protected within the designated buffer until nesting activity has ended. Any protective buffers will be mapped on construction plans and designated as "Environmentally Sensitive Areas". Construction can proceed within the protective buffer when the qualified Biologist has determined that the nest is no longer active (i.e., fledglings have left the nest or the nest has failed).

Findings:

Implementation of Mitigation Measure BIO-1 and BIO-2 would reduce potential impacts to special status species to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

Impact 5.3-2: Development of the Proposed Project would result in the loss of sensitive habitat types.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-72 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A3 (see entire letter).

Direct Impacts to Sensitive Habitat Types

The vegetation types including California sagebrush, coyote brush, upland mustard, riparian herb, California sycamore, and ornamental-native planting are all common throughout the region. The special status vegetation type that occurs in the BSA, arroyo willow thicket, would not be impacted during Project implementation, therefore mitigation would not be required. Vegetation types in the BSA may change over the course of time. In order to ensure no special status vegetation types are impacted during the course of the Proposed Project, Mitigation Measure BIO-3 is included which requires future assessments of vegetation types to ensure conditions remain the same. If impacts to special status vegetation types are anticipated, Mitigation Measure, BIO-4, which requires habitat restoration, would be implemented to ensure impacts are reduced to less than significant.

Environmentally Sensitive Habitat Area
During the early stages of the specific planning process, among other Project objectives, the District recognized that the ESHA offered opportunities to enhance their educational goals of providing for outdoor learning spaces and interpretive opportunities; as well as providing an opportunity to restore the natural environment and improve campus connectivity through the development of the proposed pedestrian pathways. The District recognized that the existing conditions included incompatible development into the edge of the ESHA bank as well as the degraded nature of the ESHA itself. In discussions with the CCC, the District decided that it could restore the degraded drainage comprised of approximately 0.7 acres as well as 1.35 acres of upland areas within the ESHA's 50-foot buffer, and still meet the educational and design goals for the campus. In addition, within the remaining 100 feet beyond the 50-foot ESHA buffer, the Proposed Project would include land uses compatible with the natural habitat that would not incur in significant impacts to the natural habitat, including a looping trail, and interpretive stations overlooking the ESHA.

The ecological benefits of the restoration will increase the diversity and cover of native riparian and upland plants within the ESHA and its 50-foot buffer by the removing non-native species (including those rated by the California Invasive Plant Council); improve conditions for wildlife species including pollinator species that rely on wetland, riparian, and adjacent upland habitats for food and shelter; and reduce erosion and sedimentation. Additional benefits include the use of permeable material for the trails and parking stalls within the 100-foot buffer

to provide a more natural hydrologic balance and reduce the runoff volume by trapping and slowly releasing precipitation into the ground instead of allowing it to flow into receiving waters as effluent.

The restoration of the degraded 0.7 acre of drainage and 1.35 acres of upland areas within the ESHA's 50-foot buffer does not constitute mitigation for any significant impact to a biological resource, but rather is a voluntary effort on the part of the District that would be implemented during Phase 1 construction of the Proposed Project as well as Phase 4A construction planned for the future. Therefore, impacts to the ESHA would be less than significant.

Mitigation Measures

BIO-3 Vegetation Assessments: Vegetation types shall be verified prior to work activities occurring in Phases 2 and 4 if seven years have elapsed from the latest point in time the vegetation mapping described in this Biological Assessment was conducted (April 15, 2021). Vegetation types in the BSA shall be assessed during a field visit and compared to the vegetation types mapped and described herein. Any changes shall be documented in a revised vegetation map and provided to the City of Malibu and the District. Special status vegetation types shall be identified, and if impacts are anticipated, the Proposed Project shall comply with Mitigation Measure, BIO-4.

BIO-4 Special Status Vegetation Types: The loss of special status vegetation types within the impact area is considered a significant impact. These vegetation types will be restored onsite or, if appropriate, offsite at a ratio of not less than 1:1, as agreed to by the City of Malibu and the District. A revegetation program shall be implemented in accordance with a City-approved landscape palette on all graded areas not utilized for improvements or structures. The revegetation program will be submitted to the City of Malibu for review and approval by a qualified biologist prior to issuance of grading permits. Restoration will consist of seeding and container planting of appropriate species. Impacts are considered less than significant after implementation of the following measures:

A detailed restoration program will be developed prior to map recordation and implemented, and will contain the following items:

- Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the landowner, specialists, and maintenance personnel that will supervise and implement the plan will be specified.
- Site selection. The site(s) for mitigation will be determined in coordination with the District and the City of Malibu. The site will be located in a dedicated open space area and will be contiguous with other natural open space areas.

- Site preparation and planting implementation. The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) erosion control measures (i.e., rice or willow wattles), and 6) native seed mix application.
- Schedule. Establishment of restoration/revegetation sites will be conducted between October 1 and January 30. Seeding and planting of container plants will take place immediately after preparation of the restoration sites.
- Maintenance plan/guidelines. The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.
- Monitoring Plan. The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the City, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the City for three to five years. The monitoring will be conducted for three to five years, depending upon the performance of the mitigation site.
- Long-term preservation. Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- Performance standards will be identified and will apply for the revegetation of special status vegetation types. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing, restored, and created habitat areas.
- In addition, earth-moving equipment will avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the construction boundary limits will be marked by the construction supervisor and the Project biologist. These limits will be identified on the grading plan. The District will submit a letter to the City of Malibu verifying that construction limits have been flagged in the field. No earth-moving equipment will be allowed outside of the construction boundary.

Findings:

Implementation of Mitigation Measure BIO-3 and BIO-4 would reduce potential impacts to sensitive habitat types to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

Impact 5.3-3: The Proposed Project would impact approximately 0.033 acres of USACE Jurisdiction, 0.033 of RWQCB Jurisdiction, and 0.033 of CDFW Jurisdiction waters.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-80 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A3 (see A3-15 through A3-19).

Jurisdictional Resources

The Proposed Project would impact a total of 0.033 acres of waters under the jurisdiction of RWQCB. Phase 4A of the Proposed Project would impact a total of 0.033 acres of waters under the jurisdiction of CDFW. No other Phase of the Project impacts jurisdictional features. Jurisdictional resources are protected by sections 401 and 404 of the CWA and by the California Fish and Game Code sections 1600 through 1616. Impacts on jurisdictional resources would be significant and would require permitting with each of the resource agencies. Implementation of Mitigation Measure, BIO-5 would reduce this impact to less than significant.

Mitigation Measures

BIO-5 RWQCB and CDFW Jurisdiction Areas: Upon completion of construction activities, impacts to approximately 0.033 acre of non-wetland RWQCB and CDFW jurisdictional waters will be mitigated within the Proposed Project boundaries at a minimum ratio (i.e., no less than) of 1:1) through the creation of 0.033 acre of non-wetland jurisdictional waters. Acquisition of a section 1602 "lake or streambed alteration" agreement from the CDFW and waste discharge requirements from the RWQCB would be required.

Prior to the final submittal of a Report of Waste Discharge from the RWQCB, and/or CDFW notification of lake or streambed alteration, the District will develop a mitigation plan for the RWQCB, CDFW, and City of Malibu. The objective of the mitigation is to ensure no net loss of habitat values as a result of the Proposed Project. The detailed restoration program shall contain the following items:

- *Responsibilities and qualifications of the personnel to implement and supervise the plan.* The responsibilities of the landowner, specialists and maintenance personnel that would supervise and implement the plan will be specified and shall include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.

- *Site selection.* The site(s) for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The site will be located in a dedicated open space area and will be contiguous with other natural open space.
- *Site preparation and planting implementation.* The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) temporary irrigation installation, 6) erosion control measures (i.e., rice or willow wattles), 7) native seed mix application, and 8) native container species.
- Schedule. A schedule will be developed which includes planting and seeding to occur in late fall and early winter, between October 1 and January 30 in order to optimize the successful establishment and germination of native plants and seeds.
- Maintenance plan/guidelines. The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.
- Monitoring Plan. The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the resource agencies for three to five years. Coordination will take place on a regular basis between the biological monitor, landscape contractor and irrigation specialist with regard to non-native species targeted for removal as well as irrigation schedule to ensure that the restoration in on track for achievement of performance criteria. In addition, remedial as well as contingency measures shall also be specified should the site not meet specified performance standards. The site will be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request from RWQCB and CDFW to be released from monitoring requirements.
- Long-Term Preservation. Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- Performance standards will be identified and will apply for the restoration of riparian habitat. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing and restored and/or created habitat areas. The qualifications of the personnel to implement and supervise the plan would include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall.

The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.

Findings:

Implementation of Mitigation Measure BIO-5 would reduce potential impacts to jurisdiction waters to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

Impact 5.3-5: The Proposed Project would require compliance with the local tree ordinance

Support for this environmental impact conclusion is fully discussed starting on page 5.3-81 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A1 (see A1-5).

The Project Site is not located within any other adopted Habitat Conservation Plan, Natural Community Conservation Plan, Environmentally Sensitive Habitat Area (ESHA), or similar plan and does not conflict with the provisions of any local guidelines or plans (Malibu LUP) for environmentally sensitive habitat areas. The Project Site is not located within, or proximate to, any Significant Ecological Area (SEA), Land Trust, or Conservation Plan (City of Malibu 2021cc).

Trees

The Malibu Local Coastal Program Native Tree Protection Ordinance protects five native tree species (oak [Quercus sp.], California walnut [Juglans californica], western sycamore [*Platanus racemosa*], alder [*Alnus rhombifolia*], and toyon [*Heteromeles arbutifolia*]) that have at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter. A number of protected trees have been mapped in the BSA. Protected tree species may occur within close proximity to Proposed Project activities. Impacts to protected trees may be potentially significant. Implementation of Mitigation Measure, BIO-6, which requires adherence to the Malibu Local Coastal Program Native Tree Protection Ordinance prior to the commencement of each Phase of construction, would reduce any potentially significant impacts to less than significant.

Mitigation Measures

BIO-6 **Adherence to City of Malibu Tree Protection Ordinance:** Prior to initiation of Proposed Project activities in each Phase of the Proposed Project, the tree survey map created for the Proposed Project (Appendix C) shall be consulted and if impacts to any protected trees are anticipated, the Proposed Project shall comply with mitigation included in the Malibu Local Coastal Program Native Tree Protection Ordinance.

Findings:

Implementation of Mitigation Measure BIO-6 would reduce potential impacts to local protected trees to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

4. Cultural Resources

Impact 5.4-2: Development of the Proposed Project could result in an impact on archaeological resources.

Support for this environmental impact conclusion is fully discussed starting on page 5.4-15 of Section 5.4, *Cultural Resources* of the DEIR.

No archaeological resources were identified within the Project Site; however, the soils underlying the Project Site (Pleistocene and Holocene alluvial sediments) and the records search results indicate that there are buried pre-contact resources near the vicinity of the Project Site. Therefore, there is a moderate to high potential for buried pre-contact resources to be uncovered during ground-disturbing activities, and impacts are considered potentially significant. Mitigation Measure CUL-1 requires a Qualified Archaeologist to conduct sensitivity training in advance of ground-disturbing activities for each phase and be retained and available during ground disturbance. It also provides measures to be taken in the event cultural resources are inadvertently discovered during construction.

Mitigation Measures

CUL-1 Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project:

- Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
- In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is

determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.

- If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per section 7050.5 of the California Health and Safety Code). The provisions of section 7050.5 of the California Health and Safety Code, section 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (section 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Findings:

Implementation of Mitigation Measure CUL-1 would reduce potential impacts to archaeological resources to less than significant. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified.

5. Geology and Soils

Impact 5.6-3: Future development in the Project Site could subject persons or structures to hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-19 of Section 5.6, *Geology and Soils* of the DEIR.

Landslides, Mud/Debris Flows, and Lateral Spreading

The potential for seismically induced landslides and lateral spreading at the Project Site are considered low and impacts would be less than significant. The potential for mud flow depends on soil type, water content, and degree of vegetation in the source zone. Mud flows have occurred in the Project area as a result of the 2018 Woolsey Fire, which burned and stripped vegetation and structures from the surrounding slopes. The loss of surficial support provided by vegetation combined with the accumulation of moisture from prolonged rain events in the loose and disturbed soil resulted in mud flows. Since the December 2018 mud flow event, the slopes above the campus have revegetated with light grasses, homes are being rebuilt, and drainage pathways corrected. A number of drainage diversion devices have been installed on-site, including K-rail barriers, earthen berm, gravel bag barriers, concrete channel with side walls, and debris rack cage to redirect stormwater and debris flows on-site Thus, based on the relatively gentle slope inclination (approximately 5 degrees) and long depositional zone (1,100 feet), which has a defined flow path, the likelihood of a debris flow from the source area causing significant structural damage to the MMHS campus is low. Although mud flows should be expected to impact the Project Site, the Proposed Project would use existing and improved drainage diversion devices such as sandbags, K-rails, and hydro barriers placed along the known flow paths to divert runoff to the west side channel. Therefore, impacts associated with mud flows would be less than significant.

Subsidence, Collapsible, Expansive, and Corrosive Soils

Since the geologic units encountered at the site are moderately hard to hard and are stiff to very stiff, overlying bedrock of the Monterey Formation, the risk of land subsidence or collapse is considered low. Therefore, impacts associated with subsidence and collapsible soils would be less than significant.

The composition of on-site materials is in the high to very high expansion range with an Expansion Index (EI) of 116 to 134. The Proposed Project would implement Mitigation Measure GEO-1, which would follow design recommendations listed in the geotechnical report prepared for the Proposed Project. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, use of nonexpansive soils, etc. Additionally, implementation of standard engineering and earthwork construction practices, such as proper foundation design and proper moisture conditioning of earthen fills, would reduce the effects associated with expansive soils. In addition, the Proposed Project would implement Mitigation Measure GEO-2, to prevent irrigation from being at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-

grade. Therefore, with the implementation of Mitigation Measure GEO-1 and GEO-2, impacts would be less than significant.

Mitigation Measures

GEO-1 Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.

GEO-2 Design recommendations regarding future irrigation systems identified in the Geotechnical Report shall be followed to ensure that irrigation shall not be allowed within at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Details of these recommendations are included in Appendix H.

Findings:

Implementation of Mitigation Measures GEO-1 and GEO-2 would reduce potential impacts of landslide, lateral spreading, subsidence, collapsible soils, or expansive soils to less than significant. Therefore, no significant unavoidable adverse impacts relating to geology and soils have been identified.

Impact 5.6-5: Build out of the Proposed Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature

Support for this environmental impact conclusion is fully discussed starting on page 5.6-22 of Section 5.6, *Geology and Soils* of the DEIR.

The Project Site is in an area with high paleontological sensitivity (the Monterey Formation geologic unit), and excavation into undisturbed sediments of the Monterey Formation have the potential to destroy undiscovered unique paleontological resources during construction of each of the Project phases.

Given that construction of the Proposed Project would involve ground-disturbing activities in an area of paleontological sensitivity, impacts are considered potentially significant. Implementation of Mitigation Measure CUL-1, which requires a Qualified Paleontologist to conduct sensitivity training in advance of ground-disturbing activities for each phase and to be retained and available during ground disturbance. It also provides measures to take if paleontological resources are inadvertently discovered during construction. With the implementation of Mitigation Measure CUL-1, impacts would be less than significant.

Mitigation Measures

CUL-1 Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall

ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project:

- Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
- In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.

    - If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
    - If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per section 7050.5 of the California Health and Safety Code). The provisions of section 7050.5 of the California Health and Safety Code, section 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (section 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment

of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Findings:

Implementation of Mitigation Measure CUL-1 would reduce potential impacts to paleontological resources to less than significant. Therefore, no significant unavoidable adverse impacts relating to geology and soils have been identified.

6. Noise

Impact 5.11-2: Project implementation would not result in permanent operation-related noise that would exceed established standards.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-20 of Section 5.11, *Nosie* of the DEIR contained within Responses to Comment Letter A5 (see A5-39).

Stationary Noise

Heating, ventilation, and air conditioning (HVAC) systems would be installed on the rooftops of various buildings, as they are now, so this type of noise already exists in the Project area. The nearest noise-sensitive receptors are residential uses to the south. Typical HVAC equipment generates noise levels ranging up to 72 dBA at a distance of 3 feet. The nearest proposed buildings with HVAC equipment (Building C) would be approximately 200 feet north of residential property lines across Morning View Drive (this is farther than existing Building C at JCES and MMHS Building A/B). At this distance, noise levels associated with HVAC equipment would attenuate to approximately 36 dBA. This would not exceed the exterior noise limit of 40 dBA for nighttime rural residential and would, therefore, be a less than significant impact.

Student and Other Community Use Recreational Noise

School hours would remain the same, from 8:00 am to 3:00 pm, with staff and students of the middle/high school arriving on campus between approximately 7:00 am and 8:00 am and leaving between approximately 3:00 pm and 5:00 pm, with occasional special events and community events during weeknights and/or weekends. When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act and SMMUSD policy permit community organizations and members to use school facilities by obtaining a Civic Center Act Permit from the District or the City of Malibu. Such uses already occur—e.g., soccer and softball practice/games, use of the pool, and use by the

Boys & Girls Club—and would continue under the Proposed Project. Since the Proposed Project does not propose to increase student capacity and the daily schedule would remain the same, student- and community-related use noise is expected to be similar to existing conditions. Activities on public playgrounds or private school grounds, including school athletic and school entertainment events, are exempt from the City's noise standards. Student recreational noise would be less than significant.

Bus Barn

The bus barn would be moved from its current location on campus to a District-owned location on the Malibu Equestrian Center. Operational characteristics would be the same as the existing bus barn. Bus testing begins at 6:00 am during school days. Startup testing includes momentary testing of horns and blinkers. Three buses would be in operation on a daily basis, with limited weekend operation. Buses depart the facility at 6:45 am and continuously use the facility until approximately 6:00 pm. Because of the varied bell schedules for middle and high schools, frequency and exact timing of use would vary day-to-day. Any maintenance, refueling, and washing activities happen at an off-site location, as under current conditions.
The nearest residential property lines to the proposed bus barn are approximately 30 feet to the south and west. Without mitigation, the relocation of the bus barn would exceed the nighttime noise standard of 40 dBA Leq for rural residential receiving uses and would be considered potentially significant. Implementation of Mitigation Measure N-2 would reduce this impact to a level of less than significant.

Traffic Noise

The Proposed Project would not result in an increase of student or staff capacity. Project-related traffic would be less than 1.5 dBA, with the exception of Clover Heights Avenue south of Harvester Road. However, ambient noise measurements at ST 1 indicate that the existing ambient is below 60 dBA. The threshold for traffic noise increases is 5 dBA when the existing ambient is less than 60 dBA CNEL. The traffic noise increase along this roadway segment is estimated to be 2.2 dBA, which would not exceed the 5 dBA threshold. Therefore, operational traffic impacts would be less than significant.
Mitigation Measures

N-2 The proposed bus barn shall be an enclosed structure constructed of wood, masonry, concrete, or other similar solid material (e.g., not corrugated metal). The structure will have no gaps and minimal window area. All bus testing shall be conducted inside the enclosed bus barn.

Findings:

Mitigation Measure N-2 would require that all future bus testing is conducted inside an enclosed structure with open doors facing away from sensitive receptors to the south and west. This would reduce bus barn noise levels by at least 25 dBA. With implementation of Mitigation Measure N-2, bus barn noise would be reduced to 39 dBA Leq or less at nearby residential property lines to the south and west, which would not exceed the nighttime threshold of 40 dBA Leq for rural residential uses. With implementation of Mitigation Measure N-2, impacts

to operational noise from the relocated bus barn would be reduced to a level of less than significant.

7. Transportation

Impact 5.14-3: Project circulation improvements have been designed to adequately address potentially hazardous conditions (sharp curves, etc.), and potential conflicting uses.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-25 of Section 5.14, *Transportation* of the DEIR and contained within Responses to Comment Letter R3 (R3-7, R3-11, and R3-16).

Construction

Construction of Phase 1 would include the demolition of the existing JCES campus, and construction of Building C and Parking Lots C and D. The existing Parking Lots A and B would be available for student drop-off and pick-up during the construction of Phase 1; however, since the existing JCES parking lot would be demolished, vehicles that use the curbside drop-off area on Morning View Drive adjacent to the school campus would not be able to make a U-turn to head south on Morning View Drive. Drop-off on Morning View Drive would be prohibited, as there are few opportunities to make U-turns southbound on PCH. Additionally, the intersection of Guernsey Avenue at PCH is not signalized and cannot accommodate high traffic volumes on the Guernsey Avenue approach. These changes to circulation could result in increased congestion during pick-up/drop-off times, which result in potentially hazardous conditions and conflicting uses with active school and construction, and therefore potentially significant impacts. Mitigation measures T-1 and T-2 would be implemented during Phase 1 construction activities.

Similar to Phase 1, during Phases 2 through 4, the majority of construction traffic during the peak hours would consist of construction workers and vendors traveling to and from the Project Site. In addition, during Phases 2 through 4, the newly constructed drop-off and pick-up areas in Parking Lots C and D would be available, and the school would continue to use Parking Lot B and the new Parking Lots D and E that would be implemented in Phase 1 of the Proposed Project. Nevertheless, given the likelihood that construction activities would occur during active school periods, impacts related to hazardous circulation conditions would be potentially significant. Mitigation measures T-1 and T-3 would be implemented during Phases 2 through 4.

Operation

The Proposed Project would not change the land use of the Project Site, which is currently the MMHS campus. Three main changes regarding operational changes that could affect hazardous circulation conditions include the new parking lot/access locations, pedestrian circulation, and the relocation of the bus barn. These are evaluated below.

New Parking Lots

The Proposed Project would not substantially change the access configurations to and from the Project Site and the surrounding areas. The configuration of the new Parking Lots C, D, and E would improve traffic conditions because access to Lots D and E would be located farther west, away from the drop-off and pick-up area adjacent to the school on Morning View Drive. Parking Lot C, compared to the existing JCES parking lot, provides better on-site circulation and vehicular storage. The existing and future parking lots and access driveways provide several opportunities for drivers heading west on Morning View Drive to make a U-turn to return to the south via PCH. Thus, the proposed access driveways and parking lot configurations would improve circulation, as they would provide better separation from the drop-off area off Morning View Drive, and the parking lots provide better off-street queuing for vehicles. Therefore, impacts to access as a result of implementation of the new parking lots would be less than significant.

Pedestrian Facilities

All proposed circulation improvements would be wheelchair accessible via a network of ramps and elevators, connecting parking lots with athletic and educational facilities. The Proposed Project would also include a pedestrian trail system that would connect to a larger system of existing trails around the Equestrian Park and surrounding hills. Pedestrian access to the campus would remain along Morning View Drive with access at the new drop-off area, and Clover Heights Avenue, with access to the athletic fields. Access to the parking areas on the western portion of the Project Site would be further west and away from the student drop-off area on Morning View Drive. Because of the relocation of the proposed access driveways, the existing location of the crosswalks on Morning View Drive would need to be relocated. Without relocation of existing crosswalks, crossing guards, and related pedestrian safety signage in conjunction with the proposed driveways to provide vehicular access to parking areas and drop-off areas, potentially significant impacts related to hazardous conditions could occur. Implementation of Mitigation Measure T-4 would be required to ensure relocated facilities sufficiently address pedestrian safety needs.

Bus Barn Relocation Assessment

The bus barn would be relocated to the east of Parking Lot A within the District-owned Malibu Equestrian Park, as part of Phase 4 of the Proposed Project. The relocated bus barn would accommodate up to five buses (three are typically in operation), that would operate between 6:45 a.m. and 6:00 p.m., Monday through Friday. No refueling or maintenance would occur at the new bus barn, consistent with current operation.

Bus ingress and egress to and from the bus barn area would not coincide with student drop-off and pick-up times because the school buses are already running their routes during student drop-off and pick-up times. In addition, the relocated bus barn and driveway access would reroute buses away from the sections of Morning View Drive where heavy pedestrian and vehicular school activity occur. During operation of the Proposed Project, bus access would continue to come from Morning View Drive; however, the circulation network would not change as a result of the Proposed Project. Therefore, the relocation of the bus barn would not result in hazardous conditions or conflicting uses and impacts would be less than significant.

Mitigation Measures

T-1 During each phase of construction activity, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Construction Traffic Mitigation Plan that is specific to the needs of each phase and shall include the following:

- Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur 30 minutes before or after student arrival and dismissal times—8:30 am Monday through Friday, 1 pm to 3 pm Monday through Thursday, and 12 pm to 1:30 pm on Friday.
- The plan shall eliminate curbside parking on the south side of Morning View Drive south of the construction staging area to provide adequate turn radius and site distance to access for trucks entering and leaving work sites. This would apply to construction Phases 1, 2, and 3 only, which would have access via the segment of Morning View Drive adjacent to the school frontage.
- The plan shall include a Traffic Education Program to assist in educating parents, students, and staff on drop-off/pick-up procedures specific to each phase of construction. Informational materials shall be disseminated regarding student drop-off and pick-up procedures via regular parent/school communication methods and shall be posted on the school website.
- The use of portable message signs and information signs at construction sites shall be employed as needed.
- Construction activities for each phase shall be coordinated with the responsible agency departments, including the City of Malibu Public Works and Planning Departments, and the Los Angeles County Sheriff and Fire Departments no less than 10 days prior to the start of the work for each phase. Notification shall specify whether any temporary vehicle, pedestrian, or bicycle construction detours are needed, if construction work would encroach into the public right-of-way, or if temporary use of public streets surrounding the Project Site is needed.

T-2 To facilitate safe and efficient vehicular and pedestrian circulation during student drop-off and pickup, times during Phase 1, prior to initiation of construction activities, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Traffic and Parking C Plan to include the following:

- Designation of vehicular drop-off and pick-up areas outside Morning View Drive at off-street Parking Lots A, D, and E. Vehicular access to these lots shall allow vehicles to enter and return from the area from the intersection of Morning View Drive at PCH.
- Student drop-off and pick-up shall be implemented in a counterclockwise circulation pattern. Figure 7 (see Appendix L) depicts vehicular circulation patterns that shall be used in Parking Lots A, D, and E during Phase 1 construction.

- If needed, construction traffic can be restricted to ensure that most construction trips occur outside of the drop-off and pick-up periods.
- The school shall educate students and parents on drop-off and pick-up routes and procedures. This may be achieved with a combination of information bulletins shared with students and parents.

T-3 Construction scheduling during Phases 2 to 4 shall be scheduled such that any activities that would result in potential lane closures along Morning View Drive, including, but not limited to, reconstruction of the student drop-off/pick-up area and sidewalks along Morning View Drive, shall be limited to summer months when school is not in session to eliminate conflicts with local traffic and pedestrian activities.

T-4 The SMMUSD shall coordinate with the City of Malibu Public Works Department to relocate crosswalks and school-area signage in relation to the proposed access driveways according to City of Malibu and applicable State criteria. Crossing guards shall be relocated as necessary, based on the ultimate location of crosswalks.

T-5 Drop-off and pick-up during Phases 2 to 4 can take place in the newly constructed drop-off and pick-up areas in Parking Lots C and D. The school can continue to use Parking Lots B and the Parking Lots D and E that will be implemented in Phase 1. During Phases 2 to 4, the following mitigation measures would be required to ensure proper circulation is provided:

- Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur during the drop-off/pick-up hours of 7:00 to 9:00 AM and 2:30 to 4:30 PM.

T-6 Each coastal development permit application required to implement Phases 2 – 4 must include traffic impact analyses to reflect the most recent student population projections. In the event the student population projection exceeds 1,000 students, at least one of the following mitigation measures must be implemented:

- Intersection 1 - Morning View Drive and Pacific Coast Highway:
  - Restripe the westbound approach to PCH to have two 12-foot lanes: a left turn lane and a shared left/right-turn lane. Given the curb-to-curb width of approximately 38 feet, the centerline would need to be moved to accommodate the two westbound lanes. Therefore, the eastbound lane would need to be modified with a width of 14 feet. The restriping

and left turn pocket would have a minimum length of 200 feet to accommodate the anticipated queue.

- Extend the northbound right turn pocket to a total length of 250 feet
- Optimize the signal timing

- Intersection 2 – Morning View Drive and Merritt Drive:
  - Repaint the pavement markings indicating vehicles to "KEEP CLEAR" and add "KEEP CLEAR" signage on the eastbound and westbound approaches at Morning View Drive per MUTCD standards. The KEEP CLEAR marking should also be shifted east and west prior to the respective approaches to be more visible for drivers so the intersection is not blocked.
- Intersection 4 – Guernsey Avenue and Pacific Coast Highway:
  - Option 1: Install a traffic signal at Guernsey & PCH
  - Option 2: Modify the signal timing at the signalized intersection to the north at Trancas Canyon to increase traffic gaps to reduce the westbound approach traffic delays at Guernsey Avenue.

The modifications at PCH & Morning View, PCH & Guernsey, and PCH & Trancas would require approval from Caltrans. If enrollment is projected to increase over 1,000 students based on the annual reporting the District will send to the City, the District would be required to coordinate with the City and Caltrans to implement these improvements. The District would be responsible for providing permits and engineering studies such as a signal warrants study at the intersection of PCH & Guernsey per the MUTCD, under consultation with Caltrans.

Findings:

Implementation of Mitigation Measure T-1 through T-6 would reduce potential impacts to transportation to less than significant. Therefore, no significant unavoidable adverse impacts relating to transportation have been identified.

8. Wildfire

Impact 5.16-1: Future development on the Project Site pursuant to the Proposed Project could exacerbate wildfire risks and thereby expose project occupants to

pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

Support for this environmental impact conclusion is fully discussed starting on page 5.16-17 of Section 5.16, *Wildfire* of the DEIR and contained within Responses to Comment Letter A1 (see A1-4).

Construction

The Project Site is in an LRA VHFHSZ with a high likelihood of exposure to a wildland fire and secondary effects of wildland fires. Project construction activities could result in exacerbated fire risks due to sparks, dry vegetation, and weather, particularly in areas where construction activities are in proximity to surrounding open space areas (i.e., Phases 1, 2, and 4). Given the high potential for wildland fires and associated risks in the project area, construction-related impacts are considered potentially significant. Mitigation Measure W-1 would ensure fire prevention requirements are in place during all phases of construction activities.

Operation

The Proposed Project would not significantly alter the existing topography, and the new buildings would be constructed on the existing grade. The minor modifications to the existing grades on the Project Site would not be expected to exacerbate wildfire risks due to increased slope modifications, and the proposed grade would not place new structures on slopes where wildfire risk could be exacerbated. The Proposed Project would be required to comply with current CBC standards, CFC standards, Title 5 regulations, and local fire code requirements, including fire protection features. These features include fuel modification requirements for landscape and highly ignition-resistant buildings to minimize the likelihood of exposing students, visitors, staff, and structures to a significant risk related to wildfires.
Overall, the Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site that would exacerbate wildfire risks. Impacts related to exacerbating wildfire risks due to slope, prevailing winds, and other factors during project operations would be less than significant.

Mitigation Measures

W-1 The District and its general contractor will prepare a Construction Fire Protection Plan (CFPP) that shall be implemented during all phases of construction activity. The CFPP will be approved by the County of Los Angeles Fire Department (LACoFD) prior to building construction and may also be reviewed and approved in phases based on the phased development of the Proposed Project.

The CFPP shall include, but not be limited to, guidance for:

- Prevention, control, and extinguishment of fires during construction activities.
- Smoking- and fire-related rules, storage, and parking area.

- Delineating work areas from natural/open space areas and establishing sufficient setbacks.
- Vegetation management prior to and during construction activity, consistent with LACoFD protocols.
- Requirement to use spark arrestors on construction equipment.
- Limiting the type and duration of construction activities during red flag warning events issued by the National Weather Service covering the project area.

Findings:

Implementation of Mitigation Measure W-1 would reduce potential impacts to wildfire risks to less than significant. Therefore, no significant unavoidable adverse impacts relating to wildfire have been identified.

Impact 5.16-3: Future development on the Project Site pursuant to the Proposed Project could expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, postfire slope instability, or drainage changes.

Support for this environmental impact conclusion is fully discussed starting on page 5.16-22 of Section 5.16, *Wildfire* of the DEIR.

Construction

The potential exists for soil erosion during Project construction of each phase, as underlying ground surfaces are exposed. Construction of the Proposed Project would result in ground surface disturbance during excavation, grading, and trenching that could create the potential for soil erosion. Site preparation would require removal of necessary vegetation, existing structures, unsuitable fill, and asphalt and concrete paving, exposing pervious surfaces to the elements.

Each phase of the Proposed Project would be required to comply with NPDES permit requirements to control pollutants from being discharged into the water. Under this permit, which applies to grading activities of more than one acre and is administered under the Regional Water Quality Control Board, the District would be required to prepare and implement a SWPPP, including best BMPs to address construction-related discharges. During construction, all stormwater runoff would be diverted to the appropriate catch basins and drainage channels, subject to all applicable regulatory statutes and permits, including those in Title 15 (Building and Construction) of the Malibu Municipal Code, which adopts Title 26 (Building Code) of the Los Angeles County Code. As a result, project construction would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, postfire slope instability, or drainage changes. Impacts would be less than significant.

Operation

The Proposed Project would improve on-site hydrology and would implement erosion prevention and bank stability improvements as part of the ESHA restoration plan on the District property. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1 of the Proposed Project, and demolition of the hardscape within the 100-foot buffer of the downstream area would also occur during Phase 1. Demolition of the developed areas within the 100-foot buffer of the upstream and middle-stream area would occur during Phase 4 because the bus barn and other existing structures would remain operational until Phase 4 commences. This restoration would improve existing conditions related to drainage patterns and would prevent future postfire slope instability in the event of a wildfire in the project area.
A contributing factor at the Project Site is the presence of expansive soil, which expands and shrinks during wetting and drying cycles. The expanding and shrinking of the soil could cause a ratcheting effect, where soil and relatively light surface improvements, such as concrete slabs, tend to move laterally toward the unconfined slope face during expansion and downward during periods of shrinkage. This would result in a gradual downward and lateral movement of the surficial soils (and surficial improvements). This slope creep could result in slope instability, and impacts would be potentially significant. The Proposed Project would be required to conform to the recommendations in the preliminary geotechnical evaluation and final geotechnical report for the design and construction of proposed slopes and would be monitored during construction as required by Mitigation Measure GEO-1.

Mitigation Measures

GEO-1 Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H. Findings:

Implementation of Mitigation Measure GEO-1 would reduce potential impacts to significant risks, including downslope or downstream flooding or landslides, to less than significant. Therefore, no significant unavoidable adverse impacts relating to wildfire have been identified.

E. FINDINGS ON SIGNIFICANT UNAVOIDABLE IMPACTS

The following summary describes the unavoidable adverse impact of the Proposed Project where either mitigation measures were found to be infeasible, or mitigation would not lessen impacts to less than significant. The following impact would remain significant and unavoidable:

1. Noise

Impact 5.11-1: Construction-related activities would result in temporary noise increases in the vicinity of the Proposed Project in excess of established standards.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-17 of Section 5.11, *Noise* of the DEIR.

Construction Vehicles

The transport of workers and materials to and from the construction site would incrementally increase noise levels along site access roadways (namely Morning View Drive). The addition of construction trips and haul trips would result in a temporary noise increase of less than 0.4 dBA CNEL or less, which would not be substantial nor permanent. Therefore, construction-vehicle noise impacts would be considered less than significant, and no mitigation measures are necessary.

Construction Equipment

Construction equipment used during each phase of construction of the Proposed Project would generate noise levels of up to 85 dBA Leq at 50 feet. However, overall noise emissions vary considerably, depending on the specific activity being performed at any given moment. Noise from construction equipment is intermittent and diminishes at a rate of at least 6 dBA per doubling of distance (conservatively ignoring other attenuation effects from air absorption, ground effects, and shielding effects), and the average noise levels at noise-sensitive receptors could vary considerably because mobile construction equipment would move around the site with different loads and power requirements. Pile driving would not be needed during any phase of Project construction.

Construction activity would comply with Malibu Municipal Code section 4.2.04(G), which limits the hours of construction to 7:00 am to 7:00 pm on weekdays and 8:00 am to 5:00 pm on Saturday; construction is not allowed on Sundays or holidays.

Construction activity could exceed the threshold of 80 dBA Leq when within 100 feet of a nearby receptor property line, and construction noise levels could exceed the threshold of 80 dBA Leq during all four phases without mitigation. Since construction activities during all phases have the potential to occur within 100 feet of the nearest receptor property line and exceed the threshold of 80 dBA Leq, this impact would be considered potentially significant. Implementation of Mitigation Measure N-1 would reduce construction equipment-related noise impacts to off-site sensitive receptors. However, due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than proposed Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction; the use of temporary noise barriers would not be as effective in reducing construction noise.

Students would remain on campus during all phases of construction, and there is potential for construction activities during school hours. Therefore, students could be exposed to construction activity noise during this time. The CALGreen requirement for nonresidential interior spaces is 50 dBA Leq, and the typical building would provide at least 25 dBA of exterior-to-interior noise reduction. Therefore, if exterior construction noise exceeds 75 dBA Leq at the classroom building façade, interior noise levels could exceed the threshold. Based on the equipment anticipated for Project construction, construction noise could potentially exceed the interior standard of 50 dBA Leq when within 150 feet of an active classroom. Therefore, this impact is considered potentially significant. Implementation of Mitigation

Measure N-1 would reduce construction equipment-related noise impacts to on-site sensitive receptors to a level of less than significant.

Mitigation Measures

N-1 Construction contractors shall implement the following measures for construction activities conducted at the Project Site during each phase of construction. Construction plans submitted to the District shall identify these measures on demolition, grading, and construction plans. The District shall verify that grading, demolition, and/or construction plans submitted include these notations prior to demolition, grading, and/or building construction.

- During the active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) wherever feasible.
- Impact tools (e.g., jack hammers and hoe rams) shall be hydraulic- or electric-powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from noise-sensitive uses.
- The District's construction contractors and subcontractors shall be required through contract specifications to locate construction staging areas, construction worker parking, and material stockpiling as far away from vibration- and noise-sensitive sites as possible. Additionally, these activities shall be located away from occupied buildings on campus, occupied residential dwellings adjacent to the campus, and other sensitive receptors, where feasible.
- Prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours as well as the contact information of the District's and contractor's representatives who are authorized to respond in the event of a noise or vibration complaint. If the contractor's authorized representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the District.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws.

- Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the Proposed Project site providing a schedule for major construction activities through the duration of the construction period. When construction activity would occur within 100 feet of nearby receptor property lines, contractors shall erect temporary noise barriers where feasible. The temporary noise barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a ¾-inch-thick plywood wall OR (b) a hanging acoustical blanket/curtain with a surface density or at least 1.5 pounds per square foot.
- Prior to construction, the contractor shall submit to the District a list of equipment and activities required during construction to ensure proper planning of the most intense construction activities during time periods that would least impact campus operations. When construction activity would occur within 150 feet of active classrooms, contractors shall ensure that interior classroom noise levels do not exceed 50 dBA Leq. Feasible methods to achieve this include those listed above, scheduling work during less sensitive time periods when the classroom is not in use, and classroom use rescheduling to move active classes away from high noise construction activities, as necessary. Construction activities within 50 feet of occupied classrooms would be prohibited during preparation and testing for National Standardized testing days of students at MMHS.

Findings:

Mitigation Measure N-1 would reduce potential noise impacts during construction to on- and off-site sensitive receptors to the extent feasible. Specifically, the effective use of temporary noise barriers, as required under Mitigation Measure N-1, can achieve up to 15 dBA of noise reduction when breaking the line-of-sight between the construction site and the receptor. Implementation of Mitigation Measure N-1 would ensure that interior noise levels in classrooms do not exceed 50 dBA Leq.

During Phase 1, with installation of temporary noise barriers along the southern boundary of the phase area adjacent to Morning View Drive, construction noise would be reduced to approximately 70 dBA Leq, which would be below the threshold of 80 dBA Leq. Although Project-level details for Phases 2 through 4 are not known at this time, Mitigation Measure N-1 would ensure that temporary noise barriers are erected when construction activities would be within the screening distance of 100 feet from the sensitive receptor property line.

As discussed above, in Impact 5.11-1, due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than proposed Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction. Therefore, the use of temporary noise barriers would not be as effective in reducing construction noise. Also, because of the anticipated construction duration over multiple years for full buildout, construction noise impacts associated with implementation of the Proposed Project are considered significant and unavoidable for off-site receptors.

F. FINDINGS ON PROJECT ALTERNATIVES

1. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of an alternative considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

- **Off-Site Alternative -** The Proposed Project by design is intended for the MMHS campus. Consequently, an alternative off-site location is not a feasible alternative and would not meet the Project objectives. Certain impacts that are identified as being potentially significant under the Proposed Project are due primarily to construction-related activity such as air emissions and noise. These impacts would occur regardless of the Proposed Project's location. For these reasons, an alternative that is in another location within the District is not addressed in this chapter. Because the Project Site is already developed as a school, constructing a new school on a different site would likely increase environmental impacts. For these reasons, this alternative was not considered further.

- **Alternative Design -** At the beginning of planning efforts for the Proposed Project, three organizational layout concepts were presented to the public, District Steering Committee, and Campus Design Committee as Option A (The Canyon), Option B (The Park), and Option C (The Villages). Option A locates the middle school roughly at the former JCES site and the high school roughly where the new Buildings A/B and E are located. The middle school and high school would have their own dedicated quad and identity from Morning View Drive under this option. Option B organized both the middle school and high school around one main quad with less definition between the schools and more blending of high school and middle school students. Option C would locate the high school at the former JCES site and place the middle school in the recently completed Buildings A/B and E.

  These options were ultimately rejected based on community, District Steering Committee, and Campus Design Committee feedback in favor of the Proposed Project's design and layout. Each option presented a variation in overall campus layout and design and would have resulted in a negligible change to the environmental impacts of the Proposed Project.

- **Alternative Location -** In 2011, the District considered an alternative location for the Proposed Project on a District-owned 24.33-acre lot. However, based on the California Department of Education's (CDE) *Guide to School Site Analysis and Development* (2000), a school with an enrollment roughly equivalent to the existing MMHS campus would require approximately 30.44 acres (Parsons 2011) in order to meet CDE's classroom and playfield size requirements. The District does not own any properties in the City of Malibu that could accommodate a new middle school and high school to replace the existing MMHS, rendering this scenario economically infeasible.

In consideration of the information provided above, the Alternative Location Alternative was eliminated from further consideration in this EIR because the construction of a new middle school and high school as an alternative to the Proposed Project would be economically infeasible and would result in greater significant impacts to the environment, primarily due to the extent of construction that would be required, rather than avoiding significant and unavoidable impacts that would result from implementation of the Proposed Project.

- **Alternative Location for the Bus Barn -** The District considered relocating the bus barn to an alternative site. The alternative site would have been on a County-owned lot at 3637 Winter Canyon Road, which is approximately 8 miles east of the Project Site. However, the County had already entered into a lease agreement with another entity. Thus, this site could not be used for the bus barn, and this alternative was ultimately rejected. Compared to the Proposed Project, this alternative would have increased vehicle miles traveled associated with the school buses that serve MMHS, due to the distance between the alternative site and the Project Site. Overall, this alternative would have changed a minor component of the Proposed Project and would have overall resulted in a negligible change to the environmental impacts of the Proposed Project.

2. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the Proposed Project but avoid or substantially lessen any of the significant effects of the project.

- Alternative 1: No Project Alternative
- Alternative 2: Development of Phases 1 and 2 Only
-

Alternative 1: NO PROJECT Alternative

The CEQA Guidelines require the analysis of a No Project Alternative. Under CEQA, the No Project Alternative must consider the effects of not approving the Proposed Project. The No Project Alternative describes the environmental conditions that exist at the time that the environmental analysis commences, as well as what would reasonably be expected to occur in the foreseeable future if the Proposed Project was not approved (CEQA Guidelines section 15126.6(e)(2)).

Under the No Project Alternative, the District would not approve any portion of the Proposed Project on the Project Site, and none of the mitigation measures identified within this DEIR would be necessary. No demolition would occur under the No Project Alternative, because the existing structures on the Project Site would be retained. Under the No Project Alternative, it is assumed that the reasonably foreseeable future at the Project Site would be the continued occupation of the existing buildings within the MMHS campus as in current conditions. MMHS would not be redeveloped and modernized, and buildings that are part of the former Juan Cabrillo Elementary school (JCES) would be used by existing students as needed

(portable buildings and Building E, Library) or remain unoccupied. The school would continue to operate under its current conditions, and no changes would take place.

Finding:

This alternative would lessen environmental impacts related to construction in all topic areas, since no construction would occur under this alternative. The No Project Alternative would avoid the significant and unavoidable lighting impact and temporary construction noise impacts identified for the Proposed Project. This alternative would not cause operational impacts associated with aesthetics, biological resources, GHG emissions, hydrology and water quality, land use and planning, noise, recreation, and transportation. Because the Proposed Project would not change operational conditions of the campus, including student enrollment and staffing, the No Project Alternative would result in similar operational impacts in the areas of air quality, energy, geology and soils, hazards and hazardous materials, public services (fire and police), and utilities and service systems.

The No Project Alternative does not meet any of the Project's objectives. Additionally, this alternative would not realize any of the environmentally beneficial outcomes of the Proposed Project, including restoration of the ESHA, enhanced recreational opportunities, and sustainability improvements (including the installation of the solar panel system). Overall, the No Project Alternative results in reduced impacts throughout all environmental topics and avoidance of the one identified significant and unavoidable impact.

ALTERNATIVE 2: DEVELOPMENT OF PHASES 1 AND 2 ONLY

Under this Alternative, the Proposed Project would be limited to the activities in Phases 1 and 2 only. Phases 3 and 4 would not be developed. Phase 1 consists of demolition of all existing former JCES campus buildings and portables P6 and P7 and construction of Building C (the High School Core building that includes classrooms, student support services, and administrative and campus support), Parking Lot C, Parking Lot D, and the drop-off/pick-up area. Phase 1 would also include infrastructure improvements, including drainage management areas and septic improvements. Construction of Phase 1 is anticipated to begin in fall 2022 and be completed by summer 2024. Phase 2 would consist of construction of Building D (Gymnasium/Fitness/PE and Student Activities and Food Services) and the Middle School Quad. Phase 2 would also include infrastructure improvements, including drainage management areas, septic improvements, and development of the solar panel system. Construction of Phase 2 is anticipated to begin in fall 2024 and be completed by fall 2026 (contingent on passage of a new bond measure). Under this alternative, the project would construct a total of 90,395 square feet of new building space, which consists of 68,019 square feet under Phase 1 and 22,376 square feet under Phase 2.

Finding: Alternative 2 would lessen the Proposed Project's less-than-significant impacts with and without mitigation for aesthetics, air quality, biological resources, cultural resources, energy, GHG emissions, hazards and hazardous materials, hydrology and water quality, noise, recreation, and transportation. This alternative would result in similar impacts as the Proposed Project related to geology and soils, land use and planning, public services, utilities and service systems, and wildfire. Alternative 2 would eliminate the significant and unavoidable aesthetic (light and glare) impacts as the pool and associated pool lighting would not be developed. With Mitigation Measure N-1, Alternative 2 would reduce the Proposed Project's significant and unavoidable impact to a less-than-significant level.

Alternative 2 would meet Objectives 1, 8, and 9 and would only partially meet Objectives 2, 3, 6, 7, and 10 since it would only develop a portion of the Proposed Project. This alternative would not result in the full benefits of improving learning by replacing undersized and inflexible facilities with larger flexible spaces (Objective 2), providing enhanced support spaces (Objective 3), and improving access/circulation and parking on-site (Objective 6). Additionally, since this alternative would only restore a portion of the ESHA and would not replace most of the existing, older buildings with new high-quality buildings, this alternative would not fully develop a campus that respects the natural environment through high design that is complementary to the natural landscape (Objective 7) and would not remove hazardous buildings and structures (Objective 8). The Phase 1 and 2 Only Alternative would not meet Objectives 4 and 5, since arts and athletic improvements and the reorganization of open space and intercampus circulation are largely included in Phases 3, 4a, and 4b.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code section 21081(b) and CEQA Guidelines section 15093, the District has balanced the benefits of the Proposed Project against the following unavoidable adverse impacts associated with the Proposed Project and has adopted all feasible mitigation measures with respect to these impacts: (1) Aesthetics and (2) Noise. The District also has examined alternatives to the Proposed Project, none of which both meet the Project objectives and is environmentally preferable to the Proposed Project.

Regarding a Statement of Overriding Considerations, Guidelines section 15093 provides:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a Proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

A. BACKGROUND

CEQA requires decision makers to balance the benefits of the Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (CEQA Guidelines section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (CEQA Guidelines section 15093 [b]). The agency's statement is referred to as a Statement of Overriding Considerations.
The following sections provide a description of each of the Proposed Project's significant and unavoidable adverse impacts and the justification for adopting a Statement of Overriding Considerations.

B. SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

The following adverse impacts of the Proposed Project are considered significant, unavoidable, and adverse based on the DEIR, FEIR, Mitigation Monitoring and Reporting Program, and the findings discussed in Section II, *Findings and Facts Regarding Impacts*, of this document.

1. Noise

- Construction-generated noise levels during special events and games would exceed the threshold of 80 dBA Leq, and the Proposed Project would result in temporary noise level disturbances to sensitive receptors.

C. CONSIDERATION IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

After balancing the specific economic, legal, social, technological, and other benefits of the Proposed Project, the District has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations, which outweigh the unavoidable, adverse environmental impacts of the Proposed Project.

1. Environmental Benefits

- The Proposed Project represents an improvement to an existing school and would; reorganize open space and foster intercampus circulation; improve access, circulation, and drop-off and pick-up, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and remove hazardous buildings and structures.

2. Social Benefits

- The Proposed Project will create unique and separate identities for the Malibu Middle School and Malibu High School campuses

- The Proposed Project will improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement, and provide pool facilities that support high-level competitive water polo.

D. CONCLUSION

For the foregoing reasons, the District concludes that the Malibu Middle and High School Specific Plan Project will Provide enhanced, modern, and functional support spaces, such as a state-of-the-are theater, library, cafeteria, labs, maker spaces, pool, and other student services, that promote the highly effective modern whole child development. Implementation of the Proposed Project will also improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.; increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.

The District has balanced the project's benefits against the project's significant unavoidable impacts. The District finds that the project's benefits outweigh the project's significant unavoidable impacts, and those impacts, therefore, are considered acceptable in light of the project's benefits. The District finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the project notwithstanding the Proposed Project's significant unavoidable impacts.

ORDINANCE NO. 501

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MALIBU APPROVING LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002, ZONING TEXT AMENDMENT NO. 22-002 AND ZONING MAP AMENDMENT NO. 22-001 TO 1) ADD SECTION 3.4.6 TO LOCAL IMPLEMENTATION PLAN SECTION 3.4 TO INCORPORATE THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN INTO THE LOCAL IMPLEMENTATION PLAN, 2) EXEMPT THE MALIBU MIDDLE AND HIGH SCHOOL FROM THE PROHIBITION OF ELECTRONIC MESSAGE CENTER SIGNS REQUIRED BY LOCAL IMPLEMENTATION PLAN SECTION 3.15.3, 3) AMEND MALIBU MUNICIPAL CODE SECTION 17.42.020 TO ADD SUBSECTION "M." TO INCORPORATE THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN INTO THE MALIBU MUNICIPAL CODE CONSISTENT WITH THE PROPOSED LOCAL COASTAL PLAN AMENDMENT LANGUAGE, 4) EXEMPT THE MALIBU MIDDLE AND HIGH SCHOOL FROM THE PROHIBITION OF ELECTRONIC MESSAGE CENTER SIGNS REQUIRED BY MALIBU MUNICIPAL CODE SECTION 17.52.040, 5) AMEND LOCAL COASTAL PLAN ZONING MAP NO. 2 TO ADD A BOUNDARY LINE AROUND THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN AREA, DENOTING THE BOUNDARIES OF THE MMHS CAMPUS SPECIFIC PLAN AREA FOR THREE PARCELS: (ASSESSOR'S PARCEL MAP NUMBERS 4469-017-900, 4469-018-900, AND 4469-018-904), AND 6) AMEND THE MALIBU MUNICIPAL CODE ZONING MAP CONSISTENT WITH THE UPDATE TO LOCAL COASTAL PROGRAM ZONING MAP NO. 2 LOCATED AT 30215 MORNING VIEW DRIVE (SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT)

The City Council of the City of Malibu does hereby ordain as follows:

SECTION 1. Recitals.

A. On August 20, 2020, the Santa Monica-Malibu Unified School District (SMMUSD) issued a Notice of Preparation of a Draft Environmental Impact Report (EIR) and the proposed project's Initial Study (IS) for public review and comment. The comment period ended on September 21, 2020.

B. On September 9, 2020, SMMUSD held a public scoping meeting.

C. On October 15, 2021, SMMUSD issued a Notice of Availability and the proposed project's Draft EIR for public review and comment. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and ended on November 29, 2021.

D. On November 2, 2021, SMMUSD staff conducted a community presentation on the project and Draft EIR.

E. On December 28, 2021, the response to comments on the Draft EIR was circulated to all of those who submitted comments.

F. On January 26, 2022, SMMUSD certified the Final EIR.

G. On December 21, 2021, the SMMUSD submitted an application for a specific plan for the Malibu Middle and High School Campus along with a coastal development permit for Phase 1 of the Specific Plan, which includes abatement and demolition of the school facilities associated with the former Juan Cabrillo Elementary School (JCES), construction of a new two-story high school building, a lot merger, new parking areas, Environmentally Sensitive Habitat Area (ESHA) restoration, and associated development.

H. In April 2022, SMMUSD expressed a concern that the timing to address the incomplete items in the pending Coastal Development Permit (CDP) application for Phase 1 was taking longer than anticipated and the additional processing time required by the California Coastal Commission (CCC) to certify the Local Coastal Program Amendment (LCPA) could jeopardize the campus plan implementation. At SMMUSD's request, City staff agreed to allow the draft Specific Plan and the associated legislative entitlements to proceed through the City's public hearing process in advance of the CDP application.

I. On May 5, 2022, the project Environmental Review Board (ERB) reviewed the proposed project and made recommendations. Staff recommends all feasible recommendations be incorporated into the final project.

J. On May 5, 2022, a Notice of Availability of Local Coastal Program (LCP) Documents and a Notice of Planning Commission Public Hearing were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

K. On May 26, 2022 a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

L. On May 31, 2022, the Planning Commission held a duly noticed public hearing on the Final EIR, LCPA No. 21-002, General Plan Map Amendment (GPMA) No. 21-002, Zoning Map Amendment (ZMA) No. 22-001, and Zoning Text Amendment (ZTA) No. 22-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

M. On June 13, 2022, the City Council continued this item to the June 27, 2022 Regular City Council meeting.

N. On June 27, 2022, the City Council continued this item to the July 11, 2022 Regular City Council meeting.

O. On July 11, 2022, the City Council held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Acting as the lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the District Board adopted a Final EIR for the project (State Clearinghouse No. 202008350). A Draft EIR was prepared for the project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on September 9, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potentially significant environmental impacts that would result from the project; however, the Board found that the inclusion of certain mitigation measures as part of the project approval would reduce most potentially-significant impacts to a less than significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project and included in the Final EIR. The EIR identified significant and unavoidable impacts with respect to Lighting and Construction Noise. Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the project, including the specific economic, legal, social, and technological benefits, against the unavoidable lighting and construction noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as the lead agency for the project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for the Specific Plan, the City will consider the adequacy of the Final EIR prior to acting upon or approving the project and will have to certify that the information contained in the EIR is adequate for such approval. Otherwise, the City may consider a method of relief pursuant to CEQA Guidelines Section 15096(e) if the City finds that the EIR is not adequate for use by the responsible agency (City).

On September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. On January 27, 2022, a Notice of Decision for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350).

SECTION 3. Local Coastal Program Amendments.

Pursuant to Section 19.5(B) of the Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP), the City Council adopts the following amendments to the LIP as follows and as stated in Exhibit A, incorporated by this reference:

A. Adding Section 3.4.6 to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 3.4 to incorporate the MMHS Campus Specific Plan into the LIP.

B. Amending LIP Sections 3.15.3, 4.54, 4.6.1, and 6.7.

Further, the LCP Zoning Map No. 2 is hereby amended as stated in Exhibit C, incorporated by this reference. 2 to add a boundary line around the MMHS Campus Specific Plan area, denoting the boundaries of the MMHS Campus Specific Plan area for three parcels (Assessor's Parcel Map Numbers [APNs] 4469-017-900, 4469-018-900, and 4469-018-904) located at 30215 Morning View Drive

SECTION 4. Local Coastal Program Amendment Findings.

A. The amendments to the LCP meet the requirements of and are in conformance with the goals, objectives, and purposes of the LCP. Development standards specific to the Malibu Middle and High School Campus ensure that the development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

B. As a part of the LCP Local Implementation Plan (LIP), the MMHS Campus Specific Plan ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the build-out of the MMHS Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health, safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

SECTION 5. Zoning Text Amendments.

Pursuant to Section 17.74.040 of the MMC, the City Council adopts the following amendments to Title 17 of the MMC as follows and as stated in Exhibit B, incorporated by this reference:

A. Amending MMC Section 17.42.020 to add subsection "M" and amending MMC Section 17.52.

Further the MMC Zoning Map is hereby amended as stated in Exhibit D, incorporated by this reference.

SECTION 6. Zoning Text/Map Amendment Findings.

A. The subject zoning text and map amendment are consistent with the objectives, policies, general land uses, and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The City Council finds that the subject zoning text and map amendments comply with the City of Malibu General Plan, MMC, and the LCP.

SECTION 7. Submittal to California Coastal Commission.

The City Council hereby directs staff to submit LCPA No. 21-002 to the California Coastal Commission for certification, in conformance with the submittal requirements specified in California Code of Regulation, Title 14, Division 5.5., Chapter 8, Subchapter 2, Article 7 and Chapter 6, Article 2 and Code of Regulations Section 13551, et. seq.

SECTION 8. Effective Date.

In accordance with California Government Code section 36937, this Ordinance shall become effective on the 30th day following its passage and adoption, except for the amendment to the LCP. The LCPA is subject to certification by the California Coastal Commission and shall become effective after certification.

SECTION 9. Severability.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid, and enforceable.

SECTION 10. The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 11th day of July 2022.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the Malibu Municipal Code and Code of Civil Procedure

Exhibit A:	Local Coastal Program Amendment (LCPA 21-002)
Exhibit B:	Malibu Municipal Code Amendment (ZTA No. 22-002)
Exhibit C:	Local Coastal Program Zoning Map No. 2 (LCPA 21-002)
Exhibit D:	Malibu Municipal Code Zoning Map (ZMA No. 22-001)

EXHIBIT A

Proposed Local Coastal Program Amendment No. 21-002

LIP Amendments

Chapter 3 – Zoning Designations and Permitted Uses

LIP Section 3.4.6 –Specific Plan Overlay District
The Specific plan overlay district is intended to provide for the classification and development of a parcel or parcels of land as a coordinated, comprehensive project that will result in a more desirable development or physical environment than would be possible through the strict application of conventional zoning regulations and standards. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

A. Malibu Middle and High School Campus Specific Plan

The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School Campus. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

The following are the development standards for the MMHS Campus Specific Plan:

1. **Height.** Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards.
    a. Building C: High School Building shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above approved grading plan.
    b. Building D: Middle School Gym/Multi-Purpose Room and Structures shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet.
    c. Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.
    d. Building J: Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.

e. Building L: shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.

f. For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).

g. In no event shall the maximum number of stories above grade be greater than two.

2. Yards/Setbacks.

a. Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.

b. Any future buildings must comply with the following:

(1) Front yard setbacks shall be ten (10) feet from the street easement.

(2) Side yard setbacks shall be five feet

(a) When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

(b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.

(3) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

3. Site Development Criteria. All proposed construction within the MMHS Campus Specific Plan shall comply with the following site development standards:

a. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the general plan, where additional significant public benefits and amenities are provided as part of the project.

b. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be

devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 3.14.5 (E)(1) shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be permeable.

c. Pool and pool deck lighting shall require consistency with the Malibu Dark Sky Ordinance.

d. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G and Section 17.41 Malibu Dark Sky provisions of the municipal code.

e. All parking areas within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

5. Wayfinding and Informational Signage

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

a. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.

b. Marquee signs. Two single-sided monument signs would be allowed on Morning View Drive. The monument signs would be a maximum of five feet tall and contain an LED display screen, 10 mm pixel spacing with dimmable brightness that faces the campus away from Morning View Drive. The signs would be placed on concrete wall support and have an internally illuminated logo and must be turned off within one-half hour of all school events.

6. Permitted Uses in ESHA Buffer

New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan shall only be allowed in the 50-foot ESHA buffer if it does not significantly disrupt the habitat values of ESHA and may include:

1. Habitat creation, restoration, and/or enhancement activities;
2. Public accessways, trails, and associated minor improvements.
3. Directional, educational, and interpretive signs

4. ESHA and creek-related educational uses and viewing platforms;
5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
6. Fuel modification required by the City Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:

    a. Limited exterior lighting for safety purposes; and
    b. Fences necessary for safety, restoration, and protection of habitat.

7. ESHA Restoration Plan

A phased restoration plan for the ESHA within the MMHS Campus Specific Plan property shall be implemented. As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

The restoration plan would include removing all hardscape within the proposed 100-foot buffer of the ESHA boundary. The Santa Monica-Malibu Unified School District (District) would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail.

Opportunities for restoration are present at upstream, middle, and downstream areas of the ESHA as well as developed and undeveloped areas within the proposed 50-foot buffer of the ESHA boundary. During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions

of the ESHA during Phase 1, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Each phase of the project would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures."

Chapter 3 – Signs

Modify LIP Section 3.15.3(J) – Prohibited Signs.

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs, except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.

Chapter 4 – Environmentally Sensitive Habitat Area Overlay

4.5. PERMITTED USES

4.5.4 Environmentally Sensitive Habitat Buffers

1. Public accessways and trails, including directional signs
2. Interpretive signage designed to provide information about the value and protection of the resources
3. Restoration projects where the primary purpose is restoration of the habitat.
4. Invasive plant eradication projects if they are designed to protect and enhance habitat values.
5. Uses listed in LIP Section 3.4.6(A)(6) for the Malibu Middle and High School Campus Specific Plan project.

4.6.1. Buffers

New development adjacent to the following habitats shall provide native vegetation buffer areas to serve as transitional habitat and provide distance and physical barriers to human

intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect.

Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in Section 4.6.1 (E) or (F) of the Malibu LIP. The following buffer standards shall apply:

1. Stream/Riparian

   New development shall provide a buffer of no less than 100 feet in width from the outer edge of the canopy of riparian vegetation. Where riparian vegetation is not present, the buffer shall be measured from the outer edge of the bank of the subject stream.

   However, in the Point Dume area, new development shall be designed to avoid encroachment on slopes of 25 percent grade or steeper and new development and substantial redevelopment of the Malibu Middle and High School Campus shall meet the standards in Section 3.46(A)(2).

2. Wetlands

   New development shall provide a buffer of no less than 100 feet in width from the upland limit of the wetland.

3. Woodland ESHA

   New development shall provide a buffer of no less than 100 feet in width from the outer edge of the tree canopy for oak or other native woodland.

4. Coastal Bluff ESHA

   New development shall provide a buffer of no less than 100 feet from the bluff edge.

5. Coastal Sage Scrub ESHA

   New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and C, if required) will extend into the ESHA and that no structures will be within 100 feet of the outer edge of the plants that comprise the coastal sage scrub plant community.

6. Chaparral ESHA

   New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and C, if required) will extend into the

ESHA and that no structures will be within 100 feet of the outer edge of the plants that comprise the chaparral plant community.

7. Other ESHA

For other ESHA areas not listed above, the buffer recommended by the Environmental Review Board or City biologist, in consultation with the California Department of Fish and Game, as necessary to avoid adverse impacts to the ESHA shall be required.

Chapter 6 – Scenic and Visual Resources

6.7 The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure. <u>The maximum height for buildings on the MMHS Campus shall be established in the MMHS Campus Specific Plan.</u>

EXHIBIT B
Proposed Zoning Text Amendment No. No. 22-002

Add a new "M." 17.42.020 Overlay districts.

"M. Specific Plan Overlay District

The specific plan overlay district is intended to provide for the classification and development of a parcel or parcels of land as a coordinated, comprehensive project that will result in a more desirable development or physical environment than would be possible through the strict application of conventional zoning regulations and standards. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

1. Malibu Middle and High School Campus Specific Plan

The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School Campus. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

The following are the development standards for the MMHS Campus Specific Plan:

a. Height. Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards.

   (1) Building C: High School Building shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above approved grading plan.

   (2) Building D: Middle School Gym/Multi-Purpose Room and Structures shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet.

   (3) Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.

   (4) Building J: Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.

(5) Building L: shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.

(6) For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).

(7) In no event shall the maximum number of stories above grade be greater than two.

b. Yards/Setbacks.

(1) Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.

(2) Any future buildings must comply with the following:

(1) Front yard setbacks shall be ten (10) feet from the street easement.

(2) Side yard setbacks shall be five feet

i. When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

ii. When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.

(3) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

c. Site Development Criteria. All proposed construction within the MMHS Campus Specific Plan shall comply with the following site development standards:

1. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the general plan, where additional significant public benefits and amenities are provided as part of the project.

2. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be

devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 3.14.5 (E)(1) shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be permeable.

3. Pool and pool deck lighting must be consistent with the Malibu Dark Sky Ordinance.
4. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G and Section 17.41 Malibu Dark Sky provisions of the municipal code.
5. All parking areas within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

E. Wayfinding and Informational Signage

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

1. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.

2. Marquee signs. Two single-sided monument signs would be allowed on Morning View Drive. The monument signs would be a maximum of five feet tall and contain an LED display screen, 10 mm pixel spacing with dimmable brightness that faces the campus away from Morning View Drive. The signs would be placed on concrete wall support and have an internally illuminated logo and must be turned off within one-half hour of all school events.

F. Permitted Uses in ESHA Buffer

New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan shall only be allowed in the 50-foot ESHA buffer if it does not significantly disrupt the habitat values of ESHA and may include:

8. Habitat creation, restoration, and/or enhancement activities;
9. Public accessways, trails, and associated minor improvements.
10. Directional, educational, and interpretive signs

11. ESHA and creek-related educational uses and viewing platforms;
12. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
13. Fuel modification required by the City Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
14. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:

    c. Limited exterior lighting for safety purposes; and
    d. Fences necessary for safety, restoration, and protection of habitat.

G. ESHA Restoration Plan

A phased restoration plan for the ESHA within the MMHS Campus Specific Plan property shall be implemented. As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

The restoration plan would include removing all hardscape within the proposed 100-foot buffer of the ESHA boundary. The Santa Monica-Malibu Unified School District (District) would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail.

Opportunities for restoration are present at upstream, middle, and downstream areas of the ESHA as well as developed and undeveloped areas within the proposed 50-foot buffer of the ESHA boundary. During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions

of the ESHA during Phase 1, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Each phase of the project would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures."

Chapter 17.52 – Signs

Modify MMC Section 17.52.040(J) – Prohibited Signs.

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.

EXHIBIT C

Local Coastal Program Zoning Map No. 2

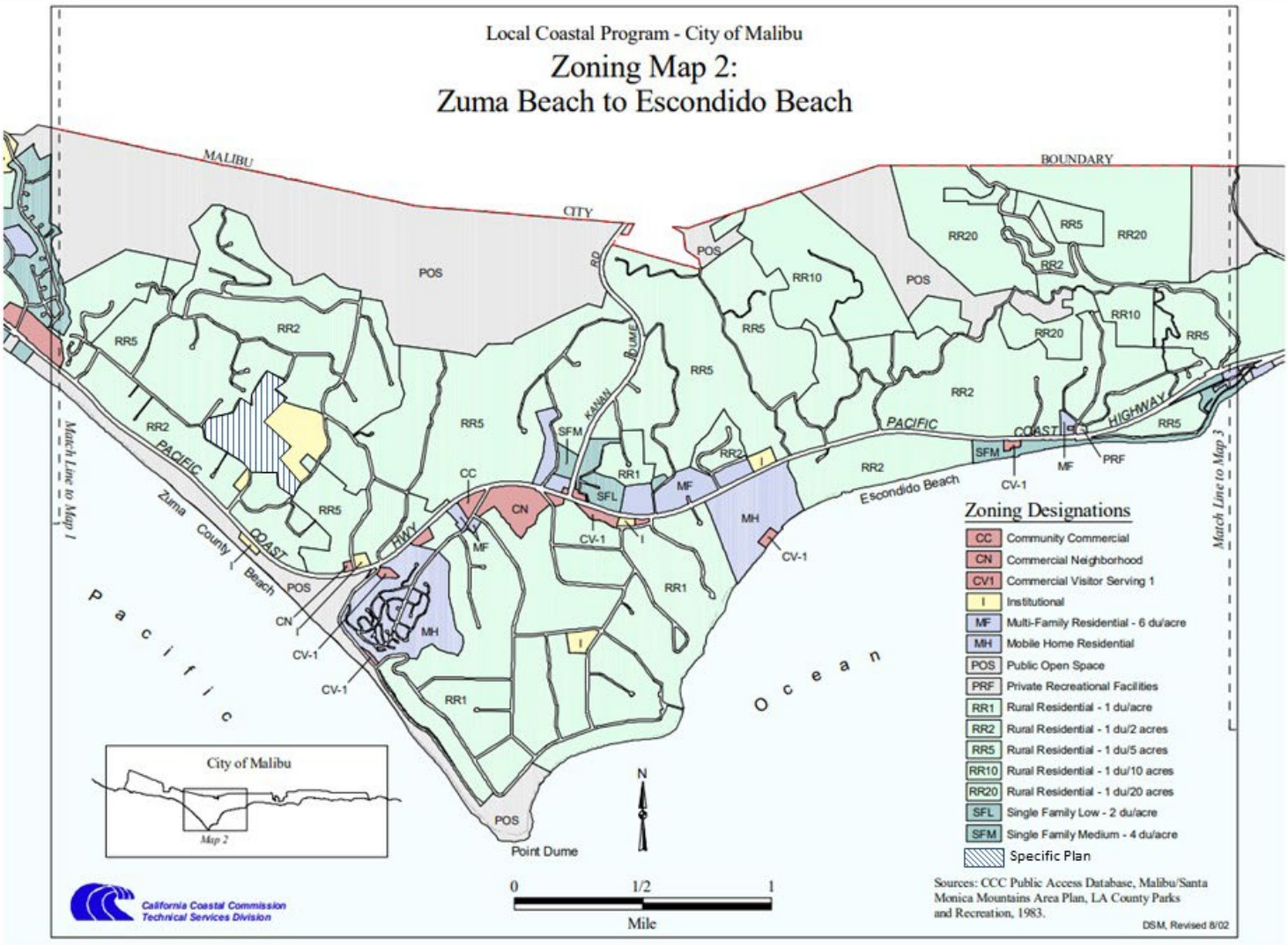
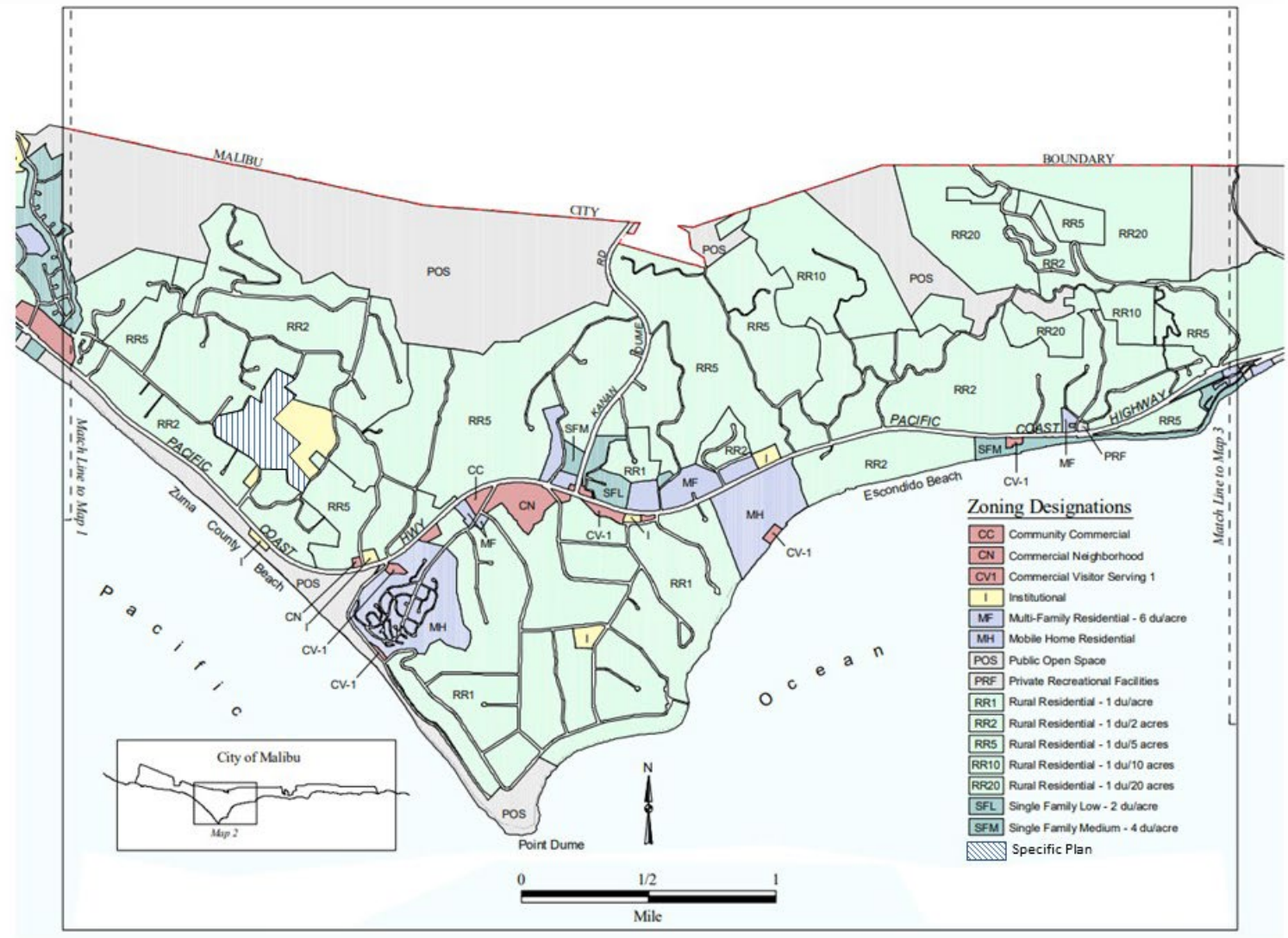


EXHIBIT D

Malibu Municipal Code Zoning Map



RESOLUTION NO. 22-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU APPROVING THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN, LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002 TO AMEND THE LCP LAND USE PLAN TO ADD A NEW ESHA POLICY 3.24 AND GENERAL PLAN MAP AMENDMENT NO. 21-00 TO AMEND THE CITY OF MALIBU GENERAL PLAN LAND USE MAP TO REVISE THE LAND USE DESIGNATION FOR THREE PARCELS: (ASSESSOR'S PARCEL MAP NUMBERS 4469-017-900, 4469-018-900, AND 4469-018-904) LOCATED AT 30215 MORNING VIEW DRIVE (SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT)

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. On August 20, 2020, the Santa Monica-Malibu Unified School District (SMMUSD) issued a Notice of Preparation of a Draft Environmental Impact Report (EIR) and the proposed project's Initial Study (IS) for public review and comment. The comment period ended on September 21, 2020.

B. On September 9, 2020, SMMUSD held a public scoping meeting.

C. On October 15, 2021, SMMUSD issued a Notice of Availability and the proposed project's Draft EIR for public review and comment. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and ended on November 29, 2021.

D. On November 2, 2021, SMMUSD staff conducted a community presentation on the project and Draft EIR.

E. On December 28, 2021, the response to comments on the Draft EIR was circulated to all of those who submitted comments.

F. On January 26, 2022, SMMUSD certified the Final EIR.

G. On December 21, 2021, the SMMUSD submitted an application for a specific plan for the Malibu Middle and High School (MMHS) Campus along with a coastal development permit for Phase 1 of the Specific Plan, which includes abatement and demolition of the school facilities associated with the former Juan Cabrillo Elementary School (JCES), construction of a new two-story high school building, a lot merger, new parking areas, Environmentally Sensitive Habitat Area (ESHA) restoration, and associated development.

H. In April 2022, SMMUSD expressed a concern that the timing to address the incomplete items in the pending Coastal Development Permit (CDP) application for Phase 1 was taking longer than anticipated and the additional processing time required by the California Coastal Commission (CCC) to certify the Local Coastal Program Amendment (LCPA) could jeopardize the campus plan implementation. At SMMUSD's request, City staff agreed to allow the draft Specific Plan and the associated legislative entitlements to proceed through the City's public hearing process in advance of the CDP application.

I. On May 5, 2022, the project Environmental Review Board (ERB) reviewed the proposed project and made recommendations. Staff recommends all feasible recommendations be incorporated into the final project.

J. On May 5, 2022, a Notice of Availability of Local Coastal Program (LCP) Documents and a Notice of Planning Commission Public Hearing were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

K. On May 26, 2022 a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

L. On May 31, 2022, the Planning Commission held a duly noticed public hearing on the Final EIR, LCPA No. 21-002, General Plan Map Amendment (GPMA) No. 21-002, Zoning Map Amendment (ZMA) No. 22-001, and Zoning Text Amendment (ZTA) No. 22-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

M. On June 13, 2022, the City Council continued this item to the June 27, 2022 Regular City Council meeting.

N. On June 27, 2022, the City Council continued this item to the July 11, 2022 Regular City Council meeting.

O. On July 11, 2022, the City Council held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

SECTION 2. Environmental Review.

Acting as the lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the District Board adopted a Final EIR for the project (State Clearinghouse No. 202008350). A Draft EIR was prepared for the project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the project, as required by CEQA. The

document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on September 9, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potential significant environmental impacts that would result from the project; however, the Board found that the inclusion of certain mitigation measures as part of the project approval would reduce most potentially-significant impacts to a less than significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project and included in the Final EIR. The EIR identified significant and unavoidable impacts with respect to Lighting and Construction Noise. Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the project, including the specific economic, legal, social, and technological benefits, against the unavoidable lighting and construction noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as lead agency for the project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for Specific Plan the City will consider the Final EIR prior to acting upon or approving the project and will have to certify that the information contained in the EIR is adequate for such approval. Otherwise, the City may consider a method of relief pursuant to CEQA Guidelines Section 15096(e) if the City finds that the EIR is not adequate for use by the responsible agency (City).

On September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. On January 27, 2022, a Notice of Decision for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350).

SECTION 3. Specific Plan Findings.

A. The proposed Malibu Middle and High School (MMHS) Campus Specific Plan is consistent with and implements the following General Plan policies, objectives, and implementation measures:

LU Policy 1.1.1: The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.

Consistent. Implementation of the MMHS Campus Specific Plan would not result in a new land use onsite that would be incompatible with the natural environment. Instead, the MMHS Campus Specific Plan would redevelop and modernize the existing MMHS campus and former JCES campus to provide increased resources for the campus.

As discussed earlier, the existing MMHS campus includes structures that extend up to the edge of the ESHA and in some instances into the ESHA, with no setback. The Campus Plan includes the removal of development within the ESHA and ESHA buffer and the construction of new buildings that would maintain the required 100-foot ESHA buffer. The Specific Plan proposes a 50-foot ESHA buffer for the construction of a pedestrian path, elevated outdoor learning spaces, and permeable paved parking areas. To mitigate these impacts, the project includes a phased restoration plan for the ESHA within the District's property.

The restoration plan would include the removal of all hardscape within the proposed 100-foot buffer of the ESHA boundary. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18 in the Specific Plan.

LU Policy 1.1.4: The City shall preserve the City's rural residential character.

Consistent. Implementation of the MMHS Campus Specific Plan would redevelop and modernize buildings within an existing school site. The institutional land use would remain the same. The MMHS Campus Specific Plan would not impede upon the surrounding rural residential character. The MMHS Campus Specific Plan's lighting program would be consistent with the existing lighting program on the MMHS campus and the City of Malibu's Dark Sky Ordinance. All campus lighting would be designed to provide for the security and safety of students, staff, and visitors.

As proposed, the Campus Plan will maintain the terraced development pattern that is consistent with the existing topography, thereby preserving the rural character of the area.

LU Policy 1.2.1: The City shall prohibit development in Environmentally Sensitive Habitat Areas (ESHA) unless no feasible alternative is available.

Consistent. The MMHS Campus Specific Plan proposes to remove existing parking and drive aisles and maintain a 100-foot buffer from ESHA except for a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations, permeable parking areas, and fuel modification. Therefore, no development would occur in the ESHA.

LU Policy 1.4.1: The City shall preserve significant ridgelines and other significant topographic features (such as canyons, knolls, hills, and promontories).

Consistent. The MMHS campus is set amongst rolling hills and its buildings and athletic fields are terraced into its hillside setting. The existing topography of the site would be maintained, and no significant topographic features would be altered because of the Specific Plan's implementation.

LU Policy 2.1.4: The City shall require development to be landscaped so that the project blends in with the environment and neighborhood.

Consistent. The MMHS Campus Specific Plan is a redevelopment and modernization of an existing public educational use. New development would be designed and landscaped in a manner that preserves the existing topography, incorporates sustainable building practices, maintains open spaces, and reflects the rural community character of Malibu. Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas.

LU Policy 2.2.1: The City shall require adequate infrastructure, including but not limited to roads, water, and wastewater disposal capacity, as a condition of proposed development.

Consistent. The MMHS Campus Specific Plan will include adequate infrastructure to serve the Malibu Middle and High School Campus. The future on-site utilities would connect to existing facilities serving the site. The MMHS Campus Specific Plan modifications to the wastewater and drainage system will adequately serve the Malibu Middle and High School Campus.

LU Policy 2.3.1: The City shall protect and preserve the unique character of Malibu's many distinct neighborhoods.

Consistent. Implementation of the MMHS Campus Specific Plan would modernize and renovate buildings within an existing school site. The MMHS Campus Specific Plan is consistent with similar modern school facilities and the design limits its scale and massing to blend with the surrounding topography and buildings.

The existing MMHS Campus is on several split-level building pads to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with vegetation contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops.

The redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, while integrating the buildings with the landscape.

LU Policy 2.4.6: The City shall avoid improvements which create a suburban atmosphere such as sidewalks and streetlights.

Consistent. The MMHS Campus Specific Plan would not create new sidewalks. However, the MMHS Campus Specific Plan would include lighting on the existing and new campus parking lots, pedestrian pathways, pool lighting, and other nighttime security- and safety-required lighting, consistent with existing conditions. Pool lighting would be regulated by the requirements of California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. The MMHS Campus Specific Plan's lighting program would be consistent with the City of Malibu's Dark Sky Ordinance. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

B. The MMHS Campus Specific Plan will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood.

The Specific Plan will 1) create unique and separate identities for the Malibu Middle and High School campuses which will advance educational facilities to support 21st Century learning; 2) improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; 3) provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development; 4) improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement; 5) Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and 6) respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.

SECTION 4. Local Coastal Program Map Amendment Findings.

LCPA No. 21-002 will amend the Land Use Plan (LUP) of the LCP to add a new ESHA Policy 3.24. Based on evidence in the whole record, the City Council hereby finds that the proposed amendment meets the requirements of and is in conformance with the policies and requirements of Chapter 3 of the California Coastal Act.

A. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP. Development standards specific to the Malibu Middle and High School Campus ensure that development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

B. As a part of the LCP Local Implementation Plan (LIP), the MMHS Campus Specific Plan ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions, while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the build out of the MMHS Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health, safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

SECTION 4. General Plan Map Amendment Findings.

City Council hereby makes the following finding:

1. GPMA No. 21-002, to amend the General Plan Land Use Policy Map, Section 3, to add the Specific Plan land use designation on the MMHS property, will make the land use designation for the subject property consistent with the LCP Land Use Map as adopted with the MMHS Specific Plan.

SECTION 5. Effectiveness

The LCPA and the GPMA approved in this resolution shall become effective only upon certification by the California Coastal Commission of the corollary amendments to the LCP.

SECTION 6. City Council Action.

Based on the foregoing findings and evidence contained within the record, the City Council approves LCPA and the GPMA.

SECTION 7. The City Council shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 11th day of July 2022.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the Malibu Municipal Code and Code of Civil Procedure

COASTAL COMMISSION APPEAL - An aggrieved person may appeal the Planning Commission's approval to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

Exhibit A: Malibu Middle and High School Campus Specific Plan

Exhibit B: LCP Land Use Plan Amendment

Exhibit C: General Plan Map Amendment

EXHIBIT A – MMHS CAMPUS SPECIFIC PLAN

Malibu Middle and High School Campus

Specific Plan

June 2022

Prepared For:
Santa Monica-Malibu Unified School District
1651 16th St.
Santa Monica, CA 90404

Prepared By:
PLACEWORKS

TABLE OF CONTENTS

Tables

Figures

MMHS CAMPUS SPECIFIC PLAN

1.0 Introduction

The Santa Monica-Malibu Unified School District (SMMUSD or District) is in the city of Santa Monica in Los Angeles County and serves both coastal communities of Santa Monica and Malibu. SMMUSD serves approximately 11,000 students with sixteen school sites including: nine elementary schools, three middle schools, two comprehensive high schools, a continuation high school, and a K-8 alternative school. In the City of Malibu, the District operates two elementary schools, one middle school and one comprehensive high school. The SMMUSD mission is: "Extraordinary achievement for all students while simultaneously closing the achievement gap."

This Specific Plan addresses needed improvements at the Malibu Middle and High School (MMHS) which incorporates the adjacent Juan Cabrillo Elementary School campus and other adjacent undeveloped District-owned property as identified in the 2019 Campus Plan.

Malibu Middle and High School is a public secondary school in Malibu, California, serving grades 6-12. The school is approximately 0.25 miles from the Pacific Ocean and Zuma Beach. The campus is on land originally part of Juan Cabrillo Elementary, which was partitioned in 1963 to create Malibu Park Junior High School. In 1992, the District converted the Malibu Park Junior High School campus into the present combined middle school/high school. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing MMHS campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west. The east side of the campus is adjacent to Malibu Equestrian Park, which is on District owned land. The west edge borders an Environmentally Sensitive Habitat Area (ESHA). The campus slopes toward the Pacific Ocean and is surrounded by single-family residences.

A new gymnasium and 2-story classroom building were added in 2002. In the last 15 years, three bond measures have passed and utilized to modernize and build new buildings and athletic fields., including the newly completed Administration/Library (A/B) and the 2-story Classroom Building (E).

The school has many partnerships with the City of Malibu, Pepperdine University, and the Boys & Girls Club. The school was recognized as a California Distinguished School in 2003. The school's mission is "to be a collaborative community that respects individuals, sets high expectations, encourages critical thinking, and fosters a passion for learning and creative expression." The school has a strong swim program, and the pool is used all day, every day by students and the community. The school also has a strong marine and environmental sciences program as well as visual and performing arts programs. Given the unique campus organization, middle school students are given the opportunity to participate in some high school electives.

1.1 School Design Evolution

In 1994, California Department of Education (CDE) formalized regulations governing standards on the design and construction of new school facilities. Included are requirements for the submittal of educational specifications (Facility Standards/ Design Guidelines)—see California Code of Regulations, Title 5, Section 14034. The requirements are delineated in the Education Code Section 39101 (c) and California Code of Regulations, Title 5, Section 14030 (a). Specific school design standards are contained in California Code of Regulations, Title 5, Section 14001, 14010 and 14030.

In 2009, CDE added a Plan Summary form for those projects applying for new construction funds from the State Allocation Board for a new school or additions to an existing school. In July 2010, all Educational Specifications (Facility Standards/ Design Guidelines) were required to be approved by the district's governing Board and submitted to CDE as part of any application for funding.

There is a recognition at the State level that traditional school design requires re-visioning. There is also acknowledgment that the Title 5 Education Code may restrict the new form that school designs may take to support 21st Century learners. CDE's requirement for the Plan Summary Form, provided by the local education agency, allows for dialogue about what is needed to support educational programs for today and tomorrow's learners. Ultimately the development of a lasting and sustainable vision that supports the goals of the District's educational program, depends upon a well thought out Educational Vision.

1.2 Development of the Campus Plan

With a history of partnership and close ties with the community, the District conducted a far-reaching stakeholder engagement process that included teachers, administrative staff, students, parents, community surveys, community meetings, and focused interviews in order to develop the Malibu Middle and High School Campus Plan (Campus Plan). The overall objective of the Campus Plan was to align education program goal with proposed facility improvements.

- Facilities District Advisory Committee (FDAC): The FDAC provided the Board of Education and District staff with the community's perspective regarding the use of bond funds for school site construction. This is a Board appointed committee and subject to the Brown Act. For the campus planning efforts, meetings were held to give process updates, seek input on the development of campus plan options, and confirm the final proposed campus plan.
- District Steering Committee (DSC): The DSC steered and coordinated the process and ensured that input from a range of stakeholders would be optimized. In addition, through regular meetings, the team was responsible for reviewing outcomes from the various groups and providing input on development of the Campus Plan and estimated budget to guide the campus planning process.
- Campus Planning Committee (CPC): The CPC was comprised of a diverse group of District Leadership, school site representatives, students, parents, and local community stakeholders. Meetings were held to discuss broad visioning concepts, develop a program, review, and provide input on the development of campus plan options, and confirm the final proposed campus plan.
- Program Focus Groups: Sub-committee meetings were held on an as-needed basis to focus on programs, including overarching topics such as Athletics and Physical Education, Special Education, and Visual and Performing Arts. Additionally, focused interviews of key District staff for Maintenance and Operations, Food and Nutrition Services, Transportation Management, and Information Services, took place to determine facilities needs within their areas of expertise.
- Community Focus Groups: Sub-committee meetings were held on an as-needed basis to seek input, answer questions and update community groups on the campus planning process.
- Community Outreach: In early late April and early May 2019, two Town Hall Meetings were held to get additional input from stakeholders. Parents and community members were invited to learn about the process, ask questions, review campus plan options, and provide input to the planning team.

After analyzing information gathered during the site walk along with various surveys and interviews on the condition of the facilities and program needs from January 2019 through late-May 2019, multiple meetings were held to review draft Campus Plan options. Stakeholders were selected to serve on a Campus Planning Committee to provide input on the proposed modifications and enhancements. Based on the feedback provided, a final proposed Campus Plan was created, which formed the basis of this Specific Plan.

The purpose of the Campus Plan was to define the long-range facility goals that support District educational goals. It is strategic in nature and illustrates the vision for the campus over the next 10 to 15 years. The plan shows a general path of how to get to the goal without providing specific design solutions and was a tool in establishing estimated budgets. The budget included in the Campus Plan is intended to be used as a "tool kit" by the District for planning purposes, to run program phasing scenarios as funding becomes available. This budget ultimately aids in decision making so that school facility improvements move toward a common, coordinated vision.

1.3 Level of Detail

Since implementation of the Specific Plan will occur over multiple phases, it is important to design individual projects with the overall Specific Plan in mind so that future projects may still be realized. Each project should have the ability to stand on its own without negatively impacting future projects and current school operations. As projects develop over time, the Specific Plan will be revisited and may be updated to reflect the changing needs of the District with sensitivity to changing economics and demographics. This updating process is recommended by the California Department of Education every 3 to 5 years.

Site Design Observation

During preparation of the Specific Plan, the following two observations helped guide design.

- The City of Malibu's Local Coastal Program ESHA Overlay Map 2 and United States Geological Survey (USGS) Point Dume California 7.5-minute topographic quadrangle map shows an unnamed stream along the western edge of the campus. Riparian areas within developed areas are designated as ESHA. The City of Malibu maintains policies to protect environmentally sensitive habitat areas. Developments must be designed to minimize impacts to the ESHA. A development buffer between the limits of the ESHA will be required and is typically 100' minimum. The unnamed stream is also subject to the Clean Water Act Section 404. Adequate setbacks are required to protect the ESHA from increases in water. Proposed septic systems should be designed and sited to avoid impacts to the ESHA. The existing Campus is immediately adjacent to the ESHA and development of a 100-foot setback would cut significantly into buildings, parking, and accessways that are needed for efficient use of the site.
- The City of Malibu municipal code and Local Coastal Program (LCP) have specific requirements under institutional development standards, that affect development. A few key requirements are, there is a "maximum height of eighteen (18) feet above natural or finished grade, whichever results in a lower building height, except for chimneys, rooftop antenna, and light standards. Modern classroom design requires additional height to allow higher interior ceiling heights for ventilation, natural light, and sound attenuation. Additionally, in order to meet California Scholastic Federation (CIF) athletic requirements, gymnasiums must reach higher interior ceiling heights, particularly with regards to volleyball. The exterior height increase is needed to allow required ventilation equipment and CIF requirements. The director may issue a development permit, pursuant to the site plan review process of this title, to allow structure height up to twenty-eight (28) feet for flat or pitched roofs." In addition, "in no event shall the maximum number of stories above grade be greater than two." And front yard setbacks shall be ten (10) feet from the street easement." The City height limit for structures is in conflict with school building design, and while the City's municipal code allows for Planning Commission

approval of buildings, the City pointed out that having to complete this entitlement process for each building over the next 10 – 15 years would be cumbersome for both the District and the City.

1.4 Specific Plan

As the design concepts in the Specific Plan are set to be developed in several phases over a long period of time, the City recommended preparation of a specific plan so that a consistent set of development standards could be adopted. Once adopted, the standards in the specific plan would become the regulations against which later phases of the project would be reviewed by the City. The Malibu Middle and High School Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School (MMHS) Campus over the next 10 to 15 years. The existing MMHS campus was constructed as Malibu Park Junior High School beginning in 1963, and in 1992 the school was converted for use as a high school. The Project Site is situated on three of nine parcels: Assessor's Parcel Numbers (APN) 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres.

Apart from the recently completed Buildings A/B and E, many of the existing buildings no longer meet the District's needs to support 21st century learning, including technology improvements and flexible classrooms that allow for multiple learning modalities. This Specific Plan would result in the demolition of 18 existing buildings on the combined campuses; with only the existing athletic fields, and the recently completed Buildings A/B and E on the MMHS campus would remain, and the construction a new campus with dedicated spaces for Middle and High School. This Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of new building space, providing the MMHS campus with a total of 47 classrooms and 12 labs and a total of 222,425 square feet of building space. Table 1, *Existing and Proposed Floor Area Ratio (FAR)*, shows the existing and proposed floor area ratio (FAR) of the project.

Table 1 Existing and Proposed Floor Area Ratios (FAR)

Site	Acres	Existing		Proposed	
		Building Square Feet	FAR	Building Square Feet	FAR
Merged High School and Middle School[1]	49.46	203,734	0.095	222,425	0.103
Proposed Bus Barn	2.57	1,500	0.013	10,500	0.097
Maximum Allowable FAR[2]			0.150		0.150

[1] Merger proposed as part of this Specific Plan.

[2] Section 17.40.110.3.c. Malibu Municipal Code.

Development of the MMHS is subject to the City of Malibu Development Code and LCP that includes the City's zoning and development requirements. Because of their specialized educational functions, the design of some of the buildings within the Specific Plan area would exceed the current zoning requirements and would require individual variances to be built. To avoid the need for multiple variances, the City recommended preparation of this Specific Plan that would establish the vision of the District and adopt development standards specific to the MMHS campus. The MMHS Campus Specific Plan is intended to upgrade and enhance both campus structures and facilities to meet the District's Education Specifications and better accommodate the student population. While the Specific Plan will upgrade the MMHS campus, it does not allow for an increase in the maximum student population.

While this Specific Plan reflects the anticipated buildout condition of the MMHS campus, only Phase 1 of the Plan is designed and funded for construction. Construction of subsequent Phases will require additional financial resources

before they can proceed. The Specific Plan relies on established City of Malibu land use and zoning regulations and procedures and provides development standards for the MMHS Campus Specific Plan. Both the City of Malibu Municipal Code and Local Coastal Plan (LCP) contain provisions for discretionary site plan review. The District anticipates that implementation of subsequent phases will be reviewed by the City for approval and compared to this Specific Plan and Environmental Impact Report for consistency.

MMHS Campus Specific Plan Organization

This Specific Plan consists of eight chapters, as described below.

- **Chapter 1: Introduction.** Covers the overview and purpose of the Specific Plan.
- **Chapter 2: MMHS Campus Specific Plan Objectives.** Outlines the project objectives of the Specific Plan.
- **Chapter 3: Background and Context.** Provides background of the project location and overview of existing conditions.
- **Chapter 4: MMHS Campus Specific Plan Facilities and Phasing.** Provides details on project development and phasing.
- **Chapter 5: Development Standards.** Identifies standards such as building heights, setbacks, design standards for signs, and landscaping.
- **Chapter 6: Circulation, Mobility, & Parking.** Outlines site access, parking, and mobility improvements.
- **Chapter 7: Infrastructure.** Focuses on the major infrastructure systems including storm drain, sewer, water, lighting, and energy.
- **Chapter 8: Administration and Authority.** Provides the process for project approvals, summary of other state, regional, and local plans and programs related to this Specific Plan, review and approval process, and environmental review.

2.0 MMHS Campus Specific Plan Objectives

The following objectives are developed for the MMHS Campus Specific Plan:

1. Create unique and separate identities for the Malibu Middle School and Malibu High School campuses.
2. Advance educational facilities to support 21st Century learning and properly support the projected enrollment.
3. Improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses.
4. Provide enhanced, modern, and functional support spaces, such as libraries, cafeteria, labs, maker spaces, and other student services, that promote whole child development.
5. Improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.
6. Reorganize open space and foster intercampus circulation.
7. Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety.
8. Respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.
9. Adopt development standards for the MMHS allowing for the educational design requirements of many of the buildings.
10. Increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.
11. Remove hazardous buildings and structures.

3.0 Background and Context

3.1 Project Location

The Specific Plan area includes the entirety of the SMMUSD property that consists of the existing Malibu Equestrian Park in the eastern portion of the property, the existing MMHS campus in the center of the property, and the former Juan Cabrillo Elementary School (JCES) campus in the western portion of the property. MMHS is located at 30215 Morning View Drive (Assessor's Parcel Map Numbers 4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902 (9 parcels)), in the City of Malibu, Los Angeles County, California (Figure 1, *Regional Location*). This Specific Plan would be developed within the existing MMHS campus and the former JCES campus. The Plan Area is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Plan Area is approximately 0.25 miles northeast of both the Pacific Coast Highway (PCH) and Zuma Beach, and bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Plan Area to the north (Figure 2, *Local Vicinity*, Figure 3, *Aerial Photograph*, and Figure 4, *Existing Zoning Map*).

Figure 1 Regional Location

Note: Unincorporated county areas are shown in white.
Source: ESRI, 2020

Figure 2 **Local Vicinity**

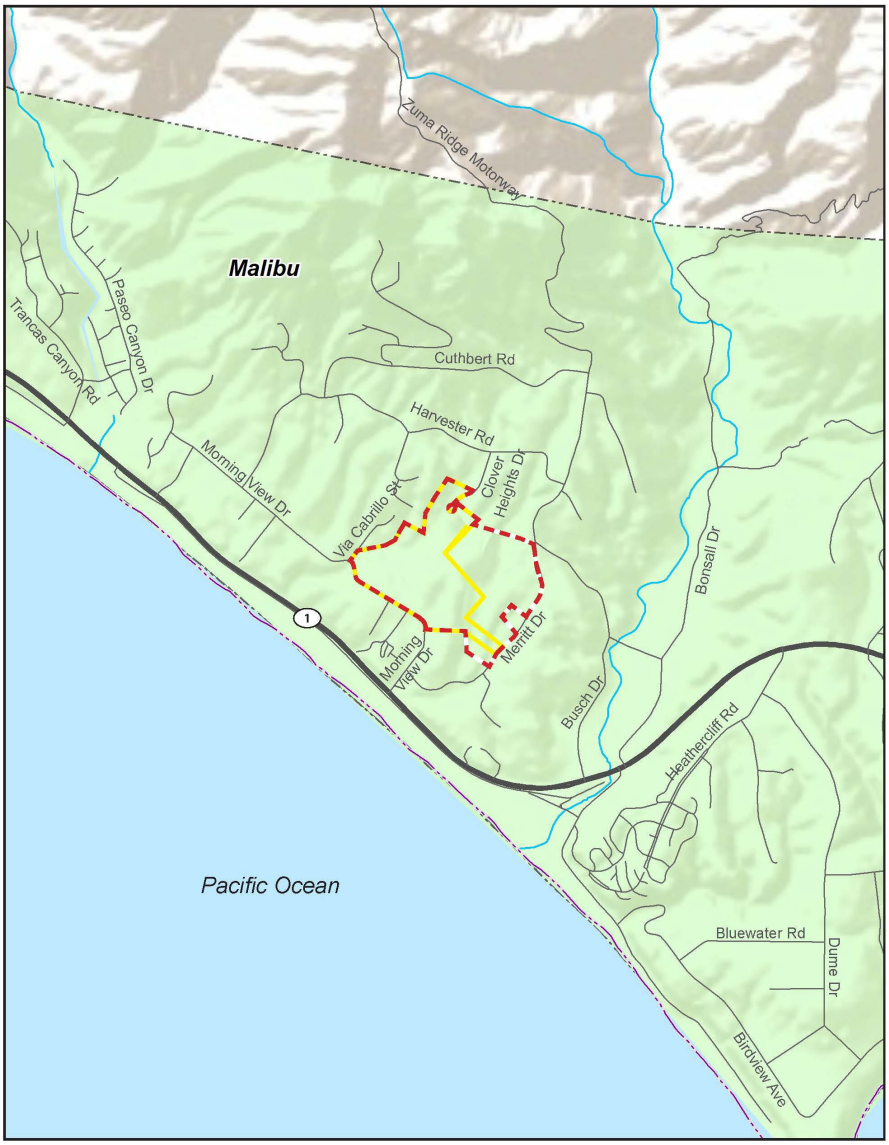
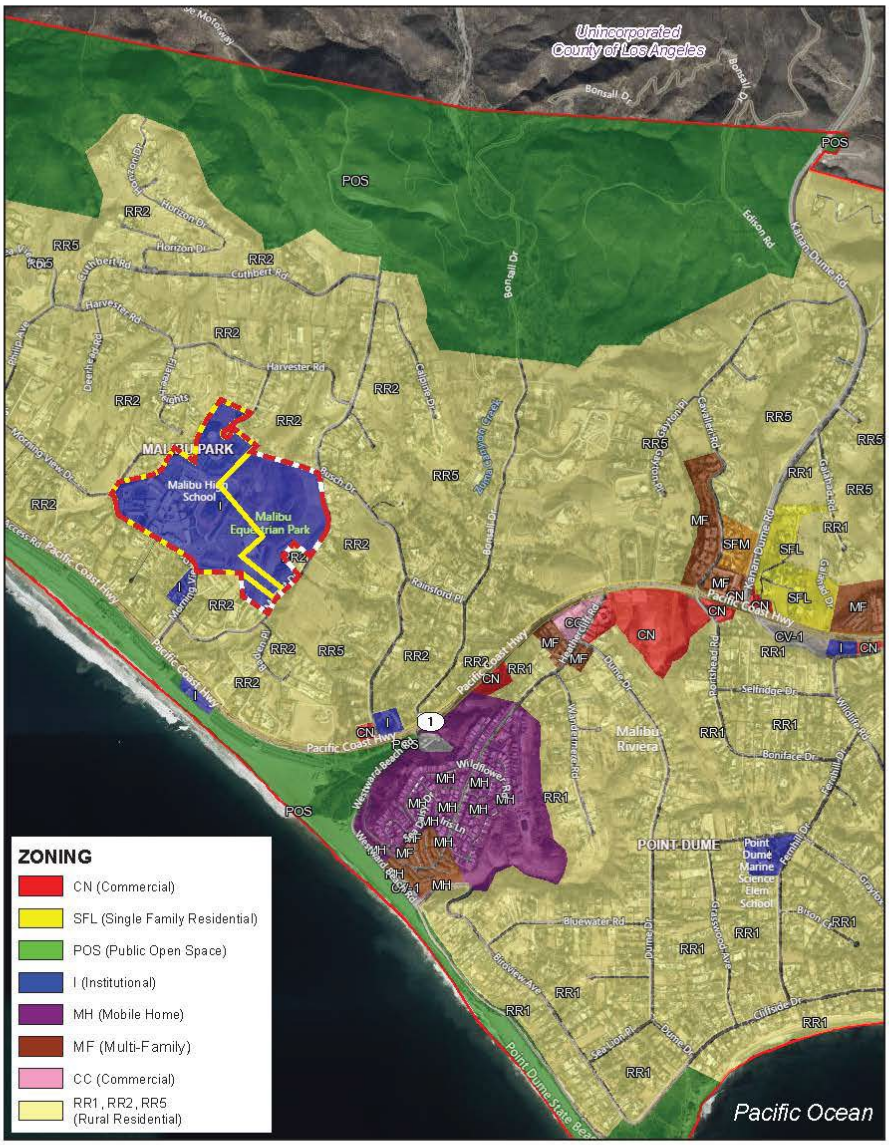


Figure 3 **Aerial Photograph**

Source: Nearmap, 2020

Figure 4 Zoning Map



Source: City of Malibu, 2021

3.2 Existing Conditions

Existing Land Use

The Plan Area is located within the Zuma Beach area in the Malibu Park neighborhood of the City of Malibu. As shown in Table 2, *Existing Assessor's Parcel Map Numbers in the Plan Area*, the approximately 87-acre Plan Area comprises the existing MMHS campus, the former JCES campus, and Malibu Equestrian Park. As part of this Specific Plan, the District will merge two parcels (4469-017-900, 4469-018-903) into a single parcel that will total 49.06 acres as shown in Appendix A. The combined former JCES and MMHS campus contain a total of approximately 50 acres with 222,425 square feet of developed structures as well as student areas, athletic fields, and parking areas. The Bus Barn will be relocated to the Equestrian Park as part of Phase 4.

Table 2 Existing Assessor's Parcel Map Numbers in the Plan Area

APN Number	Size
4469-017-900 To Be Merged	40.06
4469-018-900	2.49
4469-018-901	2.44
4469-018-902	2.67
4469-018-903 To Be Merged	9.40
4469-018-904 Equestrian Park (to Include Bus Barn in Phase 4)	2.57
4469-019-900	4.05
4469-019-901	5.54
4469-019-902	17.47
Total	**86.69**

Source: City of Malibu 2022

Former JCES Campus

The former JCES campus covers approximately six acres and is on the western end of the Plan Area to the north of Morning View Drive, west of the MMHS campus. JCES formerly served elementary school grades K-5. As part of SMMUSD's wider Malibu Schools Alignment Project, the JCES student population combined with the Point Dume Marine Science School student population and moved to the Point Dume Marine Science School campus, renamed Malibu Elementary School, at the beginning of the 2019-20 school year. Currently, middle school students utilize the portable classrooms, and Boys & Girls Club utilizes the former library as the Wellness Center., No other JCES rooms are currently being used. Figure 5, *Existing MMHS Campus Buildings and Facilities*, shows the former JCES campus buildings.

MMHS Campus

The MMHS campus covers approximately 34 acres of the overall District property and operates as a sixth- through twelfth-grade public school with a 2018-19 enrollment of 939 students and 134 staff. Presently, the MMHS campus has 60 classrooms (including 12 portable classrooms); a library, auditorium, and administrative offices; an athletic field, 2 gymnasiums, a pool, 9 basketball courts, and 4 tennis courts; and parking for 282 vehicles in three parking

lots. Additionally, the recently constructed Buildings A/B and E would remain, with no work identified for the Specific Plan. Figure 5 shows the MMHS campus buildings.

Site Access, Circulation, and Parking

The Specific Plan area can be accessed from Morning View Drive, approximately 0.3 miles northeast of the intersection of Morning View Drive and PCH and 0.9 miles southeast of the intersection of Guernsey Avenue and PCH. Morning View Drive is a narrow, two-lane, local roadway with an open drainage system that provides direct access to single-family homes in the area as well as to the existing MMHS and former JCES campuses and the Malibu Equestrian Park. Regional access to the Plan Area is provided via PCH.

There are currently two main points of vehicular entry into the MMHS and former JCES campuses. The first entry is along the eastern edge of the campus from Morning View Drive. The second point of entry is at the access road between the former JCES campus and the MMHS campus. This entry is a service access point and provides access to the Bus Barn, Maintenance and Operations Warehouse, and Student Parking Lot A. There are currently five parking lots with a total of 375 parking spaces.

Student drop-off/pick-up for the Middle School currently occurs in Parking Lot E (150-Space Parking Lot), while drop-off/pick-up for the High School Students occurs in the JCES Parking Lot. Sidewalks are provided on both sides of Morning View Drive from PCH north to the western end of the former JCES campus. There are currently three crosswalks along Morning View Drive that provide access to the former JCES and MMHS campuses from the south side of the street. A crossing guard staffs the crosswalk in front of former JCES during the AM drop-off and PM pick-up peak periods. No parking is allowed along Morning View Drive.

Site Topography

The Plan Area is situated on the southern flanks of the western portion of the Santa Monica Mountains. Maximum topographic relief on-site is approximately 94 feet, with elevations ranging from 86 to 180 feet above mean sea level. The campus consists of several near-level pad areas with generally ascending slopes to the north and descending slopes to the PCH to the south. On the MMHS campus, the street-level pad contains the recently constructed MMHS administration, library, and classroom buildings (Buildings A/B); the under-construction Lower Parking Lot; and an outdoor courtyard, cafeteria, and auditorium. On the former JCES campus, the pad contains the administration building, the kindergarten classroom, the special education classrooms, and the JCES Parking Lot. The next pad to the northwest contains the newer and old gymnasiums, outdoor basketball courts and swimming pool, the Boys & Girls Club of Malibu facility, and the Bus Barn and Parking Lot A on the MMHS campus, as well as the multipurpose room, the library, and three educational buildings on the former JCES campus. The third pad contains the Main Sports Field and the 150-Space Parking Lot. The fourth contains the tennis courts and baseball diamonds. The fifth and highest pad contains Parking Lot A (the 150-Space Parking Lot). Each terrace is accessible via stairs and handicap accessible ramps. From street level on Morning View Drive, views of the development on the elevated terraces are limited.

Environmentally Sensitive Habitat Area

There is very little natural vegetation on-site, consisting primarily of grasses, ivy, brush, shrubs, and scattered ornamental and native trees. The City of Malibu's Environmentally Sensitive Habitat Area (ESHA) Map shows a stream approximately 400 feet northwest of the campus. The stream consists of an underground pipe from Floris Heights Road that flows under the school property and daylights into a natural streambed along the western boundary of the school property. The stream extends for approximately 1,088 feet and varies between

approximately 24 and 85 feet wide. the stream course is deeply incised with steep banks. The top of the southeast bank extends significantly higher than the northwest bank because it is located immediately adjacent to the campus.

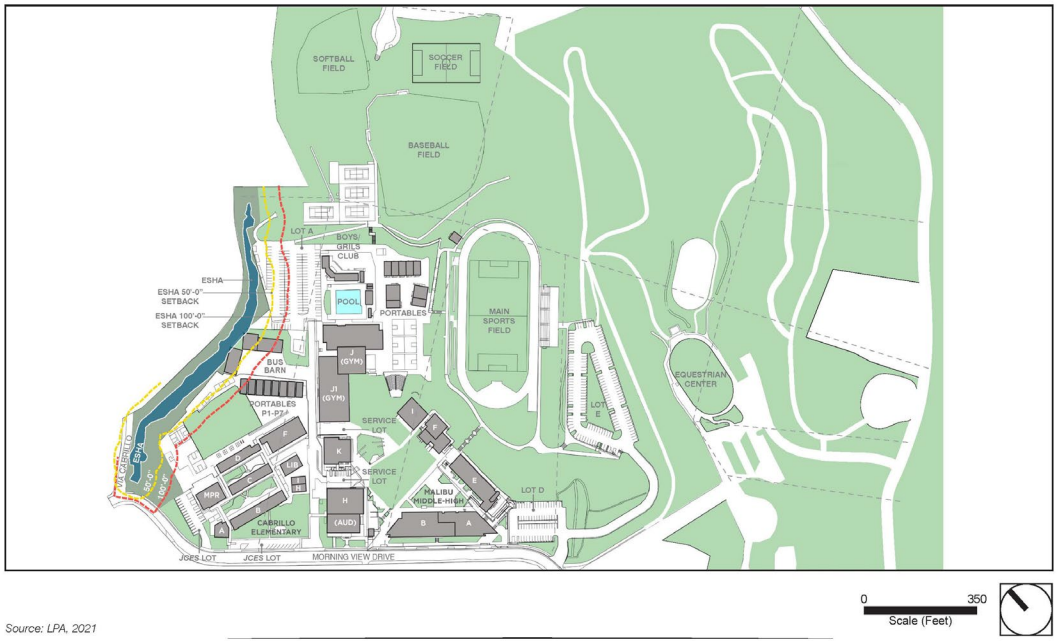
The City of Malibu maintains policies to protect environmentally sensitive habitat areas within city limits, and new developments must be sited and designed to minimize impacts to the ESHA.

Section 4.6.1(A) of the LIP provides for buffer around native stream vegetation:

> New development shall provide a buffer of no less than 100 feet in width from the outer edge of the canopy of riparian vegetation. Where riparian vegetation is not present, the buffer shall be measured from the outer edge of the bank of the subject stream.

Portions of the campus are developed within the 100-foot buffer, including the Bus Barn, the tennis courts, and portions of the former JCES yard. However, all these structures were developed prior to the certification of the LCP, which occurred in 2002, and many of the existing uses predate the Coastal Act.

Figure 5 **Existing MMHS Campus Buildings and Facilities**



Source: LPA, 2021

4.0 MMHS Campus Specific Plan Facilities and Phasing

4.1 MMHS Campus Specific Plan Development

As shown in Table 3, *Summary of Building Demolition*, implementation of the Specific Plan would result in demolition of all 7 buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. Building E and Buildings A/B at the MMHS Campus would remain, with all other structures removed (see Figure 6, *Proposed Site Plan*). The Bus Barn would be relocated to the east side of the site. No changes to the existing main sports field, baseball, or softball fields would occur except for the development of new field houses and additional parking adjacent to the softball field.

Table 3 Summary of Building Demolition

Name	Square Footage
Former JCES Campus	
Building A: Administration Building	2,280
Building B: Kindergarten Classroom Building	5,941
Building C: Classroom Building	4,554
Building D: Classroom Building	4,535
Building E: Library	2,694
Building F: Classroom Building	7,952
Building G: Multipurpose Room Building	4,758
Buildings H and I (Cottage Portables)	1,920 (2 x 960sf)
Portables: Portables P1 to P5	5,280 (5 x 960sf, 1 x 480sf)
Portables: P6 to P7	1,920 (2 x 96-0sf)
Restroom Portable	480
Former JCES Subtotal	42,314
MMHS Campus	
Building F (300 Building): Music/Band/Choral Building	6,720
Building H (600 Building): Cafetorium	14,478
Building I (400 Building): Graphic Arts	4,561
Building J (Building 700): Gymnasium	20,758
Building J1: 'New' Gymnasium	18,835
Building K: Classroom Building	12,698
Pool	Pool: 60'x75' Pool Equipment Building: 900
Field House	930
Portables (13 Interim Classrooms and Administration)	12,960 (1 @1,920sf, 8 @960sf, 1 @480sf, 3 @960sf)
Boys & Girls Club	9,120 (3@2,880, 1@480)
Bus Barn	9,700
Maintenance and Operation Warehouse	930
MMHS Subtotal	**112,590**
Total Demolition Square Footage	**154,904**

Source: SMMUSD 2021.

As shown in Table 4, *Summary of New Development*, the Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of building space, providing the MMHS campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space, including the existing Buildings A/B and E that would remain.

Table 4 Summary of New Development

Building	Status	Classroom	Lab	Square Footage	Maximum Height
Middle School Core					
Building D: Gymnasium/ Fitness/ PE and Student Activities and Food Services	New	2	0	22,376	36 ft
Middle School Core Subtotal		**2**		**22,376**	
High School Core					
Building C: Classrooms, Student Support Services, Administrative and Campus Support	New	23	8	68,019	36 ft
Building J: Gymnasium/ PE	New	2	0	36,708	45 ft
High School Core Subtotal		**25**	**8**	**104,727**	
Shared Amenities					
Building I: Special Education and Campus Wellness Center	New	1	0	5,094	28 ft
Building H: Visual and Performing Arts (VAPA)	New	4	0	30,094	45 ft
Building L: Aquatics Center/Field House	New	0	0	9,249	28 ft
Building M: Upper Field House	New	0	0	2,055	28 ft
Shared Amenities Subtotal		**5**		**46,492**	
Subtotal – New Development		***32***	***8***	***173,595***	
Existing Buildings A/B and E					
Building A/B: Administration/Library	Existing	7	4	35,315	28 ft
Building E: Classroom Building	Existing	15	0	13,515	28 ft
Subtotal - Existing Buildings		***19***	***4***	***48,830***	
Total		**51**	**12**	**222,425**	

Source: LPA 2019.

The plan generally organizes the campus land uses in three defined areas: Middle School core, High School core, and shared amenities. This consolidation of uses results in a more efficient use of available land while enhancing independent identities for each area and improving wayfinding. The pronounced topography found on site is also utilized to emphasize this concept by creating "terraces" for each defined area.

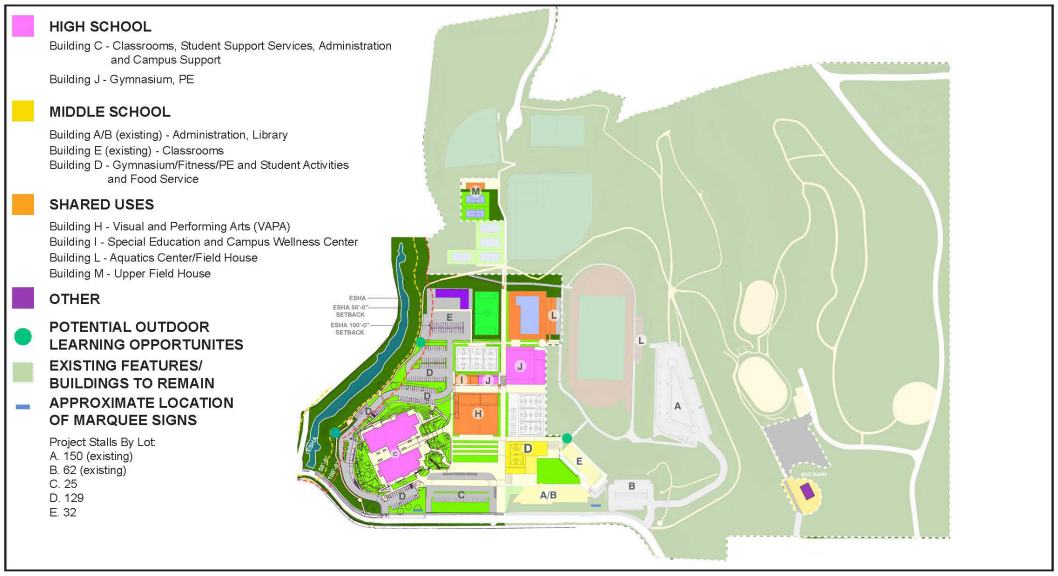
At the center of the campus, the plan proposes the Performing Art Center along with an arrival plaza to serve as a welcoming entry and as a bridge connecting both schools. A leveled academic quad is proposed for each campus and becomes the main organizing element for the academic cores. This important space will become the "heart" of each school and hub of educational and social activities while providing access to surrounding buildings.

Middle School Core

The Middle School Core would be located at the southeastern portion of the campus with a level academic quad in the middle. As shown in Table 5, *Summary of Middle School Core Development*, the Middle School Core would consist of four buildings, including the existing Building E and Buildings A/B. Building D would include a new middle school gym, student activities, and Food Services. Upon completion, the Middle School Core would result in 71,206 square feet of total development. The Middle School Core would include 21 total classrooms (12 classrooms in the existing Building E, 7 in the existing Buildings A/B, and 2 in the proposed Building D), administration offices, supportive services, a library, four science labs (in Buildings A/B), 2D art studio, lunch shelter, multipurpose room, gymnasium, and locker rooms.

The existing Buildings A/B contains Science, Technology, Engineering, and Math programs, student support services, and administration and supportive services, and has 7 classrooms and 3 labs. Buildings A/B are two stories with a maximum height of 28 feet and oriented east-west along Morning View Drive. Building E houses the humanities department and has 12 classrooms. The existing Building E is a two-story prefabricated modular building with a maximum height of 25.5 feet at the parapet, and it is located to the north of Buildings A/B.

Figure 6 Proposed Site Plan



Source: LPA, 2022

Building D would be located to the north and northwest of Buildings A/B, along the northern edge of the Middle School campus. Building D would house the physical education center and new student activities and food services. The physical education portion of the building would be one story and 16,932 square feet and would house a 50-foot by 84-foot multipurpose court with storage, 6 rows of bleachers, a lobby and restrooms, and a physical education center with a fitness studio; storage; boys' and girls' lockers and restrooms; and staff office, shower, and restroom. The student activities and food services portion of Building D would be two stories and 5,444 square feet and would have a maximum height of 36 feet along the northern boundary. The student activities area would include maker space and the Associated Student Body (ASB) student store and storage areas, while the food services area would include a warming kitchen, food court, restrooms, and a 3,600-square-foot exterior sheltered lunch area. Building D would serve as the gymnasium and will have a maximum height of 36 feet above grade to meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball. Building D would provide an accessible path to the hardcourt area on the upper level. The Middle School Core buildings would be arranged around a quad that would serve as a central gathering area for the Middle School students.

Table 5 Summary of Middle School Core Development

Building	Status	Classroom	Lab	Square Footage	Maximum Height
Buildings A/B: Administration/Library/ Classroom Building	Existing	7	4	35,315	28 ft
Building D: Gymnasium/ Fitness/ PE and Student Activities and Food Services	New	2	0	22,376	36 ft
Building E: Classroom Building	Existing	12	0	13,515	25.5 ft
Total-Middle School Core		**21**	**4**	**71,206**	

Source: LPA 2019.

High School Core

The High School Core would be at the southwestern portion of the campus occupying the former JCES campus. As shown in Table 6, *Summary of High School Core Development*, Building C would be two stories and would include 25 classrooms, administration offices, supportive services, a library, 8 science labs and maker spaces, Art 3D sculpture/ceramics studio, lunch shelter, and a career center. Building C would be designed to fit the natural topography of the site, such that the southern portion of the building fronting Morning View Drive would have a maximum height of 36 feet above grade. The required exhaust hoods for the science classes extend another ten feet above the main roof which is four feet above the parapet for a height of 41 feet, however the exhaust hoods are near the center of the roof area and are not visible from Morning View Drive.

In addition to Building C, the High School Core would include an approximately 36,708-square-foot main gymnasium and dance/weights rooms (Building J), which would be in the center of the campus adjacent to the hardcourts. Building J would have a maximum height of 45 feet and would include team rooms and four CIF regulation hardcourts for indoor sports. As described in Table 12 below, Building C contains high bay/ high volume spaces to house the library, student union, and career center. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling.

Table 6 Summary of High School Core Development

Building	Status	Classroom	Lab	Square Footage	Maximum Height
Building C: Classrooms, Student Support Services, Administrative and Campus Support	New	23	8	68,019	36 ft
Building J: Gymnasium/ PE	New	2	0	36,708	45 ft
Total-High School Core		**25**	**8**	**104,727**	

Source: LPA 2019.

Shared uses

In addition to developing the Middle School and High School Core areas, the Specific Plan would develop new shared facilities. As shown in Table 7, *Summary of Shared Uses,* these shared facilities would include a performing arts center (Building H), wellness center and spaces for special education (Building I), aquatics center/field house (Building L), and pool. As shown in Figure 6, the new shared facilities would be built to the north of the Middle School and High School Cores and west of the existing Main Sports Field. The Boys & Girls Club building, either a newly constructed building or relocation of the existing buildings, next to the tennis courts near the northwestern portion of the campus (for the purposes of this DEIR, it is assumed the existing buildings would be demolished and new facilities constructed).

Shared Performing Arts Facilities

Under the Specific Plan, Building H would have a maximum height of 45 feet above grade for the Theater portion, and 36 feet above grade for the remainder of the performing arts facilities. As described in detail in Table 12, High School Performing Arts facilities require a vertical stage opening of 25 feet (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5 feet for roof slope and parapet. This equates to a total height of 45 feet, allowing for the school to produce the types of theatrical performances expected in a high school theater curriculum. Buildings I, L and M would be a maximum of 28 feet above grade.

Shared Sport and Recreational Facilities

As part of the Project, the existing 25-meter pool would be replaced with a new Olympic-size 50-meter pool. As with the existing pool, the updated pool would serve educational sporting events such as swim and water polo as well as recreational community uses. In addition to the new gymnasium, weight room, aquatic center and locker rooms, the existing athletic field, baseball, and softball fields would receive minor improvements. A new field house (Building M) would be constructed for the baseball and softball fields, and one for the athletic field (Building L). The existing public address (PA) system and speakers at the athletic field would be relocated to the proposed ADA-compliant press box (same use as current). Additionally, the Specific Plan would add two new tennis courts to the existing tennis court area on the northern side of the Plan Area. The Specific Plan would also extend pedestrian trails throughout the campus to improve pedestrian circulation. The pedestrian trails would include turnouts/viewpoints, which would be used as outdoor classroom space.

Table 7 Summary of Shared Uses

Building	Status	Classroom	Lab	Square Footage	Maximum Height
Building I: Special Education and Campus Wellness Center	New	1	0	5,094	28 ft
Building H: Visual and Performing Arts (VAPA)	New	4	0	30,094	45 ft
Building L: Aquatics Center/Field House	New	0	0	9,249	28 ft
Building M: Upper Field House	New	0	0	2,055	28 ft
Total-Shared Amenities		**5**		**46,492**	

Source: LPA 2019.

Student Capacity and Schedule

Consistent with the City's population decrease, enrollment at the campus has been steadily decreasing since 2006 from a high of approximately 1,576 (281 students at JCES and 1,295 at MMHS) to 1,142 (197 at JCES and 945 at MMHS) in 2018-2019. Enrollment since 2015 to 2020 at the campus has decrease by 15 percent. In the 2019-2020 school year after the closure of JCES, the student population at MMHS was 862, and in the current 2020-2021 school year, enrollment further declined to 784 students, as shown in Table 8, *Student Enrollment by Grade Level*.

Table 8 Student Enrollment by Grade Level

YEAR	SCHOOL	TK	K	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL	PERCENT DECREASE PER YEAR
2006	CABRILLO		44	40	45	52	48	52								281	
2006	MMHS								161	174	173	219	197	202	169	1295	
2006	TOTALS	0	44	40	45	52	48	52	161	174	173	219	197	202	169	1576	-
2007	CABRILLO		57	41	38	47	56	51								290	
2007	MMHS								148	162	172	177	224	188	207	1278	
2007	TOTALS	0	57	41	38	47	56	51	148	162	172	177	224	188	207	1568	1%
2008	CABRILLO		48	54	47	41	51	56								297	
2008	MMHS								140	164	164	177	174	215	173	1207	
2008	TOTALS	0	48	54	47	41	51	56	140	164	164	177	174	215	173	1504	4%
2009	CABRILLO		32	41	50	52	42	55								272	
2009	MMHS								163	156	173	178	168	170	205	1213	
2009	TOTALS	0	32	41	50	52	42	55	163	156	173	178	168	170	205	1485	1%
2010	CABRILLO		40	32	41	51	46	44								254	
2010	MMHS								145	161	150	176	174	177	177	1160	
2010	TOTALS	0	40	32	41	51	46	44	145	161	150	176	174	177	177	1414	5%
2011	CABRILLO		38	37	35	44	54	45								253	
2011	MMHS								137	161	166	153	183	175	182	1157	
2011	TOTALS	0	38	37	35	44	54	45	137	161	166	153	183	175	182	1410	0%
2012	CABRILLO		34	38	37	41	45	55								250	
2012	MMHS								157	142	162	176	151	181	175	1144	
2012	TOTALS	0	34	38	37	41	45	55	157	142	162	176	151	181	175	1394	1%
2013	CABRILLO		34	32	37	38	46	48								235	
2013	MMHS								172	153	144	177	184	151	182	1163	
2013	TOTALS	0	34	32	37	38	46	48	172	153	144	177	184	151	182	1398	0%
2014	CABRILLO		37	35	33	39	33	48								225	
2014	MMHS								157	137	158	148	170	182	148	1100	

YEAR	SCHOOL	TK	K	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL	PERCENT DECREASE PER YEAR
2014	TOTALS	0	37	35	33	39	33	48	157	137	158	148	170	182	148	1325	5%
2015	CABRILLO		22	33	35	29	40	35								194	
2015	MMHS								127	158	147	169	154	175	175	1105	
2015	TOTALS	0	22	33	35	29	40	35	127	158	147	169	154	175	175	1299	2%
2016	CABRILLO	11	26	22	31	33	32	40								195	
2016	MMHS								99	117	161	155	158	154	159	1003	
2016	TOTALS	11	26	22	31	33	32	40	99	117	161	155	158	154	159	1198	8%
2017	CABRILLO	6	31	28	22	35	39	34								195	
2017	MMHS								113	107	116	159	153	152	152	952	
2017	TOTALS	6	31	28	22	35	39	34	113	107	116	159	153	152	152	1147	4%
2018	CABRILLO	14	20	28	32	24	35	44								197	
2018	MMHS								116	112	112	135	163	151	156	945	
2018	TOTALS	14	20	28	32	24	35	44	116	112	112	135	163	151	156	1142	0%
2019	MMHS								112	114	108	108	125	147	148	862	
2019	TOTALS	0	36	35	44	55	46	57	112	114	108	108	125	147	148	862	25%[1]
2020	MALIBU MIDDLE								85	125	115					325	
2020	MALIBU HIGH											111	114	123	149	497	
2020	TOTALS								85	125	115	111	114	123	149	822	5%
															Percent Decrease between 2006 and 2020		48%

Source: California Department of Education

Note: Student enrollment for the 2020-2021 school year is 784 students.

[1] Note that the 25 percent decrease observed in 2019 is due to the District Realignment that combined JCES with the Point Dume Marine Science School in 2019.

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Moreover, enrollment is not projected to increase, as lower (feeder) grades have been tracking below historic levels, indicating a decrease in future enrollment at middle and high school grades may occur. Enrollment levels are expected to decrease over the coming decade, with a projected enrollment of 533 in 2025 (DecisionInsite 2021) Based on enrollment projections by Decision Insite LLC, the District anticipates a total enrollment of approximately 150 middle school students and 225 high school students, for a total of 375 students by 2030, which would represent a 12 percent reduction in student population compared to 2017 (Decision Insight 2021).

The existing MMHS campus has the capacity to seat approximately 1,200 students, as evidenced by the 2006 enrollment, but no longer meets the District's educational requirements due to the building's age and overall condition. The Proposed Project would not increase the capacity of the MMHS campus but would be designed to support the regrowth of the community from the Woolsey Fire.

School hours would remain the same as existing, from 8:00 AM to 3:00 PM, with staff and students of the middle/high school arriving on campus between approximately 7:00 AM and 8:00 AM and leaving between approximately 3:00 PM and 5:00 PM, with occasional special events and athletic events during weeknights and/or weekends. Additionally, the Visual and Performing Arts program uses the auditorium after school typically until 6:00 PM, and the Boys & Girls Club on the campus is open Monday through Friday from 9:00 AM to 6:30 PM.

Community/Civic Center Use

When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act permits certain community organization and members to utilize school facilities for their events by obtaining a Civic Center Permit from the SMMUSD or the City of Malibu Master Facilities Use Agreement with SMMUSD. Permitted events may include community and/or city use of the playfields, common areas, and classrooms, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu Regarding the Joint Use of School District Facilities (SMMUSD/City of Malibu 2019).

Operation of the school facilities for community use occurs outside normal school operating hours, generally between 3:00 PM and 10:00 PM on weekdays, and between 8:00 AM and 10:00 PM on Saturday and Sundays. Parking for Civic Center uses would be provided in the school's on-site surface parking lots. The aquatic center is used for community and school activities from 5:30 AM - 8:00 AM on weekdays and often before 8:00 AM on weekends and breaks. As the Specific Plan would develop additional facilities, there may be a commensurate increase in community use with implementation of the Specific Plan. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030). Table 9, *Existing and Buildout Community Use Facilities*, shows the existing facilities available for community use and the proposed facilities.

Table 9 Existing and Buildout Community Use Facilities

Name	Square Footage
Existing Community Use Facilities	
MMHS Building H (600 Building): Cafetorium	14,478
MMHS Building J (Building 700): Gymnasium	20,758
MMHS Building J1: 'New' Gymnasium	18,835
MMHS Building K: Classroom Building	12,698
JCES Building E: Library	2,694

Name	Square Footage
JCES Building G: Multipurpose Room Building	4,758
Pool	1
Main Sports Field	1
Baseball Field	1
Softball Field	1
Tennis Courts	4
Subtotal Existing	74,221
Proposed Community Use Facilities	
Building D: Middle School Gymnasium/ Fitness/ PE	16,932
Building J: High School Gymnasium	36,708
Building H: Shared Visual and Performing Arts (VAPA)	30,094
Building L: Aquatics Center/Field House	9,249
Building M: Upper Field House	2,055
Pool	1
Boys & Girls Club	9,120
Main Sports Field	1
Baseball Field	1
Softball Field	1
Tennis Courts	6
Subtotal Proposed (Buildout):	**104,158**
Net Increase	**29,937 and Two Tennis Courts**

Source: SMMUSD 2019.

4.2 Phasing

The Specific Plan would be constructed in five phases, with construction activities anticipated to begin in summer 2022 and completed in summer 2031. Each phase would include the following activities—grading and excavation, trenching for site utilities, demolition and construction of the buildings, paving, and finishing. It is anticipated that students would occupy existing buildings on the MMHS campus during construction activities. With the completion of Phase 1, the majority of the Specific Plan's classrooms would be constructed. Therefore, it is not anticipated that portable classrooms, beyond those currently on campus, would be used to house students or staff during construction. Table 10, *Proposed Specific Plan Phasing*, provides details for each construction phase, including timing, amount of demolition, new construction, and drainage management areas (DMA) and infrastructure improvements for each phase.

Table 10 Proposed Specific Plan Phasing

Phase	Demolition	Demolition Square Footage	New Construction	New Construction Square Footage	Infrastructure Improvement	Timeline
0	JCES Buildings A, B, C, D, E, F, G, H, I, P6–P7	36,544	-	-	-	Summer 2022
1	-	-	Building C, Parking Lot D Drop-off/Pick-up, Parking Lot C	68,019	• DMA A • DMA B • Septic 1	Fall 2022 – Fall 2024
2	N/A	N/A	Building D, Middle School Quad	22,376	• DMA C • Septic 2	Fall 2024 – Fall 2026
3	MMHS Buildings F, I, Field House, and Portables	27,571	Buildings J, L, and M, Parking Lot E, Bus Barn	48,012	• DMA D • Septic 3 • Septic 5	Fall 2026 – Fall 2028
4	MMHS Building K, J, J1, Pool, Pool Building, Boys & Girls Club (demolished or relocated), JCES Portables P1-P5, Restroom Portable, Bus Barn, M&O Warehouse	69,581	Building H and I, Boys & Girls Club (relocated)	56,816	• DMA E • DMA F • Septic 4	Fall 2028 – Fall 2030
	MMHS Building H	14,478	N/A	N/A	• DMA G	Spring 2030 – Spring 2031

SMMUSD 2020
DMA = Drainage Management Area

Phase 0

Phase 0 would consist of demolition of all existing former JCES campus buildings and portables P6 and P7. Phase 0 is anticipated to occur in Summer 2022.

Phase 1

Phase 1 would consist of construction of the Building C (see Figure 7a and Figure 7b, *Proposed Elevations*), Parking Lot C, Parking D, and the Drop-off/Pick-up area (see Figure 8, *Specific Plan Phasing-Construction*). Phase 1 is anticipated to begin in Fall 2022 and completed by Summer 2024.

Phase 2

Phase 2 would consist of construction of the Building D and the Middle School Quad. Phase 2 is anticipated to begin in Fall 2024 and completed by Fall 2026, a new bond is required before subsequent phases can move forward.

Phase 3

Phase 3 would consist of demolition of MMHS Buildings F, I; the existing field house; and the portables adjacent to the existing pool, and construction of Buildings J, L, and M and Parking Lot E and F. Phase 3 is anticipated to begin in Fall 2028 and completed by Fall 2030.

Phase 4

Phase 4 would involve the demolition of MMHS Buildings K, J, J1; the pool and pool building; and Bus Barn, and the demolition and/or relocation of the Boys & Girls Club and construction of the new Buildings H and I. This phase would also require the demolition of the existing MMHS Building H. Phase 4 is anticipated to begin in Spring 2030 and completed by summer 2031.

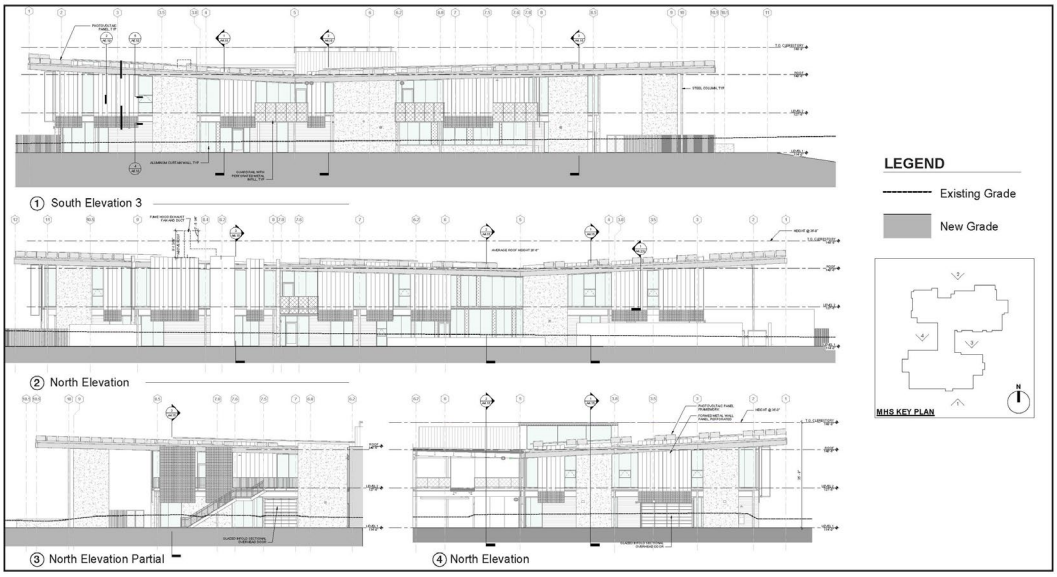
Photo Renderings

Figure 9 shows vantage points taken from public rights of way (A, B, C, and D) from which photo renderings demonstrating the change in view associated with the plan were prepared. Figures 10 through 13 provide an existing view and a proposed view from each vantage point shown in Figure 9.

Figure 7a **Proposed Elevations**

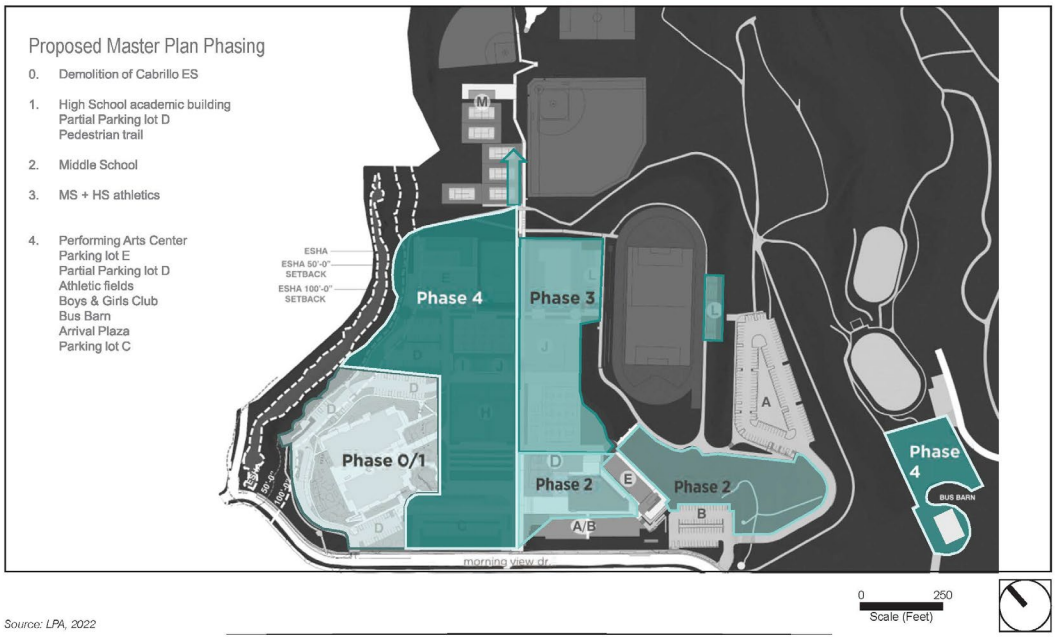
Source: NAC Architecture/Koning Eizenberg Architecture, 2021

Figure 7b **Proposed Elevations**



Source: NAC Architecture/Koning Eizenberg Architecture, 2021

Figure 8 **Specific Plan Phasing-Construction**



Source: LPA, 2022

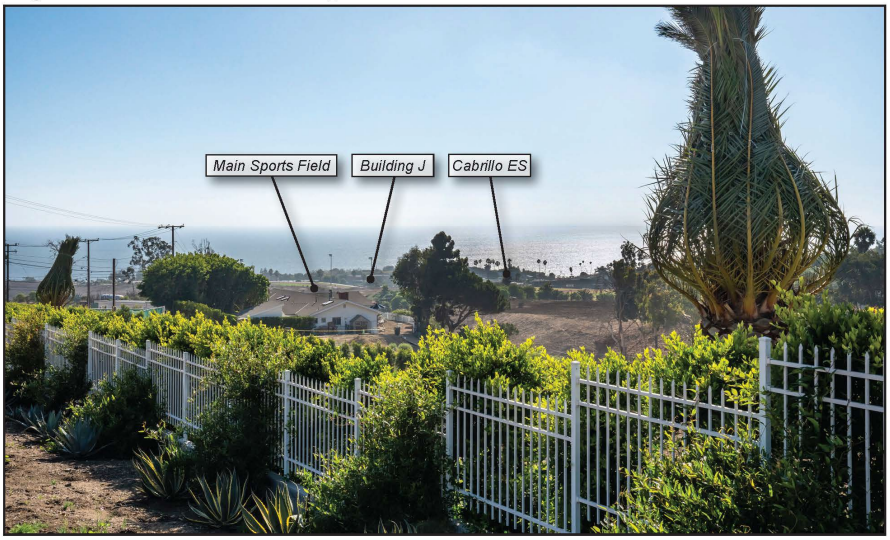
Figure 9 Public Vantage Points A, B, C, and D

Figure 10 **View from Vantage Point A**

Existing

Proposed

Figure 11 **View from Vantage Point B**

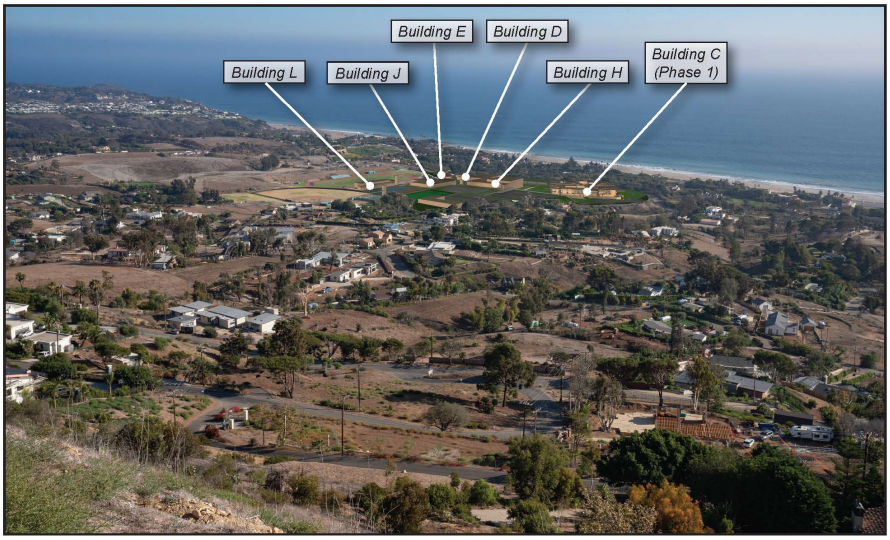


Existing

Proposed

Figure 12 **View from Vantage Point C**

Existing



Proposed

Figure 13 View from Vantage Point D

Existing

Proposed

4.3 Grading

Previous construction and grading at the Plan Area have created a series of near-level building pads for existing structures and paved parking lots. The majority of the Plan Area, including all areas with current development, is situated on slopes of between 0 and 20 percent, at a minimum of 80 feet above mean sea level (amsl). Around the perimeter of the Plan Area, surrounding the football field, and between building pads, slopes increase to between 40 to 100 percent, reaching up to 170 feet amsl.

For the most part, proposed new construction would take place on the flat, previously developed areas of campus, and existing slope conditions would remain. Because of the topography of the site, and the need to create large terraces for student safety and access, and the overall size of individual school buildings which are larger than most homes require the ability to cut/fill more than 1,000 cubic yards. Table 11a, *Phase I Grading,* reflects proposed grading estimates consistent with City format for Building C. Table 11b, *Estimated Cut/Fill for Phases 2-4*, provides estimated amounts of soil to be graded for subsequent phases 2 through 4. The grading estimates are inclusive of all grading categories without distinction between exempt, nonexempt, and remedial grading.

To minimize grading, each bldg. will have its own site-specific geotechnical report that determines individual needs. Because of the topography of the site, and the need to create large terraces, some of the buildings (Bldg. C for example) will serve as a retaining wall and may be over 12 feet in height at certain locations. Building heights shall be measured from natural or finished grade, whichever produces the lowest building height.

Table 11a Phase I Grading

	Exempt					
	R&R	Understructure	Safety	Non-Exempt	Remedial	Total
Cut	9,300	9,800	4,700	11,300	100	35,200
Fill	9,300	0	300	800		10,400
Total	18,600	9,800	5,000	12,100	100	45,600
Import	0	0	0	0	0	0
Export	0	9,800	4,400	10,500	100	24,800

All quantities indicated shall be in cubic yards only.

R&R = Removal and Recompaction – R&R must be balanced.

Safety Grading is required grading for L.A. County Fire Department access approval beyond the 15 foot minimum access and may include turnouts, hammerheads, turnarounds, and access roadway widening.

Remedial grading is grading recommended by a full site geotechnical or soils report prepared by a licensed geologist or soils engineer which is necessary to correct physical deficiencies on the site for the construction of a primary residential structure or access to the lot.

Imported means soil that is brought on to the site. Exported means soil that is leaving the site. This information will be used to calculate the number of truck trips required for site preparation.

Table 11 Estimated Cut/Fill for Phases 2, 3, and 4

Phase	Cut (cy)	Fill (cy)	Project Phase Total (cy)
2	5,175	-	5,175
3	25,300	14,000	39,300
4	10,000	33,350	43,350
Total	40,475	47,350	87,825

Source: LPA 2019

5.0 Development Standards

Overall, the development standards definer in the specific plan as outlined below, meet the zoning and development requirements of the City. Table 12 summarizes the exceptions to existing development standards that are essential to the completion of the specific plan.

Higher ceilings in school instructional and creative space are the industry standard; they have been part of new school construction for more than a decade and identified as vital for modern learning. The additional height provides for improved ventilation, noise attenuation, and natural lighting. Similar building heights can be found in several school projects in California such as Newport Harbor High School Library: Newport Beach, New Library/ Media Center, 18 feet high ceiling; Lawndale High School Student Union: Lawndale, 22 feet high ceiling; E Stem High School, Eastvale, Makerspace/ Collaboration Learning Space: 18 feet high ceiling; Hugo Reid ES, Arcadia, Library/ Media Center, 18 feet high ceiling; and Johnson Middle School, Westminster, Maker Classroom, 16 feet high ceiling. The Specific Plan is intended to allow for similar ceiling heights which requires new development standard unique to the school.

With higher interior ceilings the exterior dimensions of the buildings are also higher. Generally, there is between 6 to 8 feet between the interior ceiling and the exterior roofline to provide for internal wiring, lighting, and ventilation. Ventilation equipment and other roof top architectural features would extend above the roofline. Development standards established for the MMHS Campus Specific Plan include the building specifications such as heights, setbacks, design standards for signs and landscaping. To meet the standards established by the District's Educational Specifications, the California Interscholastic Federation, the National Federation of State High School Association, Buildings D, C, H and J must be 36 feet on average, with the science lab hood ventilation equipment for the science classrooms extending to 41 feet. These building heights would exceed the LCP and City's 28-foot height requirements therefore Table 12 includes standards that would allow construction of the school to modern standards. Building heights shall be measured from natural or finished grade, whichever produces the lowest building height.

- **Building C:** High School Building north wing second floor contains high bay/high volume spaces to house educational uses. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The Student Union is programmed with a central space of 4,000 sf space. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling. A high school Library, based on the District's Educational specifications, require a variety of spaces within the Library, including a large 3,000 sf area that can double as Staff Development space.
- Required rooftop equipment will exceed the 2' maximum height above the roof plane for the science lab exhaust hood, as required by the American National Standard for Laboratory Ventilation (ANSI) Z9.5 as well as the National Fire Protection Association Standard NFPA 45, Chapter 7, section 7.2. Roof top will be occupied by students to support outdoor learning, including visual observation to ESHA. With student access to the roof deck, higher parapets or Guards are required to be 42" minimum height per California Building Code, Part 2, Volume 1, Chapter 10, section 1015.

- **Building D:** The Middle School gymnasium and multipurpose room (MPR) must meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball, the Specific Plan plans for 24' for adequate tolerance in design and construction.
- **Building H:** High School Performing Arts facilities require a vertical stage opening of 25' (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5' for roof slope and parapet. This equates to a total height of 45 feet, providing for the school to produce the types of theatrical performances expected in a high school theater curriculum. A compromise is being made to create a variable open theater/performance space rather than a traditional proscenium space which would require a fly tower over 80'.
- **Building J:** Gymnasiums must meet National Federation of State High School Associations (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for California Interscholastic Federation (CIF) Volleyball, the Specific Plan plans for 25' for adequate tolerance in design and construction and an additional 10' for long span structure and 5' for roof slope and parapet. Building J would be constructed 5 feet from the natural or finished grade, whichever produces the lowest building height from the finished floor, for a total 45-foot height limitation.

Development under the Specific Plan will conform to all other existing development standards under §17.40.110 of the City's Municipal Code for Institutional Development and §3.9 of the City's Local Implementation Program except for those listed under Table 12, *Specific Plan Development Standards*. The table outlines the Specific Plan specifications along with the current City LIP and Municipal Code and reasoning for exceeding current City regulations.

5.2 Building Height Measurements

The campus has varied topography within which several large buildings and plazas will be developed. To meet student safety and accessibility requirements, the buildings and areas surrounding them need to be as even as possible minimizing ramps, stairs, and abrupt changes in elevation. This will result in site grading and a change in the topography to accommodate the buildings. In some cases, the existing grade is such that entry will occur at one level and exit at a different level. Building heights shall be measured from natural or finished grade, whichever produces the lowest building height.

Table 12 Specific Plan Development Standards – Exceptions from Existing Zoning

	Specific Plan Specifications		Current LIP/ and Municipal Code (MC) Requirements	Reason/Notes
Development under the Specific Plan will conform to all existing development standards under § 17.40.110 of the City's Municipal Code for Institutional Development and § 3.9 of the City's LIP with the exception of the following:				
Maximum Building Height[1]	Building J: Gym/PE	45 feet	Section 3.9.A1a of LIP and Section 17.40.110 A.1.a. of MC: Structures shall not exceed a maximum height of 18 feet above natural or finished grade, except for chimneys, rooftop antenna, and light standards. The maximum height of the structure may be increased up to 28 feet for a flat or pitched roof if approved through a site plan review pursuant to Section 13.27 of the Malibu LIP.	Gymnasiums must meet NFHS minimum interior height requirement of 23 feet clear from floor to ceiling for CIF Volleyball, the Specific Plan plans for 25' for adequate tolerance in design and construction and an additional 10' for long span structure and 5' for roof slope and parapet. Building J would be constructed 5 feet from the natural or finished grade, whichever produces the lowest building height from the finished floor, for a total 45-foot height limitation.
	Building H: Theater/ Performing Arts	45 feet		High School Performing Arts facilities require a vertical stage opening of 25' (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5' for roof slope and parapet. This equates to a total height of 45 feet, allowing for the school to produce the types of theatrical performances expected in a high school theater curriculum.
	Building D: Middle School Gym/MPR	36 feet		Gymnasiums must meet the National Federation of State High School Association, (NFHS) minimum interior height requirement of 23 feet clear from floor to ceiling for competitive Volleyball, the Specific Plan plans for 24' for adequate tolerance in design and construction.
	Building C: High School Building	36 feet (Fume Hood 41 feet)		Building C north wing, second floor contains high bay/ high volume spaces to house educational uses. These high bay spaces are required to provide the students with adequate functioning spaces conducive to 21st Century learning as defined in the Campus Plan Education Specifications. The Student Union is programmed with a central space of 4,000 sf space. The interactive, collaborative nature of this space requires an appropriate high-volume ceiling. A high school Library, based on the District's Educational specifications, require a variety of spaces within the Library, including a large 3,000 sf area that can double as Staff Development space.
	Building C:	Science Labs require exhaust hoods with stacks		Required rooftop equipment will exceed the 2' maximum height above the roof plane for exhaust hoods over Science Labs, as

	Specific Plan Specifications		Current LIP/ and Municipal Code (MC) Requirements	Reason/Notes
Development under the Specific Plan will conform to all existing development standards under § 17.40.110 of the City's Municipal Code for Institutional Development and § 3.9 of the City's LIP with the exception of the following:				
Rooftop Equipment Height	High School Building	placed at a minimum of 10 feet above the roof surface.	Section 3.9A.1b of LIP and Section 17.40.110 A.1.b. of MC: Roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included) if approved through a site plan review pursuant to Section 13.27 of the Malibu LIP.	required by the American National Standard for Laboratory Ventilation ANSI Z9.5 as well as the National Fire Protection Association Standard NFPA 45, Chapter 7, section 7.2.
	Building C: High School Building	Parapets and or Guardrails that project up to 42 inches in height above the surface of the roof.		Roof top will be occupied by students to support outdoor learning, including visual observation to ESHA. With student access to the roof deck, higher parapets or Guards are required to be 42" minimum height per California Building Code, Part 2, Volume 1, Chapter 10, section 1015.
Lighting	Nighttime pool lighting will be installed.		Section 3.9.A1d of the LIP and Section 17.40.110 A.1.d. of MC: Sports field lighting shall be limited to the main sports field at Malibu High School and subject to the standards of LIP Sections 4.6.2 and 6.5.G.	Lighting will be installed to meet the requirements of a Class II facility as identified by the Illuminating Engineering Society of North America (IESNA) (10th ed.), where lighting should be a minimum of 50 foot-candles over the pool and 20 foot-candles over the deck, as measured at the water level. Consistent with IESNA recommendations, lighting would also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). When the pool is not in use, accessible paths, including along the pool deck, would be with a minimum of 2 foot candles until lights are turned off campus-wide. By meeting these standards, the pool lighting would also meet the requirements of California Building Code § 3115B.1
Signage	Two new 15'6" x 7'6" electronic marquee signs, with a 10'x4' LED Display Screen. One sign each at the Middle and High schools.		Section 3.15.3.J of the LIP ad Section 17.52.040.J.of the MC: Except for those signs allowed under the provisions of Section 3.15.4 (E) of the Malibu LIP, "Special permits," the following signs are prohibited: Automatic changing signs or electronic message center signs, except for public service, time, and temperature	Marquee signs for High School and Middle School are required by the District for proper communications with the Students/ Community. Marquee signs serve a multitude of communication needs including emergency and safety communications.
Setback	The Specific Plan will remove existing parking and drive aisles and maintain a 50-foot buffer from ESHA with the exception of		Section 4.6 of the LIP:	The current District development including the vacated Juan Cabrillo ES, District Bus Barn facilities, parking lots, drive aisles

	Specific Plan Specifications	Current LIP/ and Municipal Code (MC) Requirements	Reason/Notes
Development under the Specific Plan will conform to all existing development standards under § 17.40.110 of the City's Municipal Code for Institutional Development and § 3.9 of the City's LIP with the exception of the following:			
	a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations and parking. All new buildings will be set back 100-feet.	New development adjacent to the riparian habitats shall provide native vegetation buffer areas of no less than 100 feet to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect. Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in Section 4.6.1 (E) or (F) of the Malibu LIP.	and fencing/ site structures extend up to the edge of the ESHA and in some instances into the ESHA, with no set back.
Maximum Grading Quantity	The Specific Plan, as shown in Table 11, will exceed the grading limitations.	Section 8.3.B. of the LIP and Section 17.40.110 A.4.a of MC: Maximum Quantity of Grading. Notwithstanding any other provisions of the Malibu LIP, grading per lot of residential development, per acre of commercial development, or per acre of institutional development (total cut and fill) is limited to 1,000 cubic yards (per items a, b, c, and d).	Because of the topography of the site, and the need to create large terraces for student access, and the overall size of individual school buildings which are larger than most homes require the ability to cut/fill more than 1,000 cubic yards.,
Maximum Height of Cuts and Fills	Certain buildings may serve as a retaining wall.	Section 8.3.C of the LIP Section 17.40.110 A.4.b of MC: Maximum Height of Cuts and Fills with Retaining Walls. 6 feet in height for any one wall, or 12 feet for any combination of walls, where a minimum 3-foot separation exists between walls, except single cuts up to 12 feet in height which are an integral part of the structure are permitted. Retaining walls shall be designed with smooth, continuous lines that conform to the topography.	Each bldg. will have its own site-specific geotechnical report that determines individual needs. Because of the topography of the site, and the need to create large terraces, some of the buildings (Bldg. C for example) will serve as a retaining wall and may be over 12 feet in height at certain locations.

	Specific Plan Specifications	Current LIP/ and Municipal Code (MC) Requirements	Reason/Notes
Development under the Specific Plan will conform to all existing development standards under § 17.40.110 of the City's Municipal Code for Institutional Development and § 3.9 of the City's LIP with the exception of the following:			

Source: SMMUSD 2021; Malibu 2002

[1] All other buildings will have a maximum height of 28 feet.

The following are the development standards for the MMHS Specific Plan:

A. The Malibu Middle and High School (MMHS) Campus Specific Plan shall be subject to the following development standards:

1. **Height.** Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards.

   a. Building C: High School Building shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above approved grading plan.

   b. Building D: Middle School Gym/Multi-Purpose Room and Structures shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet.

   c. Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.

   d. Building J: Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.

   e. Building L: shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.

   f. For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).

   g. In no event shall the maximum number of stories above grade be greater than two.

2. **Yards/Setbacks.**

   a. Building placement for Phase 1 shall be as shown on Figure 6, *Proposed Site Plan*, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.

   b. Any future buildings must comply with the following:

      (1) Front yard setbacks shall be ten (10) feet from the street easement.

      (2) Side yard setbacks shall be five feet

         (a) When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

         (b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.

      (3) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

3. **Site Development Criteria**. All proposed construction within the MMHS Specific Plan shall comply with the following site development standards:

   a. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the general plan, where additional significant public benefits and amenities are provided as part of the project.

   b. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 17.48.050(E)(1) shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be permeable.

   c. Pool and pool deck lighting shall be installed consistent with the Illuminating Engineering Society of North America (IESNA) standards for a Class II pool facility. Lighting shall be a minimum of 50-foot candles over the pool and 20-foot candles over the deck, as measured at the water level. for improved safety. Consistent with IESNA recommendations, lighting shall also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). All pool lighting shall also be consistent with the California Building Code and section 3115B.1, where the pool must have underwater and deck lighting such that lifeguards or other persons may observe, without interference from direct and reflected glare from the lighting sources, every part of the underwater area and pool surface, all diving boards or other pool appurtenances.

   d. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G and Section 17.41 Malibu Dark Sky provisions of the municipal code.

   e. All parking areas within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

4. **Grading.** Notwithstanding any other provisions of this code, grading shall be as follows:

   a. Grading for Phase 1 shall be as follows:

Phase I Grading

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	9,300	9,800	4,700	11,300	100	35,200
Fill	9,300	0	300	800		10,400
Total	18,600	9,800	5,000	12,100	100	45,600
Import	0	0	0	0	0	0

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Export	0	9,800	4,400	10,500	100	24,800

b. Grading for subsequent phases will be considered by the City as part of the site plan review process, with the following maximum grading quantities:

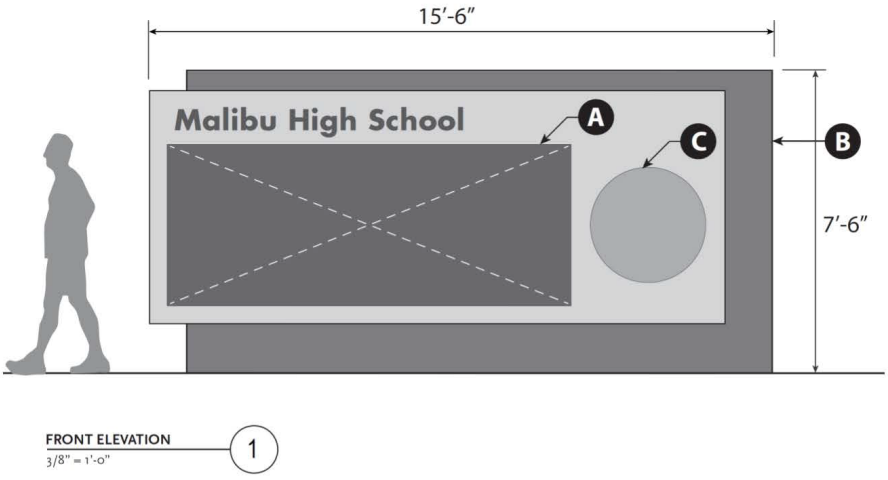
Phase 2, 3, and 4 Grading

	Phase 2	Phase 3	Phase 4	Total
Cut	5,175	25,300	10,000	40,475
Fill	-	14,000	33,350	47,350
Project Phase Total	5,175	39,300	43,350	87,825

5.3 Wayfinding and Informational Signage

Campus identification and wayfinding is important to the District as more trails and joint use facilities are open to the public. Figure 6, I, shows the location of the marquee signs that would occur along Morning View Drive to guide parents and visitors. Figure 14, *Monument Signs*, shows the two single-sided monument signs 15 feet 6 inches wide by 7 feet 6 inches tall, that will contain a 10-foot by 4-foot LED display screen, 10 mm pixel spacing with dimmable brightness (A), be placed on a concrete wall support (B), and have an internally illuminated logo (C). Marquee sign(s) for high schools and middle schools are required by the District for proper communications with the students/ community. Marquee signs serve a multitude of communication needs including emergency and safety communications. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.

Figure 14 **Monument Sign, Two Locations along Morning View Drive**



5.4 Landscaping

Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas. Landscaping would be consistent with the requirements of the City of Malibu's Municipal Code, Chapter 9.22, "Landscape Water Conservation." Such requirements include that plants must be grouped into hydrozones—that is, with other plant species having similar water demand—and by their soil, sun, and shade requirements. Additionally, irrigation systems would be designed to prevent runoff, overspray, low-head drainage, and similar conditions when irrigation water flows or sprays onto unintended areas, such as walkways, driveways, roadways. Landscaping plans for subsequent phases will be provided as part of the site plan approval process.

Table 13 shows the plant palette that will be used in the landscaping of the Campus. While only Phase 1 is shown in detail as Figure 15, *Phase 1 Landscaping Plan*, the plants in the table will be used throughout the campus in subsequent phases.

Table 13 HSMS Campus Plant Palette

* In Middle School Construction/CCD Plan, not on Coastal Permit
**In High School Plant List; not yet reviewed by Coastal
*** Also on ESHA list. Refer to 3/18/2021 Psomas memo with Conceptual Plant Palette for ESHA Restoration Site

Large Canopy Trees	Common Name
Juniperus californica**	California juniper
Metrosideros excelsus**	New Zealand Christmas Tree
Pinus torreyana**	Torrey Pine
Platanus racemosa***	California sycamore
Quercus species***	California Native Oak
Medium and Accent Trees	**Common Name**
Alnus rhombifolia***	White Alder
Arbutus unedo or 'Marina'**	Strawberry Tree
Cercis occidentalis/canadensis**	Western Redbud /Eastern Redbud
Cordyline australis**	Dracaena Spike
Heteromeles arbutifolia***	Toyon
Juglans californica**	Black Walnut
Lagerstroemia 'Natchez'	Crape Myrtle
Lyonothamnus floribundus	Catalina Ironwood
Metrosideros collina 'Spring Fire'	Dwarf New Zealand Christmas Tree
Olea europea 'Swan Hill'	Olive
Umbellularia californica	California Bay
Shrubs	
Arctostaphylos species***	Manzanita
Artemisia calfornica***	Californian Sagebrush
Baccharis species***	Coyote Bush
Ceanothus species	Wild Lilac
Erigonum species	Buckwheat
Juniperus californica-- prostrate species	California Juniper
Peritoma arborea***	Bladderpod
Pittosporum toberia 'Wheeler's Dwarf'	Dwarf Pittosporum
Fragula californica***	California Coffeeberry
Rhus integrifolia	Lemonade Berry
Ribes speciosum***	California Gooseberry
Rosmarinus spp**	NCN
Westringia fruticosa**	Coast Rosemary

* In Middle School Construction/CCD Plan, not on Coastal Permit
**In High School Plant List; not yet reviewed by Coastal
*** Also on ESHA list. Refer to 3/18/2021 Psomas memo with Conceptual Plant Palette for ESHA Restoration Site

Groundcovers/Grasses	
Carissa macrocarpa**	Natal Plum
Dianella species**	Flax Lilly
Dieties bicolor/ irioides**	Fortnight Lilly
Festuca glauca 'Elijah Blue'*	Elijah Blue Fescue
Festuca species**	Native no-mow Meadow Mix
Juncus patens	California Gray Rush
Juniperus species**	Juniper
Lantana camara**	Lantana
Leymus condensattus 'Canyon Prince'**	Giant Wild Rye
Lomandra longfolia 'Breeze'*	Spiny-Head Mat Rush
Muhlenbergia rigens	Deer Grass
Myoporum parvifolium	NCN
Sedum species	Stonecrops
Senecio mandraliscae/serpens	Kleinia/Blue Chalksticks
Perennials/ Accents	
Agave species	Agave
Aloe species**	Aloe
Anigozanthos 'Bush Gold'	Kangaroo Paw
Dasylirion quadrangulatum/ wheeleri**	Mexican Grass Tree
Encelia californica	California bush sunflower
Hesperaloe parviflora	Red Yucca
Kalanchoe species	Kalanchoe
Keckiella cordifolia**	Heart-Leaved Penstemon
Opuntia species**	Prickley Pear Cactus
Penstemon species **	Beard Tongue
Rosa californica***	California Rose
Salvia species - native varieties	Sage
Yucca species	Yucca
Vines	
Jasminus polyanthum	Pink Jasmine
Lonicera hispidula***	California Honeysuckle
Vitis californica**	California Grape

Edited 3/31/2021, Spurlock Landscape Architects

The Malibu campus landscape plan includes several strategies to promote a sustainable environment. These include strategies within the ESHA and its buffer, as well as connections between the restored ESHA and the central campus.

A proposed trail outside of the 50-foot ESHA buffer creates accessible pedestrian access from Morning View Drive along the restored upland ESHA and the campus beyond. The trail is proposed to be decomposed granite paving, which is composed of natural, locally sourced, and permeable materials. The trail would connect users to outdoor education overlooks, small areas located for their views into the ESHA. These areas may include relevant interpretive signage dependent on the location.

The 100-foot ESHA buffer is anticipated to contain large areas of restored native landscape, after the removal of existing asphalt and lawn. It will also contain a small amount of vehicular circulation, which includes required fire access, and parking. The parking areas are proposed to be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems are also proposed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. These systems not only provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

Native plant communities connect the Phase 1 high school site both visually and physically with the restored ESHA and buffer. The edges between the campus along the ESHA and adjacent hillside are proposed to be primarily composed of native plants that are also used within the ESHA. Stormwater basins along these edges and within the central campus also utilize some of the same native riparian plant species to capture, slow down and filter campus stormwater runoff.

Figure 15 **Proposed Phase I Landscaping Plan**

Source: NAC Architecture, 2021

5.5 Sustainability Features

All new buildings developed under the Specific Plan would be designed using applicable green building practices, including those of the most current Building Energy Efficiency Standards (Title 24, California Code of Regulations, Part 6) and California Green Building Standards Code (CALGreen; Title 24, California Code of Regulations, Part 11). The Building Energy Efficiency Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. CALGreen is California's statewide "green" building code. Its purpose to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design; energy efficiency; water efficiency and conservation; water conservation and resource efficiency; and environmental quality. Additionally, the District has an adopted Districtwide Plan for Sustainability that incorporates sustainability into Education Services and all aspects of student learning; and integrates climate protection, resource efficiency, waste management, and other sustainability practices into District operations. (See also Section 7.5, *Solar Panel System*)

5.6 Restoration Plan in the ESHA

There is very little natural vegetation on the Proposed Project Site, consisting primarily of grasses, ivy, brush, ruderal species, and scattered ornamental trees with pockets of native riparian and upland species, including native trees in various stages of development. However, a stream course designated as an ESHA by the City of Malibu's LCP maps occurs on the western edge of the MMHS campus Developed portions of the existing campus are within the mapped ESHA boundaries, including portions of the JCES play yard, the Bus Barn, and existing Parking Lot A. The ESHA map also shows a stream approximately 400 feet northwest of the campus. This stream consists of an underground pipe from Floris Heights Road that flows onto the school property and daylights into the ESHA streambed along the school's western property boundary.

The stream course along the District's western boundary extends for approximately 1,088 feet and varies between approximately 24 and 85 feet wide, covering an area of approximately 0.68 acres determined to be potentially under regulatory jurisdiction with an additional approximately 1.35 acres within a 50-foot buffer of the ESHA for a total of approximately 2.03 acres. The stream course is deeply incised with steep banks. The drainage is unlined along its entire length. The upstream end of the drainage has a broad, concave cross-section with no abrupt break in bank slope. Soils in this area were saturated and surface water was present during multiple site visits. The middle and downstream end of the drainage is more incised, with steep slopes and a narrow channel bed. A portion of the bank is eroded or undercut. The ESHA and surrounding areas burned in the 2018 Woolsey fire. Some vegetation experienced mortality as a result of the fire while other vegetation is recovering.

Approximately 0.50 acres of the existing developed campus, specifically the JCES play yard, the bus barn, and portions of Existing Parking Lot A are within the 100-foot buffer of the ESHA. The Proposed Project would result in demolition of these structures within this buffer area. As part of the Proposed Project, the District would construct a pedestrian path and elevated outdoor learning spaces overlooking the ESHA and within 100 feet, but not closer than 50 feet of the ESHA boundaries. The trails would be accessible to the public during non-school.

All parking areas (excluding drive aisles) within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

The District would implement a phased restoration plan for the ESHA within the District's property. The restoration plan would include removing all hardscape within the proposed 100-foot buffer of the ESHA boundary. The District would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18.

Opportunities for restoration are present at upstream, middle, and downstream areas of the ESHA as well as developed and undeveloped areas within the proposed 50-foot buffer of the ESHA boundary. During Phase 0 of the Proposed Project, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1 of the Proposed Project, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Each phase of the Proposed Project would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures.

Table 14, *Conceptual Plant Palette for ESHA Restoration Site*, provides a list of plants suitable for consideration for ESHA restoration efforts. The list is consistent with recommendations of the Los Angeles/Santa Monica Mountains Chapter of the California Native Plant Society for landscaping in the Santa Monica Mountains and have been updated to reflect the current scientific and common names changes designated by the Jepson Herbarium. Species that have no assigned common name by the Jepson Herbarium follow the Calflora website.

Table 14 Conceptual Plant Palette for ESHA Restoration Site

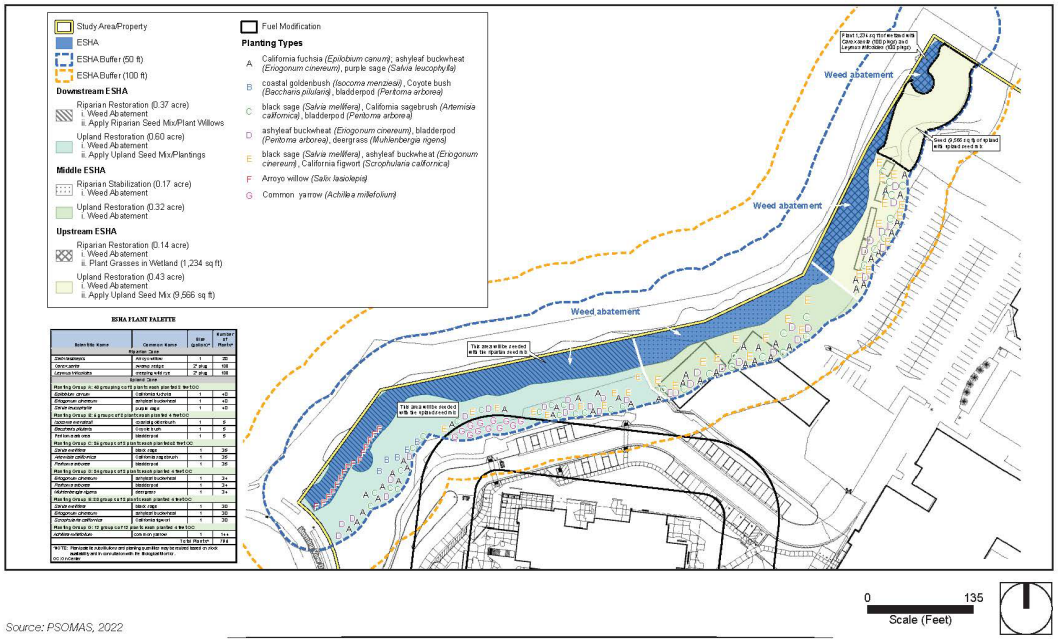
Plant Species		Restoration Location		
Common Name	Scientific Name	Lower Bank	Upper Bank	Upland
White alder	*Alnus rhombifolia*		x	
Yerba mansa*	*Anemopsis californica*	x		
California sagebrush	*Artemisia californica*			x
Narrow-leaf milkweed*	*Asclepias fascicularis*		x	x
Coyote brush	*Baccharis pilularis*			x
California brickellia	*Brickellia californica*		x	x
Yerba buena	*Clinopodium douglasii*		x	x
Bush poppy	*Dendromecon rigida*			x
Salt grass	*Distichlis spicata*	x	x	
Bush sunflower	*Encelia californica*		x	x
Scarlet monkeyflower*	*Erythranthe cardinalis*	x		
Common monkeyflower*	*Erythranthe guttata*	x		
California coffee berry	*Fragula californica*		x	x
Gumweed	*Grindelia camporum*			x
Toyon*	*Heteromeles arbutifolia*		x	x
California barley	*Hordeum brachyantherum* ssp. *Californicum*	x		
Spreading Rush	*Juncus patens*	x		
Giant tickseed*	*Leptosyne gigantea*		x	x
Pink honeysuckle	*Lonicera hispidula*		x	
Greene's saxifrage	*Micranthes californica*	x		
Bird's foot fern	*Pellaea mucronata*		x	
Bladderpod	*Peritoma arborea*			x
Western sycamore*	*Platanus racemosa*		x	
Bracken fern	*Pteridium aquilinum* var. *pubescens*	x	x	x
Coast live oak*	*Quercus agrifolia*		x	x
Golden currant	*Ribes aureum*		x	x
Fuchsia-flowering gooseberry	*Ribes speciosum*			x
California rose	*Rosa californica*	x	x	
Arroyo willow	*Salix lasiolepis*	x	x	
Purple sage	*Salvia leucophylla*			x
Black sage	*Salvia mellifera*			x
California hummingbird sage*	*Salvia spathacea*		x	x
Blue elderberry	*Sambucus nigra subsp. caerulea*		x	x
California figwort	*Scrophularia californica*		x	x

Plant Species		Restoration Location		
Common Name	Scientific Name	Lower Bank	Upper Bank	Upland
Nightshade*	*Solanum xanti*		x	x
Southern hedge nettle	*Stachys bullata*		x	x
Creeping snowberry	*Symphoricarpos mollis*	x	x	
California bay	*Umbellularia californica*		x	x
Giant chain fern	*Woodwardia fimbriata*	x		

Source: California Native Plant Society; Los Angeles/Santa Monica Mountains Chapter. 1996 [Revised 2007]. *Recommended List of Native Plants for Landscaping in the Santa Monica Mountains*

*Fire Resistant

Figure 16 ESHA Restoration Plan



Source: PSOMAS, 2022

6.0 Circulation, Mobility and Parking

6.1 Vehicle Access and Parking

The campus plan has been developed with input from the neighbors and user groups to improve vehicle access and to reduce impacts to Morning View Drive. These items include expanding the drop off lane on Morning View; providing multiple drop off and pick up zones off of Morning View; separating the bus pick up and drop off away from commuter vehicles; moving the bus barn away from the schools; and providing more parking so that parking does not spill onto the roadways.

Regional vehicle access to the Specific Plan Area is provided via Pacific Coast Highway (State Route 1). The Specific Plan area can be accessed from Morning View Drive, approximately 0.3 miles northeast of the intersection of Morning View Drive and State Route 1 and 0.9 miles southeast of the intersection of Guernsey Avenue and Highway 1. Morning View Drive is a narrow, two-lane, local roadway that provides direct access to single-family homes in the area as well as to the existing MMHS and former JCES campuses and the Malibu Equestrian Park.

Site access would remain along Morning View Drive, with a centrally located drop-off area for buses and parents/guardians between the Middle School and High School Core areas. The District will re-label the parking lots and reconfigure parking within the Master Plan resulting in an increase in overall site parking and an improved pick-up and drop off location on Morning View Drive. The new drop-off/pick-up area would be able to accommodate up to five school buses and would have parking spaces for visitor use (Parking Lot C). Figure 17, *Proposed Site, Access, Circulation, and Parking*, show the existing parking and proposed circulation under the Specific Plan. The Specific Plan will modify the existing access configuration to include:

- One two-way driveway from Morning View Drive on the southeastern portion of the campus providing vehicular access to parking lots A and B. Parking lot A has already been constructed. This driveway will provide access to a total of 212 parking spaces. Parking lots A and B will have a one-way counterclockwise circulation. Currently parking lot A is utilized as one of the areas for student drop-off. Lot B would be the closes parking lot to the future middle school buildings.
- Two one-way driveways from Morning View Drive in the southern portion of the campus across Ebbtide Way providing vehicular access to parking lot C, which will consist of 25 spaces. The eastern driveway will provide ingress and the western driveway egress. School buses will utilize this area for student drop-off and pick-up. Lot C would provide easy access to both the high-school and the middle school buildings.
- One two-way driveway from Morning View Drive on the southwestern portion of the campus providing vehicular access to parking lots D and E. This driveway will provide access to a total of 175 parking spaces. Lots D and E would be the closest lots to the proposed high-school buildings.
- Curbside drop-off would continue to occur on the northern side of Morning View Drive. However, no parking is allowed along Morning View Drive.
- Other than frontage improvements along Morning View Drive, no vehicle related off-site improvements are proposed.

Parking Lot D would be a new, approximately 129-space parking lot that would be developed to the north of Building C and would be accessed by a new entryway along the western edge of the campus from Morning View Drive. Parking Lot E would be constructed during Phase 3 and would have 32 parking spots and be connected by the shared

driveway to serve both the High School and the Boys & Girls Club. Table 15, *Campus Specific Plan Buildout Parking Count*, shows the name and parking count for each lot and the construction phasing of each lot. The Specific Plan would not change or modify the restrictions imposed on the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

Table 15 Campus Specific Plan Buildout Parking Count

Existing Parking Lot	Existing Spaces	Proposed Changes	Specific Plan Spaces	Built Phase
150-Space Parking Lot (E)	150	Renamed to Parking Lot A	150	Existing
Lower Parking Lot (D)	62	Renamed to Parking Lot B	62	Existing
Student Parking Lot A	119	Removed		
JCES Parking Lots	37	Removed		
Service Lot	7	Removed		
		Parking Lot C (New)	25	1
		Parking Lot D (New)	129	1
		Parking Lot E (New)	32	3
Total	**375**	**-**	**398**	

Source: SMMUSD 2020.
Note: 11 spaces within the Bus Barn will also be removed as part of the Specific Plan.

6.2 Pedestrian Access

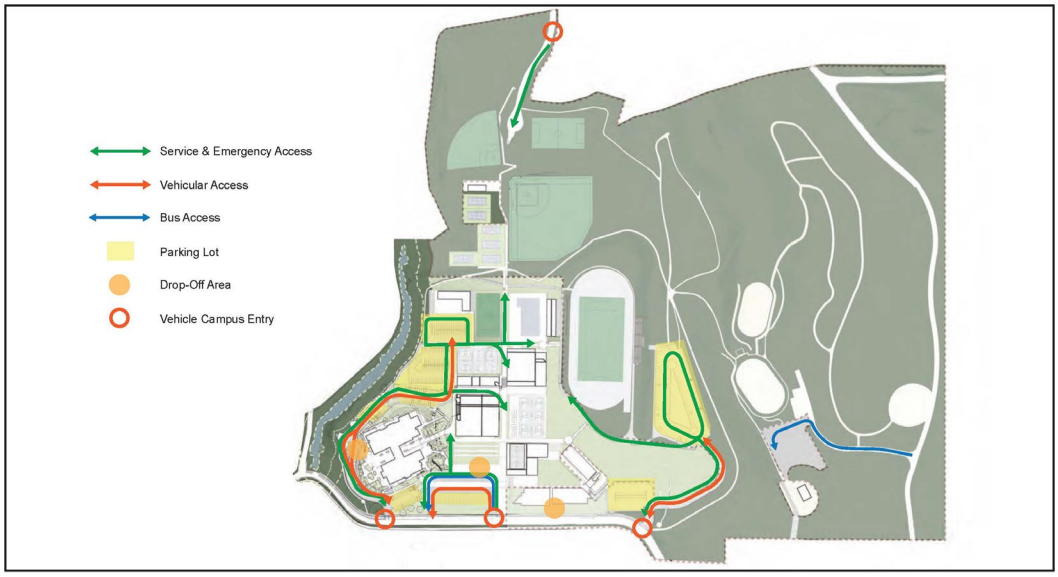
Pedestrian access to the Plan Area would remain along Morning View Drive with access at the new drop-off area. Pedestrian and equestrian access to the upper athletic fields, the Clover Heights Trail and the Equestrian Center Trail via Clover Heights for community use outside of school hours would continue under the Specific Plan. All circulation is wheelchair accessible via a network of either ramps and/ or elevators, connecting the parking lots with athletic and educational facilities throughout the campuses. Additionally, As shown in Figure 18, *Pedestrian Circulation Plan,* the Specific Plan would include a pedestrian trail system that starts along the ESHA on the west and connects to a larger system of existing walking trails around the Equestrian Park and surrounding hills. Fencing would surround the entire campus. Ornamental fencing near Morning View Drive and the proposed buildings would allow the MMHS and former JCES campuses to be secure during school days and would reinforce a single point of entry for each school. Wildlife permeable fencing would run along the east, north, and west sides of the Plan Area.

6.3 Construction

Construction of the Specific Plan would temporarily generate additional traffic on the existing area roadway network. These vehicle trips would include construction workers traveling to the Plan Area as well as delivery trips associated with construction equipment and materials. Delivery of construction materials to the Plan Area would require several oversized vehicles that may travel at slower speeds than existing traffic. Once materials are delivered to the campus, all construction activities would occur on-site within the existing boundaries of the school campus and would not disrupt off-site traffic flows. Additionally, construction workers would park in the designated staging area to provide adequate parking for all employees and visitors to the campus throughout the duration of construction activities of the Specific Plan. Signage and/or workers conducting traffic would be present to direct pedestrians and vehicles during construction. Per standard construction procedures, the construction contractor would prepare and

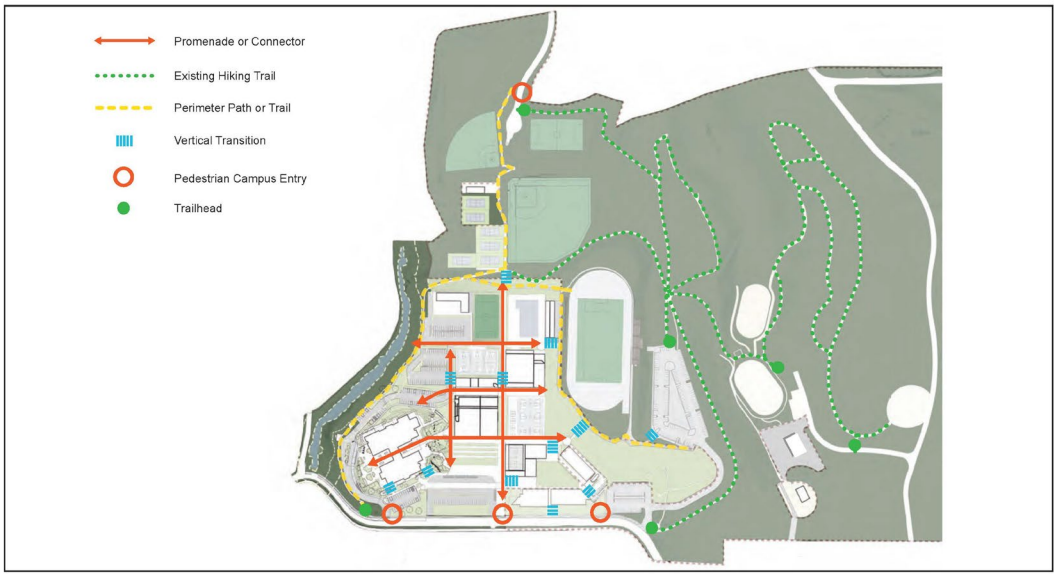
implement a traffic control plan to ensure that public safety and emergency access are maintained during the construction phase. Should any temporary fencing be needed during construction, it would meet the requirements of the LCP and LIP and be wildlife permeable.

Figure 17 **Proposed Site, Access, Circulation, and Parking**



Source: Spurlock Landscape Architects, 2021

Figure 18 Pedestrian Circulation Plan



Source: Spurlock Landscape Architects, 2021

7.0 Infrastructure

Utility improvements necessary to serve the proposed replacement buildings would be constructed. The future on-site utilities would connect to existing facilities serving the site.

7.1 Water Plan

The proposed domestic and fire water lines would connect to the existing 12-inch public water main located on Morning View Drive. Water will be served by Los Angeles County Waterworks District No. 29.

7.2 Septic System

Currently, 10 septic tanks exist on the former JCES and MMHS campuses. The Specific Plan would upgrade the existing septic system as each phase is developed. The location of the septic tanks and associated leach fields will be reviewed as part of each phase. Timing of the decommissioning of existing septic systems and sizing and replacement with new infrastructure would be conducted such that continued sufficient systems remain in place and service is not disrupted. Any need for onsite treatment will be discussed further with the City during appropriate project phases.

7.3 Drainage Plan

The Plan Area would be divided into seven drainage management areas (DMA) that will coordinate drainage to Morning View Drive. New stormwater retention basins would be developed to infiltrate and treat runoff from the Specific Plan.

7.4 Lighting

Outdoor Lighting Program

The Proposed Project would install new and upgraded outdoor lighting within each development phase that would include lighting in both existing and proposed campus parking lots, pedestrian pathways, marquee sign lighting, and nighttime security- and safety-required lighting. All outdoor campus lighting would be designed to provide for the security and safety of students, staff, and visitors. Final design of the Project's outdoor lighting program must meet the requirements of the City of Malibu's Dark Sky Ordinance and adhere to the standards of the Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G.

Maintenance and custodial staff typically leave the campus at 11:00 PM; as such, consistent with the existing lighting program on the MMHS Campus, the nighttime lighting would be controlled by an automatic timer and would be programmed to turn off at 11:30 PM each evening. On a limited number of occasions when school activities are scheduled to extend past 10:00 PM, such as an MMHS sports teams returning to campus following an "away" game or when a SMMUSD School Board meeting is held on campus, the programmed lights off time would be overridden to accommodate such authorized uses. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

Pool lighting

In addition to the outdoor campus lighting described above, new lighting would be installed as part of the development of the new pool in Phase 4. As described in Section 3.3.1.3 above, the new pool would be an Olympic-size 50-meter pool intended to serve student sport and educational curriculum such as swim and water polo recreational, as well as community uses. Pool and pool deck lighting would be replaced as part of the Project in order to meet the needs and standards associated with this size of pool and intended uses. Lighting would be installed to meet the requirements of a Class II facility as identified by the Illuminating Engineering Society of North America (IESNA), 10th Edition, where lighting should be a minimum of 50 foot candles over the pool and 20 foot candles over the deck, as measured at the water level. for improved safety. Consistent with IESNA recommendations, lighting would also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). When the pool is not in use, accessible paths, including along the pool deck, would be with a minimum of 2 foot candles until lights are turned off campus-wide. Through meeting these standards, the pool lighting would also meet the requirements of California Building Code section 3115B.1, which requires a pool have underwater and deck lighting such that lifeguards or other persons may observe, without interference of glare, every part of the underwater area, pool surface, and any diving appurtenances. These requirements for high school use of the aquatics facility are to insure a safe environment while attempting to remain compliant with the Dark Sky Ordinance, which includes an exemption for lighting required by Federal or State law under Malibu Municipal Code section 17.41.090, Conflict with Other Laws.

As with existing use and operation, the pool would be lit for an annual total of 524 hours during evening hours, as detailed below in Table 16, *Pool Lighting*. In addition, pool lights are currently used during morning hours three days a week (Tuesday, Thursday, and Saturday) for two hours (5:30 a.m. to 7:30 a.m.), for a total of 310 hours. This results in a total lighting time of 834 hours in current condition, which would continue in the same manner under the Proposed Project.

Table 16 Pool Lighting

Months	Days Lit	Times
Annually in morning hours	Tuesdays, Thursdays, Fridays	5:30am – 7:30am (310 hours)
July 1 – August 18	No Lights	-
August 19 – November 6	Monday – Friday (53 school days)	6:15pm – 8:45pm (132.5 hours total over this time period)
November 7 – March 12	Monday – Friday (74 school days)	5:15pm – 8:45pm (259 hours total over this time period)
March 13 – June 10	Monday – Friday (53 school days)	6:15pm – 8:45pm (132.5 hours total over this time period)
June 11 – June 30	No Lights	-

Source: SMMUSD 2021

7.5 Solar Panel System

Because of the campus location in a high-risk fire area with an increased severity of wildfire risks in recent years, mandated public safety utility shutdowns have led to approximately 20 days of lost instruction at the MMHS Campus. In addition, the cost of utility provision continues to rise in California. To increase District resiliency, protect the learning environment, and maximize energy and operational savings, the MMHS Campus Specific Plan includes

development of an "islandable microgrid" or ground mount photovoltaic (PV) solar array system treated to reduce glare, with battery storage and energy control center. An approximately 422 kilowatt (KW) PV system would be installed on the sloping hillside to the south of the existing Lot A and the Main Sports Field and to the north/northwest of the new Middle School Building E (core classrooms building). A 500 KW/1,000 KW hour battery storage system would be installed. The existing approximately 118 KW of PV located on the newly constructed Building A/B would connect with the larger system. The solar panel system, shown in Figure 19, *Solar Panel Location*, would be installed as part of Phase 2.

7.6 Solid Waste Disposal

Solid waste is gathered daily from each of the school buildings by custodial staff and taken to a central location for pickup. Other than small trash cans that are placed throughout the campus to discourage littering, trash facilities are screened from public view and accessible only to authorized employees. While the location of some of the small trash cans may vary, the centralized collection points are not anticipated to change with adoption of the specific plan. As no increase in capacity is planned, there should be no increase in solid waste from the campus.

Figure 19 **Solar Panel System**

Source: Schneider Electric, 2020

8.0 Administration and Authority

8.1 Specific Plan Authority

The MMHS Campus Specific Plan provides customized regulatory guidance to enable development of architectural features and building designs that would not otherwise be allowed by the City's current development standards. The Specific Plan is established through the authority granted to the City of Malibu by the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457. The Government Code authorizes cities to adopt specific plans either by resolution as policy or by ordinance as regulation.

A Planning Commission hearing and City Council hearing are required to adopt this specific plan. This Specific Plan is a regulatory document for all development projects within the boundaries of the Plan Area. Development within this area must be consistent with this Specific Plan and with all applicable City and District regulations. Government Code 65450 states that a "Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan, and further, that it may not be adopted or amended unless found to be consistent with the General Plan." The Specific Plan document has been designed to be consistent with the City of Malibu General Plan goals and policies.

8.2 Relationship to the General Plan

Adopted November 20, 1995, The City of Malibu's General Plan is intended to guide development, as well as promote the general welfare of the local community, while protecting the local resources. Table 17, *Relationship to the General Plan*, shows the applicable policies relevant to the Specific Plan.

Table 17 Relationship to the General Plan

General Plan Policies	Relevance/Consistency
LU Policy 1.1.1: The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.	**Consistent.** Implementation of the MMHS Campus Specific Plan would not result in a new land use onsite that would be incompatible with the natural environment. Instead, the MMHS Campus Specific Plan would redevelop and modernize the existing MMHS campus and former JCES campus to provide increased resources for the campus.
LU Policy 1.1.4: The City shall preserve the City's rural residential character.	**Consistent.** Implementation of the MMHS Campus Specific Plan would redevelop and modernize buildings within an existing school site. The institutional land use would remain the same. The MMHS Campus Specific Plan would not impede upon the surrounding rural residential character. The MMHS Campus Specific Plan's lighting program would be consistent with the existing lighting program on the MMHS campus and the City of Malibu's Dark Sky Ordinance. All campus lighting would be designed to provide for the security and safety of students, staff, and visitors.
LU Policy 1.1.5: The City shall require careful site planning which blends development with the natural topography.	**Consistent.** The topography of the campus slopes up north from Morning View Drive. The existing topography of the site would not be altered because of the Specific Plan implementation.

General Plan Policies	Relevance/Consistency
LU Policy 1.2.1: The City shall prohibit development in Environmentally Sensitive Habitat Areas (ESHA) unless no feasible alternative is available.	**Consistent.** As discussed previously as part of the Restoration Plan for the ESHA, the MMHS Campus Specific Plan proposes to remove existing parking and drive aisles and maintain a 50-foot buffer from ESHA except for a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations. Therefore, no development would occur in the ESHA.
LU Policy 1.4.1: The City shall preserve significant ridgelines and other significant topographic features (such as canyons, knolls, hills, and promontories).	**Consistent.** The MMHS campus is set amongst rolling hills and its buildings and athletic fields are terraced into its hillside setting. The existing topography of the site would be maintained, and no significant topographic features would be altered because of the Specific Plan's implementation.
LU Policy 2.1.4: The City shall require development to be landscaped so that the project blends in with the environment and neighborhood.	**Consistent.** The MMHS Campus Specific Plan is a redevelopment and modernization of an existing public educational use. New development would be designed and landscaped in a manner that preserves the existing topography, incorporates sustainable building practices, maintains open spaces, and reflects the rural community character of Malibu. Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas.
LU Policy 2.2.1: The City shall require adequate infrastructure, including but not limited to roads, water, and wastewater disposal capacity, as a condition of proposed development.	**Consistent.** The MMHS Campus Specific Plan will include adequate infrastructure to serve the Malibu Middle and High School Campus. The future on-site utilities would connect to existing facilities serving the site. The MMHS Campus Specific Plan modifications to the wastewater and drainage system will adequately serve the Malibu Middle and High School Campus.
LU Policy 2.3.1: The City shall protect and preserve the unique character of Malibu's many distinct neighborhoods.	**Consistent.** Implementation of the MMHS Campus Specific Plan would modernize and renovate buildings within an existing school site. The MMHS Campus Specific Plan is consistent with similar modern school facilities and the design limits its scale and massing to blend with the surrounding topography and buildings.
LU Policy 2.4.2: The City shall limit nonresidential uses to those compatible with the rural residential character of the surrounding neighborhoods.	**Consistent.** The MMHS Campus Specific Plan continues the existing public educational use for the site. The existing topography of the site would not be altered because of project implementation. The MMHS Campus Specific Plan blends and preserves the rural qualities of the community including the maintenance of open space areas for equestrian and trail uses.
LU Policy 2.4.6: The City shall avoid improvements which create a suburban atmosphere such as sidewalks and streetlights.	**Consistent.** The MMHS Campus Specific Plan would not create new sidewalks. However, the MMHS Campus Specific Plan would include lighting on the existing and new campus parking lots, pedestrian pathways, pool lighting, and other nighttime security- and safety-required lighting, consistent with existing conditions. Pool lighting would be regulated by the requirements of California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. The MMHS Campus Specific Plan's lighting program would be consistent with the City of Malibu's Dark Sky Ordinance. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

Source: Malibu 1995.

8.3 Relationship to Other Plans, Programs, Agencies, and Regulations

The following is a summary of the most relevant plans, programs, agencies, and regulations that should be referenced for consistency or compliance when implementing the Specific Plan.

California Coastal Act of 1976

The California Coastal Act of 1976 (CCA) is the permanent enacting law approved by the State Legislature. The CCA established a set of policies, coastal boundary lines, and permitting procedures regulating coastal development. Further, it provides for the transfer of permitting authority, with certain limitations reserved for the state, to local governments through adoption and certification of Local Coastal Program (LCP) by the California Coastal Commission. In conjunction with this Specific Plan, the LCP for the Plan Area will also be updated and submitted to the Coastal Commission.

City of Malibu Municipal Code

The Zoning Regulations (Title 17 of the Malibu Municipal Code), in conformance with the General Plan, regulate land use development in the City of Malibu. In each zoning designation, the regulations specify the permitted and prohibited uses and the development standards, including setbacks, height, parking, and design standards, among others. The Specific Plan is located within the Institutional District Zone that authorizes public educational institutions with a conditional use permit.

Malibu Local Coastal Program

The City of Malibu is located within the California coastal zone and all developments are subject to the regulations of the City's LCP. It was certified by the California Coastal Commission in 2002 and grants the City authority to review and approve coastal development permits (CDPs) at the local level. The LCP includes a Land Use Plan (LUP to regulate land use and a Local Implementation Plan (LIP) for zoning. Amendments to certified LUPs and LIPs only become effective after approval by the California Coastal Commission. Development within the Coastal Zone may not commence until a coastal development permit has been issued by either the Commission or a local government that has a Commission-certified local coastal program.

8.4 Review and Approval Process

The responsibilities of the Director shall include administering, interpreting, and enforcing all requirements and standards of the Specific Plan, including the acceptance and processing of all land use permit applications. Enforcement of the Specific Plan shall be in accordance with Chapter 17.04 Administration and Enforcement provisions of the City Municipal Code.

- **The Planning Director** or designated representative may approve, conditionally approve, or deny applications that meet the requirements of this Specific Plan and do not require a conditional use permit. The Director holds final approval authority for and enforcement of building permits, certificates of occupancy, sign permits, and temporary use permits.
- **The Planning Commission** may recommend approval, conditional approval, or denial of conditional use permits, applications for variances, specific plan amendments, and appeals of the actions of the Director or Zoning Administrator.

- **The City Council** may approve, conditionally approve, or deny conditional use permits, applications for variances, specific plan amendments, and appeals of the actions of the Planning Commission.
- **Coastal Commission** will have the final approval authority over the amendment to the LCP.

8.5 Administrative Amendments

Any modifications to the MMHS Campus Specific Plan shall occur in accordance with the Specific Plan amendment process and are required to be reviewed for approval by the Planning Commission and the City Council, with final review authority by the California Coastal Commission. In all cases, Specific Plan amendments must be found to be in conformance with the objectives and intent of the MMHS Campus Specific Plan. Amendments may be requested at any time pursuant to section 65453(a) of the Government Code. Depending upon the nature of the proposed Specific Plan amendment, a supplemental environmental analysis may be required, pursuant to the CEQA Guidelines section 15162. Amendments may also require revision of the City's Local Coastal Program and approval by the California Coastal Commission.

8.6 Site Plan Review and Approval

Phases II through IV are considered conceptual and will require review and approval by the City prior to construction. Subsequent phases will be reviewed for compliance with this Specific Plan. Site Plan Approval shall occur in accordance with the City's Municipal Code, and Local Coastal Plan.

8.7 Environmental Review

The Environmental Impact Report (EIR) primarily a source of environmental information and disclosure for the Santa Monica-Malibu Unified School District, the lead agency for the MMHS Campus Specific Plan. The EIR describes the potential impacts from the adoption of the MMHS Campus Specific Plan. While the MMHS Campus Specific Plan would be conducted in phases, each phase has been fully developed and approved by the SMMUSD Board. As such, it is not anticipated that substantial subsequent CEQA review would be required by the District. Preparation of a Project level EIR does not relieve the District of its duty to review subsequent Coastal Development Permit (CDP) projects contemplated under the EIR. Any individual CDP application that is processed as under this EIR would have to satisfy the requirements of CEQA Guidelines section 15162, such that new information or project changes would require revisions to the EIR. Further, the analysis and mitigation measures will provide the City enough detail that subsequent environmental review should not be necessary absent the conditions set forth in section 15162.

9.0 Financing Measures

Construction of the new high school, as Phase 1 of the Malibu Campus Plan, will be funded by a General Obligation Bond, entitled Measure M, passed in 2018. Prior to the election in 2018, the District created a Malibu-only School Facilities Improvement District (SFID). The result of the SFID is that bond dollars generated by Measure M can only be used in Malibu (not in Santa Monica) for school facility improvement needs. Phase 1 does not anticipate the receipt of additional funding from the state or other sources. It is anticipated that the proceeds from bond sales under Measure M will adequately fund Phase 1 of the Malibu Campus Plan. It is further anticipated that future phases will require additional funding, most likely in the form of a future general obligation bond for the Malibu SFID. The District does not anticipate funding from the city.

EXHIBIT B

LOCAL COASTAL PROGRAM LAND USE PLAN AMENDMENT

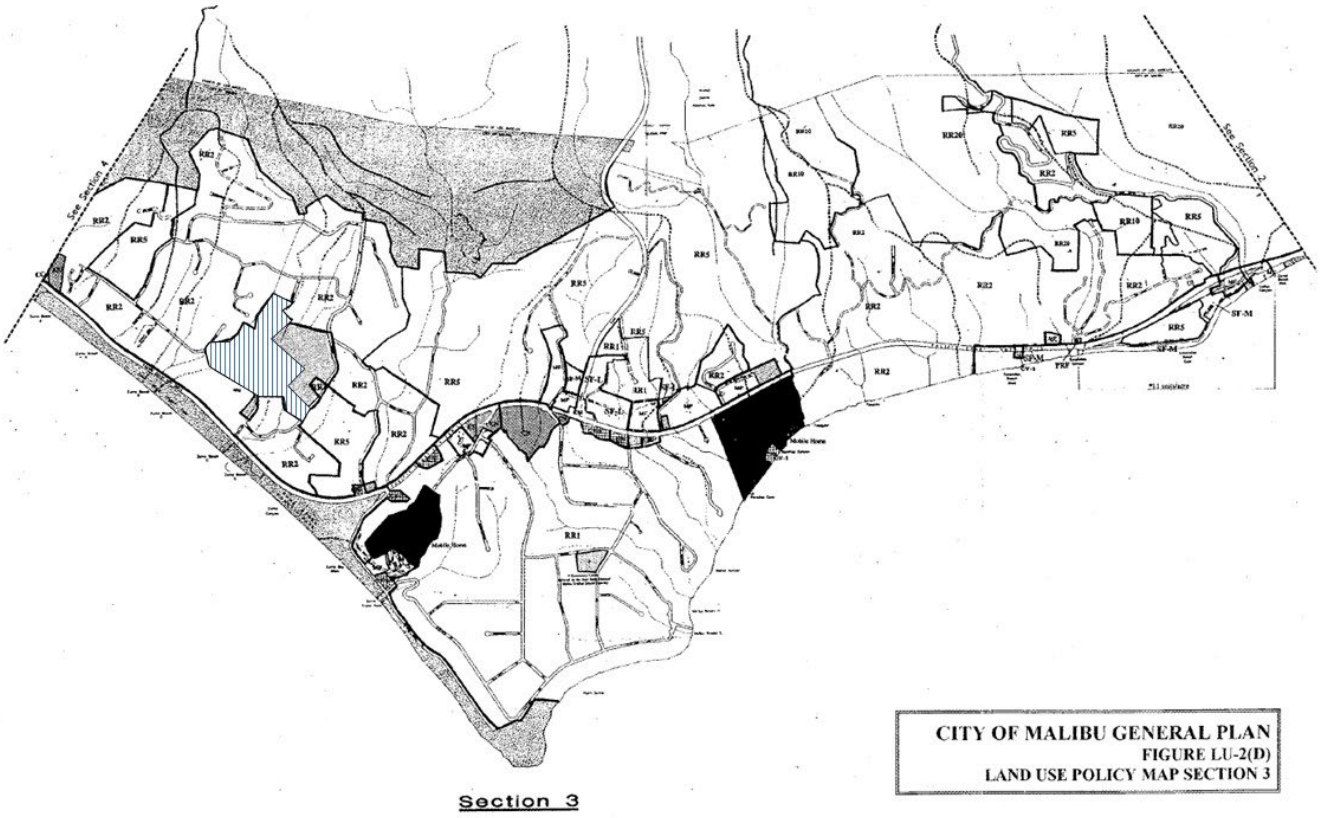
Amend the LCP Land Use Plan (LUP) to add the following new ESHA policy.

"3.24. The following types of new development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan, may provide a 50-foot ESHA buffer, if it does not significantly disrupt the ESHA habitat values:

1. Habitat creation, restoration, and/or enhancement activities;
2. Public accessways, trails, and associated minor improvements;
3. Directional, educational, and interpretive signs;
4. ESHA and creek-related educational uses and viewing platforms;
5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
6. Fuel modification required by the Los Angeles County Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
    a. Limited exterior lighting for safety purposes; and
    b. Fences necessary for safety, restoration, and protection of habitat."

EXHIBIT C

GENERAL PLAN MAP EXHIBIT



CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 22-40

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU MAKING A RECOMMENDATION TO THE CITY COUNCIL ON THE ADEQUACY OF THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 202008350), THE MITIGATION MONITORING AND REPORTING PROGRAM, AND THE STATEMENT OF OVERRIDING CONSIDERATIONS; AND LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002 ADDING THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN TO THE LOCAL COASTAL PROGRAM AND COROLLARY AMENDMENTS INCLUDING GENERAL PLAN MAP AMENDMENT NO. 21-002, ZONING MAP AMENDMENT NO. 22-001, AND ZONING TEXT AMENDMENT NO. 22-002 (SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

Section 1. Recitals.

A. On August 20, 2020, the Santa Monica-Malibu Unified School District (SMMUSD) issued a Notice of Preparation of a Draft Environmental Impact Report (EIR) and the Proposed Project's Initial Study (IS) for public review and comment. The comment period ended on September 21, 2020.

B. On September 9, 2020, SMMUSD held a public scoping meeting.

C. On October 15, 2021, SMMUSD issued a Notice of Availability and the Proposed Project's Draft EIR for public review and comment. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and ended on November 29, 2021.

D. On November 2, 2021, SMMUSD staff conducted a community presentation on the Project and Draft EIR.

E. On December 28, 2021, the response to comments on the Draft EIR was circulated to all of those who submitted comments.

F. On January 26, 2022, SMMUSD certified the Final EIR.

G. On December 21, 2021, the SMMUSD submitted an application for a specific plan for the Malibu Middle and High School Campus along with a coastal development permit for Phase 1 of the Specific Plan, which includes abatement and demolition of the school facilities associated with the former Juan Cabrillo Elementary School (JCES), construction of a new two-story high school building, a lot merger, new parking areas, Environmentally Sensitive Habitat Area (ESHA) restoration, and associated development.

H. In April 2022, SMMUSD expressed a concern that the timing to address the incomplete items in the pending Coastal Development Permit (CDP) application for Phase 1 was taking longer than anticipated and the additional processing time required by the California Coastal Commission (CCC) to certify the Local Coastal Program Amendment (LCPA) could jeopardize the campus plan implementation. At SMMUSD's request, City staff agreed to allow the draft

Specific Plan and the associated legislative entitlements to proceed through the City's public hearing process in advance of the CDP application.

I. On May 5, 2022, the project Environmental Review Board (ERB) reviewed the proposed project and made recommendations. Staff recommends all feasible recommendations be incorporated into the final project.

J. On May 5, 2022, a Notice of Availability of Local Coastal Program (LCP) Documents and a Notice of Planning Commission Public Hearing were published in a newspaper of general circulation within the City of Malibu and mailed to interested parties.

K. On May 31, 2022, the Planning Commission held a duly noticed public hearing on the Final EIR, LCPA No. 21-002, General Plan Map Amendment (GPMA) No. 21-002, Zoning Map Amendment (ZMA) No. 22-001, and Zoning Text Amendment (ZTA) No. 22-002, reviewed and considered the agenda report, reviewed and considered written reports, public testimony, and other information on the record.

Section 2. Environmental Review.

Acting as the lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the District Board adopted a Final EIR for the project (State Clearinghouse No. 202008350). A Draft EIR was prepared for the project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on September 9, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potential significant environmental impacts that would result from the project; however, the Board found that the inclusion of certain mitigation measures as part of the project approval would reduce most potentially-significant impacts to a less than significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project and included in the Final EIR. The EIR identified significant and unavoidable impacts with respect to Lighting and Construction Noise. Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the project, including the specific economic, legal, social, and technological benefits, against the unavoidable lighting and construction noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as lead agency for the project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for Specific Plan the City will consider the Final EIR prior to acting upon or approving the project and will have to certify that the information contained in the EIR is adequate for such approval. Otherwise, the City may consider a method of relief pursuant to CEQA Guidelines Section 15096(e) if the City finds that the EIR is not adequate for use by the responsible agency (City).

On September 19, 2019, the City accepted the District as the lead agency pursuant to CEQA Guidelines §15051 for the project and the City confirmed its role as a responsible agency. On January 27, 2022, a Notice of Decision for the Final EIR was filed by the District with the State Clearinghouse (No. 202008350).

Section 3. Adoption of CEQA findings.

Pursuant to CEQA Guidelines Section 15096(g)(2), within its powers as the recommending body for the subject MMHS Campus Specific Plan, the Planning Commission finds that there are feasible alternatives and feasible mitigation measures (Exhibit A – Mitigation Monitoring and Report Program) that would substantially reduce the project's impacts on resource areas identified in the EIR. Pursuant to CEQA Guidelines section 15096(h), the Planning Commission finds that the CEQA Findings of Fact, prepared by the District's environmental consultant, attached as Exhibit B, are the findings of the Planning Commission.

Section 4. Statement of Overriding Considerations.

The Planning Commission has: (i) independently reviewed the information in the final EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the project to the extent feasible by adopting Mitigation Measures in the EIR as conditions of approval; and (iii) balanced the project's benefits against the project's significant unavoidable lighting and construction noise impacts.

The Planning Commission finds that each of the following benefits is an overriding consideration independent of other benefits, which warrants approval of the project notwithstanding the project's significant and unavoidable construction noise impacts, but does not find significant and unavoidable aesthetic impacts related to pool lighting. The Planning Commission finds that specific economic, social, or other considerations make infeasible additional mitigation and, pursuant to Public Resource Section (PRC) Section 21081(a)(3), hereby recommends that the City Council adopt a Statement of Overriding Considerations for this impact which it determines as acceptable. The proposed project will provide many generations of students with safe and secure facilities that maximize their learning environment. Any one or a combination of the specific community benefits from the adoption of the MMHS Campus Specific Plan and related CDP would outweigh the unavoidable environmental impacts:

1. The project represents an improvement to an existing school and would reorganize open space and foster intercampus circulation; improve access, circulation, and drop-off and pick-up, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and remove hazardous buildings and structures.

2. The project will create unique and separate identities for the Malibu Middle School and Malibu High School campuses.

3. The project will improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.

Section 5. Specific Plan Findings.

Finding A. The proposed MMHS Campus Specific Plan is consistent with and implements the following General Plan policies, objectives, and implementation measures:

LU Policy 1.1.1: The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.

Consistent. Implementation of the MMHS Campus Specific Plan would not result in a new land use onsite that would be incompatible with the natural environment. Instead, the MMHS Campus Specific Plan would redevelop and modernize the existing MMHS campus and former JCES campus to provide increased resources for the campus.

As discussed earlier, the existing MMHS campus includes structures that extend up to the edge of the ESHA and in some instances into the ESHA, with no setback. The Campus Plan includes removal of development within the ESHA and ESHA buffer and construction of new buildings that would maintain the required 100-foot ESHA buffer. The Specific Plan proposes a 50-foot ESHA buffer for the construction of a pedestrian path, elevated outdoor learning spaces, and permeable paved parking areas. To mitigate these impacts, the project includes a phased restoration plan for the ESHA within the District's property.

The restoration plan would include removal of all hardscape within the proposed 100-foot buffer of the ESHA boundary. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. See Figures 16 through 18 in the Specific Plan.

LU Policy 1.1.4: The City shall preserve the City's rural residential character.

Consistent. Implementation of the MMHS Campus Specific Plan would redevelop and modernize buildings within an existing school site. The institutional land use would remain the same. The MMHS Campus Specific Plan would not impede upon the surrounding rural residential character. The MMHS Campus Specific Plan's lighting program would be consistent with the existing lighting program on the MMHS campus and the City of Malibu's Dark Sky Ordinance. All campus lighting would be designed to provide for the security and safety of students, staff, and visitors.

As proposed, the Campus Plan will maintain the terraced development pattern that is consistent with the existing topography, thereby preserving the rural character of the area.

LU Policy 1.2.1: The City shall prohibit development in Environmentally Sensitive Habitat Areas (ESHA) unless no feasible alternative is available.

Consistent. The MMHS Campus Specific Plan proposes to remove existing parking and drive aisles and maintain a 100-foot buffer from ESHA except for a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations, permeable parking areas, and fuel modification. Therefore, no development would occur in the ESHA.

LU Policy 1.4.1: The City shall preserve significant ridgelines and other significant topographic features (such as canyons, knolls, hills, and promontories).

Consistent. The MMHS campus is set amongst rolling hills and its buildings and athletic fields are terraced into its hillside setting. The existing topography of the site would be maintained, and no significant topographic features would be altered because of the Specific Plan's implementation.

LU Policy 2.1.4: The City shall require development to be landscaped so that the project blends in with the environment and neighborhood.

Consistent. The MMHS Campus Specific Plan is a redevelopment and modernization of an existing public educational use. New development would be designed and landscaped in a manner that preserves the existing topography, incorporates sustainable building practices, maintains open spaces, and reflects the rural community character of Malibu. Landscaping would be provided along pathways, building perimeters, and within and around new parking lot areas.

LU Policy 2.2.1: The City shall require adequate infrastructure, including but not limited to roads, water, and wastewater disposal capacity, as a condition of proposed development.

Consistent. The MMHS Campus Specific Plan will include adequate infrastructure to serve the Malibu Middle and High School Campus. The future on-site utilities would connect to existing facilities serving the site. The MMHS Campus Specific Plan modifications to the wastewater and drainage system will adequately serve the Malibu Middle and High School Campus.

LU Policy 2.3.1: The City shall protect and preserve the unique character of Malibu's many distinct neighborhoods.

Consistent. Implementation of the MMHS Campus Specific Plan would modernize and renovate buildings within an existing school site. The MMHS Campus Specific Plan is consistent with similar modern school facilities and the design limits its scale and massing to blend with the surrounding topography and buildings.

The existing MMHS Campus is on several split-level building pads to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with vegetation contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops.

The redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, while integrating the buildings with the landscape.

LU Policy 2.4.6: The City shall avoid improvements which create a suburban atmosphere such as sidewalks and streetlights.

Consistent. The MMHS Campus Specific Plan would not create new sidewalks. However, the MMHS Campus Specific Plan would include lighting on the existing and new campus parking lots, pedestrian pathways, pool lighting, and other nighttime security- and safety-required lighting, consistent with existing conditions. Pool lighting would be regulated by the requirements of

California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. The MMHS Campus Specific Plan's lighting program would be consistent with the City of Malibu's Dark Sky Ordinance. The Specific Plan would not change or modify the restrictions imposed on the Athletic Field lighting (CDP 12-024), or the lighting associated with the 150-space Parking Lot A under the existing CDP (CDP No. A-MAL-13-030).

Finding B. The MMHS Campus Specific Plan will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood.

The Specific Plan will 1) create unique and separate identities for the Malibu Middle and High School campuses which will advance educational facilities to support 21st Century learning; 2) improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; 3) provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development; 4) improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement; 5) Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and 6) respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.

Section 6. Local Coastal Program Amendment Findings.

LCPA No. 21-002 will 1) add Section 3.4.6 to LIP Section 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, 2) exempt the MMHS from the prohibition of EMC signs required by LIP Section 3.15.3, 3) amend LCP Map No. 2 to add a boundary line around the MMHS Campus Specific Plan area, and 4) amend the LCP Land Use Plan (LUP) to add the following new ESHA policy. The full text of the amendments is attached hereto as Exhibit C.

Based on evidence in the whole record, the Planning Commission hereby finds that the proposed amendment meets the requirements of and is in conformance with the policies and requirements of Chapter 3 of the California Coastal Act.

A. The amendments to the LCP meet the requirements of, and are in conformance with the goals, objectives and purposes of the LCP. Development standards specific to the Malibu Middle and High School Campus ensure that development of the school campus will allow for the modernization of the school while maintaining standards to require that uses within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources.

B. As a part of the LIP, the MMHS Campus Specific Plan ensures that future development projects and land uses within the Specific Plan conform to applicable LCP policies, goals, and provisions, while taking into consideration the protection and enhancement of visual resources, public access, and recreation opportunities. Incorporating specific requirements for the build out of the MMHs Campus achieves LIP Sections 1.2(D) and (G) (guides future growth and development), LIP Section 1.2(F) (promotes public health, safety, and general welfare), and LIP Section 1.2(K) (assures adequate public uses, facilities, and improvements).

Section 7. General Plan Map Amendment Findings.

Planning Commission hereby makes the following finding and recommends to the City Council that GPMA No. 21-002 to amend the General Plan Land Use Policy Map, Section 3, to add the Specific Plan land use designation on the MMHS property be approved.

A. The subject General Plan Map Amendment will make the land use designation for the subject property consistent with the LCP Land Use Map as adopted with the MMHS Specific Plan.

Section 8. Zoning Text/Map Amendment Findings.

Pursuant to MMC Section 17.74.040, the Planning Commission hereby makes the following findings and recommends to the City Council that ZMA No. 22-001 and ZTA 22-002 to 1) amend Section 17.42.020 in the MMC to add a new "M." to incorporate the MMHS Campus Specific Plan into the MMC consistent with the proposed LCPA language, 2) exempt the MMHS from the prohibition of EMC signs required by MMC Section 17.52.040, and 3) amend the Zoning Map to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan be approved. The full text of the amendments is attached hereto as Exhibit D.

A. The subject zoning text and map amendment is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed amendment serves to enhance the Malibu General Plan Mission Statement, protect public safety and preserve Malibu's natural and cultural resources.

B. The Planning Commission held a public hearing, reviewed the subject zoning text amendment application for compliance with the City of Malibu General Plan, Malibu Municipal Code and the Malibu Local Coastal Program, and finds that the zoning text amendment is consistent and recommends approval.

Section 9. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby recommends the City Council adopt the Findings of Fact required by the California Environmental Quality Act certifying the adequacy of Environmental Impact Report No. 20-001 (State Clearinghouse No. 2020080350) andadopt the Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations and approval of LCPA No. 21-002, GPMA No. 21-002, ZMA No. 22-001, and ZTA No. 21-002 to implement MMHS Campus Specific Plan.

The Planning Commission hereby makes the following additional recommendations for City Council consideration as part of its deliberation on the proposed amendments:

1. Require the City of Malibu to perform the monitoring functions required by the Mitigation Monitoring and Reporting Program.
2. Require the City of Malibu Public Works Department to complete the traffic review before the City Council hearing.
3. Require the entire campus, including the proposed pool, to comply with the Dark Sky Ordinance.
4. The two electronic message center signs should face toward the school rather than

toward the street, be limited to five feet in height, and are required to be turned off one-half hour following the last scheduled event.

5. All public entrances to the school for pedestrian and vehicular access shall be taken off Morning View Drive and Parking Lot F shall be eliminated.
6. Deny staff's recommendation to remove the grading quantities for Phases 2-4 from the Specific Plan.

Section 10. The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 31st day of May, 2022.

DENNIS SMITH, Planning Commission Vice Chair

ATTEST:

REBECCA EVANS, Recording Secretary

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 22-40 was passed and adopted by the Planning Commission of the City of Malibu at the regular meeting thereof held on the 31st day of May 2022, by the following vote:

AYES:	3	Commissioners Mazza, Wetton, Smith
NOES:	0	
ABSTAIN:	0	
ABSENT:	2	Commissioners: Jennings and Hill

REBECCA EVANS, Recording Secretary

Exhibit A:	Mitigation Monitoring and Reporting Program
Exhibit B:	Findings of Fact/Statement of Overriding Considerations
Exhibit C:	Proposed Local Coastal Program Amendment No. 21-002
Exhibit D:	Proposed Zoning Text Amendment No. 22-002

January 2022 | **Mitigation Monitoring and Reporting Program**
State Clearinghouse No. 2020080350

MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN PROJECT

for Santa Monica-Malibu Unified School District

Prepared for:

Santa Monica-Malibu Unified School District
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PLACEWORKS

Exhibit A

Table of Contents

Table of Contents

List of Tables

1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020080350. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and Santa Monica-Malibu Unified School District (SMMUSD or District) Monitoring Requirements. Section 21081.6 states:

(a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.

(b) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation

> measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

The Mitigation Monitoring and Reporting Program (MMRP) will serve to document compliance with adopted/certified mitigation measures that are formulated to minimize impacts associated with development under the Malibu Middle and High School Campus Specific Plan Project (Proposed Project).

1.2 PROJECT LOCATION

The Santa Monica–Malibu Unified School District (SMMUSD or District) property is located at 30215 Morning View Drive (Assessor's Parcel Map Numbers (APN) 4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902) in the city of Malibu, Los Angeles County, California. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing Malibu Middle and High School (MMHS) campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west (Project Site). The Project Site is situated on three of nine parcels: APN 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres. The majority of the Malibu Middle and High School Campus Specific Plan Project (Proposed Project) would be developed within the existing MMHS campus and the former JCES campus, with one component of the Proposed Project in the Malibu Equestrian Park. The Project Site is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Project Site is in the City of Malibu Institutional (I) Zoning District that authorizes public educational institutions with a conditional use permit.

The Project Site is approximately 0.25-mile northeast of the Pacific Coast Highway (PCH) and Zuma Beach, and is bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Project Site to the north.

1.3 PROJECT SUMMARY

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create generally three separate and distinct areas: Middle School Core, High School Core, and shared facilities. Implementation of the Proposed Project would result in demolition of all 7 buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. The existing 25-meter lighted, outdoor pool complex would be demolished, and new 50-meter lighted, outdoor pool complex would be developed. The existing Building E and Buildings A/B at the Project Site would remain, and all other structures would be removed. No changes to the existing main

football/track sports field, baseball, or softball fields would be made with the exception of minor improvements, including the development of new field houses and additional parking adjacent to the softball field. The Proposed Project would relocate the existing on-campus Bus Barn to a disturbed location on the adjacent, District-owned Malibu Equestrian Park. It would also include restoration in the campus-adjacent Environmentally Sensitive Habitat Area (ESHA) and establishment of a new trail along the ESHA that would connect to the existing, larger trail network around the campus. The Proposed Project would result in 32 classrooms, 8 labs and maker spaces, and support spaces—a total of 173,595 square feet of building space, providing the middle/high school campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space.

1.1 ENVIRONMENTAL IMPACTS

1.1.1 Impacts Considered Less Than Significant

During preparation of the Initial Study, SMMUSD determined that four environmental impact categories would not be significantly affected by the proposed Malibu Middle and High School Campus Specific Plan Project. These categories are not discussed in detail in this DEIR.

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Tribal Cultural Resources

The DEIR determined that eight environmental factors would have less than significant impacts if the Proposed Project is implemented.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation
- Utilities and Service System

- Wildfire

1.1.2 Potentially Significant Adverse Impacts That Can Be Mitigated

The DEIR determined that seven environmental factors would have potentially significant impacts without mitigation.

- Air Quality
  - Construction-related pollutants
- Biological Resources
  - Impact to sensitive species
  - Loss of sensitive habitat types
  - Impact approximately 0.033 acres of USACE, RWQCB and CDFW Jurisdiction
  - Require compliance with the local tree ordinance
- Cultural Resources
  - Impacts on archaeological resources
- Geology and Soils
  - Hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils
  - Impact to paleontological resources or unique geologic feature
- Noise
  - Permanent operation-related noise
- Transportation
  - Potentially hazardous conditions and potential conflicting uses
- Wildfire
  - Exacerbate wildfire risks
  - Exposure to risks, including downslope or downstream flooding or landslides

1.1.3 Unavoidable Significant Adverse Impacts

This DEIR identifies two significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the Proposed Project. Unavoidable adverse impacts may be considered significant on a project-specific, cumulatively significant, and/or potentially significant basis. If a project is determined to have a significant impact, the District must prepare a "statement of overriding considerations" before it can approve the project, where in the decision-making body must find and determine whether the benefits of the Proposed Project were balanced against the project's unavoidable significant environmental effects outweigh the adverse effects, and therefore the adverse effects are considered acceptable. The impact that was found in the DEIR to be significant and unavoidable is:

- Aesthetics
  - Additional light and Glare
- Noise
  - Construction-generated noise

2. Monitoring and Reporting Requirements

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Pub. Resources Code, § 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the DEIR, specifications are made herein that identify the action required and the monitoring and reporting that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program. To effectively track and document the status of mitigation measures, a mitigation matrix has been prepared (see Table 2-1, *Mitigation Monitoring Requirements*).

2. Mitigation Monitoring Process

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Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
5.1 AESTHETICS					
AES-1	To minimize spill lighting and glare impacts, all lighting from the Proposed Project, including from pool lighting, shall be LED, have full-cutoff shielding, be aimed specifically to direct areas.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
AES-2	Atmospheric lighting pollution shall be reduced by using full cut-off shielded lighting fixtures that eliminate light directed to the sky. Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
AES-3	Santa Monica-Malibu Unified School District (SMMUSD) shall minimize the effects of new sources of night lighting. Such measures, which may include the following and/or other measures, will be incorporated into each phase of the Proposed Project's design and operation: • All exterior lighting shall be delineated as either "night lighting" or "security lighting" and controlled by separate automatic timers. Lights delineated as security lighting shall be determined by the campus principal, security, and facility manager. • All lighting delineated as "night lighting" shall be shut off automatically at 10:00 p.m. on school nights. This includes pool lights. • When operation of "night lighting" is necessary after 10:00 p.m., SMMUSD as operator of the Project Site shall provide notice to the community by posting such notice on the campus website and the school message board and marquee. • When school is not in session (such as summer and winter break and weekends), "night lighting" shall not be permitted, and only required security lighting shall be illuminated.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
AES-4	All structures shall incorporate nonreflective exterior building materials in their designs, and the use of reflective glass shall be prohibited.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of each phase of the Project	Santa Monica-Malibu Unified School District	
AES-5	The pool lighting shall be designed to meet safety requirements of 30 foot candles over the pool and 20 foot candles over the deck as measured at the water level, while also minimizing light spill, glare, and skyglow to the extent feasible to ensure proper lighting levels necessary for competitive water polo play. Pool lighting shall be turned off within ½ hour of aquatic use and the 2-	Construction Contractor, Santa Monica-Malibu Unified School District	During design of the pool phase (before construction and operation)	Santa Monica-Malibu Unified School District	

2. Mitigation Monitoring Process

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	foot candle safety perimeter lighting shall be turned off with all other automatic campus lighting.				
5.2 AIR QUALITY					
AQ-1	Construction bids for Phase 1 through 4 activities at the Project Site shall specify use of offroad equipment that meets the United States Environmental Protection Agency (US EPA) Tier 4 interim emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated that such equipment is not available. In the event the equipment is not available, as demonstrated by the contractor, Tier 3 equipment retrofitted with a California Air Resources Board's Level 3 Verified Diesel Emissions Control Strategy (VDECS) shall be used. The following shall be specified in the construction bid: • Construction contractors shall use engines that meet US EPA Tier 4 Interim emission standards for equipment over 50 horsepower. • Construction contractors shall maintain a list of all operating equipment in use on the Project Site in use for more than 20 hours for verification by the District. The construction equipment list shall state the makes, models, and number of construction equipment on-site. • Construction contractors shall ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. • Construction contractors shall communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449. Construction contractors shall be responsible for ensuring that this requirement is met.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
5.3 BIOLOGICAL RESOURCES					
BIO-1	**Pre-Construction Burrowing Owl Surveys and Avoidance:** In the year prior to initiation of Proposed Project activities in Phase 4, and/or before recommencing construction activities if suspended/delayed for six months or more, a qualified biologist shall conduct pre-construction burrowing owl surveys in accordance with the 2012 CDFW Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CDFW 2012). If wintering or	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phase 4 of the Project	Santa Monica-Malibu Unified School District	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	breeding burrowing owl are observed adjacent to the impact area, mitigation shall be conducted in accordance with the CDFW guidelines (CDFW 2012).				
BIO-2	**Pre-Construction Nesting Bird Surveys:** To the extent possible, vegetation removal shall be conducted during the non-breeding season (i.e., September 1 to January 31) in order to minimize direct impacts on nesting birds and raptors. If construction activities would be initiated during the breeding season for nesting birds/raptors (i.e., February 1–August 31), a pre-construction survey will be conducted by a qualified Biologist within three days prior to the initiation of construction (including demolition of structures). If construction activities are delayed or suspended for more than 7 days during the breeding season, nesting bird surveys shall be repeated before construction activities can begin or restart. In addition, nesting bird surveys shall be conducted prior to starting phased Project construction and activities. The absence of nesting birds and raptors shall be considered valid only until the following breeding season. The area will be surveyed for 2 hours between dawn and 10:00 AM on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, on at least three of the surveys, surveys will also be conducted during the period immediately before nightfall. The nesting bird/raptor Survey Area will include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors (including burrowing owl). If the Biologist does not find any active nests in or immediately adjacent to the impact area, construction activities can proceed. If the Biologist detects an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted by increased activity around the nest, the Biologist shall determine an appropriate protective buffer around the nest depending on the sensitivity of the species and the nature of the construction activity. The protective buffer shall be between 25 to 300 feet for nesting birds; 300 to 500 feet for nesting raptors. The active nest will be protected within the designated buffer until nesting activity has ended. Any protective buffers will be mapped on construction plans and designated as "Environmentally Sensitive Areas". Construction can proceed within the	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

2. Mitigation Monitoring Process

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	protective buffer when the qualified Biologist has determined that the nest is no longer active (i.e., fledglings have left the nest or the nest has failed).				
BIO-3	**Vegetation Assessments:** Vegetation types shall be verified prior to work activities occurring in Phases 2 and 4 if seven years have elapsed from the latest point in time the vegetation mapping described in this Biological Assessment was conducted (April 15, 2021). Vegetation types in the BSA shall be assessed during a field visit and compared to the vegetation types mapped and described herein. Any changes shall be documented in a revised vegetation map and provided to the City of Malibu and the District. Special status vegetation types shall be identified, and if impacts are anticipated, the Proposed Project shall comply with Mitigation Measure, BIO-4.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phases 2 and 4 of Project	Santa Monica-Malibu Unified School District	
BIO-4	**Special Status Vegetation Types:** The loss of special status vegetation types within the impact area is considered a significant impact. These vegetation types will be restored onsite or, if appropriate, offsite at a ratio of not less than 1:1, as agreed to by the City of Malibu and the District. A revegetation program shall be implemented in accordance with a City-approved landscape palette on all graded areas not utilized for improvements or structures. The revegetation program will be submitted to the City of Malibu for review and approval by a qualified biologist prior to issuance of grading permits. Restoration will consist of seeding and container planting of appropriate species. Impacts are considered less than significant after implementation of the following measures: A detailed restoration program will be developed prior to map recordation and implemented, and will contain the following items: • *Responsibilities and qualifications of the personnel to implement and supervise the plan*. The responsibilities of the landowner, specialists, and maintenance personnel that will supervise and implement the plan will be specified. • *Site selection*. The site(s) for mitigation will be determined in coordination with the District and the City of Malibu. The site will be located in a dedicated open space area and will be contiguous with other natural open space areas.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• *Site preparation and planting implementation.* The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) erosion control measures (i.e., rice or willow wattles), and 6) native seed mix application. • *Schedule.* Establishment of restoration/revegetation sites will be conducted between October 1 and January 30. Seeding and planting of container plants will take place immediately after preparation of the restoration sites. • *Maintenance plan/guidelines.* The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting. • *Monitoring Plan.* The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the City, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the City for three to five years. The monitoring will be conducted for three to five years, depending upon the performance of the mitigation site. • *Long-term preservation.* Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. • *Performance standards will be identified and will apply for the revegetation of special status vegetation types.* Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing, restored, and created habitat areas. In addition, earth-moving equipment will avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas				

2. Mitigation Monitoring Process

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	that will remain undeveloped. Prior to grading, the construction boundary limits will be marked by the construction supervisor and the Project biologist. These limits will be identified on the grading plan. The District will submit a letter to the City of Malibu verifying that construction limits have been flagged in the field. No earth-moving equipment will be allowed outside of the construction boundary.				
BIO-5	**RWQCB and CDFW Jurisdiction Areas:** Upon completion of construction activities, impacts to approximately 0.033 acre of non-wetland RWQCB and CDFW jurisdictional waters will be mitigated within the Proposed Project boundaries at a minimum ratio (i.e., no less than) of 1:1 through the creation of 0.033 acre of non-wetland jurisdictional waters. Acquisition of a § 1602 "lake or streambed alteration" agreement from the CDFW and waste discharge requirements from the RWQCB would be required. Prior to the final submittal of a Report of Waste Discharge from the RWQCB, and/or CDFW notification of lake or streambed alteration, the District will develop a mitigation plan for the RWQCB, CDFW, and City of Malibu. The objective of the mitigation is to ensure no net loss of habitat values as a result of the Proposed Project. The detailed restoration program shall contain the following items: • *Responsibilities and qualifications of the personnel to implement and supervise the plan*. The responsibilities of the landowner, specialists and maintenance personnel that would supervise and implement the plan will be specified and shall include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists. • *Site selection*. The site(s) for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The site will be located in a dedicated open space area and will be contiguous with other natural open space.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• *Site preparation and planting implementation.* The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) temporary irrigation installation, 6) erosion control measures (i.e., rice or willow wattles), 7) native seed mix application, and 8) native container species. • *Schedule. A* schedule will be developed which includes planting and seeding to occur in late fall and early winter, between October 1 and January 30 in order to optimize the successful establishment and germination of native plants and seeds. • *Maintenance plan/guidelines.* The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting. • *Monitoring Plan.* The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the resource agencies for three to five years. Coordination will take place on a regular basis between the biological monitor, landscape contractor and irrigation specialist with regard to non-native species targeted for removal as well as irrigation schedule to ensure that the restoration in on track for achievement of performance criteria. In addition, remedial as well as contingency measures shall also be specified should the site not meet specified performance standards. The site will be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request from RWQCB and CDFW to be released from monitoring requirements. • *Long-Term Preservation.* Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.				

2. Mitigation Monitoring Process

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	• Performance standards will be identified and will apply for the restoration of riparian habitat. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing and restored and/or created habitat areas. The qualifications of the personnel to implement and supervise the plan would include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.				
BIO-6	**Adherence to City of Malibu Tree Protection Ordinance:** Prior to initiation of Proposed Project activities in each Phase of the Proposed Project, the tree survey map created for the Proposed Project (Appendix C) shall be consulted and if impacts to any protected trees are anticipated, the Proposed Project shall comply with mitigation included in the Malibu Local Coastal Program Native Tree Protection Ordinance.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
5.4. CULTURAL RESOURCES					
CUL-1	Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project: • Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)

(prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
• In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.
  • If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
  • If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per § 7050.5 of the California Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American				

2. Mitigation Monitoring Process

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.				
5.6 GEOLOGY AND SOILS					
GEO-1	Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
GEO-2	Design recommendations regarding future irrigation systems identified in the Geotechnical Report shall be followed to ensure that irrigation shall not be allowed within at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Details of these recommendations are included in Appendix H.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
5.11 NOISE					
N-1	Construction contractors shall implement the following measures for construction activities conducted at the Project Site during each phase of construction. Construction plans submitted to the District shall identify these measures on demolition, grading, and construction plans. The District shall verify that grading, demolition, and/or construction plans submitted include these notations prior to demolition, grading, and/or building construction.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

Table 2-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• During the active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) wherever feasible. • Impact tools (e.g., jack hammers and hoe rams) shall be hydraulic- or electric-powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. • Stationary equipment such as generators and air compressors shall be located as far as feasible from noise-sensitive uses. • The District's construction contractors and subcontractors shall be required through contract specifications to locate construction staging areas, construction worker parking, and material stockpiling as far away from vibration- and noise-sensitive sites as possible. Additionally, these activities shall be located away from occupied buildings on campus, occupied residential dwellings adjacent to the campus, and other sensitive receptors, where feasible. Prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours as well as the contact information of the District's and contractor's representatives who are authorized to respond in the event of a noise or vibration complaint. If the contractor's authorized representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the District. • Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than 5 minutes. • During the entire active construction period and to the extent feasible, the use of noise producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the				

2. Mitigation Monitoring Process

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws. • Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the Proposed Project Site providing a schedule for major construction activities through the duration of the construction period. When construction activity would occur within 100 feet of nearby receptor property lines, contractors shall erect temporary noise barriers where feasible. The temporary noise barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a ¾-inch-thick plywood wall OR (b) a hanging acoustical blanket/curtain with a surface density or at least 1.5 pounds per square foot. • Prior to construction, the contractor shall submit to the District a list of equipment and activities required during construction to ensure proper planning of the most intense construction activities during time periods that would least impact campus operations. When construction activity would occur within 150 feet of active classrooms, contractors shall ensure that interior classroom noise levels do not exceed 50 dBA Leq. Feasible methods to achieve this include those listed above, scheduling work during less sensitive time periods when the classroom is not in use, and classroom use rescheduling to move active classes away from high noise construction activities, as necessary. Construction activities within 50 feet of occupied classrooms would be prohibited during preparation and testing for National Standardized testing days of students at MMHS.				
N-2	The proposed bus barn shall be an enclosed structure constructed of wood, masonry, concrete, or other similar solid material (e.g., not corrugated metal). The structure will have no gaps and minimal window area. All bus testing shall be conducted inside the enclosed bus barn.	Construction Contractor, Santa Monica-Malibu Unified School District	During design of the relocated bus barn	Santa Monica-Malibu Unified School District	
5.14 TRANSPORTATION					
T-1	During each phase of construction activity, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Construction	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	Traffic Mitigation Plan that is specific to the needs of each phase and shall include the following: • Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur 30 minutes before or after student arrival and dismissal times—8:30 am Monday through Friday, 1 pm to 3 pm Monday through Thursday, and 12 pm to 1:30 pm on Friday. • The plan shall eliminate curbside parking on the south side of Morning View Drive south of the construction staging area to provide adequate turn radius and site distance to access for trucks entering and leaving work sites. This would apply to construction Phases 1, 2, and 3 only, which would have access via the segment of Morning View Drive adjacent to the school frontage. • The plan shall include a Traffic Education Program to assist in educating parents, students, and staff on drop-off/pick-up procedures specific to each phase of construction. Informational materials shall be disseminated regarding student drop-off and pick-up procedures via regular parent/school communication methods and shall be posted on the school website. • The use of portable message signs and information signs at construction sites shall be employed as needed. • Construction activities for each phase shall be coordinated with the responsible agency departments, including the City of Malibu Public Works and Planning Departments, and the Los Angeles County Sheriff and Fire Departments no less than 10 days prior to the start of the work for each phase. Notification shall specify whether any temporary vehicle, pedestrian, or bicycle construction detours are needed, if construction work would encroach into the public right-of-way, or if temporary use of public streets surrounding the Project Site is needed.				
T-2	To facilitate safe and efficient vehicular and pedestrian circulation during student drop-off and pickup, times during Phase 1, prior to initiation of construction activities, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Traffic and Parking C Plan to include the following:	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

2. Mitigation Monitoring Process

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	• Designation of vehicular drop-off and pick-up areas outside Morning View Drive at off-street Parking Lots A, D, and E. Vehicular access to these lots shall allow vehicles to enter and return from the area from the intersection of Morning View Drive at PCH. • Student drop-off and pick-up shall be implemented in a counterclockwise circulation pattern. Figure 7 (see Appendix L) depicts vehicular circulation patterns that shall be used in Parking Lots A, D, and E during Phase 1 construction. • The school shall educate students and parents on drop-off and pick-up routes and procedures. This may be achieved with a combination of information bulletins shared with students and parents.				
T-3	Construction scheduling during Phases 2 to 4 shall be scheduled such that any activities that would result in potential lane closures along Morning View Drive, including, but not limited to, reconstruction of the student drop-off/pick-up area and sidewalks along Morning View Drive, shall be limited to summer months when school is not in session to eliminate conflicts with local traffic and pedestrian activities.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of Phases 2 and 4 of Project	Santa Monica-Malibu Unified School District	
T-4	The SMMUSD shall coordinate with the City of Malibu Public Works Department to relocate crosswalks and school-area signage in relation to the proposed access driveways according to City of Malibu and applicable State criteria. Crossing guards shall be relocated as necessary, based on the ultimate location of crosswalks.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	
5.16 WILDFIRE					
W-1	The District and its general contractor will prepare a Construction Fire Protection Plan (CFPP) that shall be implemented during all phases of construction activity. The CFPP will be approved by the County of Los Angeles Fire Department (LACoFD) prior to building construction and may also be reviewed and approved in phases based on the phased development of the Proposed Project. The CFPP shall include, but not be limited to, guidance for: • Prevention, control, and extinguishment of fires during construction activities. • Smoking- and fire-related rules, storage, and parking area.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

Table 2-1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	• Delineating work areas from natural/open space areas and establishing sufficient setbacks. • Vegetation management prior to and during construction activity, consistent with LACoFD protocols. • Requirement to use spark arrestors on construction equipment. • Limiting the type and duration of construction activities during red flag warning events issued by the National Weather Service covering the project area.				
GEO-1	Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.	Construction Contractor, Santa Monica-Malibu Unified School District	Prior to construction of each phase of Project	Santa Monica-Malibu Unified School District	

2. Mitigation Monitoring Process

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CEQA FINDINGS OF FACT
REGARDING THE
FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE
MALIBU MIDDLE AND HIGH SCHOOL CAMPUS SPECIFIC PLAN PROJECT

STATE CLEARINGHOUSE NO. 2020080350

Exhibit ~~A~~ B

I. BACKGROUND

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to sections 15091 and 15093 of the CEQA Guidelines and section 21081 of the Public Resources Code. This document provides the findings required by CEQA and the specific reasons for considering the project acceptable even though the project has significant impacts that are infeasible to mitigate.

The lead agency is responsible for the adequacy and objectivity of the EIR. The Santa Monica-Malibu Unified School District (SMMUSD or District), as lead agency, has subjected the Draft EIR (DEIR) and Final EIR (FEIR) to the agency's own independent review and analysis.

A. PROJECT LOCATION

The District's property is located at 30215 Morning View Drive (Assessor's Parcel Map Numbers (APN) 4469-017-900, 4469-018-900, 4469-018-901, 4469-018- 902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902) in the city of Malibu, Los Angeles County, California. The SMMUSD property consists of approximately 87 acres over nine parcels that includes the existing Malibu Equestrian Park in the eastern part of the property, the existing Malibu Middle and High School (MMHS) campus in the center, and the former Juan Cabrillo Elementary School (JCES) campus in the west (Project Site). The Project Site is situated on three of nine parcels: APN 4469-017-900 (40.06 acres), 4469-018-900 (9.4 acres), and 4459-018-904 (2.57 acres). The total acreage of the Project Site is 52.03 acres. The majority of the MMHS Campus Specific Plan Project (Proposed Project) would be developed within the existing MMHS campus and the former JCES campus, with one component of the Proposed Project in the Malibu Equestrian Park. The Project Site is set amid rolling hills, and its buildings and athletic fields are terraced into the hillside setting. The Project Site is in the City of Malibu Institutional (I) Zoning District that authorizes public educational institutions with a conditional use permit.

The Project Site is approximately 0.25-mile northeast of the Pacific Coast Highway (PCH) and Zuma Beach, and is bounded by Merritt Drive to the east, Via Cabrillo Street to the west, and Morning View Drive to the south. Single-family homes border the Project Site to the north.

B. PROJECT SUMMARY

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create generally three separate and distinct areas: Middle School Core, High School Core, and shared facilities. Implementation of the Proposed Project would result in demolition of all 7

buildings and 9 portables on the former JCES campus and 6 buildings and associated amenities on the MMHS campus, totaling 154,904 square feet of demolition. The existing 25-meter lighted, outdoor pool complex would be demolished, and new 50-meter lighted, outdoor pool complex would be developed. The existing Building E and Buildings A/B at the Project Site would remain, and all other structures would be removed (see Figure 3-4, *Proposed Site Plan*). No changes to the existing main football/track sports field, baseball, or softball fields would be made with the exception of minor improvements, including the development of new field houses and additional parking adjacent to the softball field. The Proposed Project would relocate the existing on-campus Bus Barn to a disturbed location on the adjacent, District-owned Malibu Equestrian Park. It would also include restoration in the campus-adjacent Environmentally Sensitive Habitat Area (ESHA) and establishment of a new trail along the ESHA that would connect to the existing, larger trail network around the campus. As shown in Table 3-2, *Summary of Total Development*, the Proposed Project would result in 32 classrooms, 8 labs and maker spaces, and support spaces—a total of 173,595 square feet of building space, providing the middle/high school campus with a total of 51 classrooms and 12 labs and a total of 222,425 square feet of building space.

C. ENVIRONMENTAL REVIEW PROCESS

In conformance with CEQA and the CEQA Guidelines, the District conducted an extensive environmental review of the Proposed Project. The environmental review process has included:

- Completion of an Initial Study (IS)/Notice of Preparation (NOP) on August 20, 2020. The public review period extended from August 20, 2020 to September 21, 2020. Copies of the IS were made available for public review at the Santa Monica-Malibu Unified School District Office and MMHS.

- Completion of the scoping process where the public was invited by the District to participate in a scoping meeting held virtually on September 9, 2020, due to current orders and guidance to minimize the spread of COVID-19. The notice of a public scoping meeting was included in the NOP.

- Preparation of a DEIR and supporting technical appendices, which was made available for a 45-day public review period beginning October 15, 2021 and ending September 29, 2021. The scope of the DEIR was determined based on the IS/NOP, comments received in response to the NOP, and comments received at the scoping meeting conducted by the SMMUSD. Section 2.3, *Scope of this DEIR*, of the DEIR describes the issues identified for analysis in the DEIR. In compliance with sections 15085(a) and 15087(a)(1) of the CEQA Guidelines, the SMMUSD, serving as the Lead Agency, has published a Notice of Completion (NOC) and Notice of Availability (NOA) of the DEIR, which indicates that the DEIR and all associated technical appendices can be viewed at the following locations:

    - Santa Monica–Malibu Unified School District, 1651 16th Street, Santa Monica, CA 90404
    - Malibu Middle and High School Administrative Offices "Lobby", 30215 Morning View Drive, Malibu, CA 90265
    - City of Malibu Planning Counter, 23825 Stuart Ranch Road, Malibu, CA 90265
    - City of Malibu Public Library, 23555 West Civic Center Way, Malibu, CA 90265

- In addition, the DEIR is available online at the SMMUSD website https://www.smmusd.org/cms/lib/CA50000164/Centricity/Domain/4188/Malibu-HS/DEIR0921.pdf and the City of Malibu website (www.malibucity.org).

The NOC and NOA were transmitted to the State Clearinghouse and County Clerk and were distributed to all property owners within 500 feet of the Project Site and/or those who have previously requested such notice.

- A public informational meeting was held on November 2, 2021 to present an overview of the CEQA process, the project description, and the conclusions in the DEIR. The meeting was conducted in-person at the Former JCES Campus Multipurpose Room and virtually due to COVID-19. Attendees were given the option to present verbal and written comments during the meeting.

- Preparation of a Final EIR (FEIR), including the Responses to Comments to the DEIR, the Findings of Fact, Mitigation Monitoring and Reporting Plan (MMRP), and the Statement of Overriding Considerations. The FEIR/Response to Comments contains comments on the DEIR and responses to those comments.

- The FEIR was posted to the SMMUSD website on December 28, 2021 (INSERT LINK). A 10-day notification of the FEIR was sent to commenting agencies electronically on that same day.

- A public hearing on the Proposed Project and the FEIR was held before the Santa Monica-Malibu Unified School District Board of Education on January 13, 2022.

D. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings the Proposed Project includes, but is not limited to, the following documents and other evidence:

- The NOP, NOA, and all other public notices issued by the District in conjunction with the Proposed Project.

- The DEIR and FEIR for the Proposed Project.

- All timely written comments submitted by agencies or members of the public during the public review comment period on the DEIR.

- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.

- All timely written and verbal public testimony presented during a noticed public hearing for the Proposed Project.

- The Mitigation Monitoring and Reporting Program.

- The reports and technical memoranda included or referenced in the DEIR and FEIR.

- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and FEIR.
- The Resolutions adopted by the District's Board of Education in connection with the Proposed Project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the District, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- The District's file for the Proposed Project.

E. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the District's actions related to the Proposed Project are at the following locations:

- Santa Monica–Malibu Unified School District, 1651 16th Street, Santa Monica, CA 90404
- Malibu Middle and High School Administration Offices, 30215 Morning View Drive, Malibu, CA 90265
- City of Malibu Planning Counter, 23825 Stuart Ranch Road, Malibu, CA 90265
- City of Malibu Public Library, 23555 West Civic Center Way, Malibu, CA 90265

The District is the custodian of the administrative record for the Proposed Project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the District.

Santa Monica-Malibu Unified School District
Attn: Carey Upton - FIP Department
1651 16th Street
Santa Monica, California 90404
cupton@smmusd.org

This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

II. FINDINGS AND FACTS AND OVERRIDING CONSIDERATIONS

The District, as lead agency, is required under CEQA to make written findings concerning each alternative and each significant environmental impact identified in the DEIR and FEIR.

Specifically, regarding findings, CEQA Guidelines section 15091 provides:

> (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings

for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The "changes or alterations" referred to in section 15091(a)(1) may include a wide variety of measures or actions as set forth in CEQA Guidelines section 15370, including:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

A. FORMAT

This section summarizes the significant environmental impacts of the Proposed Project, describes how these impacts are to be mitigated, and discusses various alternatives to the Proposed Project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

The remainder of this section is divided into the following subsections:

Section B, Summary of Environmental Impacts, presents the summary of impacts of the Proposed Project.

Section C, Findings on Impacts Determined to Be Less Than Significant, presents the impacts of the Proposed Project that were determined in the DEIR to be less than significant without the addition of mitigation measures and presents the rationales for these determinations.

Section D, Findings on Impacts Mitigated to Less Than Significant, presents significant impacts of the Proposed Project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

Section E, Findings on Significant Unavoidable Impacts, presents significant impacts of the Proposed Project that were identified in the FEIR, the mitigation measures identified in the Mitigation Monitoring Program, the findings for significant impacts, and the rationales for the findings.

Section F, Findings on Project Alternatives, presents alternatives to the Proposed Project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

B. SUMMARY OF ENVIRONMENTAL IMPACTS

The following is a summary of the environmental topics considered in the Initial Study to have no impact, a less than significant impact, a less than significant impact with incorporation of mitigation measures, and a significant and unavoidable impact.

It should be noted that topics identified as significant and unavoidable contain individual impacts that would be less than significant or less than significant with mitigation.

Less than Significant Impact (Before Mitigation) or No Impact

- Aesthetics)
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation
- Utilities and Service System
- Wildfire

Less Than Significant Impact with Mitigation Incorporated

- Air Quality
  - Construction-related pollutants
- Biological Resources
  - Impact to sensitive species
  - Loss of sensitive habitat types
  - Impact approximately 0.033 acres of USACE, RWQCB and CDFW Jurisdiction
  - Require compliance with the local tree ordinance
- Cultural Resources
  - Impacts on archaeological resources
- Geology and Soils
  - Hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils
  - Impact to paleontological resources or unique geologic feature
- Noise
  - Permanent operation-related noise
- Transportation
  - Potentially hazardous conditions and potential conflicting uses
- Wildfire
  - Exacerbate wildfire risks
  - Exposure to risks, including downslope or downstream flooding or landslides

Significant and Unavoidable Impact

- ~~Aesthetics~~
  - ~~Additional light and Glare~~
- Noise
  - Construction-generated noise

C. FINDINGS ON IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

Initial Study

An IS was prepared by the District to identify the potential significant effects of the Proposed Project. The Initial Study was completed and distributed with the NOP for the Proposed Project, dated August 20, 2020. The IS determined that the Proposed Project would have no impact or less than significant impacts to the following topics: Agriculture and Forestry Resources, Population and Housing, Mineral Resources, and Tribal Cultural Resources. All other topical areas of evaluation included in the Environmental Checklist were determined to require further assessment in an EIR.

DEIR

It was determined that several potential environmental effects would not result from the Proposed Project or would result but would not have a significant impact on the environment. This determination was made based on the findings of the DEIR prepared for the Proposed Project. The following summary briefly describes those environmental topics that were found not to be significant with implementation of existing regulations, as detailed in each respective topical section of Chapter 5 of the DEIR.

1. Aesthetics

Impact 5.1-1: The Proposed Project would not have a substantial adverse effect on a scenic vista.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-57 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letters A5 (see A5-7 and A5-8).

The Project Site is not located in the viewshed of a designated vista point. The nearest vista point recognized in the City of Malibu's General Plan Conservation Element is the Point Dume Vista Point, which does not afford views of the Project Site or surrounding neighborhood. Other protected scenic vistas in the City of Malibu include views of the Pacific Ocean and other scenic areas from public viewing areas, which include public roads, trails, parklands, and beaches, considered to be public viewing areas. Public viewing areas in the vicinity of the Project Site include nearby roads and trails, including Morning View Drive (also a designated trail), Merritt Drive, Busch Drive and Pathway (a roadway and designated trail), Clover Heights Avenue, and nearby trails including the Equestrian School Trail (located on the Project Site), and Busch Pathway.

Views afforded from public viewing aidreas, located in elevations equal to or greater than the Project Site and to the north and east, which excludes Morning View Drive (because it is at the base of the slope and bound by development), consists mostly of rolling hills, ridgelines, vegetation, structures, and panoramic views of the Pacific Ocean and the Santa Monica Mountains, in the horizon. Distant ridgelines, mountains, and the Pacific Ocean typically dominate views. Partial views of the developed campus on the Project Site are available from a number of public viewing areas to the north of the Project Site that offer scenic vistas of the Pacific Ocean and mountains.

Views of the Pacific Ocean, mountains, and other scenic features such as ridges, hillsides, and vegetation would continue to be widely available from all selected public viewing points, consistent with section 30251 of the CCA, which requires that all new development be sited to preserve views of scenic resources.

The Proposed Project would adhere to design standards of the MMHS Campus Site Design Guidelines to incorporate colors and exterior materials that are compatible with the surrounding landscape. For instance, furnishings and fixtures would be incorporate natural tones and features such as seating terraced into the hillside, built-in wooden benches, boulder-shaped seating; hardscape materials would include accent paving, natural tones; walls and fencing would include materials that relate to the architectural form of the proposed Campus; signage would use topography, materials, and form to adapt to the conditions on the Project Site; landscape design would incorporate native or locally adapted drought-tolerant species to play a functional role such as framing views. With compliance to applicable policies of the LUP, development of the Proposed Project would not degrade or obstruct scenic vistas available from public viewing areas. In addition, construction of the Proposed Project would not significantly obstruct or otherwise degrade scenic vistas, that consist of views of scenic resources, including the ocean, mountains, ridges, hills, and vegetation from public viewing areas.

Finding:

Impacts to scenic vista would be less than significant and no mitigation measures are necessary.

Impact 5.1-2: The Proposed Project would not alter scenic resources within a state scenic highway.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-71 of Section 5.1, *Aesthetics* of the DEIR.

The Project Site is not within the viewshed or corridor of a state-designated scenic highway. The only road in Malibu that has been officially designated as an eligible scenic highway by Caltrans is PCH, located 0.25-mile southwest of the Project Site. Although primary access to Morning View Drive is from PCH, no views of the developed portions of the Project Site are available from PCH because of the presence of low bluffs and hillsides that screen views into the canyon. Signage for the school is positioned on Morning View Drive at PCH and would remain with implementation of the Proposed Project. Morning View Drive has been designated by the City of Malibu as a neighborhood trail but has not been classified as a scenic highway and is not subject to regulations and policies relating to scenic highways.

No scenic resources, as defined by the City of Malibu's General Plan Conservation Element, are located on or near to the Project Site. As such, the Proposed Project does not have the potential to substantially

damage a scenic resource within the viewshed of a State-designated scenic highway, or any other identified scenic resource.

Finding:

No impacts to scenic resources within a state scenic highway would occur and no mitigation measures are necessary.

Impact 5.1-3: The Proposed Project would not substantially degrade the existing visual character or quality of public views of the Project Site and its surroundings.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-71 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letter A5 (see A5-7 and A5-8).

The existing visual character of the Project Site is of a school campus in a rural residential neighborhood. Existing development on campus is on several split-level building pads in order to retain the natural topography of the area. The distribution of existing development along the hillside and complementary design elements, such as brick façades and blue trims and accents, coupled with the abundance of vegetation both native and non-native, and the scenic resources on the Project Site and surrounding areas contribute to a high visual quality on and around the Project Site. Development on campus is most visible from Morning View Drive, where the main entrance to campus is located. As such, changes in the visual character of the campus would be most evident from the perspective of Morning View Drive. Views of the campus from other nearby vantage points consist primarily of building outlines and rooftops.

As the Project Site is already developed with campus uses along Morning View Drive, the redevelopment of existing buildings and parking lots with new buildings of similar use in approximately the same location would not result in a substantial change in the visual character of the area. While the building heights would exceed the maximum permitted height of 28 feet above grade, the new buildings would conform to the slopes and would be terraced like the existing topography, in order to integrate the buildings with the landscape.

Development of the Proposed Project would be subject to the policies contained in the City of Malibu's LUP. Compliance with these policies, as listed above, would ensure that implementation of the Proposed Project would not result in the significant degradation of the visual character and quality of the Project Site and surrounding area.

Finding:

Impacts to the existing visual character or quality of public views of the Project Site and its surroundings would be less than significant and no mitigation measures are necessary.

2. Air Quality

Impact 5.2-1: The Proposed Project would be consistent with the applicable air quality management plan.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-27 of Section 5.2, *Air Quality* of the DEIR.

Changes in population, housing, or employment growth projections have the potential to affect SCAG's demographic projections and therefore the assumptions in South Coast AQMD's AQMP. Based on the scope and nature of the Proposed Project in that student capacity, staffing, and community event use would not increase, the Proposed Project would not substantially affect housing, employment, or population projections within the region. Finally, the long-term emissions generated by the Proposed Project would not produce criteria air pollutants that exceed the South Coast AQMD significance thresholds for Proposed Project operations (see Impact 5.2-3). South Coast AQMD's significance thresholds identify whether a project has the potential to cumulatively contribute to the SoCAB's nonattainment designations. Because the Proposed Project would not exceed the South Coast AQMD's regional significance thresholds (see Impact 5.2-2 and Impact 5.2-3) and growth is consistent with regional growth projections, the Proposed Project would not interfere with South Coast AQMD's ability to achieve the long-term air quality goals identified in the AQMP. Therefore, the Proposed Project would be consistent with the AQMP, and impacts would be less than significant.

Finding:

Impacts to applicable air quality management plans would be less than significant and no mitigation measures are necessary.

Impact 5.2-2: Construction activities associated with the Proposed Project would not generate short-term emissions in exceedance of South Coast AQMD's threshold criteria.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-28 of Section 5.2, *Air Quality* of the DEIR.

Construction of the Proposed Project would generate criteria air pollutants associated with construction equipment exhaust and fugitive dust from demolition and debris haul, grading and soil haul, utilities trenching, building construction, architectural coating, pavement of asphalt and non-asphalt surfaces, and finishing and landscaping of the site. Air pollutant emissions from construction activities on-site would vary daily as construction activity levels change.

The SoCAB is designated nonattainment for O_3 and $PM_{2.5}$ under the California and National AAQS, nonattainment for PM10 under the California AAQS, and nonattainment for lead (Los Angeles County only) under the National AAQS. According to South Coast AQMD methodology, any project that does not exceed or can be mitigated to less than the daily threshold values would not add significantly to a cumulative impact (South Coast AQMD 1993). The maximum daily emissions for VOC, NOx, CO, SO_2, PM_{10}, and $PM_{2.5}$ from construction-related activities for Phase 1 and Phases 2 through 4 would be less than their respective South Coast AQMD regional significance threshold values.

Therefore, short-term air quality impacts from Proposed Project-related construction activities would be less than significant.

Finding:

Short-term construction-related impacts to air quality would be less than significant and no mitigation measures are necessary.

Impact 5.2-3: Long-term operation of the Proposed Project would not generate additional vehicle trips and associated emissions in exceedance of South Coast AQMD's threshold criteria.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-30 of Section 5.2, *Air Quality* of the DEIR.

Following full buildout of the four phases of the Proposed Project, operation would generate a net increase in criteria air pollutant emissions from area sources (e.g., landscaping equipment, architectural coating) and energy (i.e., natural gas used for heating and cooking). The maximum daily operation emissions would be less than their respective South Coast AQMD regional significance threshold values. Projects that do not exceed the South Coast AQMD regional significance thresholds would not result in an incremental increase in health impacts in the SoCAB from Project-related increases in criteria air pollutants. Therefore, impacts to the regional air quality associated with operation of the Proposed Project would be less than significant.

Finding:

Long-term construction-related impacts to air quality would be less than significant and no mitigation measures are necessary.

Impact 5.2-5: The Proposed Project would not expose sensitive receptors to substantial pollutant concentrations during operation.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-35 of Section 5.2, *Air Quality* of the DEIR.

Operational Phase LSTs

Operation of the Proposed Project would not generate substantial quantities of emissions from on-site, stationary sources. Land uses that have the potential to generate substantial stationary sources of emissions require a permit from South Coast AQMD, such as chemical processing or warehousing operations where substantial truck idling could occur on-site. Emissions from uses such as chemistry labs would be minimal and would not be greater than emissions from current uses on-site. Overall, the Proposed Project does not fall within these categories of uses. Therefore, net localized air quality impacts from Proposed Project-related operations would be less than significant.

Operational Health Risk – Bus Barn

A potential source of TACs from operation of the Proposed Project would be from school buses associated with the relocated bus barn. As noted in MATES V previously, regional DPM emissions represent approximately 72 percent of the potential health risk from air toxics. However, the District

bus fleet is not diesel fueled, but consists of 8 compressed natural gas (CNG) buses and 17 gasoline buses. In general, the TACs emitted from CNG and gasoline-fueled vehicle produce much lower health risks than diesel-fueled vehicles despite that gasoline vehicles account for over 95 percent of the vehicle population in Los Angeles County (CARB 2021c). In addition, the Proposed Project would not increase the amount of bus activity occurring at the relocated bus barn. Therefore, the Proposed Project would not expose sensitive receptors to substantial concentrations of TACs during operation. Impacts would be less than significant.

Carbon Monoxide Hotspots

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 ppm or the eight-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hot spots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. The SoCAB has been designated in attainment of both the National and California AAQS for CO. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—to generate a significant CO impact (BAAQMD 2017). The Proposed Project would generate a net increase of 651 AM peak-hour trips, which is substantially below the incremental increase in peak-hour vehicle trips needed to generate a significant CO impact. Implementation of the Proposed Project would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the Project Site, therefore, impacts would be less than significant.

Finding:

Impacts to sensitive receptors from substantial pollutant concentrations would be less than significant and no mitigation measures are necessary.

3. Biological Resources

Impact 5.3-4: The Proposed Project would not affect wildlife movement.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-27 of Section 5.3, *Biological Resources,* of the DEIR and contained within Responses to Comment Letter A3 (see A3-39) and A5 (see A5-21).

Wildlife Movement and Habitat Fragmentation

The Project Site does not represent an area of important regional movement. The existing structures and paved parking lots, adjacent PCH, and surrounding residential streets and structures present a barrier to movement for wildlife moving through the area. Wildlife looking to move through the foothills would likely utilize canyons in the open space north of the Project Site. Proposed Project activities would not impact these open space areas. The adjacent canyons would continue to be available for movement; thus, regional wildlife movement would not be disrupted, and impacts on regional wildlife movement would be considered less than significant.

Construction activities would create dust and noise within and adjacent to the impact area; however, dust control required by SCAQMD Rule 403 would be implemented. During active construction, wildlife movement may be deterred by noise and human activity; however, most wildlife movement would occur at night while construction activities would occur during the day. Should any temporary fencing be needed during construction, it would meet the requirements of the LCP and LUP, and would be wildlife permeable. Proposed Project implementation would not isolate any native habitats or create any bottle necks for wildlife movement because small amounts of native vegetation, on the edges of disturbance or development, would be impacted. Therefore, construction impacts on local wildlife movement would be considered adverse, but less than significant.

Finding:

Impacts to wildlife movement would be less than significant and no mitigation measures are necessary.

4. Cultural Resources

Impact 5.4-1: There are no historical resources in the Project Site; development pursuant to the Proposed Project would not result in an impact on identified historic resources.

Support for this environmental impact conclusion is fully discussed starting on page 5.4-14 of Section 5.4, *Cultural Resources* of the DEIR.

There are currently no locally, state-, or federal- designated historic resources in the Project Site. Additionally, the Project Site was not listed in any of the following state or federal resources: NRHP, CRHR, California Points of Historical Interest, California Historical Landmarks, National Historic Landmarks, Los Angeles Conservancy, and Los Angeles Historic Resources Inventory.

However, there are historic-period buildings located within both MMHS and former JCES Campuses. Therefore, all historic-era buildings within the Project Site were evaluated, both as individual resources and as a historic complex, using CRHR eligibility criteria. However, due to lack of associated significance, none of the historic buildings and structures within the Project Site are recommended as eligible for listing at the local, state, or national level and are not considered historically significant. The buildings are not associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States and, therefore, not recommended as eligible for listing under Criterion 1. They are not associated with the lives of persons important to local, California, or national history and, therefore, not recommended as eligible for listing under Criterion 2. They do not embody the distinctive characteristics of a type, period, region, or method of construction or represent the work of a master or possess high artistic values and therefore, not recommended as eligible for listing under Criterion 3. Lastly, they have not yielded, nor have the potential to yield, information important to the prehistory or history of the local area, California, or the nation and therefore are not recommended as eligible for listing under Criterion 4. Therefore, impacts to historic resources as a result of implementation the Proposed Project, including demolition and removal of structures, are considered less than significant.

Finding:

Impacts to historical resources would be less than significant and no mitigation measures are necessary.

5. Energy

Impact 5.5-1: The Proposed Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-8 of Section 5.5, *Energy* of the DEIR.

Short-Term Construction Impacts

During each of the four phases of construction of the Proposed Project, there would be temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use.

Electrical Energy

Construction of the Proposed Project would not require electricity to power most construction equipment. Electricity use during construction would vary during different phases of construction. The majority of construction equipment during demolition and grading would be gas- or diesel-powered, and the later construction phases would require electricity-powered equipment for interior construction and architectural coatings. Overall, the use of electricity would be temporary and would fluctuate according to the phase of construction. Additionally, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Therefore, Project-related construction activities would not result in wasteful or unnecessary electricity demands, and impacts would be less than significant.

Natural Gas Energy

It is not anticipated that construction equipment used for the Proposed Project would be powered by natural gas, and no natural gas demand is anticipated during construction. Therefore, impacts would be less than significant with respect to natural gas usage.

Transportation Energy

Energy consumption for each of the four phases of construction was calculated using the CalEEMod (Version 2020.4) computer model and data from the EMFAC2017 (Version 1.0.3) and OFFROAD2017 (Version 1.0.1) databases. The use of energy resources by construction vehicles would fluctuate according to the phase of construction and would be temporary. It is anticipated that the majority of off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered. In addition, all construction equipment would cease operating onsite upon completion of Project construction. Thus, impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Furthermore, to limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize nonessential idling of construction equipment during construction, in accordance with section 2449 of CCR, Title 13, Article 4.8, Chapter 9, which limits nonessential idling of diesel-powered off-road equipment to 5 minutes or less.

The Proposed Project would not result in wasteful, inefficient, or unnecessary use of energy during construction. It is anticipated that the construction equipment would be well maintained and meet the appropriate tier ratings per US EPA emissions standards, so that adequate energy-efficiency level is achieved. Construction trips would not result in unnecessary use of energy since the Project Site is centrally located and is served by numerous regional circulation systems that provide the most direct routes from various areas of the region. Thus, energy use during construction of the Proposed Project would not be considered inefficient, wasteful, or unnecessary. Impacts would be less than significant.

Long-Term Impacts During Operation

Operation of the Proposed Project would generate additional demand for electricity and natural gas on the Project Site beyond current uses. The Project Site currently contains 203,734 total square feet of buildings that use energy. Following buildout of the Project, there would be a total of 222,425 square feet of building space. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

Electrical Energy

As with the existing school facilities, operation of the Proposed Project would consume electricity for various purposes, including, but not limited to, heating, cooling, and ventilation of buildings, water heating, operation of electrical systems, lighting, and use of on-site equipment and appliances. Electrical service to the Proposed Project would continue to be provided by SCE through connections to existing off-site electrical lines and new on-site infrastructure as needed for each phase. For all existing buildings to remain following Phase 1 buildout and full buildout of the Proposed Project, energy use from electricity were based on historical electricity consumption default data from CalEEMod 2020.4. Electricity use from new buildings were based on CalEEMod 2020.4 non-historical electricity default data.

While the Proposed Project would generate new electricity demand on-site, it would be required to comply with the current Building Energy-Efficiency Standards and CALGreen. In addition, the new buildings to be constructed would be more energy efficient than the existing school buildings energy to be replaced. Furthermore, the proposed and existing photovoltaic (PV) systems would further reduce electricity consumption on the Project Site. Therefore, the Proposed Project would not result in wasteful or unnecessary electricity demands and would result in a less-than-significant impact related to electricity.

Natural Gas Energy

The Proposed Project would generate an average natural gas demand of 2,306,942 kilo British thermal units per year (kBTU/year) following Phase 1 buildout and 2,820,413 kBTU/year following full buildout of the Proposed Project. This would result in a net increase of 231,224 kBTU/year following Phase 1 and 744,695 kBTU/year after full buildout of the Proposed Project as compared to existing conditions. While the Proposed Project would generate new natural gas demand on-site, it would be required to comply with the current Building Energy Efficiency Standards and CALGreen. In addition, the new buildings to be constructed would be more energy efficient than the existing school buildings energy to be replaced. Therefore, the Proposed Project would not result in wasteful or unnecessary

natural gas demands. Operation of the Proposed Project would result in less-than-significant impacts with respect to natural gas usage.

Transportation Energy

The Proposed Project would consume transportation energy during operations from the use of motor vehicles. The efficiency of these motor vehicles is unknown, such as the average mpg. Estimates of transportation energy use are based on the overall VMT and its associated transportation energy use. The Project-related VMT would primarily come from students and staff. However, because student capacity and staffing levels would not increase, the Proposed Project would not result in additional trips or an increase in VMT. Therefore, there would be no impact with respect to operation-related fuel usage.

Finding:

Impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation would be less than significant and no mitigation measures are necessary.

Impact 5.5-2: The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Support for this environmental impact conclusion is fully discussed starting on page 5.5-13 of Section 5.5, *Energy* of the DEIR.

California Renewables Portfolio Standard

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers, such as SCE, which is the utility that would provide all of the electricity needs for the Proposed Project. Compliance of SCE in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. The Proposed Project also would be subject to the Building Energy-Efficiency Standards and CALGreen. Because the new school buildings associated with the Proposed Project would comply with the latest 2019 energy standards, it would offer an improvement over the existing buildings on-site. In addition, the District has an adopted Districtwide Plan for Sustainability. The plan incorporates sustainability into education services and all aspects of student learning and integrates climate protection, resource efficiency, waste management, and other sustainability practices into District operations. The Proposed Project would also include installation of additional solar PV systems. Therefore, implementation of the Proposed Project would not conflict with or obstruct plans for renewable energy and energy efficiency and no impact would occur.

Finding:

Impacts to a state or local plan for renewable energy or energy efficiency would not occur and no mitigation measures are necessary.

6. Geology and Soils

Impact 5.6-1: Future development in the Project Site, pursuant to the Proposed Project would not expose increased numbers of persons and structures to strong ground shaking from active faults in the region.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-16 of Section 5.6, *Geology and Soils* of the DEIR and contained within Responses to Comment Letter A5 (see A5-33 through A5-28).

The Project Site is not at a greater risk of seismic activity or impacts than other sites in southern California. Seismic shaking is a risk throughout Southern California. Additionally, California and the City regulate development in Malibu through a variety of tools that reduce geologic and seismic hazards, including earthquakes. The CBC, adopted by reference in the City's municipal code, contain provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. The design and construction of the Proposed Project would be required to adhere to the provisions of the CBC, which are imposed on project developments by the City's Planning Department during the development review and building plan check process. Compliance with the requirements of the CBC for structural safety during a seismic event would reduce hazards from strong seismic ground shaking.

Furthermore, future development accommodated by the Proposed Project would be required to have site-specific geotechnical investigation reports prepared by the District's geotechnical consultant, in accordance with the CBC. The geotechnical investigations would determine seismic design parameters for the site and the proposed building type per CBC requirements. Thus, compliance with the provisions of the CCR and CBC and required implementation of the recommended design recommendations outlined in the geotechnical reports would reduce hazards arising from strong seismic ground shaking. Therefore, impacts resulting from strong ground shaking would be less than significant.

Findings:

Impacts resulting from strong ground shaking would be less than significant would be less than significant and no mitigation measures are necessary.

Impact 5.6-2: Future development in the Project Site would not result in substantial soil erosion or the loss of topsoil.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-18 of Section 5.6, *Geology and Soils* of the DEIR.

Each phase of the Proposed Project would be required to comply with NPDES permit requirements to control pollutants from being discharged into the water. Under the NPDES permit, which applies to grading activities of more than one acre and is administered under the Regional Water Quality Control Board (RWQCB), the SMMUSD would be required to prepare and implement a SWPPP, including a best management practices (BMP) program to address construction-related discharges. BMPs include, but are not limited to, the implementation of erosion and sediment controls. Because construction would occur throughout the year, erosion-control BMPs must be implemented to ensure

that sediment is confined to the construction area and not transported off-site. During construction, all stormwater runoff would be diverted to the appropriate catch basins and drainage channels subject to all applicable regulatory statutes and permits, including those found in Title 15 (Building and Construction) of the Malibu Municipal Code, which adopts Title 26 (Building Code) of the Los Angeles County Code. Soil erosion during the operation of the Proposed Project would be controlled by implementation of an approved landscape and irrigation plan, installation, and maintenance of post-construction BMPs, and paving of surface parking areas. Therefore, the Proposed Project would have a less than significant impact associated with soil erosion or loss of topsoil. No mitigation is required.

Findings:

Impacts to soil erosion or loss of topsoil would be less than significant and no mitigation measures are necessary.

Impact 5.6-4: Soil conditions at the Project Site could adequately support proposed septic tanks.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-20 of Section 5.6, *Geology and Soils* of the DEIR and contained within Reponses to Comment Letter A5 (see A5-36 and A5-37).

The Proposed Project would result in seven total septic systems. The Proposed Project would remove septic systems 6 through 11 and would add five septic systems.

Results of the Geotechnical Investigation indicated that the near-surface soils are considered severely corrosive to ferrous metals (metals that contain mostly iron) and moderate sulfate attack of concrete. Water-soluble sulfates in soil can react adversely with concrete. As referenced in the 2019 CBC, section 1904A, concrete subject to exposure to sulfates shall comply with requirements in American Concrete Institute (ACI) 318. Based on testing results of the on-site soils from recent and prior investigations, concrete structures in contact with the on-site soil would likely have "negligible" to "moderate" exposure to water-soluble sulfates in the soil. Therefore, common Type II Portland cement may be used for concrete construction in contact with site soils. Consistent with the recommendations of the Geotechnical Investigation, subgrade soil should be tested for water-soluble sulfate content prior to final design of the concrete structures once grading is complete. Import fill soil should be geotechnically tested for corrosivity and sulfate attack before import to the site. Further testing of import soils should include analytical testing for chemicals of concern prior to import and acceptance.

Ferrous pipe buried in moist to wet site earth materials should be avoided by using high-density polyethylene (HDPE), polyvinyl chloride (PVC), and/or other nonferrous pipe when possible. Ferrous pipe can also be protected by polyethylene bags, tap or coatings, di-electric fittings, or other means to separate the pipe from on-site soils. The Proposed Project would comply with the 2019 CBC and requirements in the site-specific Geotechnical Investigation. Thus, soil conditions at the Project Site would adequately support the proposed septic tanks relocations. Therefore, impacts would be less than significant.

Findings:

Impacts to soil conditions at the Project Site would be less than significant and no mitigation measures are necessary.

7. Greenhouse Gas Emissions

Impact 5.7-1: Implementation of the Proposed Project would not generate a net increase in GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.7-20 of Section 5.7, *Greenhouse Gas Emissions* of the DEIR.

Since student capacity, staffing, and other community-related uses on the campus would not increase or change after full buildout of the four phases, the Proposed Project would not result in an increase in emissions from mobile sources, solid waste generation, water use, or wastewater generation. In addition, because older buildings would be replaced and the Proposed Project would include energy saving features such as a PV system, the overall water use, wastewater and solid waste generation, and energy use would be further reduced. The Proposed Project would generate a net increase in GHG emissions from energy use (indirectly from purchased electricity use and directly through fuel consumed for building heating) and area sources (e.g., landscaping equipment used on-site, consumer products, coatings). Annual average construction emissions were amortized over 30 years and included in the emissions inventory to account for one-time GHG emissions from the construction of Phase 1, Phase 2, Phase 3, and two sets of Phase 4 activities of the Proposed Project. Overall, construction and operation of the Proposed Project would not generate annual emissions that exceed the South Coast AQMD bright-line threshold of 3,000 MTCO2e per year. Therefore, the Proposed Project's cumulative contribution to GHG emissions would be less than significant.

Findings:

A net increase in GHG emissions as a result of the Proposed Project would be less than significant and no mitigation measures are necessary.

Impact 5.7-2: Implementation of the Proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Support for this environmental impact conclusion is fully discussed starting on page 5.7-21 of Section 5.7, *Greenhouse Gas Emissions* of the DEIR.

Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. A consistency analysis with these plans is presented below.

CARB Scoping Plan

CARB's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32, which is to return to 1990 emission levels by year 2020. The CARB Scoping Plan is applicable to state agencies and is not directly applicable to cities/counties and

individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Since adoption of the 2008 Scoping Plan, state agencies have adopted programs identified in the plan, and the legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy standards, and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions reduction goals of AB 32. New buildings are required to comply with the latest applicable Building Energy Efficiency Standards and CALGreen. On December 24, 2017, CARB adopted the Final 2017 Climate Change Scoping Plan Update to address the new 2030 interim target to achieve a 40 percent reduction below 1990 levels by 2030, established by SB 32 (CARB 2017b). While measures in the Scoping Plan apply to state agencies and not the Proposed Project, the Proposed Project's GHG emissions would be reduced by statewide compliance with measures that have been adopted since AB 32 and SB 32 were adopted. Therefore, the Proposed Project would not obstruct implementation of the CARB Scoping Plan, and impacts would be less than significant.

SCAG's Regional Transportation Plan / Sustainable Communities Strategy

SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal) in September 2020 for the purpose of transportation conformity. Connect SoCal finds that land use strategies that focus on new housing and job growth in areas rich with destinations and mobility options would be consistent with a land use development pattern that supports and complements the proposed transportation network. The overarching strategy in Connect SoCal is to plan for the southern California region to grow in more compact communities in transit priority areas and priority growth areas; provide neighborhoods with efficient and plentiful public transit; establish abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands and farmlands (SCAG 2020). Connect SoCal's transportation projects help more efficiently distribute population, housing, and employment growth, and forecast development is generally consistent with regional-level general plan data to promote active transportation and reduce GHG emissions. The projected regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region.

The Connect SoCal Plan does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers. The Proposed Project would provide new facilities for the existing and future students of MMHS. The Proposed Project would serve the local population within the nearby surrounding communities. However, because the Proposed Project would not result in an increase in student capacity, it would not generate an increase in VMT. Therefore, the Proposed Project would not interfere with SCAG's ability to implement the regional strategies in Connect SoCal, and impacts would be less than significant.

Findings:

Impacts to an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be less than significant and no mitigation measures are necessary.

8. Hazards and Hazardous Materials

Impact 5.8-1: The Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-22 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

Construction

The Project Site has been investigated under the oversight of the DTSC, and no significant hazardous materials are being used or stored that would be removed during construction. No routine transport, use, or disposal of hazardous materials currently occurs on-site, and no new or expanded handling of hazardous materials would result from Project implementation. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during construction of each phase of the Proposed Project would be less than significant.

Operation

Operation of the Proposed Project would involve the use of small amounts of hazardous materials for cleaning and maintenance purposes typical of janitorial staff, and pesticides by school maintenance staff. The use, storage, transport, and disposal of hazardous materials by school staff would be required to comply with existing regulations of several agencies, including DTSC, EPA, Occupational Safety and Health Administration, Los Angeles Regional Water Quality Control Board, and the Los Angeles County Department of Public Works. The Proposed Project would continue to operate in the same manner as current conditions as a school. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during operation of the Proposed Project would be less than significant.

Findings:

Impacts to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant and no mitigation measures are necessary.

Impact 5.8-2: The Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-22 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

PEAs were prepared in 2009 and 2015 for the Project Site due to RECs identified in the 2009 Phase I ESA. The PEAs investigated the possibility of residual pesticides in soil from termiticide usage, lead in soil from lead-based paint, residual petroleum hydrocarbons from the former USTs and bus wash in

the vicinity of the bus barn, and the potential for hazardous materials from the laboratories, woodshop, art studio, and photography darkroom being released to the septic system within the redevelopment area and adjacent to the development area. The PEA evaluated historical information for indications of the past use, storage, disposal, or release of hazardous waste/substances at the site; evaluated available information for indications of naturally occurring hazardous materials at the site; established the nature of hazardous wastes/substances that may be present in soil at the site, their concentration, and general extent; and estimated the potential threat to public health and/or the environment posed by hazardous constituents, if any, at the site using a residential land-use scenario.

A human health risk assessment that was included in the PEA determined that an approximately 0.66-acre area of the bus barn area posed an unacceptable human health risk using a residential land use risk scenario but was appropriate for school-based use. The remainder of the Project Site did not have an unacceptable risk for unrestricted residential land use, and it was determined that no further action was needed. The 2015 PEA concluded that there are no current environmental concerns, and no significant risks due to exposure to chemicals in soil and soil vapor are expected for the current or future students and staff. If land use in the bus barn area should ever change to residential, soil vapor may need to be reevaluated at that time. Based on the PEA finding and LUC, it is anticipated that the Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

ACMs would need to be removed from the campus if present and transported to a licensed disposal facility. ACMs were used in building materials from approximately the 1930s to 1977. Although it is anticipated that ACMs from the school buildings were removed, the Proposed Project may encounter previously unidentified ACMs during demolition. Additionally, the potential for encountering lead-based paint (LBP) during construction also exists. However, the District is required to implement regulatory requirements outlined in the Title 8 CCR Subchapter 4, section 1529 (pertaining to asbestos) and section 1532.1 (pertaining to lead-based paint); 29 CFR section 1926, Subpart Z; 40 CFR section 61, Subpart M (pertaining to asbestos); and 29 CFR section 1926, Subpart D (pertaining to lead) to ensure that all removal and disturbance of ACM and LBP and subsequent waste disposal are performed in accordance with these rules and regulations that provide exposure limits, exposure monitoring, respiratory protection, and good working practice by trained workers.

All removal and disturbance of ACM and subsequent waste disposal shall be performed by an asbestos abatement contractor, using 40-hour asbestos trained workers (Asbestos Worker trained as outlined in 40 CFR section 763). The abatement contractor's workforce shall be supervised by experienced trained workers, knowledgeable and qualified in the techniques of asbestos abatement, handling, and disposal of asbestos-containing and/or asbestos-contaminated materials, and the subsequent cleaning of contaminated areas, including, at a minimum, Competent Person/Contractor Supervisor training as outlined in 40 CFR section 763. All removal and disturbance of lead-based paints and subsequent waste disposal shall be performed by a state-licensed contractor using workers certified by the California Department of Public Health (CDPH) and at least one CDPH-certified Supervisor. The abatement contractor's workforce shall be supervised by experienced trained workers, knowledgeable and qualified in the techniques of lead abatement, handling, and disposal of lead-containing and/or lead-contaminated materials, and the subsequent cleaning of contaminated areas. All construction work concerning ACMs and LBP would be performed in accordance with all applicable and relevant laws and regulations. The Proposed Project would not create a significant hazard to the public or the

environment through reasonably foreseeable upset and accident conditions involving release of hazardous materials into the environment, and impacts would be less than significant.

Findings:

Impacts to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant and no mitigation measures are necessary.

Impact 5.8-3: The Proposed Project would not be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-25 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR.

The Project Site was not on state and federal hazardous materials sites, except for having a former release from a UST, but that case was granted closure and therefore no significant hazard to the public or the environment would occur. Additionally, the site has been investigated under the oversight of the DTSC for use as a school, and a 0.66-acre area was identified as being acceptable for use as a school but not for residential. A land use covenant is in effect for the 0.66-acre area near the former USTs that is annually inspected by the District and the LUC Inspection Report is approved by the DTSC, and no significant hazard to the public or the environment would occur. Therefore, impacts related to being located on a listed hazardous materials site compiled pursuant to Government Code section 65962.5 would be less than significant.

Findings:

Impacts a site which is included on a list of hazardous materials compiled pursuant to Government Code section 65962.5 would be less than significant and no mitigation measures are necessary.

Impact 5.8-4: Project development would not affect the implementation of an emergency responder or evacuation plan.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-25 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR and contained within Responses to Comment Letter A2 (see A2-1) and R3-8.

Construction

During each of the four phases of Project construction, construction vehicles including employees, vendors, and equipment would be traveling to and from the Project Site. Construction activities may occur during the school year, and therefore all construction staging areas and access locations must be well identified so that access for pick-up/drop-off as well as emergency responders is maintained. The Proposed Project would implement Mitigation Measure T-1 to ensure that access is sufficiently maintained during construction activities. Implementation of this measure would ensure impacts remain less than significant regarding emergency access and response during construction.

Operation

The Proposed Project would not substantially change the access configurations, and the Proposed Project would not result in more trips or a change in traffic patterns. The access and configurations of the parking lots would not worsen traffic conditions or emergency access in the study area. The configuration of the new Parking Lots C, D, and E would improve traffic conditions because access to Lots D and E are farther west and away from the drop-off and pick-up area adjacent to the school on Morning View Drive, and Parking Lot C provides better on-site circulation and vehicular storage than the existing JCES parking lot. Additionally, Parking Lot F would improve emergency response and access to the athletic fields at the north part of the campus. Therefore, full buildout of all phases of the Proposed Project would not affect the implementation of an emergency responder or evacuation plan, and impacts would be less than significant.

Findings:

Impacts to an emergency responder or evacuation plan would be less than significant and no mitigation measures are necessary.

Impact 5.8-5: The Proposed Project Site would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Support for this environmental impact conclusion is fully discussed starting on page 5.8-26 of Section 5.8, *Hazards and Hazardous Materials* of the DEIR and contained within Responses to Comment Letter A1 (see A1-4).

The Project Site is in a Very High Fire Hazard Severity Zone in a local response area. The Proposed Project would be required to comply with current CBC standards, CFC standards, Title 5 regulations, and local fire code requirements, including fire protection features. These features include fuel modification requirements for landscape and highly ignition-resistant buildings to minimize the likelihood of exposing students, visitors, staff, and structures to a significant risk related to wildfires.

The Proposed Project would create greater setbacks from the environmentally sensitive habitat area (ESHA) and would not introduce large amounts of nonnative vegetation on-site. The Proposed Project would result in demolition of structures within the ESHA buffer area, such as the bus barn, the playfield at the former JCES, and surface parking. The District would implement a restoration plan for the ESHA that would include weed abatement, establish invasive plant controls, and implement erosion prevention and bank stability improvements. Several plants suitable for consideration for ESHA restoration efforts would be fire-resistant species. Fuel modification zones would be included as part of project design. Fire-resistant landscape plants would act as a defensible space to gradually reduce fire intensity and flame lengths from advancing fire by strategically placing thinning zones and irrigated zones next to each other.

An "islandable microgrid," or ground-mounted PV solar array system with battery storage and energy control center, would be constructed to avoid loss of instruction at MMHS due to mandated public utility shutdowns to prevent fires. A 500- to 1,000-kW-hour battery storage system would be installed. The battery storage system would have a fire rating in conformance with CBC and CFC standards and local fire codes. The structure would also have cooling systems to maintain cool temperatures within

the unit. Therefore, the battery storage structure would not exacerbate fire risk at the Project Site. With implementation of fire protection building and design features and compliance with existing current standards, regulations, and code requirements, the Proposed Project would not result in a significant risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

Findings:

Impacts to significant risk of loss, injury, or death involving wildland fires would be less than significant and no mitigation measures are necessary.

9. Hydrology and Water Quality

Impact 5.9-1: The Proposed Project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-39 of Section 5.9, *Hydrology and Water Quality* of the DEIR and contained within Responses to Comment Letter A5 (see A3-34 through A3-38).

Construction

Construction of the Proposed Project would likely involve the use of some hazardous materials, such as vehicle fuels, lubricants, greases, and transmission fluids in construction equipment, and paints and coatings in building construction that could affect water quality. Construction of the Proposed Project would not create a significant hazard through the transport, use or disposal of hazardous materials during construction. No significant hazardous materials are being used or stored that would be removed during construction. The use and storage of hazardous materials during construction would comply with U.S. Occupational Safety and Health Administration regulations, which ensure that such hazardous materials are properly handled on-site and would not enter stormwater or waterways.

Earthwork activities during construction may also cause erosion and generate sediment that can enter waterways. Prior to construction of each phase of the Proposed Project, the District would be required to prepare and implement site specific BMPs consistent with its Construction General NPDES Permit, Construction SWPPP, and MMC section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere MMC sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act and Municipal NPDES Permit. Groundwater is not anticipated to be encountered. While not anticipated, if dewatering during construction is needed, the Proposed Project would also be required to obtain a general permit for construction dewatering issued by the RWQCB. The construction of the Proposed Project therefore would not violate water quality standards or waste discharge requirements and would not otherwise substantially degrade water quality; a less than significant impact would occur.

Operation

The Project Site Hydrology Report (Psomas 2021c) evaluated existing stormwater drainage on-site to determine the capacity of the existing infrastructure and proposed on-site stormwater infrastructure to

accommodate stormwater from rain events. The Proposed Project would incorporate adequate stormwater treatment capacity as specified by the Project Site Hydrology Report.

The Project Site Hydrology Report further reviewed storm drain hydraulics in the ESHA to establish existing water surface elevations and existing flow velocities for various storm events. Under existing conditions, erosive velocities average six feet per second with an average depth of three feet during the 2-year storm event and eight feet per second with an average depth of five feet during the 50-year event. The model also indicates that flows for the design storm event are contained by the channel banks and do not overtop. The Proposed Project would not substantially contribute to stormwater velocities in the ESHA, and restoration of the ESHA as part of the Proposed Project would reduce stormwater velocities in the ESHA.

The phased storm drains would be designed to accommodate 50-year design storm peak flow rates. Therefore, the stormwater system on-site and stormwater improvements conducted as part of the Proposed Project would ensure that stormwater is adequately conveyed and would not violate water quality standards.

Operation of the Proposed Project would have the potential to discharge sediment and pollutants to storm drains and receiving waters, thereby leading to a potential water quality impact. However, the Proposed Project includes the implementation of a stormwater system what would capture and treat stormwater on-site prior to being released to public storm drain systems. Stormwater infrastructure on-site would constructed along with each phase of the Proposed Project, which would ensure that each phase of the Proposed Project is adequately served by on-site stormwater system. Consistent with the MMC 13.04.120, prior to construction of each phase, a water quality management plan would be prepared, which would identify BMPs to ensure that on-site infrastructure and stormwater meet the stormwater on-site retention requirements and discharge requirements. The Proposed Project would be required to comply with the City's MS4 Permit and Municipal Code Chapter 13.04 (Stormwater Management and Discharge Control), which requires reduction of pollutants in stormwater to the maximum extent practical and prohibits the discharge of non-stormwaters unless covered by a separate NPDES permit or Water Board's conditional discharge exemption (13.04.030(A)(1) and 13.04.060(D)). The operation of the Proposed Project therefore would not violate water quality standards or waste discharge requirements and would not otherwise substantially degrade water quality; a less than significant impact would occur.

Septic Upgrades

The Proposed Project would require decommissioning of existing septic systems and sizing and replacement with new septic system infrastructure. The decommissioning and installation of new septic systems would comply with all applicable state and local guidelines, including the Los Angeles County Department of Public Health and MMC. Chapter 15.40 of the MMC establishes standards for the siting, design, installation, operation, and maintenance of OWTS, which are adopted in compliance with the City's LCP and LIP to protect the overall quality of coastal waters and resources in the City and consistent with California Water Resources Control Board OWTS Policy and Los Angeles Regional Water Quality Control Board's Basin Plan. These standards apply to all existing, new, or replacement OWTS in the City. Additionally, plans for the on-site wastewater system would be submitted for review and approval by the County Department of Public Health (LADPH 2018).

Compliance with regulatory requirements would ensure that no potential sewage or related contaminants are released from this activity.

The Proposed Project would include adequate infrastructure to serve the Project Site, including the reconfiguration of existing septic systems. The proposed septic systems would include an appropriately sized two-compartment fiberglass septic tank. The location of the septic tanks and associated leach fields would be reviewed as part of each phase. However, the proposed septic systems would be designed and sited to avoid impacts to the ESHA, as all septic systems would be located more than 100 feet from the ESHA.

Decommissioning and modifications of the existing septic systems, and the addition of the replacement infrastructure would not be anticipated to disrupt service on the Project Site. Modifications to the wastewater and drainage system would have the capacity to adequately serve the Project Site during all phases of the Proposed Project, and Project-generated wastewater would be adequately treated. Therefore, the septic system upgrades would not violate any water quality standard or waste discharge requirements and would not substantially degrade surface or ground water quality; a less than significant impact would occur.

Findings:

Impacts to water quality standards or waste discharge requirements would be less than significant and no mitigation measures are necessary.

Impact 5.9-2: The Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Proposed Project may impede sustainable groundwater management of the basin.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-41 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Proposed Project's potable water use, and fire water lines would connect to an existing public water main on Morning View Drive. Los Angeles County Waterworks District No. 29 provides potable water to the City of Malibu, including the Project Site. Following full buildout of the Project, water demands would not change from current conditions as operational characteristics (enrollment, staffing, fire needs) would be the same as current operation. Therefore, operation of the Proposed Project would not substantially decrease groundwater supplies.

The MMHS and JCES campuses are largely developed with limited pervious surfaces. The Project Site is underlain by low permeability clay soil. Therefore, limited amounts of rainwater currently percolate to the groundwater on-site. Existing stormwater on the Project Site currently flows southward towards a network of storm drain systems and catch basins that outlet through the curb face to the adjacent Morning View Drive and to the existing ESHA. The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions. However, the minor increase in impervious surfaces would not interfere substantially with groundwater recharge. Similar to existing conditions, the stormwater generated under the Proposed Project would be directed to on-site stormwater infrastructure and be discharged to Morning View Drive and the ESHA. Additionally, the likelihood of encountering groundwater during construction such that dewatering is necessary is low, since groundwater was not encountered during the maximum depth drilled of approximately 46.5 feet

bgs and depth of groundwater is measured to be 77.4 feet bgs with depth of static water level at 58.7 feet bgs. As such, the Proposed Project would not interfere substantially with groundwater recharge.

Therefore, the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge during operation or construction, and a less than significant impact would occur.

Findings:

Impacts to groundwater supplies or groundwater recharge during operation or construction would be less than significant and no mitigation measures are necessary.

Impact 5.9-3: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would result in a substantial erosion or siltation on- or off-site.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-42 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

Construction

Soils in the Project Site could experience erosion during construction of each phase due to natural processes, such as wind and rain, or by earthwork activities, such as grading and excavation. Prior to construction of each phase of the Proposed Project, the District would be required to prepare and implement site specific BMPs consistent with its Construction General NPDES Permit, Construction SWPPP, and MMC section 13.04.100, which are in place to control sediment and pollution from entering waterways. Additionally, each phase of the Proposed Project would be required to adhere MMC sections 13.04.050 and 13.04.120, which require compliance with the Federal Clean Water Act (CWA) and Municipal NPDES Permit. While not anticipated, if dewatering during construction is needed, the Proposed Project would also be required to obtain a general permit for construction dewatering issued by the RWQCB. Therefore, compliance with federal, state, and local regulations would ensure that the Proposed Project would not result in substantial erosion or siltation on or off-site. A less than significant impact related to substantial erosion or siltation would occur during each phase of construction.

Operation

During operation, the Proposed Project would result in a minor increase to impervious surfaces compared to existing conditions and would result in alteration of the existing site's drainage patterns but not in a manner that would result in substantial erosion or siltation on or off-site. The Proposed Project would install new stormwater retention basins that would be developed to infiltrate and treat runoff from the Proposed Project. Stormwater from the Proposed Project would either drain to the existing ESHA via Clover Heights Avenue and the on-site drainage channel or to Morning View Drive, similar to existing conditions. ESHA restoration activities would include removal of all hardscape within the 100-foot buffer for the ESHA. The District would conduct weed abatement, establish invasive plant controls, and introduce native seed and plant species within the ESHA and the proposed 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. For the parking areas and trails within the ESHA's 100-foot buffer, the District would use permeable surface materials to increase infiltration.

The Project Site would be divided into seven drainage management areas (DMA) that would coordinate drainage to Morning View Drive. New stormwater retention basins would be developed to infiltrate and treat runoff from the Proposed Project. Stormwater infrastructure on-site would be developed as part of each phase, such that DMA A and B would be developed during Phase 1; DMA C would be developed during Phase 2; DMA D would be developed during Phase 3; and DMA E through G would be developed during Phase 4 (see Figure 3-8, Conceptual Storm Drain and Water Quality: Phase 1, and Figure 3-9, Conceptual Storm Drain Water Quality: Phases 2–4). Drainage from the proposed bus barn site would direct flows to the existing storm drain system in the equestrian center. All DMAs and the drainage for the proposed bus barn site would be required to comply with local and federal permits governing water quality and on-site stormwater capture and drainage, such as Los Angeles County Municipal Stormwater NPDES Permit and MMC sections 13.04.050, -090, -110, and -120. The proposed Parking Lot F would be designed specifically to ensure minimal impacts related to stormwater flows/drainage and resulting erosion. Therefore, operation of each phase would be adequately served by stormwater infrastructure for the respective DMA. No discretionary permit be issued until the City's authorized enforcement officer confirms that the Project plans comply with the applicable stormwater mitigation plans and design criteria requirements.

Implementation of the proposed stormwater infrastructure, ESHA restoration (e.g., the erosion prevention and bank stability improvements), and compliance with federal, state, and local regulations would ensure that the Proposed Project would not result in substantial erosion or siltation on or off-site. A less than significant impact related to substantial erosion or siltation would occur during the operation of the Proposed Project.

Findings:

Impacts to existing drainage pattern that would result in a substantial erosion or siltation on- or off-site would be less than significant and no mitigation measures are necessary.

Impact 5.9-4: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would substantially increase the rate or amount of surface runoff which would result in flooding on- or off-site.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-44 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions and would install stormwater infrastructure on the Project Site. The Proposed Project would include a new stormwater system that would retain, infiltrate, and treat stormwater on the Project Site. Similar to existing conditions, the Proposed Project would continue to drain stormwater to the ESHA and to storm water infrastructure on Morning View Drive. Project design features, such as stormwater pipe sizing and stormwater treatment capacities, and restoration of the ESHA, including permeable surface material within the ESHA's 100-foot buffer, would ensure that the Proposed Project does not substantially increase the rate or amount of surface runoff in a manner that leads to on- or off-site flooding.

The Proposed Project would also be required to comply with all local, state, and federals regulating stormwater runoff. Pursuant to MMC section 13.04.120, the Proposed Project would be designed to

control runoff volume and would be required to implement a water quality mitigation plan that retains stormwater runoff on-site from either an 85 percentile 24-hour runoff event or the volume of runoff produced from a three-quarter inch, 24-hour rain event, whichever is greater. The Proposed Project would implement a WQMP and a SWPPP during construction and operation consistent with state and local regulations, including the County's NPDES permit, that would include the installation of BMPs. Each phase of Proposed Project would be required to meet the standards and requirements for stormwater retention, treatment, and discharge. The Proposed Project would not result in flooding on or off-site. A less than significant impact related to flooding on- or off-site would occur.

Findings:

Impacts to the existing drainage pattern of the site would be less than significant and no mitigation measures are necessary.

Impact 5.9-5: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-43 of Section 5.9, *Hydrology and Water Quality* of the DEIR and contained within Responses to Comment Letter A5 (see R5-34 and R5-35).

Construction

Construction of the Proposed Project would temporarily introduce potential sources of pollution on-site, such as oils, paints, solvents, and gasoline, that are typical of construction activities. Equipment and potentially hazardous materials would be maintained and stored in accordance with manufacturer instructions. The Proposed Project would be required to prepare and implement a BMPs consistent with its Construction General NPDES Permit, Municipal NPDES Permit, Construction SWPPP. BMPs include structural and non-structural strategies to minimize pollution of stormwater. Therefore, compliance with federal, state, and local regulations and implementation of best management practices would ensure that the Proposed Project would not result in substantial additional sources of polluted runoff during construction. A less than significant impact related to substantial additional sources of polluted runoff would occur during each construction phase.

Operation

The Proposed Project would increase impervious surfaces on the Project Site compared to existing conditions and would implement a stormwater system on-site that would alter the existing drainage pattern on the Project Site. The Proposed Project would have a stormwater drainage system on-site, which would include stormwater retention basins that would be developed to infiltrate and treat runoff from the Proposed Project consistent with MCC section 13.04.120 requirement of either an 85 percentile 24-hour runoff event or the volume of runoff produced from a three-quarter inch, 24-hour rain event, whichever is greater. The Proposed Project would adhere to a WQMP and SWPPP prepared for the operation of the Proposed Project, which would incorporate best management practices. As such, stormwater entering the ESHA and storm drains on Morning View Drive would be treated. Each phase of the Proposed Project would be required to comply with the standards and requirements of

MCC section 13.04.120 for all of its phases by designing a system to satisfy the standards and requirement for the entire site during the first phase and implementing these standards and requirement for each phase of development or redevelopment of the site during the first phase or prior to commencement of construction of a later phase to the extent necessary to treat the stormwater from such later phase. Additionally, in compliance with SUSMP requirements, the Proposed Project's on-site stormwater drainage system would be designed to adequately store and convey stormwater runoff from the Project Site and there would be no net increase in stormwater runoff to the off-site storm drain system.

The Proposed Project would include potential sources of pollution typical of school uses, such as chemicals used for educational purposes; oils, gasoline, chlorine, paints, and solvents for ongoing maintenance of the campus and buses, and pesticides and fertilizers landscaping on-site. These potential materials would be stored and handling in accordance with manufacturer specifications and is not expected to generate substantial new sources of pollution. Additionally, the operation and use of the new septic systems on-site would comply with the City and County's requirements and procedures for septic systems and OWTS. Compliance with local and state requirements would ensure that on-site septic systems would not generate pollution which could enter stormwater runoff.

Therefore, compliance with federal, state, and local regulations and implementation of best management practices would ensure that the Proposed Project would not alter existing drainage patterns in a manner that would result in substantial additional sources of polluted runoff during operation. A less than significant impact related to substantial additional sources of polluted runoff would occur during the operation of the Proposed Project.

Debris/Mud Flow

During certain rain events in existing conditions, debris and mud flows emanate from the main and tributary canyon upslope of the Project Site located approximately 2,400 feet north of the Project Site and transported down gradient. Two rainfall events that occurred in November and early December 2018 after the Woolsey Fire resulted in debris flows such that there is limited unconsolidated soil remaining on the slopes north of the Project Site in this area. Since the December 2018 debris flow the slopes have revegetated with light grasses, homes are being rebuilt, and drainage pathways corrected, all of which minimize potential debris flows during rain events. The District installed emergency drainage improvements on the campus following the mudflow events, including earthen berm, gravel bag barriers, concrete channel with side walls, and debris rack cage. Additionally, the District will install K-rails on Clover Heights Avenue prior to any forecast significant rain event. Construction of the Proposed Project would install new stormwater and drainage system on-site and incorporate best management practices. The Proposed Project would not contribute to a substantial additional source of polluted runoff due to debris or mudflow, and a less than significant impact would occur.

Findings:

Impacts to existing drainage pattern of the site or area in a manner that would create or contribute runoff water would be less than significant and no mitigation measures are necessary.

Impact 5.9-6: The Proposed Project would not substantially alter the existing drainage pattern of the site or area in a manner that would impede or redirect flood flows.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-46 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Project Site is located within an area of minimal flood hazard but would not be subject to flooding from a 100-year or 500-year storm event. Therefore, construction and operation of the Proposed Project would not impede or redirect flood flows, and impacts would be less than significant.

Findings:

Impacts to flood flows during construction and operation would be less than significant and no mitigation measures are necessary.

Impact 5.9-7: The Proposed Project would not risk release of pollutants due to Project inundation due to flooding, tsunami, or seiche.

Support for this environmental impact conclusion is fully discussed starting on page 5.9-46 of Section 5.9, *Hydrology and Water Quality* of the DEIR.

The Project Site is located within an area of minimal flood hazard but would not be subject to flooding from a 100-year or 500-year storm event. The Project Site is also not within an area subject to tsunami nor seiches. All chemicals and potentially hazardous materials on-site would be stored, used, and transported in compliance with local, state, and federal regulations. Therefore, the Proposed Project would result in no impact related to release of pollutants due to Project inundation from flooding, tsunami, and seiche.

Findings:

No impact related to release of pollutants due to Project inundation from flooding, tsunami, and seiche would occur and no mitigation measures are necessary.

10. Land Use and Planning

Impact 5.10-1: Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.

Support for this environmental impact conclusion is fully discussed starting on page 5.10-8 of Section 5.10, *Land Use and Planning* of the DEIR.

The Project Site is designated Institutional (I), which accommodates existing public and quasi-public facilities, such as educational facilities. The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus to create three distinct areas: Middle School Core, High School Core, and shared facilities. The existing Building E and Buildings A/B at the MMHS Campus would remain, with all other structures removed.

The Proposed Project would be consistent with the goals and policies identified in the General Plan's Land Use Element, the City's LCP, and the City's Municipal Code that have been adopted for the

purposes of avoiding or mitigating environmental impacts. Additionally, to meet the standards established by the District's Education Specifications, the California Interscholastic Federation, and the National Federation of State High School Association, Buildings D, C, H, and J would exceed the LCP and City's 28-foot height requirements. Development of the Proposed Project would conform to all existing development standards under section 17.40.110 of the City's Municipal Code for Institutional Development and section 3.9 of the City's LIP. The table outlines the Proposed Project's specifications along with the current City's LIP and Municipal Code and reasoning for exceeding current City regulations. Therefore, implementation of the Proposed Project would result in less than significant impacts relating to land use.

Findings:

Impacts to applicable plans adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant and no mitigation measures are necessary.

11. Noise

Impact 5.11-3: The Proposed Project would not generate excessive groundborne vibration or groundborne noise levels.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-23 of Section 5.11, *Noise* of the DEIR.

Construction Vibration

Potential vibration impacts associated with development projects are usually related to the use of heavy construction equipment during the demolition and grading phases of construction. Construction can generate varying degrees of ground vibration, depending on the construction procedures and equipment. The effect on buildings in the vicinity varies depending on soil type, ground strata, and receptor-building construction. The effects from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures.

For reference, a peak particle velocity of 0.2 in/sec PPV is used as the limit for nonengineered timber and masonry buildings (which would apply to the surrounding residential structures) (FTA 2018). Vibration levels for typical construction equipment at a reference distance of 25 feet and at the nearest sensitive-receptor buildings 120 feet to the south. During construction of the Proposed Project, vibration would not exceed the threshold of 0.2 in/sec PPV, and impacts would be less than significant.

Operational Vibration

The Proposed Project would include bus movement activity at the Project Site. However, since the Project's bus movements would be at lower speeds than freeways and over smooth surfaces (not roadways in poor conditions), project-related vibration associated with bus activity would not result in excessive groundborne vibrations—no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial groundborne vibration associated with the project, such as rail or subways. The Proposed Project would not create or cause any vibration impacts due to operations.

Findings:

Impacts related to vibration annoyance would be less than significant and no mitigation measures are necessary.

12. Public Services

Impact 5.12-1: The Proposed Project would not affect response times or other performance objectives that would result in the need for new or physically altered fire protection facilities, the construction of which would cause significant environmental impacts.

Support for this environmental impact conclusion is fully discussed starting on page 5.12-10 of Section 5.12, *Public Services* of the DEIR and contained within responses to Comment Letter A1.

Construction

According to the California Department of Forestry and Fire Protection, the Project Site is in a very high fire hazard severity zone (VHFHSZ) in a local responsibility area (LRA); the likelihood is high that it would be exposed to a wildland fire and secondary effects of wildland fires.

Project construction activities could result in exacerbated fire risks due to sparks, dry vegetation, smoking, and weather, particularly in areas where construction activities are in proximity to surrounding open space areas (i.e., Phases 1, 2, and 4). Mitigation Measure W-1, would ensure fire prevention requirements are in place during all phases of construction activities. The Proposed Project would be required to comply with the most currently adopted fire codes, building codes, and nationally recognized fire and life safety standards of Malibu, Los Angeles County, and the State of California. Compliance with these codes and standards is ensured through the City's and LACoFD's development review and building plan check process.

Additionally, in the event of an emergency at the Project Site that requires more resources than Station 71 could provide, LACoFD would direct resources to the site from other nearby stations, including Fire Station 99 (3.9 miles from the Project Site), Fire Station 88 (8.9 miles from the Project Site), and Fire Station 70 (11.1 miles from the Project Site). If necessary, LACoFD could request assistance from other nearby fire departments, including the City of Los Angeles Fire Department and the Ventura County Fire Department. Therefore, construction of the Proposed Project would not affect response times or other performance objectives that result in the need for new or physically altered fire protection facilities, the construction of which would cause significant environmental impacts. Construction impacts would be less than significant.

Operation

The Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site. According to the LACoFD's Planning Division, the fire services need in the City of Malibu are currently being met, and there are no plans for additional resources, personnel, and equipment in the Project Area. Additionally, though new development projects may create greater demands on existing resources, the Proposed Project would have a negligible effect on service standards (LACoFD 2020) (see Appendix L). Therefore, operation of the Proposed Project would not increase the requirement for fire protection facilities and personnel,

would not adversely affect the LACoFD's ability to provide adequate service, and would not require new or expanded police facilities that could result in adverse environmental impacts. Operational impacts of the Proposed Project would be less than significant.

Findings:

Impacts to LACoFD response times or other performance objectives would be less than significant and no mitigation measures are necessary.

Impact 5.12-2: The Proposed Project would not affect response times or other performance objectives that result in the need for new or physically altered police protection facilities, the construction of which would cause significant environmental impacts.

Support for this environmental impact conclusion is fully discussed starting on page 5.12-12 of Section 5.12, *Public Services* of the DEIR and contained within Responses to Comment Letter A2.

Construction

Access to the Project Site and the surrounding areas could be affected by construction of the Proposed Project. Temporary construction-related traffic could delay or obstruct the movement of LASD vehicles within or through the project area. However, construction traffic would be scheduled in concert with the operations of the school, ensuring that trucks are not moving in or out during drop-off or pick-up times. Additionally, designated construction staging areas would be implemented for stockpiling and storage of construction equipment, and all workers would be expected to park within the site limits. The District would provide notice of construction activities that would affect access to emergency facilities. Any disruptions in access would be temporary and short term. Therefore, the Proposed Project would not adversely affect the LASD's ability to provide adequate service during construction of the Proposed Project and would not require new or expanded police facilities that could result in adverse environmental impacts. Impacts would be less than significant.

Operation

The Malibu/Lost Hills Station currently has 130 sworn personnel and 30 professional staff, and the station can serve the Proposed Project with existing facilities. Implementation of the Proposed Project is not anticipated to significantly increase LASD's response times to either to the Project Site or the surrounding vicinity; however, in the event of an emergency at the Project Site that requires more resources than the Malibu/Lost Hills Station could provide, LASD would direct resources to the site from other nearby stations, including the Marina Del Rey Sheriff's Station and the West Hollywood Sheriff's Station. If necessary, LASD can request assistance from other nearby police/sheriff's departments, including the Santa Monica Police Department, the Los Angeles Police Department, and the Ventura County Sheriff's Department.

The Proposed Project is intended the modernize the campus facilities and retain the existing capacity of 1,200 students (750 high school students and 450 middle school students). The Proposed Project would not include a residential component that would directly increase the residential population in the area, so the student and staff populations of the school are not anticipated to increase. Thus, according to the LASD's Facilities and Planning Bureau, the Malibu/Lost Hills Station would be able to serve the Proposed Project with existing facilities. Although the Proposed Project would be open

to community use in addition to the student population, which could pose the need for additional resources, the station could meet the increased needs with the existing resources and personnel (LASD 2020) (see Appendix L). Implementation of the Proposed Project would comply with all applicable building codes and safety standards of Malibu, Los Angeles County, and the State of California. Therefore, the Proposed Project would not adversely affect the LASD's ability to provide adequate service and would not require new or expanded police facilities that could result in adverse environmental impacts. Impacts would be less than significant.

Findings:

Impacts to LASD response times or other performance objectives would be less than significant and no mitigation measures are necessary.

13. Recreation

Impact 5.13-1: Project implementation would not result in environmental impacts to provide new and/or expanded recreational facilities.

Support for this environmental impact conclusion is fully discussed starting on page 5.13-9 of Section 5.13, *Recreation* of the DEIR.

The Proposed Project includes the improvement of existing publicly available recreational facilities and amenities within the Project Site, including the middle school gymnasium/fitness center (Building D), and the high school gymnasium (Building J). Additionally, new recreational shared facilities would be developed, including an aquatics center/field house (Building L) and pool, and the upper field house (Building M). The improved shared facilities would be built to the north of the Middle School and High School Cores and west of the existing Main Sports Field. The Boys & Girls Club building would be relocated from its current location north of the pool and the existing Building J to the northwestern portion of the campus, north of Parking Lot E and south of the tennis courts.

A new field house (Building M) would be constructed for the existing baseball and softball fields, and one for the existing athletic field (Building L). Additionally, the Proposed Project would add two new tennis courts to the existing tennis court area on the northern side of the Project Site. The Proposed Project would also extend pedestrian trails throughout the campus that would start along the ESHA on the west and connect to a larger system of existing walking trails around the Equestrian Park and surrounding hills to improve pedestrian circulation and connect to the larger existing pedestrian trail network on District property. The pedestrian trails along the ESHA would include turnouts, which would be used as outdoor learning spaces overlooking the ESHA within 50 feet of the ESHA boundaries. No changes to equestrian uses or trails would occur as part of the Proposed Project.

The Proposed Project would not involve any construction of recreational facilities beyond what is proposed to serve the existing and future students. Additionally, when the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, use of the playfields, common areas, and classrooms would be available for public use, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu Regarding the Joint Use of School District Facilities. Development and operation of new recreational facilities and amenities in the Project Site may have an adverse physical effect on the environment, including impacts relating to air quality,

lighting, noise, and traffic. As demonstrated in this DEIR, the development of recreational facilities and amenities in the Project Site would not result in significant impacts to the environment. Therefore, implementation of the Proposed Project would result in less than significant impacts related to new and/or expanded recreational facilities.

Findings:

Impacts to recreational facilities would be less than significant and no mitigation measures are necessary.

14. Transportation

Impact 5.14-1: The Proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-16 of Section 5.14, *Transportation* of the DEIR and contained within Responses to Comment Letter R3 (see A3-40 and A3-41). The Proposed Project would be confined to the Project Site and would not construct or modify the surrounding circulation network, including roads transit, bicycle, and pedestrian facilities. Therefore, the Proposed Project would not conflict with any regulations set forth by the City of Malibu's General Plan and/or LCP. Therefore, the Proposed Project would not conflict with a program, plan, ordinance, or policy regarding public transit, roadway, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Impacts would be considered less than significant.

Findings:

Impacts to a program, plan, ordinance, or policy addressing the circulation system would be less than significant and no mitigation measures are necessary.

Impact 5.14-2: The Proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Support for this environmental impact conclusion is fully discussed starting on page 5.14-23 of Section 5.14, *Transportation* of the DEIR.

Construction Vehicle Miles Traveled

Construction of the Proposed Project would require the mobilization of workers, vendors, equipment, and haul trucks to and from the Project Site, which would generate a temporary increase in traffic and may cause delays on roadways adjacent to the Project Site. However, the increase in trips and the subsequent increase in VMT to the Project Site would be temporary and vary with the level of effort necessitated by each phase of construction. To further reduce the amount of VMT to the Project Site, the construction management team can include strategies to encourage workers to carpool or use transit when possible and source materials and equipment locally. Thus, increases to VMT during construction activities would be considered negligible and construction-related VMT impacts would be considered less than significant.

Construction traffic during Phases 2 through 4 would add vehicle trips to the Project Site; however, construction activities would not establish permanent traffic patterns that would contribute to ongoing VMT increases. The nature of construction activities requires employee and truck trips from one phase work area to the next as construction suppliers and employees work on different phases. Any subsequent increase in VMT to the Project Site during construction would be temporary. Therefore, impacts would be considered less than significant.

Operation

The Proposed Project would not increase the student or employment population at MMHS, and the attendance boundaries of the school would not change; the Proposed Project would not result in more vehicle trips to and from the school during operation of the Proposed Project when compared to existing conditions. In addition, the Proposed Project would not modify primary site access locations and traffic patterns—which could potentially result in an increase in the average trip lengths. Because total VMT is a function of the total number of trips multiplied by the average trip lengths, the Proposed Project would not result in a VMT increase. Therefore, impacts related to VMT associated with full buildout of the Proposed Project would be considered less than significant.

Bus Barn Relocation Assessment

The existing bus barn would be relocated to the east of Parking Lot A within the District-owned Malibu Equestrian Park as part of Phase 4 of the Project. The relocated bus barn would hold up to five buses; however, three buses would typically be in operation, and would operate from 6:45 a.m. to 6:00 p.m. every weekday. No refueling or maintenance will occur at the new bus barn. Due to the operation of three buses, bus access would continue to come from Morning View Drive, and the impacts to the circulation network and changes in VMT would be negligible. Therefore, impacts related to VMT as a result of the new bus barn, would be considered less than significant.

Findings:

Impacts to CEQA Guidelines section 15064.3, subdivision (b)would be less than significant, and no mitigation measures are necessary.

15. Utilities and Services Systems

Impact 5.15-1: Existing and/or proposed water, wastewater, stormwater, electric, natural gas, and telecommunication facilities would be able to accommodate Project-generated utility demands.

Support for this environmental impact conclusion is fully discussed starting on page 5.15-19 of Section 5.15, *Utilities and Services Systems* of the DEIR and contained within Responses to Comment Letter A3 (see A3-36).

All utility infrastructure improvements (specifically water, electrical, natural gas, telecommunications) would be developed internal to the Project Site during each phase of construction. Therefore, the environmental effects of these upgraded infrastructures are evaluated in each chapter of this DEIR and mitigation is required where necessary.

Following full buildout of the Proposed Project, the school would operate under the same staffing and enrollment capacity as under current conditions. Larger off-site improvements to connecting facilities would not be necessary. Additionally, the new structures would be developed with modernized building materials and fixtures meeting current code requirements, resulting in a more efficient use of utilities. Impacts associated with the replacement of the existing on-site wastewater treatment systems (the 10 septic systems) are addressed in Impact 5.6-4. Impacts associated with stormwater drainage are discussed in Impact 5.9-4. Therefore, the Proposed Project would result in less than significant impacts regarding the relocation or construction of new or expanded utilities.

Findings:

Impacts to existing and/or proposed water, wastewater, stormwater, electric, natural gas, and telecommunication facilities would be less than significant, and no mitigation measures are necessary.

Impact 5.15-2: Available water supplies are sufficient to serve the Proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years.

Support for this environmental impact conclusion is fully discussed starting on page 5.15-19 of Section 5.15, *Utilities and Services Systems* of the DEIR.

The Proposed Project would not increase the student or staff population within the proposed high school or middle school; thus, there would be no net change in indoor water supply as a result of the Proposed Project. Additionally, the majority of the Project Site that would require irrigation, including the sports fields and landscaped areas throughout the campus, would remain unchanged; thus, there would be no net change in outdoor water supply.

The Proposed Project would be designed using applicable green building practices, including those of the most current Building Energy Efficiency Standards (Title 24, CCR, Part 6) and California Green Building Standards Code (CALGreen; Title 24, CCR, Part 11). The Building Energy Efficiency Standards contain water efficiency requirements for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Therefore, the Project Site would have sufficient water supplies available to serve the students, staff, and MMHS campus and reasonably foreseeable future development during normal, dry, and multiple-dry years; and impacts to available water supplies would be less than significant.

Findings:

Impacts to available water supplies would be less than significant and no mitigation measures are necessary.

Impact 5.15-3: Project-generated wastewater could be adequately treated by the wastewater service provider for the Proposed Project.

Support for this environmental impact conclusion is fully discussed starting on page 5.15-20 of Section 5.15, *Utilities and Services Systems* of the DEIR and contained within Responses to Comment Letter A3 (see A3-36).

The Proposed Project would include adequate infrastructure to serve the Project Site, including the reconfiguration of existing septic systems. The Project Site currently has 10 onsite waste treatment systems on the former JCES and MMHS campuses. The Proposed Project would result in 7 total septic systems. The Proposed Project would remove septic systems 6 through 11 and would add five septic systems that would be developed under the Proposed Project in the following locations:

Proposed septic systems would include an appropriately sized, two-compartment, fiberglass septic tank. The location of the septic tanks, and associated leach fields would be reviewed as part of each phase. However, the proposed septic systems would be designed and sited to avoid impacts to the ESHA, and all septic systems would be more than 100 feet from the ESHA.

Decommissioning and modifications of the existing septic systems and the addition of the replacement infrastructure would not be anticipated to disrupt service on the Project Site. Modifications to the wastewater and drainage system would have the capacity to adequately serve the Project Site during all phases of the Proposed Project, and Project-generated wastewater would be adequately treated. Therefore, impacts would be less than significant.

Findings:

Impacts to wastewater would be less than significant and no mitigation measures are necessary.

16. Wildfire

Impact 5.16-2: Future development on the Project Site pursuant to the Proposed Project could require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or result in temporary or ongoing impacts to the environment.

Support for this environmental impact conclusion is fully discussed starting on page 5.16-21 of Section 5.16, *Wildfire* of the DEIR.

The Proposed Project would not require the installation of new power lines or other off-site utilities, including infrastructure for emergency/fire water lines. The proposed domestic and fire water lines would connect to the existing 12-inch public water main on Morning View Drive, and water would be supplied by the Los Angeles County Waterworks District No. 29.

An "islandable microgrid," or ground-mounted PV solar array system with battery storage and energy control center would be constructed to avoid loss of instruction at MMHS due to mandated public utility shutdowns to prevent fires. The PV system would be installed on the sloping hillside to the south of the existing Lot A and the main sports field and to the north and northwest of Building E (core classrooms building). A 500 to 1,000 kW-hour battery storage system would be installed. Though battery storage systems generally burn with difficulty, they can burn or become damaged by fire and generate fumes and corrosive gases. Dry chemicals, carbon dioxide, and foam are the preferred methods for extinguishing a fire involving batteries—water is not effective. Class D extinguishers are used for lithium-metal fires only. To further increase safety, the battery units are usually low voltage, encased in a steel enclosure, and set apart from combustible materials. The battery storage system

would have a fire rating in conformance with CBC and CFC standards and local fire codes. The structure would also have cooling systems to maintain cool temperatures within the unit.

Compliance with all applicable laws, regulations, and design standards would minimize the potential impacts to the public or environment due to the installation or maintenance of associated infrastructure that may exacerbate fire risk. Impacts would be less than significant.

Findings:

Impacts that may exacerbate fire risk would be less than significant and no mitigation measures are necessary.

D. FINDINGS ON IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The following summary describes impacts of the Proposed Project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the DEIR, these impacts would be considered less than significant.

1. Air Quality

Impact 5.2-4: The Proposed Project could expose sensitive receptors to substantial pollutant concentrations during construction.

Support for this environmental impact conclusion is fully discussed starting on page 5.2-32 of Section 5.2, *Air Quality* of the DEIR.

Construction-Phase LSTs

Screening-level LSTs (pounds per day) are the amount of Project-related mass emissions at which localized concentrations (ppm or µg/m3) could exceed the AAQS for criteria air pollutants for which the SoCAB is designated nonattainment. The screening-level LSTs are based on the Project Site size and distance to the nearest sensitive receptor and are based on the California AAQS, which are the most stringent AAQS, established to protect sensitive receptors most susceptible to respiratory distress. Construction of the Proposed Project would not generate construction-related on-site emissions that would exceed the screening-level LSTs. Thus, Project-related construction activities would not have the potential to expose sensitive receptors to substantial pollutant concentrations. Therefore, localized air quality impacts from construction activities would be less than significant.

Construction Health Risk

The Proposed Project would elevate concentrations of TACs (i.e., DPM) in the vicinity of sensitive land uses during construction activities. The nearest sensitive receptors to the Project Site are the on-site students who will be on campus during periods of construction activity and the single-family residence to the northwest on Via Cabrillo Street. Consequently, a site-specific construction HRA of TACs was prepared. The results of the HRA are based on the maximum receptor concentration over an approximately nine-year construction exposure duration for off-site receptors.

- Cancer risk for the maximum exposed off-site resident from construction activities related to the Proposed Project were calculated to be 19.0 in a million and would exceed the 10 in a million-significance threshold.

- Cancer risk for the maximum exposed on-site student receptor from construction activities would be 10.3 in a million and would also exceed the 10 in a million-significance threshold.

- For non-carcinogenic effects, the chronic hazard index identified for each toxicological endpoint totaled less than one for all the off-site sensitive receptors. Therefore, chronic non-carcinogenic hazards are less than significant.

Because cancer risks for the off-site residential MER and the student MER would exceed South Coast AQMD significance threshold, construction activities associated with the Proposed Project are potentially significant. Mitigation Measure AQ-1 in Section 5.2.4 would ensure that air quality-related impacts associated with health risk in sensitive populations would be reduced.

Mitigation Measures

AQ-1 Construction bids for Phase 1 through 4 activities at the Project Site shall specify use of off-road equipment that meets the United States Environmental Protection Agency (US EPA) Tier 4 interim emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated that such equipment is not available. In the event the equipment is not available, as demonstrated by the contractor, Tier 3 equipment retrofitted with a California Air Resources Board's Level 3 Verified Diesel Emissions Control Strategy (VDECS) shall be used. The following shall be specified in the construction bid:

- Construction contractors shall use engines that meet US EPA Tier 4 Interim emission standards for equipment over 50 horsepower.
- Construction contractors shall maintain a list of all operating equipment in use on the Project Site in use for more than 20 hours for verification by the District. The construction equipment list shall state the makes, models, and number of construction equipment on-site.
- Construction contractors shall ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.
- Construction contractors shall communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449. Construction contractors shall be responsible for ensuring that this requirement is met.

Findings:

Implementation of Mitigation Measure AQ-1 would reduce potential impacts associated with air quality below the South Coast AQMD cancer risk threshold of 10 in a million. Therefore, the Proposed Project would not expose off-site nor on-site sensitive receptors to substantial concentrations of air pollutant emissions during construction and impacts would be reduced to a level that is less than significant with mitigation. Therefore, no significant unavoidable adverse impacts relating to air quality have been identified.

2. Biological Resources

Impact 5.3-1: Development of the Proposed Project could impact sensitive species.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-70 of Section 5.3, *Biological Resources* of the DEIR and contained within Reponses to Comment Letter A3 (see entire letter).

Common Wildlife

The Proposed Project would result in the loss of approximately 0.60 acre of native habitat over all phases. The Proposed Project would also impact approximately 16.87 acres of developed/ornamental vegetation and a total of approximately 1.97 acres of impacts to disturbed areas. A total of 1.01 acres of non-native or weedy vegetation (turf and upland mustards) would be impacted. A total of 0.29 acre of ornamental – planted habitat would be impacted by the Proposed Project. Removing or altering non-native habitats on the Project Site would result in the loss of small mammals, reptiles, amphibians, and animals of slow mobility that live in the Proposed Project's direct impact area. More mobile wildlife species now using the Project Site would be forced to move into remaining areas of open space, consequently increasing competition for available resources in those areas. This situation may result in the loss of individuals that cannot successfully compete. The loss of native and non-native vegetation that provides wildlife habitat is considered an adverse impact. However, the loss of a small pocket of native habitat (0.60 acre) and disturbed, developed, and/or non-native habitat (20.14 acres) would not be expected to reduce wildlife populations below self-sustaining levels because the combined 20.74 acres of degraded habitat are expected to support small numbers of individuals due to the existing habitat's marginal suitability for resident wildlife based on its fragmented nature, lack of species diversity and connectivity to adjacent native habitat, combined with existing developed areas surrounding the Proposed Project. Therefore, impacts to these areas are considered adverse but less than significant, and no mitigation would be required.

Special Status Plants

No impacts to special status plants would occur through Project implementation because no special status plants currently occur and are not expected to occur in the future within the Project impact area for all Phases. Habitat suitability for special status plants is expected to stay at baseline or degrade further in the future due anticipated future development in the surrounding area. Therefore, no impacts to special status plants would occur with Project implementation, and no mitigation would be required.

Special Status Wildlife

One special status reptile has the potential to occur in the Project impact area, the San Diegan tiger whiptail. Project implementation would result in the loss of 0.31 acre of potentially suitable habitat types (e.g., California sagebrush scrub, coyote brush – California sagebrush scrub/upland mustards, and riparian herb) for this species. This 0.31 acre would support very small numbers of individuals and the loss is considered very small due to the fragmented and degraded nature of this habitat. These impacts would be considered adverse but not substantial enough to cause regional populations to drop below self-sustaining numbers. Therefore, these impacts are considered less than significant, and no mitigation would be required.

A burrowing owl was incidentally observed to be wintering on the Project Site in the north-central portion of the site (outside of the Project impact area). Potentially suitable burrowing owl habitat occurs in Phase 3, Parking Lot F. Implementation of Phase 3 may directly impact 0.17 acre of because no potentially suitable habitat for the burrowing owl, while implementation would be directly impacted. of Phases 2 and 4 may indirectly impact the burrowing owl, if present in adjacent potentially suitable habitat. Any impacts to burrowing owl would be considered potentially significant. No breeding burrowing owls have ever been observed. Implementation of Mitigation Measure, BIO-1, which requires adherence to the CDFW Burrowing Owl Mitigation Guidelines, would reduce potential impacts to less than significant.

If construction is initiated during nesting season for passerines and raptors (i.e., February 1–August 31), it could impact nesting birds protected by the MBTA and California Fish and Game Code sections 3503, 3503.5, and 3513. Common raptor species including owls have the potential to nest on the Project Site. Should an active raptor nest be found on the Project Site, the loss of an active nest would be considered a violation of the California Fish and Game Code sections 3503, 3503.5, and 3513. The loss of any active bird or raptor nest would be considered a potentially significant impact. Implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection would reduce this impact to a less than significant level.

The western mastiff bat has the potential to occur in the BSA for foraging. There is no suitable roosting habitat in the BSA. Construction activities would only occur during daylight hours; therefore, nocturnal foraging would continue to be available over the Project impact area throughout the duration of construction and would remain unchanged following completion of the Proposed Project. There are no impacts to western mastiff bat would occur with Project implementation and mitigation would not be required.

Noise Impacts

During construction and operation, temporary noise impacts have the potential to disrupt foraging, nesting, roosting, and/or denning activities for wildlife species occurring within or adjacent to Project Work Areas. Although final use may slightly increase noise over ambient, it would be less than construction. Wildlife species stressed by noise may disperse from the habitat located in the immediate vicinity of the Proposed Project. Because the Proposed Project disturbance areas are limited in extent, this impact is considered adverse but less than significant and no mitigation would be required. However, if raptor species are nesting in the vicinity of the Proposed Project during construction, they may be temporarily displaced by construction noise. Indirect noise impacts on these species would be considered significant because nesting birds are protected by the California Fish and Game Code. Impacts on active nests would be reduced to a less than significant level with implementation of Mitigation Measure BIO-2 requiring nesting bird surveys and protection.

Mitigation Measures

BIO-1 Pre-Construction Burrowing Owl Surveys and Avoidance: In the year prior to initiation of Proposed Project activities in Phase 4, and/or before recommencing construction activities if suspended/delayed for six months or more, a qualified biologist shall conduct pre-construction burrowing owl surveys in accordance with the 2012 CDFW Burrowing Owl Consortium Survey Protocol and Mitigation Guidelines (CDFW 2012). If wintering

or breeding burrowing owl are observed adjacent to the impact area, mitigation shall be conducted in accordance with the CDFW guidelines (CDFW 2012).

BIO-2 Pre-Construction Nesting Bird Surveys: To the extent possible, vegetation removal shall be conducted during the non-breeding season (i.e., September 1 to January 31) in order to minimize direct impacts on nesting birds and raptors. If construction activities would be initiated during the breeding season for nesting birds/raptors (i.e., February 1–August 31), a pre-construction survey will be conducted by a qualified Biologist within three days prior to the initiation of construction (including demolition of structures). If construction activities are delayed or suspended for more than 7 days during the breeding season, nesting bird surveys shall be repeated before construction activities can begin or restart. In addition, nesting bird surveys shall be conducted prior to starting phased Project construction and activities. The absence of nesting birds and raptors shall be considered valid only until the following breeding season. The area will be surveyed for 2 hours between dawn and 10:00 AM on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, on at least three of the surveys, surveys will also be conducted during the period immediately before nightfall. The nesting bird/raptor Survey Area will include a buffer of 300 feet around the work area for nesting birds and a buffer of 500 feet around the work area for nesting raptors (including burrowing owl). If the Biologist does not find any active nests in or immediately adjacent to the impact area, construction activities can proceed.

If the Biologist detects an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted by increased activity around the nest, the Biologist shall determine an appropriate protective buffer around the nest depending on the sensitivity of the species and the nature of the construction activity. The protective buffer shall be between 25 to 300 feet for nesting birds; 300 to 500 feet for nesting raptors. The active nest will be protected within the designated buffer until nesting activity has ended. Any protective buffers will be mapped on construction plans and designated as "Environmentally Sensitive Areas". Construction can proceed within the protective buffer when the qualified Biologist has determined that the nest is no longer active (i.e., fledglings have left the nest or the nest has failed).

Findings:

Implementation of Mitigation Measure BIO-1 and BIO-2 would reduce potential impacts to special status species to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

Impact 5.3-2: Development of the Proposed Project would result in the loss of sensitive habitat types.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-72 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A3 (see entire letter).

Direct Impacts to Sensitive Habitat Types

The vegetation types including California sagebrush, coyote brush, upland mustard, riparian herb, California sycamore, and ornamental-native planting are all common throughout the region. The

special status vegetation type that occurs in the BSA, arroyo willow thicket, would not be impacted during Project implementation, therefore mitigation would not be required. Vegetation types in the BSA may change over the course of time. In order to ensure no special status vegetation types are impacted during the course of the Proposed Project, Mitigation Measure BIO-3 is included which requires future assessments of vegetation types to ensure conditions remain the same. If impacts to special status vegetation types are anticipated, Mitigation Measure, BIO-4, which requires habitat restoration, would be implemented to ensure impacts are reduced to less than significant.

Environmentally Sensitive Habitat Area

During the early stages of the specific planning process, among other Project objectives, the District recognized that the ESHA offered opportunities to enhance their educational goals of providing for outdoor learning spaces and interpretive opportunities; as well as providing an opportunity to restore the natural environment and improve campus connectivity through the development of the proposed pedestrian pathways. The District recognized that the existing conditions included incompatible development into the edge of the ESHA bank as well as the degraded nature of the ESHA itself. In discussions with the CCC, the District decided that it could restore the degraded drainage comprised of approximately 0.7 acres as well as 1.35 acres of upland areas within the ESHA's 50-foot buffer, and still meet the educational and design goals for the campus. In addition, within the remaining 100 feet beyond the 50-foot ESHA buffer, the Proposed Project would include land uses compatible with the natural habitat that would not incur in significant impacts to the natural habitat, including a looping trail, and interpretive stations overlooking the ESHA.

The ecological benefits of the restoration will increase the diversity and cover of native riparian and upland plants within the ESHA and its 50-foot buffer by the removing non-native species (including those rated by the California Invasive Plant Council); improve conditions for wildlife species including pollinator species that rely on wetland, riparian, and adjacent upland habitats for food and shelter; and reduce erosion and sedimentation. Additional benefits include the use of permeable material for the trails and parking stalls within the 100-foot buffer to provide a more natural hydrologic balance and reduce the runoff volume by trapping and slowly releasing precipitation into the ground instead of allowing it to flow into receiving waters as effluent.

The restoration of the degraded 0.7 acre of drainage and 1.35 acres of upland areas within the ESHA's 50-foot buffer does not constitute mitigation for any significant impact to a biological resource, but rather is a voluntary effort on the part of the District that would be implemented during Phase 1 construction of the Proposed Project as well as Phase 4A construction planned for the future. Therefore, impacts to the ESHA would be less than significant.

Mitigation Measures

BIO-3 Vegetation Assessments: Vegetation types shall be verified prior to work activities occurring in Phases 2 and 4 if seven years have elapsed from the latest point in time the vegetation mapping described in this Biological Assessment was conducted (April 15, 2021). Vegetation types in the BSA shall be assessed during a field visit and compared to the vegetation types mapped and described herein. Any changes shall be documented in a revised vegetation map and provided to the City of Malibu and the District. Special status vegetation types shall be identified, and if impacts are anticipated, the Proposed Project shall comply with Mitigation Measure, BIO-4.

BIO-4 Special Status Vegetation Types: The loss of special status vegetation types within the impact area is considered a significant impact. These vegetation types will be restored onsite or, if appropriate, offsite at a ratio of not less than 1:1, as agreed to by the City of Malibu and the District. A revegetation program shall be implemented in accordance with a City-approved landscape palette on all graded areas not utilized for improvements or structures. The revegetation program will be submitted to the City of Malibu for review and approval by a qualified biologist prior to issuance of grading permits. Restoration will consist of seeding and container planting of appropriate species. Impacts are considered less than significant after implementation of the following measures:

A detailed restoration program will be developed prior to map recordation and implemented, and will contain the following items:

- Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the landowner, specialists, and maintenance personnel that will supervise and implement the plan will be specified.
- Site selection. The site(s) for mitigation will be determined in coordination with the District and the City of Malibu. The site will be located in a dedicated open space area and will be contiguous with other natural open space areas.
- Site preparation and planting implementation. The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) erosion control measures (i.e., rice or willow wattles), and 6) native seed mix application.
- Schedule. Establishment of restoration/revegetation sites will be conducted between October 1 and January 30. Seeding and planting of container plants will take place immediately after preparation of the restoration sites.
- Maintenance plan/guidelines. The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.
- Monitoring Plan. The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the City, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the City for three to five years. The monitoring will be conducted for three to five years, depending upon the performance of the mitigation site.
- Long-term preservation. Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- Performance standards will be identified and will apply for the revegetation of special status vegetation types. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing, restored, and created habitat areas.
- In addition, earth-moving equipment will avoid maneuvering in areas outside the identified limits of grading in order to avoid disturbing open space areas that will remain undeveloped. Prior to grading, the construction boundary limits will be marked by the construction supervisor and the Project biologist. These limits will be identified on the grading plan. The District will submit a letter to the City of Malibu

verifying that construction limits have been flagged in the field. No earth-moving equipment will be allowed outside of the construction boundary.

Findings:

Implementation of Mitigation Measure BIO-3 and BIO-4 would reduce potential impacts to sensitive habitat types to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

Impact 5.3-3: The Proposed Project would impact approximately 0.033 acres of USACE Jurisdiction, 0.033 of RWQCB Jurisdiction, and 0.033 of CDFW Jurisdiction waters.

Support for this environmental impact conclusion is fully discussed starting on page 5.3-80 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A3 (see A3-15 through A3-19).

Jurisdictional Resources

The Proposed Project would impact a total of 0.033 acres of waters under the jurisdiction of RWQCB. Phase 4A of the Proposed Project would impact a total of 0.033 acres of waters under the jurisdiction of CDFW. No other Phase of the Project impacts jurisdictional features. Jurisdictional resources are protected by sections 401 and 404 of the CWA and by the California Fish and Game Code sections 1600 through 1616. Impacts on jurisdictional resources would be significant and would require permitting with each of the resource agencies. Implementation of Mitigation Measure, BIO-5 would reduce this impact to less than significant.

Mitigation Measures

BIO-5 RWQCB and CDFW Jurisdiction Areas: Upon completion of construction activities, impacts to approximately 0.033 acre of non-wetland RWQCB and CDFW jurisdictional waters will be mitigated within the Proposed Project boundaries at a minimum ratio (i.e., no less than) of 1:1) through the creation of 0.033 acre of non-wetland jurisdictional waters. Acquisition of a section 1602 "lake or streambed alteration" agreement from the CDFW and waste discharge requirements from the RWQCB would be required.

Prior to the final submittal of a Report of Waste Discharge from the RWQCB, and/or CDFW notification of lake or streambed alteration, the District will develop a mitigation plan for the RWQCB, CDFW, and City of Malibu. The objective of the mitigation is to ensure no net loss of habitat values as a result of the Proposed Project. The detailed restoration program shall contain the following items:

- *Responsibilities and qualifications of the personnel to implement and supervise the plan.* The responsibilities of the landowner, specialists and maintenance personnel that would supervise and implement the plan will be specified and shall include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.

- *Site selection.* The site(s) for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The site will be located in a dedicated open space area and will be contiguous with other natural open space.
- *Site preparation and planting implementation.* The site preparation will include the following: 1) protection of existing native species, 2) trash and weed removal, 3) native species salvage and reuse (i.e., duff), 4) soil treatments (i.e., imprinting, decompacting), 5) temporary irrigation installation, 6) erosion control measures (i.e., rice or willow wattles), 7) native seed mix application, and 8) native container species.
- Schedule. A schedule will be developed which includes planting and seeding to occur in late fall and early winter, between October 1 and January 30 in order to optimize the successful establishment and germination of native plants and seeds.
- Maintenance plan/guidelines. The maintenance plan will include the following: 1) weed control, 2) herbivory control, 3) trash removal, 4) irrigation system maintenance, 5) maintenance training, and 6) replacement planting.
- Monitoring Plan. The monitoring plan will include the following: 1) qualitative monitoring (i.e., photographs and general observations), 2) quantitative monitoring (i.e., randomly placed transects), 3) performance criteria as approved by the resource agencies, 4) monthly reports for the first year and bimonthly reports thereafter, and 5) annual reports which will be submitted to the resource agencies for three to five years. Coordination will take place on a regular basis between the biological monitor, landscape contractor and irrigation specialist with regard to non-native species targeted for removal as well as irrigation schedule to ensure that the restoration in on track for achievement of performance criteria. In addition, remedial as well as contingency measures shall also be specified should the site not meet specified performance standards. The site will be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the District may request from RWQCB and CDFW to be released from monitoring requirements.
- Long-Term Preservation. Long-term preservation of the site will be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development.
- Performance standards will be identified and will apply for the restoration of riparian habitat. Revegetation will be considered successful at three years if the percent cover and species diversity of the restored and/or created habitat areas are similar to percent cover and species diversity of adjacent existing habitats, as determined by quantitative testing of existing and restored and/or created habitat areas. The qualifications of the personnel to implement and supervise the plan would include the demonstration of having successfully completed at least 3 mitigation projects of similar size and scope within the last 5 years including the design and implementation of an irrigation system to ensure that the plantings and seeds are irrigated during periods of below average rainfall. The specialists that would supervise and implement the plan would include habitat restoration specialists, wildlife biologists, arborists, botanists, landscape contractor, and irrigation specialists.

Findings:

Implementation of Mitigation Measure BIO-5 would reduce potential impacts to jurisdiction waters to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

Impact 5.3-5: The Proposed Project would require compliance with the local tree ordinance

Support for this environmental impact conclusion is fully discussed starting on page 5.3-81 of Section 5.3, *Biological Resources* of the DEIR and contained within Responses to Comment Letter A1 (see A1-5).

The Project Site is not located within any other adopted Habitat Conservation Plan, Natural Community Conservation Plan, Environmentally Sensitive Habitat Area (ESHA), or similar plan and does not conflict with the provisions of any local guidelines or plans (Malibu LUP) for environmentally sensitive habitat areas. The Project Site is not located within, or proximate to, any Significant Ecological Area (SEA), Land Trust, or Conservation Plan (City of Malibu 2021cc).

Trees

The Malibu Local Coastal Program Native Tree Protection Ordinance protects five native tree species (oak [Quercus sp.], California walnut [Juglans californica], western sycamore [*Platanus racemosa*], alder [*Alnus rhombifolia*], and toyon [*Heteromeles arbutifolia*]) that have at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter. A number of protected trees have been mapped in the BSA. Protected tree species may occur within close proximity to Proposed Project activities. Impacts to protected trees may be potentially significant. Implementation of Mitigation Measure, BIO-6, which requires adherence to the Malibu Local Coastal Program Native Tree Protection Ordinance prior to the commencement of each Phase of construction, would reduce any potentially significant impacts to less than significant.

Mitigation Measures

BIO-6 **Adherence to City of Malibu Tree Protection Ordinance:** Prior to initiation of Proposed Project activities in each Phase of the Proposed Project, the tree survey map created for the Proposed Project (Appendix C) shall be consulted and if impacts to any protected trees are anticipated, the Proposed Project shall comply with mitigation included in the Malibu Local Coastal Program Native Tree Protection Ordinance.

Findings:

Implementation of Mitigation Measure BIO-6 would reduce potential impacts to local protected trees to less than significant. Therefore, no significant unavoidable adverse impacts relating to biological resources have been identified.

3. Cultural Resources

Impact 5.4-2: Development of the Proposed Project could result in an impact on archaeological resources.

Support for this environmental impact conclusion is fully discussed starting on page 5.4-15 of Section 5.4, *Cultural Resources* of the DEIR.

No archaeological resources were identified within the Project Site; however, the soils underlying the Project Site (Pleistocene and Holocene alluvial sediments) and the records search results indicate that there are buried pre-contact resources near the vicinity of the Project Site. Therefore, there is a

moderate to high potential for buried pre-contact resources to be uncovered during ground-disturbing activities, and impacts are considered potentially significant. Mitigation Measure CUL-1 requires a Qualified Archaeologist to conduct sensitivity training in advance of ground-disturbing activities for each phase and be retained and available during ground disturbance. It also provides measures to be taken in the event cultural resources are inadvertently discovered during construction.

Mitigation Measures

CUL-1 Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project:

- Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
- In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.
    - If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
    - If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per section 7050.5 of the California Health and Safety Code). The provisions of section 7050.5 of the California Health and Safety Code, section 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (section 5097.98 of the PRC). The designated MLD will have

48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Findings:

Implementation of Mitigation Measure CUL-1 would reduce potential impacts to archaeological resources to less than significant. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified.

4. Geology and Soils

Impact 5.6-3: Future development in the Project Site could subject persons or structures to hazards arising from off-site landslide, lateral spreading, subsidence, collapsible soils, or expansive soils.

Support for this environmental impact conclusion is fully discussed starting on page 5.6-19 of Section 5.6, *Geology and Soils* of the DEIR.

Landslides, Mud/Debris Flows, and Lateral Spreading

The potential for seismically induced landslides and lateral spreading at the Project Site are considered low and impacts would be less than significant. The potential for mud flow depends on soil type, water content, and degree of vegetation in the source zone. Mud flows have occurred in the Project area as a result of the 2018 Woolsey Fire, which burned and stripped vegetation and structures from the surrounding slopes. The loss of surficial support provided by vegetation combined with the accumulation of moisture from prolonged rain events in the loose and disturbed soil resulted in mud flows. Since the December 2018 mud flow event, the slopes above the campus have revegetated with light grasses, homes are being rebuilt, and drainage pathways corrected. A number of drainage diversion devices have been installed on-site, including K-rail barriers, earthen berm, gravel bag barriers, concrete channel with side walls, and debris rack cage to redirect stormwater and debris flows on-site Thus, based on the relatively gentle slope inclination (approximately 5 degrees) and long depositional zone (1,100 feet), which has a defined flow path, the likelihood of a debris flow from the source area causing significant structural damage to the MMHS campus is low. Although mud flows should be expected to impact the Project Site, the Proposed Project would use existing and improved drainage diversion devices such as sandbags, K-rails, and hydro barriers placed along the known flow paths to divert runoff to the west side channel. Therefore, impacts associated with mud flows would be less than significant.

Subsidence, Collapsible, Expansive, and Corrosive Soils

Since the geologic units encountered at the site are moderately hard to hard and are stiff to very stiff, overlying bedrock of the Monterey Formation, the risk of land subsidence or collapse is considered low. Therefore, impacts associated with subsidence and collapsible soils would be less than significant.

The composition of on-site materials is in the high to very high expansion range with an Expansion Index (EI) of 116 to 134. The Proposed Project would implement Mitigation Measure GEO-1, which would follow design recommendations listed in the geotechnical report prepared for the Proposed Project. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, use of nonexpansive soils, etc. Additionally, implementation of standard engineering and earthwork construction practices, such as proper foundation design and proper moisture conditioning of earthen fills, would reduce the effects associated with expansive soils. In addition, the Proposed Project would implement Mitigation Measure GEO-2, to prevent irrigation from being at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Therefore, with the implementation of Mitigation Measure GEO-1 and GEO-2, impacts would be less than significant.

Mitigation Measures

GEO-1 Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H.

GEO-2 Design recommendations regarding future irrigation systems identified in the Geotechnical Report shall be followed to ensure that irrigation shall not be allowed within at least 10-feet-horizontally around structures supported on shallow spread footings and/or with slabs-on-grade. Details of these recommendations are included in Appendix H.

Findings:

Implementation of Mitigation Measures GEO-1 and GEO-2 would reduce potential impacts of landslide, lateral spreading, subsidence, collapsible soils, or expansive soils to less than significant. Therefore, no significant unavoidable adverse impacts relating to geology and soils have been identified.

Impact 5.6-5: Build out of the Proposed Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature

Support for this environmental impact conclusion is fully discussed starting on page 5.6-22 of Section 5.6, *Geology and Soils* of the DEIR.

The Project Site is in an area with high paleontological sensitivity (the Monterey Formation geologic unit), and excavation into undisturbed sediments of the Monterey Formation have the potential to destroy undiscovered unique paleontological resources during construction of each of the Project phases.

Given that construction of the Proposed Project would involve ground-disturbing activities in an area of paleontological sensitivity, impacts are considered potentially significant. Implementation of Mitigation Measure CUL-1, which requires a Qualified Paleontologist to conduct sensitivity training in advance of ground-disturbing activities for each phase and to be retained and available during ground disturbance. It also provides measures to take if paleontological resources are inadvertently discovered during construction. With the implementation of Mitigation Measure CUL-1, impacts would be less than significant.

Mitigation Measures

CUL-1 Prior to issuance of any permits allowing ground-disturbing activities for the Proposed Project (for each individual phase of the Project), the District shall ensure that an archaeologist who meets the Secretary of the Interior's standards for professional archaeology and a Qualified Paleontologist (or someone cross-trained in both areas) has been retained for the Project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist and Paleontologist shall ensure that the following measures are followed for the Project:

- Prior to any ground disturbance, the Qualified Archaeologist/Paleontologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) and paleontological resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural or paleontological resources be made during construction.
- In the event that unanticipated cultural or fossil-bearing material is encountered during any phase of project construction, all construction work within 100 feet of the find shall cease and the Qualified Archaeologist/Paleontologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist/Paleontologist, work will be permitted to continue in the area.

    - If a find is determined to be important by the Qualified Archaeologist/Paleontologist, he or she shall immediately notify the District. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historical Resources (CRHR). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: (1) is not eligible for the CRHR; or (2) that the treatment measures have been completed to their satisfaction.
    - If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Los Angeles County Medical Examiner-Coroner (as per section 7050.5 of the California Health and Safety Code). The provisions of section 7050.5 of the California Health and Safety Code, section 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the Medical Examiner-Coroner determines the remains are Native American and not the result of a crime scene, the Medical Examiner-Coroner will notify the Native American Heritage Commission (NAHC),

which then will designate a Native American Most Likely Descendant (MLD) for the Project (section 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Findings:

Implementation of Mitigation Measure CUL-1 would reduce potential impacts to paleontological resources to less than significant. Therefore, no significant unavoidable adverse impacts relating to geology and soils have been identified.

5. Noise

Impact 5.11-2: Project implementation would not result in permanent operation-related noise that would exceed established standards.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-20 of Section 5.11, *Noise* of the DEIR contained within Responses to Comment Letter A5 (see A5-39).

Stationary Noise

Heating, ventilation, and air conditioning (HVAC) systems would be installed on the rooftops of various buildings, as they are now, so this type of noise already exists in the Project area. The nearest noise-sensitive receptors are residential uses to the south. Typical HVAC equipment generates noise levels ranging up to 72 dBA at a distance of 3 feet. The nearest proposed buildings with HVAC equipment (Building C) would be approximately 200 feet north of residential property lines across Morning View Drive (this is farther than existing Building C at JCES and MMHS Building A/B). At this distance, noise levels associated with HVAC equipment would attenuate to approximately 36 dBA. This would not exceed the exterior noise limit of 40 dBA for nighttime rural residential and would, therefore, be a less than significant impact.

Student and Other Community Use Recreational Noise

School hours would remain the same, from 8:00 am to 3:00 pm, with staff and students of the middle/high school arriving on campus between approximately 7:00 am and 8:00 am and leaving between approximately 3:00 pm and 5:00 pm, with occasional special events and community events during weeknights and/or weekends. When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act and SMMUSD policy permit community organizations and members to use school facilities by obtaining a Civic Center Act Permit from the District or the City of Malibu. Such uses already occur—e.g., soccer and softball practice/games, use of the pool, and use by the Boys & Girls Club—and would continue under the

Proposed Project. Since the Proposed Project does not propose to increase student capacity and the daily schedule would remain the same, student- and community-related use noise is expected to be similar to existing conditions. Activities on public playgrounds or private school grounds, including school athletic and school entertainment events, are exempt from the City's noise standards. Student recreational noise would be less than significant.

Bus Barn

The bus barn would be moved from its current location on campus to a District-owned location on the Malibu Equestrian Center. Operational characteristics would be the same as the existing bus barn. Bus testing begins at 6:00 am during school days. Startup testing includes momentary testing of horns and blinkers. Three buses would be in operation on a daily basis, with limited weekend operation. Buses depart the facility at 6:45 am and continuously use the facility until approximately 6:00 pm. Because of the varied bell schedules for middle and high schools, frequency and exact timing of use would vary day-to-day. Any maintenance, refueling, and washing activities happen at an off-site location, as under current conditions.

The nearest residential property lines to the proposed bus barn are approximately 30 feet to the south and west. Without mitigation, the relocation of the bus barn would exceed the nighttime noise standard of 40 dBA Leq for rural residential receiving uses and would be considered potentially significant. Implementation of Mitigation Measure N-2 would reduce this impact to a level of less than significant.

Traffic Noise

The Proposed Project would not result in an increase of student or staff capacity. However, the proposed new Parking Lot F in the northern part of the campus near the athletic fields could result in a redistribution of trips and additional trips from after-school community use. The existing secured and locked gate from Clover Heights Avenue would remain locked during school hours, and this location would not serve as a drop-off/pick-up location. It would continue to give pedestrian access only during school hours. The 14 spaces in Parking Lot F would serve after-school community uses of the athletic fields only.

Project-related traffic would be less than 1.5 dBA, with the exception of Clover Heights Avenue south of Harvester Road. However, ambient noise measurements at ST 1 indicate that the existing ambient is below 60 dBA. The threshold for traffic noise increases is 5 dBA when the existing ambient is less than 60 dBA CNEL. The traffic noise increase along this roadway segment is estimated to be 2.2 dBA, which would not exceed the 5 dBA threshold. Therefore, operational traffic impacts associated with Parking Lot F would be less than significant.

Mitigation Measures

N-2 The proposed bus barn shall be an enclosed structure constructed of wood, masonry, concrete, or other similar solid material (e.g., not corrugated metal). The structure will have no gaps and minimal window area. All bus testing shall be conducted inside the enclosed bus barn.

Findings:

Mitigation Measure N-2 would require that all future bus testing is conducted inside an enclosed structure with open doors facing away from sensitive receptors to the south and west. This would

reduce bus barn noise levels by at least 25 dBA. With implementation of Mitigation Measure N-2, bus barn noise would be reduced to 39 dBA Leq or less at nearby residential property lines to the south and west, which would not exceed the nighttime threshold of 40 dBA Leq for rural residential uses. With implementation of Mitigation Measure N-2, impacts to operational noise from the relocated bus barn would be reduced to a level of less than significant.

6. Transportation

Impact 5.14-3: Project circulation improvements have been designed to adequately address potentially hazardous conditions (sharp curves, etc.), and potential conflicting uses.

Support for this environmental impact conclusion is fully discussed starting on page 5.14-25 of Section 5.14, *Transportation* of the DEIR and contained within Responses to Comment Letter R3 (R3-7, R3-11, and R3-16).

Construction

Construction of Phase 1 would include the demolition of the existing JCES campus, and construction of Building C and Parking Lots C and D. The existing Parking Lots A and B would be available for student drop-off and pick-up during the construction of Phase 1; however, since the existing JCES parking lot would be demolished, vehicles that use the curbside drop-off area on Morning View Drive adjacent to the school campus would not be able to make a U-turn to head south on Morning View Drive. Drop-off on Morning View Drive would be prohibited, as there are few opportunities to make U-turns southbound on PCH. Additionally, the intersection of Guernsey Avenue at PCH is not signalized and cannot accommodate high traffic volumes on the Guernsey Avenue approach. These changes to circulation could result in increased congestion during pick-up/drop-off times, which result in potentially hazardous conditions and conflicting uses with active school and construction, and therefore potentially significant impacts. Mitigation measures T-1 and T-2 would be implemented during Phase 1 construction activities.

Similar to Phase 1, during Phases 2 through 4, the majority of construction traffic during the peak hours would consist of construction workers and vendors traveling to and from the Project Site. In addition, during Phases 2 through 4, the newly constructed drop-off and pick-up areas in Parking Lots C and D would be available, and the school would continue to use Parking Lot B and the new Parking Lots D and E that would be implemented in Phase 1 of the Proposed Project. Nevertheless, given the likelihood that construction activities would occur during active school periods, impacts related to hazardous circulation conditions would be potentially significant. Mitigation measures T-1 and T-3 would be implemented during Phases 2 through 4.

Operation

The Proposed Project would not change the land use of the Project Site, which is currently the MMHS campus. Three main changes regarding operational changes that could affect hazardous circulation conditions include the new parking lot/access locations, pedestrian circulation, and the relocation of the bus barn. These are evaluated below.

New Parking Lots

The Proposed Project would not substantially change the access configurations to and from the Project Site and the surrounding areas. The configuration of the new Parking Lots C, D, and E would improve traffic conditions because access to Lots D and E would be located farther west, away from the drop-off and pick-up area adjacent to the school on Morning View Drive. Parking Lot C, compared to the existing JCES parking lot, provides better on-site circulation and vehicular storage. The existing and future parking lots and access driveways provide several opportunities for drivers heading west on Morning View Drive to make a U-turn to return to the south via PCH. Thus, the proposed access driveways and parking lot configurations would improve circulation, as they would provide better separation from the drop-off area off Morning View Drive, and the parking lots provide better off-street queuing for vehicles. Therefore, impacts to access as a result of implementation of the new parking lots would be less than significant.

Pedestrian Facilities

All proposed circulation improvements would be wheelchair accessible via a network of ramps and elevators, connecting parking lots with athletic and educational facilities. The Proposed Project would also include a pedestrian trail system that would connect to a larger system of existing trails around the Equestrian Park and surrounding hills. Pedestrian access to the campus would remain along Morning View Drive with access at the new drop-off area, and Clover Heights Avenue, with access to the athletic fields. Access to the parking areas on the western portion of the Project Site would be further west and away from the student drop-off area on Morning View Drive. Because of the relocation of the proposed access driveways, the existing location of the crosswalks on Morning View Drive would need to be relocated. Without relocation of existing crosswalks, crossing guards, and related pedestrian safety signage in conjunction with the proposed driveways to provide vehicular access to parking areas and drop-off areas, potentially significant impacts related to hazardous conditions could occur. Implementation of Mitigation Measure T-4 would be required to ensure relocated facilities sufficiently address pedestrian safety needs.

Bus Barn Relocation Assessment

The bus barn would be relocated to the east of Parking Lot A within the District-owned Malibu Equestrian Park, as part of Phase 4 of the Proposed Project. The relocated bus barn would accommodate up to five buses (three are typically in operation), that would operate between 6:45 a.m. and 6:00 p.m., Monday through Friday. No refueling or maintenance would occur at the new bus barn, consistent with current operation.

Bus ingress and egress to and from the bus barn area would not coincide with student drop-off and pick-up times because the school buses are already running their routes during student drop-off and pick-up times. In addition, the relocated bus barn and driveway access would reroute buses away from the sections of Morning View Drive where heavy pedestrian and vehicular school activity occur. During operation of the Proposed Project, bus access would continue to come from Morning View Drive; however, the circulation network would not change as a result of the Proposed Project. Therefore, the relocation of the bus barn would not result in hazardous conditions or conflicting uses and impacts would be less than significant.

Mitigation Measures

T-1 During each phase of construction activity, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Construction Traffic Mitigation Plan that is specific to the needs of each phase and shall include the following:

- Haul trucks and vendor truck traffic ingress and egress to/from the construction area shall not occur 30 minutes before or after student arrival and dismissal times—8:30 am Monday through Friday, 1 pm to 3 pm Monday through Thursday, and 12 pm to 1:30 pm on Friday.
- The plan shall eliminate curbside parking on the south side of Morning View Drive south of the construction staging area to provide adequate turn radius and site distance to access for trucks entering and leaving work sites. This would apply to construction Phases 1, 2, and 3 only, which would have access via the segment of Morning View Drive adjacent to the school frontage.
- The plan shall include a Traffic Education Program to assist in educating parents, students, and staff on drop-off/pick-up procedures specific to each phase of construction. Informational materials shall be disseminated regarding student drop-off and pick-up procedures via regular parent/school communication methods and shall be posted on the school website.
- The use of portable message signs and information signs at construction sites shall be employed as needed.
- Construction activities for each phase shall be coordinated with the responsible agency departments, including the City of Malibu Public Works and Planning Departments, and the Los Angeles County Sheriff and Fire Departments no less than 10 days prior to the start of the work for each phase. Notification shall specify whether any temporary vehicle, pedestrian, or bicycle construction detours are needed, if construction work would encroach into the public right-of-way, or if temporary use of public streets surrounding the Project Site is needed.

T-2 To facilitate safe and efficient vehicular and pedestrian circulation during student drop-off and pickup, times during Phase 1, prior to initiation of construction activities, SMMUSD shall work with the City of Malibu Public Works Department to develop and implement a Traffic and Parking C Plan to include the following:

- Designation of vehicular drop-off and pick-up areas outside Morning View Drive at off-street Parking Lots A, D, and E. Vehicular access to these lots shall allow vehicles to enter and return from the area from the intersection of Morning View Drive at PCH.
- Student drop-off and pick-up shall be implemented in a counterclockwise circulation pattern. Figure 7 (see Appendix L) depicts vehicular circulation patterns that shall be used in Parking Lots A, D, and E during Phase 1 construction.
- The school shall educate students and parents on drop-off and pick-up routes and procedures. This may be achieved with a combination of information bulletins shared with students and parents.

T-3 Construction scheduling during Phases 2 to 4 shall be scheduled such that any activities that would result in potential lane closures along Morning View Drive, including, but not limited to, reconstruction of the student drop-off/pick-up area and sidewalks along Morning View Drive, shall be limited to summer months when school is not in session to eliminate conflicts with local traffic and pedestrian activities.

T-4 The SMMUSD shall coordinate with the City of Malibu Public Works Department to relocate crosswalks and school-area signage in relation to the proposed access driveways according to City of Malibu and applicable State criteria. Crossing guards shall be relocated as necessary, based on the ultimate location of crosswalks.

Findings:

Implementation of Mitigation Measure T-1 through T-4 would reduce potential impacts to transportation to less than significant. Therefore, no significant unavoidable adverse impacts relating to transportation have been identified.

7. Wildfire

Impact 5.16-1: Future development on the Project Site pursuant to the Proposed Project could exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

Support for this environmental impact conclusion is fully discussed starting on page 5.16-17 of Section 5.16, *Wildfire* of the DEIR and contained within Responses to Comment Letter A1 (see A1-4).

Construction

The Project Site is in an LRA VHFHSZ with a high likelihood of exposure to a wildland fire and secondary effects of wildland fires. Project construction activities could result in exacerbated fire risks due to sparks, dry vegetation, and weather, particularly in areas where construction activities are in proximity to surrounding open space areas (i.e., Phases 1, 2, and 4). Given the high potential for wildland fires and associated risks in the project area, construction-related impacts are considered potentially significant. Mitigation Measure W-1 would ensure fire prevention requirements are in place during all phases of construction activities.

Operation

The Proposed Project would not significantly alter the existing topography, and the new buildings would be constructed on the existing grade. The minor modifications to the existing grades on the Project Site would not be expected to exacerbate wildfire risks due to increased slope modifications, and the proposed grade would not place new structures on slopes where wildfire risk could be exacerbated. The Proposed Project would be required to comply with current CBC standards, CFC standards, Title 5 regulations, and local fire code requirements, including fire protection features. These features include fuel modification requirements for landscape and highly ignition-resistant buildings to minimize the likelihood of exposing students, visitors, staff, and structures to a significant risk related to wildfires.

Overall, the Proposed Project would redevelop and modernize the existing MMHS campus and former JCES campus and would not introduce new uses to the Project Site that would exacerbate wildfire risks. Impacts related to exacerbating wildfire risks due to slope, prevailing winds, and other factors during project operations would be less than significant.

Mitigation Measures

W-1 The District and its general contractor will prepare a Construction Fire Protection Plan (CFPP) that shall be implemented during all phases of construction activity. The CFPP will be approved by the County of Los Angeles Fire Department (LACoFD) prior to building construction and may also be reviewed and approved in phases based on the phased development of the Proposed Project.

The CFPP shall include, but not be limited to, guidance for:

- Prevention, control, and extinguishment of fires during construction activities.
- Smoking- and fire-related rules, storage, and parking area.
- Delineating work areas from natural/open space areas and establishing sufficient setbacks.
- Vegetation management prior to and during construction activity, consistent with LACoFD protocols.
- Requirement to use spark arrestors on construction equipment.
- Limiting the type and duration of construction activities during red flag warning events issued by the National Weather Service covering the project area.

Findings:

Implementation of Mitigation Measure W-1 would reduce potential impacts to wildfire risks to less than significant. Therefore, no significant unavoidable adverse impacts relating to wildfire have been identified.

Impact 5.16-3: Future development on the Project Site pursuant to the Proposed Project could expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, postfire slope instability, or drainage changes.

Support for this environmental impact conclusion is fully discussed starting on page 5.16-22 of Section 5.16, *Wildfire* of the DEIR.

Construction

The potential exists for soil erosion during Project construction of each phase, as underlying ground surfaces are exposed. Construction of the Proposed Project would result in ground surface disturbance during excavation, grading, and trenching that could create the potential for soil erosion. Site preparation would require removal of necessary vegetation, existing structures, unsuitable fill, and asphalt and concrete paving, exposing pervious surfaces to the elements.

Each phase of the Proposed Project would be required to comply with NPDES permit requirements to control pollutants from being discharged into the water. Under this permit, which applies to grading activities of more than one acre and is administered under the Regional Water Quality Control Board, the District would be required to prepare and implement a SWPPP, including best BMPs to address construction-related discharges. During construction, all stormwater runoff would be diverted to the appropriate catch basins and drainage channels, subject to all applicable regulatory statutes and permits, including those in Title 15 (Building and Construction) of the Malibu Municipal Code, which adopts Title 26 (Building Code) of the Los Angeles County Code. As a result, project construction would not

expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, postfire slope instability, or drainage changes. Impacts would be less than significant.

Operation

The Proposed Project would improve on-site hydrology and would implement erosion prevention and bank stability improvements as part of the ESHA restoration plan on the District property. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1 of the Proposed Project, and demolition of the hardscape within the 100-foot buffer of the downstream area would also occur during Phase 1. Demolition of the developed areas within the 100-foot buffer of the upstream and middle-stream area would occur during Phase 4 because the bus barn and other existing structures would remain operational until Phase 4 commences. This restoration would improve existing conditions related to drainage patterns and would prevent future postfire slope instability in the event of a wildfire in the project area.

A contributing factor at the Project Site is the presence of expansive soil, which expands and shrinks during wetting and drying cycles. The expanding and shrinking of the soil could cause a ratcheting effect, where soil and relatively light surface improvements, such as concrete slabs, tend to move laterally toward the unconfined slope face during expansion and downward during periods of shrinkage. This would result in a gradual downward and lateral movement of the surficial soils (and surficial improvements). This slope creep could result in slope instability, and impacts would be potentially significant. The Proposed Project would be required to conform to the recommendations in the preliminary geotechnical evaluation and final geotechnical report for the design and construction of proposed slopes and would be monitored during construction as required by Mitigation Measure GEO-1.

Mitigation Measures

GEO-1 Design recommendations listed in the Geotechnical Report prepared for the Proposed Project shall be followed. These include, but are not limited to, seismic design parameters, foundation design, retaining wall, grading, trenching, etc. Details of these recommendations are included in Appendix H. Findings:

Implementation of Mitigation Measure GEO-1 would reduce potential impacts to significant risks, including downslope or downstream flooding or landslides, to less than significant. Therefore, no significant unavoidable adverse impacts relating to wildfire have been identified.

E. FINDINGS ON SIGNIFICANT UNAVOIDABLE IMPACTS

The following summary describes the unavoidable adverse impact of the Proposed Project where either mitigation measures were found to be infeasible, or mitigation would not lessen impacts to less than significant. The following impact would remain significant and unavoidable:

1. Aesthetics

IMPACT 5.1-4: THE PROPOSED PROJECT COULD GENERATE ADDITIONAL LIGHT AND GLARE.

Support for this environmental impact conclusion is fully discussed starting on page 5.1-52 of Section 5.1, *Aesthetics* of the DEIR and contained within Responses to Comment Letter A5 (see A5-9 through A5-17) and R3 (R3-6, R3-18, and R3-21).

The Proposed Project would occur on the currently developed former JCES and MMHS campuses, in an area visually characterized as a rural residential neighborhood. There is a potential for the new marquee signs, pool lighting, campus lighting configuration, and new building surfaces to adversely affect nighttime views in the area and result in substantial glare. Therefore, impacts are considered potentially significant. Mitigation Measures AES- 1 and AES-2 would require that each of the light sources will be directed onto the Project Site or campus and will be equipped with a visor that will further direct the lighting downward, reducing the potential for spill lighting outside of the parking lots and the access road. Implementation of Mitigation Measure AES-3 would ensure that night lighting not required for security is restricted to 10:00 p.m. on school nights and would not be operated when school is not in session. Mitigation Measure AES-4 would require the use of nonreflective textured surfaces on building exteriors, as well as prohibiting the use of reflective glass.

Mitigation Measures

AES-1 To minimize spill lighting and glare impacts, all lighting from the Proposed Project, including from pool lighting, shall be LED, have full-cutoff shielding, be aimed specifically to direct areas.

AES-2 Atmospheric lighting pollution shall be reduced by using full cut-off shielded lighting fixtures that eliminate light directed to the sky. Marquee sign lighting shall be dimmable in the evenings when not required for student/community communication.

AES-3 Santa Monica-Malibu Unified School District (SMMUSD) shall minimize the effects of new sources of night lighting. Such measures, which may include the following and/or other measures, will be incorporated into each phase of the Proposed Project's design and operation:

- All exterior lighting shall be delineated as either "night lighting" or "security lighting" and controlled by separate automatic timers. Lights delineated as security lighting shall be determined by the campus principal, security, and facility manager.
- All lighting delineated as "night lighting" shall be shut off automatically at 10:00 p.m. on school nights. This includes pool lights.
- When operation of "night lighting" is necessary after 10:00 p.m., SMMUSD as operator of the Project Site shall provide notice to the community by posting such notice on the campus website and the school message board and marquee.
- When school is not in session (such as summer and winter break and weekends), "night lighting" shall not be permitted, and only required security lighting shall be illuminated.

AES-4 All structures shall incorporate nonreflective exterior building materials in their designs, and the use of reflective glass shall be prohibited.

AES-5 ~~The pool lighting shall be designed to meet safety requirements of 50-foot-candles over the pool and 20-foot-candles over the deck as measured at the water level, while also minimizing light spill, glare, and skyglow to the extent feasible to ensure proper lighting levels necessary for competitive water polo play.~~ Pool and pool deck lighting shall require a site plan review to determine consistency with the Malibu Dark Sky Ordinance. Pool lighting shall be turned off within ½ hour of aquatic use, and the 2-foot candle safety perimeter lighting shall be turned off with all other automatic campus lighting.

Findings:

Mitigation Measures AES-1 through ~~AES-4~~ AES-5 would reduce potential impacts related to an increase in light and glare for the general outdoor lighting program to a level that is less than significant. However, in order to meet the required safety standards, the new pool lighting would likely continue to exceed standards set forth in the City of Malibu Dark Sky Ordinance. Therefore, impacts regarding pool lighting would remain significant and unavoidable.

2. Noise

Impact 5.11-1: Construction-related activities would result in temporary noise increases in the vicinity of the Proposed Project in excess of established standards.

Support for this environmental impact conclusion is fully discussed starting on page 5.11-17 of Section 5.11, *Noise* of the DEIR.

Construction Vehicles

The transport of workers and materials to and from the construction site would incrementally increase noise levels along site access roadways (namely Morning View Drive). The addition of construction trips and haul trips would result in a temporary noise increase of less than 0.4 dBA CNEL or less, which would not be substantial nor permanent. Therefore, construction-vehicle noise impacts would be considered less than significant, and no mitigation measures are necessary.

Construction Equipment

Construction equipment used during each phase of construction of the Proposed Project would generate noise levels of up to 85 dBA Leq at 50 feet. However, overall noise emissions vary considerably, depending on the specific activity being performed at any given moment. Noise from construction equipment is intermittent and diminishes at a rate of at least 6 dBA per doubling of distance (conservatively ignoring other attenuation effects from air absorption, ground effects, and shielding effects), and the average noise levels at noise-sensitive receptors could vary considerably because mobile construction equipment would move around the site with different loads and power requirements. Pile driving would not be needed during any phase of Project construction.

Construction activity would comply with Malibu Municipal Code section 4.2.04(G), which limits the hours of construction to 7:00 am to 7:00 pm on weekdays and 8:00 am to 5:00 pm on Saturday; construction is not allowed on Sundays or holidays.

Construction activity could exceed the threshold of 80 dBA Leq when within 100 feet of a nearby receptor property line, and construction noise levels could exceed the threshold of 80 dBA Leq during all four phases without mitigation. Since construction activities during all phases have the potential to

occur within 100 feet of the nearest receptor property line and exceed the threshold of 80 dBA Leq, this impact would be considered potentially significant. Implementation of Mitigation Measure N-1 would reduce construction equipment-related noise impacts to off-site sensitive receptors. However, due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than proposed Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction; the use of temporary noise barriers would not be as effective in reducing construction noise.

Students would remain on campus during all phases of construction, and there is potential for construction activities during school hours. Therefore, students could be exposed to construction activity noise during this time. The CALGreen requirement for nonresidential interior spaces is 50 dBA Leq, and the typical building would provide at least 25 dBA of exterior-to-interior noise reduction. Therefore, if exterior construction noise exceeds 75 dBA Leq at the classroom building façade, interior noise levels could exceed the threshold. Based on the equipment anticipated for Project construction, construction noise could potentially exceed the interior standard of 50 dBA Leq when within 150 feet of an active classroom. Therefore, this impact is considered potentially significant. Implementation of Mitigation Measure N-1 would reduce construction equipment-related noise impacts to on-site sensitive receptors to a level of less than significant.

Mitigation Measures

N-1 Construction contractors shall implement the following measures for construction activities conducted at the Project Site during each phase of construction. Construction plans submitted to the District shall identify these measures on demolition, grading, and construction plans. The District shall verify that grading, demolition, and/or construction plans submitted include these notations prior to demolition, grading, and/or building construction.

- During the active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) wherever feasible.
- Impact tools (e.g., jack hammers and hoe rams) shall be hydraulic- or electric-powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from noise-sensitive uses.
- The District's construction contractors and subcontractors shall be required through contract specifications to locate construction staging areas, construction worker parking, and material stockpiling as far away from vibration- and noise-sensitive sites as possible. Additionally, these activities shall be located away from occupied buildings on campus, occupied residential dwellings adjacent to the campus, and other sensitive receptors, where feasible.
- Prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours as well as the contact information of the District's and contractor's representatives who are authorized to respond in the event of a noise or vibration complaint. If the contractor's authorized representative receives a complaint, they

shall investigate, take appropriate corrective action, and report the action to the District.

- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws.
- Notification shall be mailed to owners and occupants of all developed land uses immediately bordering or directly across the street from the Proposed Project site providing a schedule for major construction activities through the duration of the construction period. When construction activity would occur within 100 feet of nearby receptor property lines, contractors shall erect temporary noise barriers where feasible. The temporary noise barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a ¾-inch-thick plywood wall OR (b) a hanging acoustical blanket/curtain with a surface density or at least 1.5 pounds per square foot.
- Prior to construction, the contractor shall submit to the District a list of equipment and activities required during construction to ensure proper planning of the most intense construction activities during time periods that would least impact campus operations. When construction activity would occur within 150 feet of active classrooms, contractors shall ensure that interior classroom noise levels do not exceed 50 dBA Leq. Feasible methods to achieve this include those listed above, scheduling work during less sensitive time periods when the classroom is not in use, and classroom use rescheduling to move active classes away from high noise construction activities, as necessary. Construction activities within 50 feet of occupied classrooms would be prohibited during preparation and testing for National Standardized testing days of students at MMHS.

Findings:

Mitigation Measure N-1 would reduce potential noise impacts during construction to on- and off-site sensitive receptors to the extent feasible. Specifically, the effective use of temporary noise barriers, as required under Mitigation Measure N-1, can achieve up to 15 dBA of noise reduction when breaking the line-of-sight between the construction site and the receptor. Implementation of Mitigation Measure N-1 would ensure that interior noise levels in classrooms do not exceed 50 dBA Leq.

During Phase 1, with installation of temporary noise barriers along the southern boundary of the phase area adjacent to Morning View Drive, construction noise would be reduced to approximately 70 dBA Leq, which would be below the threshold of 80 dBA Leq. Although Project-level details for Phases 2 through 4 are not known at this time, Mitigation Measure N-1 would ensure that temporary noise barriers are erected when construction activities would be within the screening distance of 100 feet from the sensitive receptor property line.

As discussed above, in Impact 5.11-1, due to topography in the area of Phase 4, residences on Via Cabrillo are higher in elevation than proposed Phase 4 construction on the west end, and residences on Morning View Drive are higher in elevation than the proposed Bus Barn construction. Therefore, the use of temporary noise barriers would not be as effective in reducing construction noise. Also, because of the anticipated construction duration over multiple years for full buildout, construction

noise impacts associated with implementation of the Proposed Project are considered significant and unavoidable for off-site receptors.

F. FINDINGS ON PROJECT ALTERNATIVES

1. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of an alternative considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

- **Off-Site Alternative** - The Proposed Project by design is intended for the MMHS campus. Consequently, an alternative off-site location is not a feasible alternative and would not meet the Project objectives. Certain impacts that are identified as being potentially significant under the Proposed Project are due primarily to construction-related activity such as air emissions and noise. These impacts would occur regardless of the Proposed Project's location. For these reasons, an alternative that is in another location within the District is not addressed in this chapter. Because the Project Site is already developed as a school, constructing a new school on a different site would likely increase environmental impacts. For these reasons, this alternative was not considered further.

- **Alternative Design** - At the beginning of planning efforts for the Proposed Project, three organizational layout concepts were presented to the public, District Steering Committee, and Campus Design Committee as Option A (The Canyon), Option B (The Park), and Option C (The Villages). Option A locates the middle school roughly at the former JCES site and the high school roughly where the new Buildings A/B and E are located. The middle school and high school would have their own dedicated quad and identity from Morning View Drive under this option. Option B organized both the middle school and high school around one main quad with less definition between the schools and more blending of high school and middle school students. Option C would locate the high school at the former JCES site and place the middle school in the recently completed Buildings A/B and E.

  These options were ultimately rejected based on community, District Steering Committee, and Campus Design Committee feedback in favor of the Proposed Project's design and layout. Each option presented a variation in overall campus layout and design and would have resulted in a negligible change to the environmental impacts of the Proposed Project.

- **Alternative Location** - In 2011, the District considered an alternative location for the Proposed Project on a District-owned 24.33-acre lot. However, based on the California Department of Education's (CDE) *Guide to School Site Analysis and Development* (2000), a school with an enrollment roughly equivalent to the existing MMHS campus would require approximately 30.44 acres (Parsons 2011) in order to meet CDE's classroom and playfield size requirements. The District does not own any properties in the City of Malibu that could accommodate a new middle school and high school to replace the existing MMHS, rendering this scenario economically infeasible.

  In consideration of the information provided above, the Alternative Location Alternative was eliminated from further consideration in this EIR because the construction of a new middle school

and high school as an alternative to the Proposed Project would be economically infeasible and would result in greater significant impacts to the environment, primarily due to the extent of construction that would be required, rather than avoiding significant and unavoidable impacts that would result from implementation of the Proposed Project.

- **Alternative Location for the Bus Barn -** The District considered relocating the bus barn to an alternative site. The alternative site would have been on a County-owned lot at 3637 Winter Canyon Road, which is approximately 8 miles east of the Project Site. However, the County had already entered into a lease agreement with another entity. Thus, this site could not be used for the bus barn, and this alternative was ultimately rejected. Compared to the Proposed Project, this alternative would have increased vehicle miles traveled associated with the school buses that serve MMHS, due to the distance between the alternative site and the Project Site. Overall, this alternative would have changed a minor component of the Proposed Project and would have overall resulted in a negligible change to the environmental impacts of the Proposed Project.

2. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the Proposed Project but avoid or substantially lessen any of the significant effects of the project.

- Alternative 1: No Project Alternative
- Alternative 2: Development of Phases 1 and 2 Only
- Alternative 3: Elimination of Parking Lot F (at Clover Heights)

Alternative 1: NO PROJECT Alternative

The CEQA Guidelines require the analysis of a No Project Alternative. Under CEQA, the No Project Alternative must consider the effects of not approving the Proposed Project. The No Project Alternative describes the environmental conditions that exist at the time that the environmental analysis commences, as well as what would reasonably be expected to occur in the foreseeable future if the Proposed Project was not approved (CEQA Guidelines section 15126.6(e)(2)).

Under the No Project Alternative, the District would not approve any portion of the Proposed Project on the Project Site, and none of the mitigation measures identified within this DEIR would be necessary. No demolition would occur under the No Project Alternative, because the existing structures on the Project Site would be retained. Under the No Project Alternative, it is assumed that the reasonably foreseeable future at the Project Site would be the continued occupation of the existing buildings within the MMHS campus as in current conditions. MMHS would not be redeveloped and modernized, and buildings that are part of the former Juan Cabrillo Elementary school (JCES) would be used by existing students as needed (portable buildings and Building E, Library) or remain unoccupied. The school would continue to operate under its current conditions, and no changes would take place.

Finding:

This alternative would lessen environmental impacts related to construction in all topic areas, since no construction would occur under this alternative. The No Project Alternative would avoid the significant and unavoidable lighting impact and temporary construction noise impacts identified for the Proposed Project. This alternative would not cause operational impacts associated with aesthetics, biological resources, GHG emissions, hydrology and water quality, land use and planning, noise, recreation, and transportation. Because the Proposed Project would not change operational conditions of the campus, including student enrollment and staffing, the No Project Alternative would result in similar operational impacts in the areas of air quality, energy, geology and soils, hazards and hazardous materials, public services (fire and police), and utilities and service systems.

The No Project Alternative does not meet any of the Project's objectives. Additionally, this alternative would not realize any of the environmentally beneficial outcomes of the Proposed Project, including restoration of the ESHA, enhanced recreational opportunities, and sustainability improvements (including the installation of the solar panel system). Overall, the No Project Alternative results in reduced impacts throughout all environmental topics and avoidance of the one identified significant and unavoidable impact.

ALTERNATIVE 2: DEVELOPMENT OF PHASES 1 AND 2 ONLY

Under this Alternative, the Proposed Project would be limited to the activities in Phases 1 and 2 only. Phases 3 and 4 would not be developed. Phase 1 consists of demolition of all existing former JCES campus buildings and portables P6 and P7 and construction of Building C (the High School Core building that includes classrooms, student support services, and administrative and campus support), Parking Lot C, Parking Lot D, and the drop-off/pick-up area. Phase 1 would also include infrastructure improvements, including drainage management areas and septic improvements. Construction of Phase 1 is anticipated to begin in fall 2022 and be completed by summer 2024. Phase 2 would consist of construction of Building D (Gymnasium/Fitness/PE and Student Activities and Food Services) and the Middle School Quad. Phase 2 would also include infrastructure improvements, including drainage management areas, septic improvements, and development of the solar panel system. Construction of Phase 2 is anticipated to begin in fall 2024 and be completed by fall 2026 (contingent on passage of a new bond measure). Under this alternative, the project would construct a total of 90,395 square feet of new building space, which consists of 68,019 square feet under Phase 1 and 22,376 square feet under Phase 2.

Finding: Alternative 2 would lessen the Proposed Project's less-than-significant impacts with and without mitigation for aesthetics, air quality, biological resources, cultural resources, energy, GHG emissions, hazards and hazardous materials, hydrology and water quality, noise, recreation, and transportation. This alternative would result in similar impacts as the Proposed Project related to geology and soils, land use and planning, public services, utilities and service systems, and wildfire. Alternative 2 would eliminate the significant and unavoidable aesthetic (light and glare) impacts as the pool and associated pool lighting would not be developed. With Mitigation Measure N-1, Alternative 2 would reduce the Proposed Project's significant and unavoidable impact to a less-than-significant level.

Alternative 2 would meet Objectives 1, 8, and 9 and would only partially meet Objectives 2, 3, 6, 7, and 10 since it would only develop a portion of the Proposed Project. This alternative would not result in the full benefits of improving learning by replacing undersized and inflexible facilities with larger

flexible spaces (Objective 2), providing enhanced support spaces (Objective 3), and improving access/circulation and parking on-site (Objective 6). Additionally, since this alternative would only restore a portion of the ESHA and would not replace most of the existing, older buildings with new high-quality buildings, this alternative would not fully develop a campus that respects the natural environment through high design that is complementary to the natural landscape (Objective 7) and would not remove hazardous buildings and structures (Objective 8). The Phase 1 and 2 Only Alternative would not meet Objectives 4 and 5, since arts and athletic improvements and the reorganization of open space and intercampus circulation are largely included in Phases 3, 4a, and 4b.

ALTERNATIVE 3: ELIMINATION OF PARKING LOT F

Under Alternative 3, the Proposed Project would still be developed as described with the exception of Parking Lot F on the north end of the MMHS campus. This alternative results in 14 fewer vehicle parking spaces compared to the Proposed Project. Overall ground disturbance of approximately 5,600 square feet associated with Parking Lot F would be eliminated. Parking to serve the existing sports fields on the north side of the campus, especially for after-school programmed activities, would be from Lots D and E, and they would be accessed similar as in existing conditions. Clover Heights Avenue would continue to remain limited only to pedestrian access with locked gates during school hours. Operational use of the fields would be the same during the Proposed Project and existing conditions.

Finding: Alternative 3 would lessen the Proposed Project's less-than-significant impacts with and without mitigation associated with aesthetics (visual and scenic resources), air quality, biological resources, cultural resources, energy, noise, and transportation. This alternative would result in similar impacts as the Proposed Project related to geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, recreation, utilities and service systems, and wildfire. The significant and unavoidable impact resulting from aesthetics (light and glare) as well as construction noise would be similar to that of the Proposed Project. This alternative would not fully meet Objective 6 since it would eliminate 14 parking spaces and would not increase campus parking on-site. This alternative would meet the other objectives for the Proposed Project.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code section 21081(b) and CEQA Guidelines section 15093, the District has balanced the benefits of the Proposed Project against the following unavoidable adverse impacts associated with the Proposed Project and has adopted all feasible mitigation measures with respect to these impacts: (1) Aesthetics and (2) Noise. The District also has examined alternatives to the Proposed Project, none of which both meet the Project objectives and is environmentally preferable to the Proposed Project.

Regarding a Statement of Overriding Considerations, Guidelines section 15093 provides:

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other

benefits of a Proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

A. BACKGROUND

CEQA requires decision makers to balance the benefits of the Proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (CEQA Guidelines section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (CEQA Guidelines section 15093 [b]). The agency's statement is referred to as a Statement of Overriding Considerations.

The following sections provide a description of each of the Proposed Project's significant and unavoidable adverse impacts and the justification for adopting a Statement of Overriding Considerations.

B. SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

The following adverse impacts of the Proposed Project are considered significant, unavoidable, and adverse based on the DEIR, FEIR, Mitigation Monitoring and Reporting Program, and the findings discussed in Section II, *Findings and Facts Regarding Impacts*, of this document.

~~1. Aesthetics~~

- ~~In order to meet necessary required safety standards, the new pool lighting would likely continue to exceed standards set forth in the City of Malibu Dark Sky Ordinance.~~

2. Noise

- Construction-generated noise levels during special events and games would exceed the threshold of 80 dBA Leq, and the Proposed Project would result in temporary noise level disturbances to sensitive receptors.

C. CONSIDERATION IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

After balancing the specific economic, legal, social, technological, and other benefits of the Proposed Project, the District has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations, which outweigh the unavoidable, adverse environmental impacts of the Proposed Project.

1. Environmental Benefits

- The Proposed Project represents an improvement to an existing school and would; reorganize open space and foster intercampus circulation; improve access, circulation, and drop-off and pick-up, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and remove hazardous buildings and structures.

2. Social Benefits

- The Proposed Project will create unique and separate identities for the Malibu Middle School and Malibu High School campuses

- The Proposed Project will improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement, and provide pool facilities that support high-level competitive water polo.

D. CONCLUSION

For the foregoing reasons, the District concludes that the Malibu Middle and High School Specific Plan Project will Provide enhanced, modern, and functional support spaces, such as a state-of-the-are theater, library, cafeteria, labs, maker spaces, pool, and other student services, that promote the highly effective modern whole child development. Implementation of the Proposed Project will also improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses; respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.; increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.

The District has balanced the project's benefits against the project's significant unavoidable impacts. The District finds that the project's benefits outweigh the project's significant unavoidable impacts, and those impacts, therefore, are considered acceptable in light of the project's benefits. The District finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the project notwithstanding the Proposed Project's significant unavoidable impacts.

Exhibit C

Proposed Local Coastal Program Amendment No. 21-002

LUP Amendments

C. Land Use Plan Policies

1. Land Resources

c. Areas Adjacent to ESHA and Parks

3.23 Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width, except for the cases addressed in Policy 3.27~~8~~ and Policy 3.24.

3.24 New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan shall only be allowed in the 50-foot ESHA buffer if it does not significantly disrupt the habitat values of ESHA and may include:

a. Habitat creation, restoration, and/or enhancement activities;
b. Public accessways, trails, and associated minor improvements.
c. Directional, educational, and interpretive signs
d. ESHA and creek-related educational uses and viewing platforms;
e. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
f. Fuel modification required by the City Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
g. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:

    1. Limited exterior lighting for safety purposes; and
    2. Fences necessary for safety, restoration, and protection of habitat.

Renumber existing Policy 3-24 and policies through Policy 3.155. Update the policy number references in the following policies to match renumbering.

3.7 Policy 3.37 to 3.38
Policies 3.23 to 3.31 to 3.24 to 3.32

3.12 Policy 3.89 to 3.90
3.25 Policy 3.27 to 3.28
3.39 Policy 3.37 to 3.38
3.40 Policy 3.38 to 3.39
3.42 Policy 3.47 to 3.48
3.66 Policy 3.65 to 3.66
3.67 Policy 3.68 to 3.69 to 3.69 to 3.70
3.119 Policy 3.50 to 3.51
3.121 Policy 3.32 to 3.33

5.17 Policy 3.81(a) to 3.82(a)
5.18 Policy 3.71(a) to 3.72(a)
5.19 Policy 3.81(a) to 3.82(a)
5.45 Policy 3.44 to 3.45
5.56 Policy 3.52 to 3.53

6.27 Policy 3.60 to 3.61

LIP Amendments

Chapter 3 – Zoning Designations and Permitted Uses

LIP Section 3.4.6 –Specific Plan Overlay District
The Specific plan overlay district is intended to provide for the classification and development of a parcel or parcels of land as a coordinated, comprehensive project that will result in a more desirable development or physical environment than would be possible through the strict application of conventional zoning regulations and standards. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

A. Malibu Middle and High School Campus Specific Plan

The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School Campus. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

The following are the development standards for the MMHS Campus Specific Plan:

1. **Height.** Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards.
    a. Building C: High School Building shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above approved grading plan.
    b. Building D: Middle School Gym/Multi-Purpose Room and Structures shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet.
    c. Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.
    d. Building J: Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.
    e. Building L: shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.
    f. For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).

g. In no event shall the maximum number of stories above grade be greater than two.

2. **Yards/Setbacks.**

a. Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.

b. Any future buildings must comply with the following:

(1) Front yard setbacks shall be ten (10) feet from the street easement.

(2) Side yard setbacks shall be five feet

(a) When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

(b) When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.

(3) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

3. **Site Development Criteria**. All proposed construction within the MMHS Campus Specific Plan shall comply with the following site development standards:

a. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the general plan, where additional significant public benefits and amenities are provided as part of the project.

b. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 3.14.5 (E)(1) shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be permeable.

c. Pool and pool deck lighting shall require a site plan review to determine consistency with the Malibu Dark Sky Ordinance.

d. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G and Section 17.41 Malibu Dark Sky provisions of the municipal code.

e. All parking areas within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

5. Wayfinding and Informational Signage

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

a. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.

b. Marquee signs. Two single-sided monument signs would be allowed on Morning View Drive. The monument signs would be a maximum of 15 feet 6 inches wide by 7 feet 6 inches tall and contain a 10-foot by 4-foot LED display screen, 10 mm pixel spacing with dimmable brightness. The signs would be placed on concrete wall support and have an internally illuminated logo.

6. Permitted Uses in ESHA Buffer

New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan shall only be allowed in the 50-foot ESHA buffer if it does not significantly disrupt the habitat values of ESHA and may include:

1. Habitat creation, restoration, and/or enhancement activities;
2. Public accessways, trails, and associated minor improvements.
3. Directional, educational, and interpretive signs
4. ESHA and creek-related educational uses and viewing platforms;
5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
6. Fuel modification required by the City Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:

    a. Limited exterior lighting for safety purposes; and
    b. Fences necessary for safety, restoration, and protection of habitat.

7. ESHA Restoration Plan

A phased restoration plan for the ESHA within the MMHS Campus Specific Plan property shall be implemented. As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

The restoration plan would include removing all hardscape within the proposed 100-foot buffer of the ESHA boundary. The Santa Monica-Malibu Unified School District (District) would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail.

Opportunities for restoration are present at upstream, middle, and downstream areas of the ESHA as well as developed and undeveloped areas within the proposed 50-foot buffer of the ESHA boundary. During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Each phase of the project would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures."

Chapter 3 – Signs

Modify LIP Section 3.15.3(J) – Prohibited Signs.

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, and public safety signs such as changeable traffic message signs, except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.

Chapter 4 – Environmentally Sensitive Habitat Area Overlay

4.5. PERMITTED USES

4.5.4 Environmentally Sensitive Habitat Buffers

1. *Public accessways and trails, including directional signs*
2. *Interpretive signage designed to provide information about the value and protection of the resources*
3. *Restoration projects where the primary purpose is restoration of the habitat.*
4. *Invasive plant eradication projects if they are designed to protect and enhance habitat values.*
5. *Uses listed in LIP Section 3.4.6(A)(6) for the Malibu Middle and High School Campus Specific Plan project.*

4.6.1. Buffers

New development adjacent to the following habitats shall provide native vegetation buffer areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect.

Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation shall not be permitted within buffers except as provided in Section 4.6.1 (E) or (F) of the Malibu LIP. The following buffer standards shall apply:

1. *Stream/Riparian*

   New development shall provide a buffer of no less than 100 feet in width from the outer edge of the canopy of riparian vegetation. Where riparian vegetation is not present, the buffer shall be measured from the outer edge of the bank of the subject stream.

   However, in the Point Dume area, new development shall be designed to avoid encroachment on slopes of 25 percent grade or steeper and new development and substantial redevelopment of the Malibu Middle and High School Campus shall meet the standards in Section 3.46(A)(2).

2. *Wetlands*

   New development shall provide a buffer of no less than 100 feet in width from the upland limit of the wetland.

3. *Woodland ESHA*

   New development shall provide a buffer of no less than 100 feet in width from the outer edge of the tree canopy for oak or other native woodland.

4. *Coastal Bluff ESHA*

   New development shall provide a buffer of no less than 100 feet from the bluff edge.

5. *Coastal Sage Scrub ESHA*

   New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and C, if required) will extend into the ESHA and that no structures will be within 100 feet of the outer edge of the plants that comprise the coastal sage scrub plant community.

6. *Chaparral ESHA*

   New development shall provide a buffer of sufficient width to ensure that no required fuel modification area (Zones A, B, and C, if required) will extend into the ESHA and that no structures will be within 100 feet of the outer edge of the plants that comprise the chaparral plant community.

7. *Other ESHA*

For other ESHA areas not listed above, the buffer recommended by the Environmental Review Board or City biologist, in consultation with the California Department of Fish and Game, as necessary to avoid adverse impacts to the ESHA shall be required.

Chapter 6 – Scenic and Visual Resources

6.7 The height of structures shall be limited to minimize impacts to visual resources. The maximum allowable height, except for beachfront lots, shall be 18 feet above existing or finished grade, whichever is lower. On beachfront lots, or where found appropriate through Site Plan Review, the maximum height shall be 24 feet (flat roofs) or 28 feet (pitched roofs) above existing or finished grade, whichever is lower. Chimneys and rooftop antennas may be permitted to extend above the permitted height of the structure. The maximum height for buildings on the MMHS Campus shall be established in the MMHS Campus Specific Plan.

Exhibit D
Proposed Zoning Text Amendment No. No. 22-002

Add a new "M." 17.42.020 Overlay districts.

"M. Specific Plan Overlay District

The specific plan overlay district is intended to provide for the classification and development of a parcel or parcels of land as a coordinated, comprehensive project that will result in a more desirable development or physical environment than would be possible through the strict application of conventional zoning regulations and standards. All uses within the boundaries of the specific plans listed below shall comply with the provisions of the specific plan in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

1. Malibu Middle and High School Campus Specific Plan

The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plan for the Malibu Middle and High School Campus. Development on the property covered by the specific plan will be governed by the specific plan guidelines and regulations in addition to applicable standards in the underlying zone (unless otherwise specified), other provisions of this ordinance, and other provisions of law.

The following are the development standards for the MMHS Campus Specific Plan:

a. Height. Except as allowed in this section structures shall not exceed eighteen (18) feet above finished or natural grade, whichever results in lower building height, except for chimneys, rooftop antenna, and light standards.

   (1) Building C: High School Building shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty-one (41) feet above approved grading plan.

   (2) Building D: Middle School Gym/Multi-Purpose Room and Structures shall not exceed a maximum height of thirty-six (36) feet finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed forty (40) feet.

   (3) Building H: Theater/Performing Arts and shall not exceed a maximum height of forty-five (45) feet above finished grade.

   (4) Building J: Gym/Physical Education shall not exceed a maximum height of forty-five (45) feet above finished grade.

   (5) Building L: shall not exceed a maximum height of eighteen (18) feet above finished grade, except for chimneys, rooftop antenna, and light standards that shall not exceed a maximum height of 28 feet.

(6) For all other buildings, roof-mounted mechanical equipment shall be integrated into the roof design, screened, and may project no more than two feet higher than the structure roof height (screens included).

(7) In no event shall the maximum number of stories above grade be greater than two.

b. Yards/Setbacks.

(1) Building placement for Phase 1 shall be as shown on Figure 6, Proposed Site Plan, as approved by City Council. Building Placement for subsequent phases will be considered by the City as part of the site plan review process.

(2) Any future buildings must comply with the following:

(a) Front yard setbacks shall be ten (10) feet from the street easement.

(b) Side yard setbacks shall be five feet

i. When adjacent to a residentially-zoned parcel(s) along a side yard, the setback shall be increased to ten (10) percent of the lot width or ten (10) feet, whichever is greater.

ii. When adjacent to the ESHA all buildings shall have a 100-foot setback from the ESHA. With the exception of access trails and fencing, and parking, all other improvements shall be setback 50-feet from the ESHA.

(c) Rear yard setbacks shall be five feet; however, when adjacent to a residentially-zoned parcel(s) along the rear yard, the setback shall be increased to fifteen (15) percent of the lot depth or fifteen (15) feet, whichever is greater.

c. Site Development Criteria. All proposed construction within the MMHS Campus Specific Plan shall comply with the following site development standards:

1. Structure Size. The gross floor area of all buildings on a given parcel shall be limited to a maximum Floor Area Ratio (FAR) of 0.15, or fifteen (15) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements). Additional gross floor area may be approved by the city council, up to the maximum allowed for the parcel under the general plan, where additional significant public benefits and amenities are provided as part of the project.

2. Landscaping and Site Permeability. Twenty-five (25) percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be devoted to landscaping. The required five-foot landscape buffer around the perimeter of parking areas pursuant to Section 3.14.5 (E)(1) shall count toward the twenty-five (25) percent requirement. An additional five percent of the lot area (excluding slopes equal to or greater than 1:1 and street easements) shall be permeable.

3. Pool and pool deck lighting shall require a site plan review to determine consistency with the Malibu Dark Sky Ordinance.

4. Sports field lighting shall be limited to the main sports field and parking lots at Malibu High School. All new outdoor lighting shall adhere to the standards of Malibu Local

Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G and Section 17.41 Malibu Dark Sky provisions of the municipal code.

5. All parking areas within the 100-foot ESHA area shall be paved with permeable pavement, to allow stormwater runoff to infiltrate into the soil below. Suspended paving systems shall be constructed below the permeable paving to treat and slow stormwater runoff before it reaches the ESHA. The system shall be designed to provide treatment and storage for stormwater but also promote healthy tree growth within parking areas.

E. Wayfinding and Informational Signage

The following describes the types of allowed signs pursuant to the MMHS Campus Specific Plan:

1. Building Identification Signs. All buildings will have non-illuminated identification signs mounted flush to the wall to comply with public safety requirements.

2. Marquee signs. Two single-sided monument signs would be allowed on Morning View Drive. The monument signs would be a maximum of 15 feet 6 inches wide by 7 feet 6 inches tall and contain a 10-foot by 4-foot LED display screen, 10 mm pixel spacing with dimmable brightness. The signs would be placed on concrete wall support and have an internally illuminated logo."

F. Permitted Uses in ESHA Buffer

New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan shall only be allowed in the 50-foot ESHA buffer if it does not significantly disrupt the habitat values of ESHA and may include:

1. Habitat creation, restoration, and/or enhancement activities;
2. Public accessways, trails, and associated minor improvements.
3. Directional, educational, and interpretive signs
4. ESHA and creek-related educational uses and viewing platforms;
5. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
6. Fuel modification required by the City Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
7. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:

(a) Limited exterior lighting for safety purposes; and
(b) Fences necessary for safety, restoration, and protection of habitat.

G. ESHA Restoration Plan

A phased restoration plan for the ESHA within the MMHS Campus Specific Plan property shall be implemented. As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

The restoration plan would include removing all hardscape within the proposed 100-foot buffer of the ESHA boundary. The Santa Monica-Malibu Unified School District (District) would conduct weed abatement, establish invasive plant controls, broadcast seed and plant native species within the ESHA and the 50-foot buffer area, and implement erosion prevention and bank stability improvements as part of the restoration plan within District property. The restoration plan would be phased to meet the District's development schedule and funding constraints. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail.

Opportunities for restoration are present at upstream, middle, and downstream areas of the ESHA as well as developed and undeveloped areas within the proposed 50-foot buffer of the ESHA boundary. During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1, which would include the proposed pedestrian trail and new drive aisles. Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Each phase of the project would add to the overall reclamation/restoration plan. The restoration effort will focus on supplementing the native vegetation currently found within the ESHA with native seed and stock and utilizing contouring and natural features such as the existing mature native trees to enhance and stabilize the bank. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acres of hardscape and structures."

Chapter 17.52 – Signs

Modify MMC Section 17.52.040(J) – Prohibited Signs.

Automatic changing signs or electronic message center signs, except for public service time and temperature signs, except as otherwise provided allowed by the Malibu Middle and High School Campus Specific Plan.

Planning Commission

From: Andrew Ferguson [redacted].com>
Sent: Sunday, May 29, 2022 11:45 PM
To: Planning Commission
Subject: Special meeting for MHS

Dear Planning Commissioners,

I wanted to give some input on the item coming before you regarding MHS.

1) I'm opposed to the new parking lot on Clover Heights. It is unnecessary and doesn't fit in with the neighborhood character on that street.

2) I'm opposed to relocating the Bus Barn to the Equestrian Center. Buses and horses are a bad mix, and whoever proposed this should be fired. I realize you have no power regarding firing, but I'd like this duly noted nonetheless.

3) I'm concerned about the tallest buildings in the project, especially the proposed Building C being sited at Juan Cabrillo. Also, the new Gym and Auditorium could potentially be too tall. I would like to see story poles sooner rather than later in order to expose any deficiencies and make the design process more efficient.

4) I would question the wisdom of having this meeting without all 5 planning commissioners present. I think the topic is of such importance that it warrants a rescheduling. After 16 years, waiting another 2 weeks is an insignificant delay.

I appreciate your consideration on this matter.

Best,
Andrew Ferguson

CC: Planning Commission, PD,

Recording Secretary, File

ATTACHMENT 5

Planning Commission

From: Brian <[redacted].com>
Sent: Tuesday, May 31, 2022 6:40 PM
To: Planning Commission
Subject: [SPAM] New High School Building

To whom it concerns,

I am writing to voice my full support of the proposed High School project which is far overdue. We not only have an opportunity to construct a new high school but we have a design that has been thoughtfully created with the Malibu community which supported the bond measure to fund the new construction.
In addition, the proposed site and landscaping plans utilize the existing topography, revitalize the existing watercourse, and incorporate local vegetation in order to provide a teaching opportunity to future students. Surely this project is something that The California Coastal Commission and Planning Department can support and expedite.

Thanks you for your consideration.

BRIAN S. O'NEILL
WHELAN-O'NEILL ARCHITECTURE
[redacted] Wonder View Drive
Calabasas, CA 91302
p [redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Rebecca Evans

From: Patricia Salazar
Sent: Wednesday, June 1, 2022 12:46 PM
To: Rebecca Evans
Subject: FW: Current and Future 50 meter pool and Lighting

Did you received this one?

From: christin ayotte [redacted].com>
Sent: Tuesday, May 31, 2022 11:16 AM
To: Patricia Salazar <psalazar@malibucity.org>
Cc: Bruce Silverstein <bsilverstein@malibucity.org>; Karen Farrer <kfarrer@malibucity.org>; Mikke Pierson <mpierson@malibucity.org>; Paul Grisanti <pgrisanti@malibucity.org>; Steve Uhring <suhring@malibucity.org>
Subject: Current and Future 50 meter pool and Lighting

Hello,

I have lived in Malibu for 31 years and have been swimming with the Zuma Masters (US Masters) for the past 20 years. I initially started swimming to keep my paddling muscles in shape for surfing, but have continued because of the overall physical and mental wellness it brings me. I swim in the 5:30a masters group as it allows me to get a workout in before I drive into town for my workday. There is currently a waitlist for this group as we are respecting Covid protocols and swimming one swimmer per lane. While I am very grateful that we have a local pool at the high school for use, I am very much looking forward to the planned 25 x 50 meter pool as the current size is limited with the number of swimmers it can accommodate. The larger pool size would allow for shared use of lap swimming, water polo, swim teams (both high school and club) with the ability to run several programs at the same time. It should be noted that Malibu has produced some champion swimmers over the years: Olympian Jordan Wilimovsky, Olympic Trial swimmer Logan Hotchkiss as well as many Junior Olympic and CIF swimmers.

I also understand the need for the Dark Skies Ordinance and I believe it is possible to work with expert lighting consultants to achieve compliance and still allow lighting for the early morning and evening use of the pool. This is especially important during winter months when the sun sets so early in the evening. I am asking for a variance to be granted to assure the pool will be able to operate before sunrise and after sunset with lighting that is as close as possible to Dark Skies Ordinance and still providing safety for swimmers.

Thank you,
Christin Ayotte- Ogle

CC: Planning Commission, PD,

Recording Secretary, File

Planning Commission

From: Carla Bowman-Smith [redacted].com>
Sent: Friday, May 27, 2022 12:49 PM
To: Planning Commission
Subject: Malibu High School on Juan Cabrillo lot

Follow Up Flag: Follow up
Flag Status: Flagged

To Malibu Planning Commission

I am writing to you to ask that you allow the "specific plan, for all the phases of the new Malibu Campus Plan" to go forward.

To have a high school campus that is separated from the Middle School should be a high priority.

I've taught at Malibu High School for 25 years, I've taught some of your kids, and since day one, I've always felt the schools should be separated. Our students grow up fast enough, but to be mixed in with high school kids rapidly advances that "maturity."

We need to have facilites, that are equal to the facilites at Santa Monica High School, to encourage student attendance and population growth. Please don't let a few voices control the narrative. Vote to forward the Malibu Campus plan to its next stage.

Thank you,
Carla Bowman-Smith

CC: Planning Commission, PD,

Recording Secretary, File

Rebecca Evans

From: Carol Gable <[redacted].com>
Sent: Wednesday, May 25, 2022 2:45 PM
To: Rebecca Evans; Patricia Salazar
Subject: Opposition to parking lot on Clover Heights
Attachments: Clover Heights Parking lot.docx

Follow Up Flag: Follow up
Flag Status: Flagged

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 05/25/22 Time 2:45 PM
Planning Commission meeting of 05/31/22
Agenda Item No. 1A
Total No. of Pages 2

Re: Opposition to Malibu High School expansion of Clover Heights parking lot

May 25, 2022

Dear Members of the Planning Commission:

We are opposed to putting a parking lot behind the softball fields at the end of Clover Heights for the following reasons:

1. SAFETY – A parking lot will bring additional traffic to many Malibu Park streets near the school. Clover Heights is a narrow street without sidewalks or streetlights and will be dangerous for children and adults walking to or from school.

2. LIGHTS- a parking lot would need to be lighted to meet state school regulations and this lighting would conflict with the Malibu Dark Skies ordinance.

3. EQUESTRIAN USE OF TRAIL AT END OF CLOVER HEIGHTS- A parking lot will make it less safe for horseback riders to reach the Equestrian Center through the access trail north of the ballfield to the east of Clover Heights.

4. LIMITED SPACES- When the available spaces are gone in the parking lot, people will park wherever they can- in front of peoples' houses, on the street and in the cul-de-sac.

Please consider carefully the plan to build a lighted parking lot at the end of Clover Heights.

Regards,

Carol & Ken Gable
[redacted] Harvester Road
Malibu, California

Planning Commission

From: Charmaine Mark <[redacted].com>
Sent: Tuesday, May 31, 2022 12:30 PM
To: Patricia Salazar; Planning Commission
Cc: Paul Grisanti; Karen Farrer; Mikke Pierson; Steve Uhring; Bruce Silverstein
Subject: Dark Sky Ordinance in relation to the Malibu High School pool

Dear Malibu Planning Commission and Malibu City Council members,

I swim with the Malibu Masters team three days a week, Tuesday/Thursday/Saturday at 6:30 AM at Malibu high school pool.
There is another group of us that swims even earlier, from 5:30 to 6:30 AM.
Both of these early swim times require that the pool lights need to be on, at least sometimes, especially in the darker winter months.

My husband, Richard Mark, a recurrent Los Angeles County lifeguard also swam with this group until he died of complications from skin cancer 5 years ago.

Swimming in the direct overhead sun causes skin cancer. We apply sunscreen, however extended exposure to cholorinated water causes the sunscreen to wash off.
Pretty much all of the swimmers in the pool have a respect for the skin damage and cancer that occurs from too much sun exposure.
Over half of the team, and even our swim coach Erik, has undergone/is undergoing treatment for skin cancer.
So any time we can avoid the sun and get in the pool as early as possible, we do it.

The pool bottom is white. Therefore, the sun bakes down from above, and the sun reflects back up from the bottom of the pool.
Getting in the pool as early as possible to avoid/mitigate sun damage is our best defense against skin cancer. We need lighting to swim in the early morning.
That's why I ask you to reconsider your new dark sky ordinance as it applies to the current and future Malibu Highschool swimming pool(s).

Our only alternative local swimming pool is Pepperdine University's pool. Pepperdine has significantly restricted our Crest Club swimmer access to their pool, with the only times available to swim being during "high sun" times of the day, which creates significant health risk for our swimmers.

--
Charmaine Mark
Partner
O: 310[redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Rebecca Evans

From: Doron Chanin <[redacted].com>
Sent: Tuesday, May 24, 2022 1:02 PM
To: Rebecca Evans; Patricia Salazar
Subject: [SPAM] Malibu High School Expansion

Follow Up Flag: Follow up
Flag Status: Flagged

To the planning department,

I am writing in regards to the Malibu High School expansion, I support the expansion and building of the new high school but I am in complete opposition to the parking lot that is proposed at the end of Clover Heights for the following reasons.

1. Because the parking lot will be lighted at night and it will end dark skies in malibu park and our neighborhood.

2. The roads in malibu park are dangerous and narrow and especially in the evenings without street lights and sidewalks, the increased traffic will be hazardous to the neighborhood and pedestrians.

3. There are no sidewalks in malibu park and people walk, walk their dogs and horses on

the streets in malibu park, the increased traffic will dramatically change the neighborhood and cause a major hazard.

4. The parking lot will make horse backing on clover heights more difficult to access the

trail leading to the equestrian center.

I appreciate you taking note and hope this will be addresses in the planning commission meeting.

Regards

Doron Chanin

[redacted] Filaree Heights Road

CC: Planning Commission, PD,

Recording Secretary, File

From: [redacted].com [redacted].com>
Sent: Wednesday, May 25, 2022 5:22 PM
To: Planning Commission <planningcommission@malibucity.org>
Subject: Fwd: Malibu Middle and High School Specific Plan: Comments and Attachments for the Commissioners

RE Malibu Middle and High School Specific Plan

TO: Planning Commission Members,

This letter is being sent with the hope that you will find it useful in you determinations regarding the SMMUSD proposal for the building projects at the Malibu High School and Middle School. The design of the facilities is an architect's representation of a dream while being a nightmare for the neighborhood. It is an architectural idea of what a school should look like without regard to need and the purpose or consequences of the project. The proposed plan completely fails to consider the disastrous effects it will have on the neighbors and the neighborhood. As proposed it will eliminate precious ocean views, create an impossible situation when it comes to attaining or maintaining dark skies and it will spread parking spaces and lights over the entire western border of the campus.

The specific plan includes three areas of concern that I would like to bring to your attention. Specifically, buildings that are too high, lighting that spreads throughout the campus and thus the neighborhood, and parking that adds traffic, noise and night light over a large area.

As to the first item the plan calls for a Gymnasium (Building J) with a maximum height of 45 feet plus additional height for HVAC and equipment. It also calls for a Visual and Performing Arts building ((Building H) with a height of 45 feet and additional height for HVAC and equipment. Included is a third building, a new Gymnasium (Building D) with a maximum height of 36 feet with additional height for HVAC and equipment. I would ask that you ignore the picture on the cover of the Specific Plan that falsely represents all these buildings as though they will be low rise. The buildings will be three and four or five stories high and will totally or partially block the ocean views that now belong to houses throughout the hillsides that surround the schools. I need not tell you about the value that those views add to the lives of the people who live in these houses or the economic value that they give to the properties involved. If these taller buildings are allowed all that will be lost and nothing is gained because the height of the buildings does not add to the educational value of the campus. The value of a school is in its teachers and methods and not in the height of its buildings. One could search far and wide and not find four to five story high gymnasium or arts buildings among the public or private schools in California. This project cries out for a low rise mentality.

In addition, I ask that you reject this project as proposed because of the additional night lighting it will create. I have forty years of experience being in close contact with the school's authorities regarding this issue. I can tell you that although the District makes occasional attempts to solve the problem it is not concerned enough to take the problem seriously.

Interior and exterior lights are more often than not left on from dusk to dawn which causes light spread and glare to shine into surrounding houses. Calls and emails regarding the issue often go unreturned and unacknowledged. When the school district does respond and takes action, the remedy lasts only a few days or weeks until the skies and the neighborhood are once again lit up overnight. The promise of the dark skies ordinance does not remedy those problems because much of the current lighting as shown

CC: Planning Commission, PD,

Recording Secretary, File

in the attached pictures is said to be dark skies compliant but still intrudes on the surrounding homes and neighborhood (See pictures 1,2 and 3). Also, lighted areas the size of billboards come from interior lights left on to shine through numerous large picture windows (See pictures 4 and 5). Additional walkway lighting exacerbates the problem (See picture 6). Without specific conditions in the approvals the District cannot be depended on to limit the scope or time of operation of the lights. I suggest that any approvals of this project come with specific hour limitations as to the use of exterior and interior building lighting. Any lights located on parking areas should also be designed for minimal light spread and have permitted hours that are limited. Otherwise, the district will continue to disrupt the sleep and quality of life of its neighbors. The long term history of the School District is to use minor or occasional issues as an excuse for late night or overnight lighting. The result is that a large swath of the neighborhood is bathed in light spread.

Attached are pictures of the current light situation in order to give you some understanding of how much worse it is likely to be when there is an increase in the number and size of buildings which will result in an increase in the number of lights and the volume of light that is thrown off into the neighborhood. These pictures are of some of the lights on the two campuses that are left on late into the night and in many cases left on overnight. The District staff is very familiar with these problems. Despite that fact and the fact that there are time clocks that can be used to control the lights they are left on throughout the year, seven nights a week for weeks and months at a time.

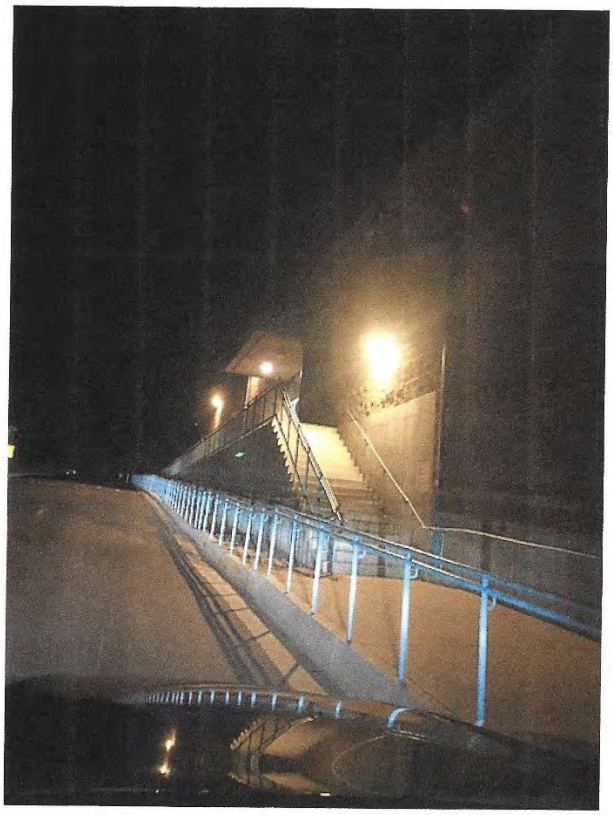
1. Lights along lower gym
2. Lights around doorway to lower gym
3. Lights along classroom building
4. Lights in a room in the upper gym that is locked and unused due to PCB contamination.
5. Interior and exterior lights along back of former Juan Cabrillo school
6. Exterior walkway lights at rear of former Juan Cabrillo school.

In closing, history has shown that the planning department cannot be depended on to protect the residents in our neighborhoods. You and the City Counsel members are the only ones who can protect our neighborhood. You can accomplish that by refusing to let the school district put up tall buildings. You can also require limits on the amount and hours of operation of lighting both inside and outside of the campus buildings. And you can limit the spread of parking areas and any involved lighting.

Footnote: After being left on for the better part of the past six months. The lights on the campus were all turned off late last nigh, May 24. I cannot say it was because this Commission meeting was coming up. None the less it shows that when it wants to turn out the lights the District has the ability to do so. Any permit that is granted should include a requirement that it continues to do so.

Thank you for your consideration.

Edward Halpern



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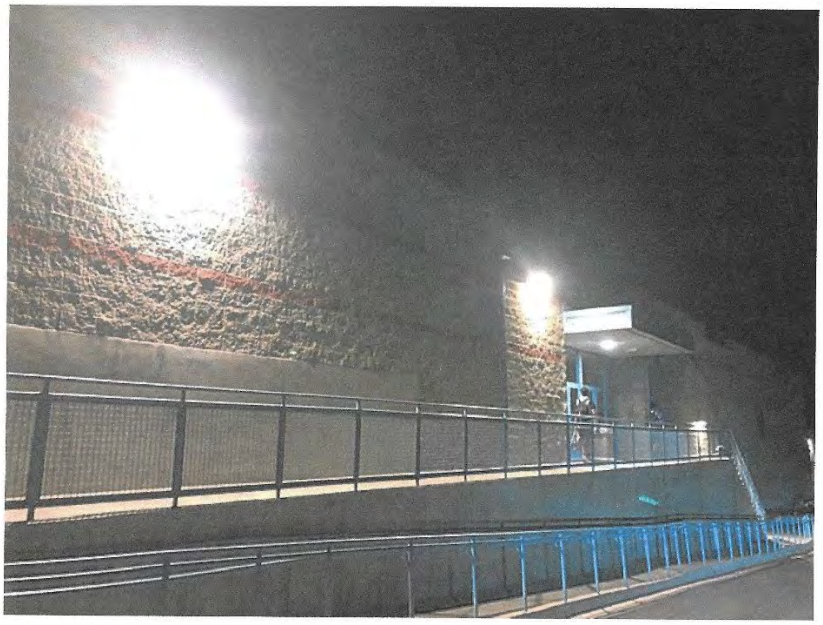

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Planning Commission

From: Georgia Goldfarb [redacted].net>
Sent: Tuesday, May 31, 2022 5:11 PM
To: Kraig Hill; John Mazza; Jeffrey D Jennings; Mark Wetton; Dennis Smith
Cc: Planning Commission
Subject: item 1A school remodeling
Attachments: Comment. High School Building 22.05.31.docx

Dear Mayor and Councilmembers,
Please see attached.

Georgia Goldfarb

Dear Mayor and Councilmembers,

Regarding the proposed new buildings at the high school:

As has been described by [redacted], the projected school population for Malibu public school is notably less than it is today and markedly so compared with the population when the proposed plans were developed. Charlotte Frieze has described the problem with noise, traffic and light and the adverse effects on not only humans, but wildlife as well. I agree with these concerns.

Therefore, as we have seen with Covid and global warming, change to address future needs is required. It is useless to construct new buildings based on old data when needs have so dramatically changed.

The school could become a model for innovation responding to current and future needs. These concepts could be woven into the classroom studies for experiential learning. For example, to achieve near zero energy exchange, heat exchange and the effect of duel pane glass and insulation, thickness of walls, shade provided by exterior shades, trees and types of heating and cooling systems are all relevant. Learning through design would be dynamic instead of through yet another dull word problem.

Buildings should reflect current modalities of education, not the 40 person line of desks of the 1800s. Gardens reflecting vegetables and fruits of different countries may be grown and used for lunch. Cultures can be studied through their food and geographical location. Plants can also be used in biology class to study growth, regeneration and methods of protection from pests. Yes, there is a text for this already. Native plants and wildland habitat may be studied.

A microgrid with rooftop solar serving the local community should be installed. Students could learn complexities of working with the community as well as requirements for designing and installing the microgrid.

The school should be a safe house so that the community could use it during a disaster.

These are but a few ideas for a more innovative and experiential learning experience. This is an opportunity, don't allow the current, antiquated plans to waste money on buildings that are designed for a time that has passed.

Thank you,
Georgia Goldfarb

Planning Commission

From: Jo Drummond [redacted].com>
Sent: Tuesday, May 31, 2022 1:56 PM
To: Planning Commission; Rebecca Evans
Cc: Colin Drummond; Sue Murphree; erik ran; Bill Sampson; Kraig Hill; John Mazza; [redacted].com
Subject: Fwd: Dark Sky Ordinance-Malibu City Meeting 5/31

Honorable Planning Commission,

Given what has been going on in the planning department the past few years regarding fire rebuilds and all the illegal applications being processed I hope a matter will come to the agenda at the next meeting on how Ms. Farrer's project as well as projects currently in planning and not yet built should be addressed. I also hope you will treat all cases that come to you in the future with the utmost of honesty, analysis, and transparency and do your due diligence as commissioners to uphold the codes and law. I will speak on this at the next available public comment.

With regards to the special meeting tonight you might be surprised but not so much as a parent of two former Malibu high schoolers and one current one that I strongly support the project as long as it doesn't block any one's direct ocean views or impede on their privacy or enjoyment of their property. I have participated in surveys on the proposed project over the last few years.

There are important things to note about the project:

1. it does not increase floor area ratio (FAR) nor does it allow for an increase in the maximum student population - THIS WILL BE THE STATE OF THE ART GORGEOUS SCHOOL WE'VE BEEN CLAMORING FOR TO ATTRACT MORE STUDENTS AND FAMILIES AND WHICH IS WHAT WE'VE BEEN FIGHTING FOR REGARDING SCHOOL SEPARATION AND IS A STEP IN THE RIGHT DIRECTION. The proposed Specific Plan would not increase the capacity of the MMHS campus but would be designed to support the regrowth of the community from the Woolsey Fire.

2. Increased building heights for the proposed high school building (36 feet), MMHS gymnasiums (36 feet), and theater/performing arts center (45 feet) where 28 feet is required; WE NEED THIS GYMNASIUM & PERFORMING ARTS CENTER - our gyms are rotting with mold and our current auditorium is pathetic compared to huge Barnum hall - the auditorium can be possibly used for community events such as Malibu film society events, festival events, etc, we NEED a proper performing arts center in Malibu and this is ALREADY PAID FOR or soon will be easily. The height of the auditorium is only about 4 feet higher than the current auditorium and the heights of the new buildings seem to be even higher so it shouldn't cause a view issue. **The proposed 36-foot-tall high school gymnasium is sited where a 48-foot-tall gymnasium building currently exists. So this is good.**

3. As part of the project, the existing 25-meter pool would be replaced with a new Olympic-size 50-meter pool. As noted in the EIR, the duration of illumination of the proposed pool would be the same as the existing use and operation. This is SOMETHING residents have desperately asked for for years and SERVES THE ENTIRE COMMUNITY. The current pool is way too small and not preparing the kids for Olympic level swimming of which we have several hopefuls on top of serving masters swimming, etc for locals through city hall. Pool safety lighting will likely exceed the threshold established by the Malibu Dark Sky Ordinance perhaps in the winter only; LIGHTING WILL ONLY BE ON UNTIL 8P when Seawolves club swimming ends. The kids NEED this pool and to swim at these times. The lights are needed for the safety of the kids. Especially with a new larger and deeper pool.

RE: the pool - WE NEED A SITE PLAN REVIEW approval from the Planning Commission pursuant to MMC Section 17.41.070 if it is demonstrated that compliance is not possible due to safety regulations.

CC: Planning Commission, PD,

Recording Secretary, File

According to SMMUSD, the pool lighting will be installed to meet the requirements of a Class II facility as identified by the Illuminating Engineering Society of North America (IESNA) (10th ed.), where lighting should be a minimum of 50 foot-candles over the pool and 20 foot-candles over the deck, as measured at the water level. Consistent with IESNA recommendations, lighting would also be provided within the pool basin, with the recommended luminance of 15 candelas per square foot (161 candelas per square meter). When the pool is not in use, accessible paths, including along the pool deck, would be lit with a minimum of 2 foot-candles until lights are turned off campus-wide. By meeting these standards, the pool lighting would also meet the requirements of California Building Code § 3115B.1. Pool lighting would be regulated by the requirements of California Building Code (CBC) Section 3115B.1, requiring sufficient illumination that lifeguards have direct view of all areas of the pool surface and diving appurtenances. Dark sky compliance is not feasible in the winter due to safety standards and lighting will be turned off by 8p so should not be a major issue.

4. New electronic message center (EMC) signs which are currently prohibited by the MMC; this is not a big deal and will help traffic in the mornings and for large events at the future beautiful performing arts center.

5. The plans INCLUDE ESHA restoration.
"The following types of new development and substantial redevelopment, as provided in the Malibu Middle and High School Campus Specific Plan, may provide a 50-foot ESHA buffer, if it does not significantly disrupt the ESHA habitat values:
a. Habitat creation, restoration, and/or enhancement activities;
b. Public accessways, trails, and associated minor improvements;
c. Directional, educational, and interpretive signs;
d. ESHA and creek-related educational uses and viewing platforms;
e. Relocation of existing roads, road rights-of-way, utilities, public infrastructure
and facilities, and parking lots in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
f. Fuel modification required by the Los Angeles County Fire Department to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
g. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
1. Limited exterior lighting for safety purposes; and
2. Fences necessary for safety, restoration, and protection of habitat."

This will be teaching the kids who know more about preserving our natural environment than we do.

The specific plan will remove existing parking and drive aisles located near ESHA and will maintain a 50-foot buffer from ESHA with the
exception of a meandering deconstructed granite walking path adjacent to the ESHA for instructional stations and parking. All new buildings will be set back 100-feet.

6. When the school facilities are not in use and are not scheduled for school-sponsored or other District-related events, the Civic Center Act permits certain community organizations and members to utilize school facilities for their events by obtaining a Civic Center Permit from the SMMUSD or the City of Malibu Master Facilities Use Agreement with SMMUSD. Permitted events may include community and/or City use of the playfields, common areas, and classrooms, as permitted in the 2019 Master Agreement between SMMUSD and the City of Malibu

7. The Specific Plan sets forth the following objectives:
1. Create unique and separate identities for the Malibu Middle School and Malibu High School campuses.
2. Advance educational facilities to support 21st Century learning and properly support the projected enrollment.

3. Improve learning by replacing undersized and inflexible facilities with larger, functional flexible spaces that accommodate modern, diverse learning styles and allow for variable uses.
4. Provide enhanced, modern, and functional support spaces, such as libraries, cafeterias, labs, maker spaces, and other student services, that promote whole child development.
5. Improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.
6. Reorganize open space and foster intercampus circulation.
7. Improve access, circulation, and drop-off and pickup, and increase on-campus parking in a manner that improves pedestrian and vehicle safety.
8. Respect the natural environment by developing a campus that is of high design, and complementary to the natural landscape and that contributes to the high scenic quality of the area.
9. Adopt development standards for the MMHS allowing for the educational design requirements of many of the buildings.
10. Increase District resiliency, protect and maximize the learning environment, and maximize energy and operational savings through a photovoltaic solar array and battery backup system.
11. Remove hazardous buildings and structures.

8. It is important to note that the project is not requesting variances but rather creating new development standards unique to the Campus Plan. Currently, the development standards in the Institutional Zone are not specific to schools and do not address the needs of specific institutional uses such as large modern school campuses. As long as these developmental standards are only used for Malibu high this should be acceptable. We don't want regular home improvements to get these kind of exceptions.

9. Building H: High School Performing Arts facilities require a vertical stage opening of 25 feet (to the bottom of the proscenium). In addition, the long span structure and tension lighting grid ceiling system will add 15 feet above the stage opening plus 5 feet for roof slope and parapet. This equates to a total height of 45 feet, providing for the school to produce the types of theatrical performances expected in a high school theater curriculum.
The proposed 40-foot-tall performing arts center is sited where a 34-foot-tall gymnasium building currently exists. The industry standard for theater design includes a ceiling height range from 25 feet to over 80 feet for theaters that include fly tower/loft. The site cross-sections provided by SMMUSD (Attachment 3 – MMHS Campus Site Cross Sections) indicate that although the proposed building would increase bulk and massing to this part of the campus, the development would be compatible with the existing development pattern.

10. the modernization of the high school classrooms with flexible and creative spaces require an increased ceiling height. As discussed earlier, the additional height requested provides room for improved ventilation, noise attenuation, and natural lighting. Perhaps this ventilation can start from a lower level to reduce the height?

11. Gymnasiums must meet the National Federation of State High School Associations (NFHS) minimum interior height requirement of 23 feet from floor to ceiling for California Interscholastic Federation (CIF) Volleyball, the Specific Plan plans for 25 feet for adequate tolerance in design and construction and an additional 10 feet for long-span structure and 5 feet for roof slope and parapet. As the gymnasium will be lower than the original this shouldn't be a concern unless it is changing placement and might impede views but hopefully it does not.

12. The current District development including the vacated JCES, District Bus Barn facilities, parking lots, drive aisles and fencing site structures extend up to the edge of the ESHA and in some instances into the ESHA, with no setback. The restoration and trail enhancements would reestablish the ESHA as viable habitat, provide educational opportunities for the MMHS students within the confines of the campus, and allow the public greater connectivity to the various trails in the community, including the newly reconstructed Equestrian Path Trail. The proposed trail and teaching platforms within the 100-foot buffer would connect the existing Equestrian Trail along the northeastern portion of the campus to the western portion of the campus and provide the community with additional pedestrian access to Morning View Drive. The teaching platforms would be utilized by the MMHS students, as well as community groups. In total, 2.03 acres of the ESHA would be restored, with the removal of approximately 0.50 acre of hardscape and structures.

The proposed project will provide many generations of students with safe and secure facilities that maximize their learning environment. Any one or a combination of the specific community benefits from the adoption of the MMHS Campus Specific Plan and related CDP would outweigh the unavoidable environmental impacts:
1. The project represents an improvement to an existing school and would reorganize open space and foster intercampus circulation; improve access, circulation, and drop-off and pick-up, and increase on-campus parking in a manner that improves pedestrian and vehicle safety; and remove hazardous buildings and structures.
2. The project will create unique and separate identities for the Malibu Middle School and Malibu High School campuses.
3. The project will improve the arts and athletic facilities in support of both the school and the community's educational, cultural, and recreational enhancement.

Thank you for your serious consideration of this matter and I hope you listen to all the speakers and people who submit comment and weight the most sensible outcome for this substantial project. In particular I hope the pool requests can all be granted given our heavy involvement as a family in Malibu's swim community.

Jo Drummond

Rebecca Evans

From: Patricia Salazar
Sent: Tuesday, May 31, 2022 7:28 PM
To: Rebecca Evans
Subject: FW: Swimming pool lighting
Attachments: IDA-Criteria-for-Community-Friendly-Outdoor-Sports-Lighting.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Patricia Salazar | Senior Administrative Analyst | Planning Department
23825 Stuart Ranch Road, Malibu CA, 90265
(310) 456-2489 extension 245

From: Kimberly Sichta <jksichta@gmail.com>
Sent: Tuesday, May 31, 2022 1:45 PM
To: Patricia Salazar <psalazar@malibucity.org>
Cc: Paul Grisanti <pgrisanti@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; kfarrer@maliibucity.org; surhing@malibucity.org; Mikke Pierson <mpierson@malibucity.org>
Subject: Swimming pool lighting

Hello-

The pool is a very important physical and social activity center for our family. Over the past 15 years I have been involved in the local swimming programs. I have participated in the morning Malibu Masters swim group since 2006 and am now serving on the board for the Malibu Aquatics Foundation. Both of my children have been members of the Malibu Seawolves since 2016 and are excelling as part of the top level Green Group on the team. My son Jake, a junior at Malibu High, qualified for Junior Olympics and CIF this year also swimming on the Malibu High team. His training with the Seawolves made it possible. He just received his Lifeguard certification and plans to work as a guard for the City of Malibu. My daughter Nina, an 8th grader at MMS, qualified for Junior Olympics and plans to swim on the High school team next year as well. My kids are both straight A students and having the swim club has been very important for them physically and socially. My husband has been participating in the evening Masters swim group for the past two years.

I understand there is a possible Dark Sky ordinance that may limit the pool usage. All of these important swim programs already have to compete for pool time with the other school and city aquatic programs and early morning and evening swim times are necessary in order to allow everyone to participate. The Seawolves recently had to decrease their practice times due to limited availability.

I request that the city continue to allow the pool to have sufficient lighting for the current programs to continue safely. I have attached a document from the International Dark-Sky Association with straightforward guidelines for outdoor sports lighting. I am asking that the city hire a consultant to survey the existing lighting and retrofit as required. Please consider all options available so that all of the current programs may continue.

Thank you,
Kim Sichta
310 [redacted]

IDA-Criteria for Community-Friendly Outdoor Sports Lighting v1.0

1. Compliance with all applicable Codes and Standards (e.g. Underwriter Laboratories, CEC, National Building Codes with Local Amendments)

2. **Target Illumination** – Measured on-field illuminance values appropriate for the application per IESNA RP-6-15 Sports and Recreational Area Lighting criteria (or equivalent CIE guidance) together with modeled initial illuminance targets. Only IES Class III & IV level and State High School Lighting Recommendation illumination levels are eligible for the Award of Excellence. To limit over-lighting, the design may vary by no more than 10% above the average target illuminance levels for each Class.

3. As the IES TM-15-11 Luminaire Classification System for Outdoor Lighting is not appropriate for sports lighting, a modified approach to controlling backlight, uplight, and glare is applied with the following metrics:

   A. **Backlight** – Directionality and application efficiency will be addressed indirectly through two methods that quantify off-site performance, one using the design luminance and another using measured illuminance. Backlight criteria will be difficult to meet without sufficient and appropriate setback of sports fields from the properly line.

      a. Total designed lumens not contained within the area encompassing the field perimeter and an area immediately adjacent to that area that has a 33 foot (10 meter) offset. As modeled, no more than 15% of the total lumens may be outside of this region.

      b. Measured spill illuminance values, as measured with the light meter aimed in the direction of the brightest reading, shall not exceed criteria for the respective Environmental Zone (Table 1 below) nor shall it exceed the maximum initial spill illuminance values as modeled and specified in the design process. These measurements shall be taken a distance equal to 150’ beyond the edge of the field. Measurements should be conducted with and without the facility lighting operating so that the sports facility lighting can be isolated from other natural and artificial light sources.

         Table 1 – Allowable spill illuminance to control backlight

Lighting Zone		Spill Illuminance at Setback
Environmental Zone (IESNA RP-33-99)	MLO Lighting Zone (IDA Model Lighting Ordinance)	
E2 – E4	LZ1 – LZ4	≤0.20 ft-c / ≤2.0 lux

B. **Uplight** – All luminaires must be designed such as to not to emit direct light above the horizon, unless required for the activity (i.e. aerial sports) being played. In those cases, only 8% of the total (directly) applied lumens as modeled may be in this zone. For modeling purposes, a horizontal ceiling grid shall be placed 5 feet (1.5 meters) above the top of the tallest pole, extending out to 150 feet (45 meters) beyond the edge of the field to determine compliance. Installation shall not deviate from the design.

C. **Glare** – Modeled luminous intensity from any luminaire for any viewing angle at 5' above grade level, at a distance equal to 150' beyond the edge of the field shall not exceed 1000 candela (absolute). Luminaires shall not emit more than 250 lumens in the "Very High" glare zone, ranging from 80° to 90° above nadir. This shall be verified through a luminaire photometric report and aiming summary report and visual inspection, or through an equivalent software application and visual inspection.[1]

4. **Lighting Zoning** – Community-Friendly Outdoor Sports Lighting will only be certified if located in environmental zones E2 through E4, or MLO lighting zone LZ1 through LZ4. Areas especially sensitive to lighting such as E1 or LZ0 are not appropriate for this award program.

5. **Application Efficiency** – The lighting system shall achieve a minimum Application Efficiency of 70 lumens per watt, calculated per the following formula (or the metric equivalent):

$$\frac{\text{Target area square footage} \times \text{Avg. Maintained Design ft-c}}{\text{Total System Watts}} = \text{Applied Lumens/watt}$$

''Target Area' is defined as the total grid area for the sports field and/or sports court as defined by the IES LM-5-04 IESNA Guide for Photometric Measurements of Area and Sports Lighting Installments (or CIE equivalent guidance).

[1] When commercial meters are widely available to measure luminous intensity in the field, these criteria will be amended to also require a measurement component for glare.

6. **Controls** – Provide advanced controls and documentation for the following:

    a. Automatic and/or remote control system via smartphone apps, or direct remote communication to the company facility responsible for handling the lighting controls, to enforce shut-off at locally established curfew time, not to be later than 11:00 PM (2300 hrs).

    b. On-site manual and/or remote control system shall also be provided to allow for the lights to be turned on or off at will (before curfew) to assure that only active sports fields are lighted.

    c. Provide readily accessible controls to implement uniform and variable adaptive illumination levels for different task lighting needs on field, e.g. IES class of play, competition athletics, band practice, striping, mowing, sports practice, etc. Adaptive dimming shall be possible across the range of 25% to 100% of full illumination.[2]

    d. A formal policy defining the appropriate level of illumination necessary for the specific activities and curfew times must be established and enforced. A copy of the policy will be included in the application for the Award of Excellence.

7. **Color** – Luminaire Correlated Color Temperature (CCT) may not exceed 5700°K, as defined by ANSI C78.377. Luminaire CCT must be determined through empirical measurements as defined by IESNA LM-79 (or CIE equivalent) and performed by a laboratory appropriately accredited by NVLAP. Installation shall be verified by measurement across the target area.[3]

8. **Other Lighting** – The installed field lighting is not to be used for illuminating other area tasks. For example, if parking and concession areas lighting is desired, those areas shall be illuminated by separate luminaires and systems not associated with sports field illuminance needs. Other outdoor lighting at the site must, at a minimum, meet the lighting standards and lighting codes established by the community, and must meet the standards set forth in the IDA Model Lighting Ordinance for the relevant lighting zones and tasks.

[2] IDA is developing guidance for the appropriate illumination levels for non-sports activities and tasks that often occur on playing fields.

[3] Some variance in the measured CCT values are permitted, following the ANSI guidance.

Frequently Asked Questions

IDA-Criteria for Community-Friendly Outdoor Sports Lighting

1. **Why is IDA creating criteria for IDA Community-Friendly Outdoor Sports Lighting? Aren't you simply "certifying" more light pollution?**

   Since 2007, IDA's Fixture Seal of Approval (FSA) Program has successfully evaluated roadway, wall pack and walkway luminaires that have been utilized in communities to promote the protection of the nighttime environment. Although successful, the FSA was neither developed nor intended to apply to athletic field lighting, due to the need that the facilities' luminaries had to be positioned above full cutoff orientations. This resulted in a number of issues and concerns in communities where general lighting practices were promoting dark skies, yet local sporting facilities – which were being lit with non-shielded luminaires – were exacerbating sky glow and light pollution.

   To encourage the use of the best available technology for dark sky preservation, IDA has established Criteria for Community-Friendly Outdoor Sports Lighting that upholds the values that many communities seek in their public illuminated spaces. These criteria ensure that outdoor sports lighting design minimizes obtrusive light spill and glare into surrounding neighborhoods and natural areas, meets sustainability and climate-friendly goals, and reduces sky glow to the greatest extent practicable. By utilizing IDA's criteria, communities demonstrate and promote the vision for outdoor sports lighting that simultaneously meets the demanding task of illuminating night-time sports events while preserving night skies.

2. **How will the IDA-Criteria for Community-Friendly Outdoor Sports Lighting protect my neighborhood from light pollution?**

   By adopting the IDA-Criteria for Community-Friendly Outdoor Sports Lighting, communities will:

   - Minimize neighborhood lighting nuisance by greatly reducing spill and glare disruption.
   - Manage high angle glare, thus dramatically decreasing off-site light trespass and sky glow.

- Mitigate neighborhood nuisance factors and sky glow which, in turn, provide benefits to the environment, the astronomy community, and others.
- Minimize lumen densities, which reduce energy consumption.

3. For what types of play field is the IDA-Criteria for Community-Friendly Outdoor Sports Lighting appropriate?

The criteria specify that only facilities used for soccer, baseball, tennis and other recreational activities typically associated with schools and community parks qualify for consideration.

4. Who should know about the IDA-Criteria for Community-Friendly Outdoor Sports Lighting?

To promote lighting that helps protect the nighttime environment, we recommend contacting city council members, community representatives, home owner associations, and parks and recreation authorities to encourage their use of the IDA-Criteria for Community-Friendly Outdoor Sports Lighting when designing or retrofitting playfields.

5. Why do the criteria utilize a maximum allowable correlated color temperature of 5700 kelvin (k) when IDA recommends 3000k for roadway and general area lighting?

IDA's recommendation for correlated color temperature values of outdoor lighting applications have been, and remain, 3000k maximum. Street and area lighting illuminances are established at levels to facilitate safe way-finding and hazard identification, while minimizing light trespass and the disruption of nocturnal habitats. By contrast, sports fields have high levels of human activity and ball speeds where visibility is essential, requiring the allowance for design professional and end user preferences of light sources of up to 5700k. Nonetheless, the use of advanced technologies combined with rigorous design standards, curfews, and variable output controls tailored to the need of the activity, sports lighting facilities **can** be constructed or retrofit to essentially eliminate light trespass and curtail sky glow, protect nocturnal habitat, moderate neighborhood nuisance glare, and support dark skies.

6. Can the IDA-Criteria for Community-Friendly Outdoor Sports Lighting be achieved with existing installations?

Light trespass limitations of the IDA-Criteria for Community-Friendly Outdoor Sports Lighting are stringent, and likely will not be met if older technologies and design

parameters are used, but holistic lighting moderniazations of legacy applications are possible under this guidelines.

7. **Does IDA intend to formally certify and recognize facilities that fully comply with the standards established in the criteria?**

   It is anticipated that in, the next several months, IDA will establish a program that certifies outdoor facilities that fully comply with IDA-Criteria for Community-Friendly Outdoor Sports Lighting. We are currently developing software that will provide preliminary evaluations of facilities and that can be used to guide their design, or retrofit, so that they meet the program's strict standards. Once a field has been constructed, or retrofit, to these standards, IDA will conduct an on-site verification test to ensure that the facility still complies with the criteria and, if so, will be certified and recognized by IDA as compliant with IDA-Criteria for Community-Friendly Outdoor Sports Lighting.

Planning Commission

From: laura angotti [redacted].com>
Sent: Monday, May 30, 2022 9:33 AM
To: Planning Commission
Subject: Please help swiftly approve new high school build!

We have 2 kids that will be going into middle school. We are hearing that there are possible delays that could cost a lot of $ and we are hoping all approvals can move forward swiftly to avoid this!

Malibu having a state of the art facility will be so valuable to out community's bed great asset, our children. This will also encourage families to send their kids to malibu schools instead of moving them out of area for nicer private schools. Our student population has been drained largely due to this issue!

Help us do the right thing!

Thank you so much
Laura angotti
310-[redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 05/31/22 Time 07:30 AM
Planning Commission meeting of 05/31/22
Agenda Item No. 1A
Total No. of Pages 1

Rebecca Evans

From: Patricia Salazar
Sent: Tuesday, May 31, 2022 6:37 PM
To: Rebecca Evans
Subject: FW: Delay Meetings Without Full Participation 5/31/22

Follow Up Flag: Follow up
Flag Status: Flagged

Not sure if you received this one for tonight's hearing.

Patricia Salazar | Senior Administrative Analyst | Planning Department
23825 Stuart Ranch Road, Malibu CA, 90265
(310) 456-2489 extension 245

-----Original Message-----
From: LSGLA [redacted].com>
Sent: Saturday, May 28, 2022 7:41 PM
To: Richard Mollica <rmollica@malibucity.org>; Patricia Salazar <psalazar@malibucity.org>; planning@malibucity.org
Cc: Steve McClary <SMcClary@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; Steve Uhring <suhring@malibucity.org>; City Council <citycouncil@malibucity.org>
Subject: Delay Meetings Without Full Participation 5/31/22

Good afternoon,

May I request that all future meetings be rescheduled until such time as there is full participation by all members.

This commission is tasked with incredibly important decisions and it is of major import that all members participate in the decision making process.

We need to reestablish trust with the Malibu community. A show of good faith, transparency and a basic commitment to making the best decisions and following the guidelines set forth by our Mission Statement and our city codes.

With this in mind, I request that the 5/31/22 meeting be rescheduled. And I suggest this be the policy going forward. I am making the same request of City Council, City Manager and City Staff.

Very truly yours,

Lynn Saunders

[redacted] Manzano Drive
Malibu, CA 90265
310 [redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Rebecca Evans

From: Patricia Salazar
Sent: Tuesday, May 31, 2022 6:37 PM
To: Rebecca Evans
Subject: FW: Proposed Malibu Middle School & Malibu High School Projects Story Poles and Planning Commission Meeting Delay

Follow Up Flag: Follow up
Flag Status: Flagged

Patricia Salazar | Senior Administrative Analyst | Planning Department
23825 Stuart Ranch Road, Malibu CA, 90265
(310) 456-2489 extension 245

-----Original Message-----
From: LSGLA [redacted].com>
Sent: Sunday, May 29, 2022 6:33 AM
To: planning@malibucity.org; Steve McClary <SMcClary@malibucity.org>; Richard Mollica <rmollica@malibucity.org>; Patricia Salazar <psalazar@malibucity.org>
Cc: Bruce Silverstein <bsilverstein@malibucity.org>; Steve Uhring <suhring@malibucity.org>; City Council <citycouncil@malibucity.org>; John Cotti <john.cotti@bbklaw.com>; Georgia Goldfarb <[redacted].net>; Jo Drummond [redacted].com>; Jae Flo <[redacted].net>; Charlotte Frieze <[redacted].com>; Bill Sampson <[redacted].com>; Andrew Ferguson <[redacted].com>; Paul Taublieb <[redacted].com>; John Mazza <Res02igz@gte.net>; Kraig Hill <kraig.malibu@gmail.com>; Frank Angel [redacted].com>; Lonnie Gordon <[redacted]net>
Subject: Proposed Malibu Middle School & Malibu High School Projects Story Poles and Planning Commission Meeting Delay

Note: This is follow-up to email sent 5/28/22 7:41pm

Good morning:

Happy Holiday!

Thank you for the voluminous 341 page report released May 25, 2022. The sheer volume of the document begs the question as to why the planning commission meeting was scheduled for May 31, 2022.

Obviously, the community will need more time to evaluate it in order to effectively offer our comments and recommendations. This is actually advantageous to us all, as the Chairman Kraig Hill gave the city notice that he is unavailable on that date. Surely, you will all concur to review such a major project without all members present is inadvisable.

There is one very important request, thus far, and that story poles be erected ASAP. The advantage of story poles will enable the neighbors to have a clearer picture and it's just neighborly! Naturally, there are concerns about view protections.

CC: Planning Commission, PD,

Recording Secretary, File

Thank you for your time and attention to this matter. I look forward to your response.

Best regards,

Lynn Saunders

310-[redacted]

Rebecca Evans

From: Patricia Salazar
Sent: Tuesday, May 31, 2022 6:41 PM
To: Rebecca Evans
Subject: FW: Proposed Malibu Middle School & Malibu High School Projects Story Poles and Planning Commission Meeting Delay
Attachments: PLANNING COMMISSION - 2022-5-23 CLOVER HEIGHTS PARKING LOT.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Patricia Salazar | Senior Administrative Analyst | Planning Department
23825 Stuart Ranch Road, Malibu CA, 90265
(310) 456-2489 extension 245

From: LSGLA [redacted].com>
Sent: Sunday, May 29, 2022 10:07 AM
To: CMFrieze <[redacted].com>
Cc: planning@malibucity.org; Steve McClary <SMcClary@malibucity.org>; Richard Mollica <rmollica@malibucity.org>; Patricia Salazar <psalazar@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; Steve Uhring <suhring@malibucity.org>; City Council <citycouncil@malibucity.org>; John Cotti <john.cotti@bbklaw.com>; Georgia Goldfarb [redacted].net>; Jo Drummond [redacted].com>; Jae Flo <[redacted].net>; Bill Sampson <[redacted].com>; Andrew Ferguson [redacted].com>; Paul Taublieb [redacted].com>; John Mazza <Res02igz@gte.net>; Kraig Hill <kraig.malibu@gmail.com>; Frank Angel [redacted].com>; Lonnie Gordon [redacted].net>
Subject: Re: Proposed Malibu Middle School & Malibu High School Projects Story Poles and Planning Commission Meeting Delay

Charlotte,

An outstanding communication! I support your position 💯.

Many thanks,

Lynn

> On May 29, 2022, at 9:01 AM, CMFrieze [redacted].com> wrote:
>
> CC: Planning Commission, PD,
>
> Recording Secretary, File

>
> The following letter is pages 385-388.
>
>
>
>
> Charlotte M Frieze
> [redacted]
>
> Sent from my iPhone
>
>> On May 29, 2022, at 6:33 AM, LSGLA [redacted].com> wrote:
>>
>> Note: This is follow-up to email sent 5/28/22 7:41pm
>>
>> Good morning:
>>
>> Happy Holiday!
>>
>> Thank you for the voluminous 341 page report released May 25, 2022. The sheer volume of the document begs the question as to why the planning commission meeting was scheduled for May 31, 2022.
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>> Obviously, the community will need more time to evaluate it in order to effectively offer our comments and recommendations. This is actually advantageous to us all, as the Chairman Kraig Hill gave the city notice that he is unavailable on that date. Surely, you will all concur to review such a major project without all members present is inadvisable.
>>
>> There is one very important request, thus far, and that story poles be erected ASAP. The advantage of story poles will enable the neighbors to have a clearer picture and it's just neighborly! Naturally, there are concerns about view protections.
>>
>> Thank you for your time and attention to this matter. I look forward to your response.
>>
>> Best regards,
>>
>> Lynn Saunders
>>
>>[redacted]
>>
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>>
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CHARLOTTE M FRIEZE

Planning Commission
Malibu, CA 90265

Commissioners:

I WRITE IN OPPOSITION TO THE PROPOSED 14-SPACE PARKING LOT-F ACCESSED FROM CLOVER HEIGHTS AVENUE.

We have been homeowners at the junction of Harvester Road and Clover Heights Avenue in Malibu since 2012.

We and our neighbors on Clover Heights and Harvester Road will be directly and adversely impacted by the construction of Parking Lot-F, the lighted walkways and parking lot standards. The increased traffic, noise and lighting would irreparably shatter our tranquil community and destroy our dark skies.

Malibu Park is treasured for its natural setting and quiet neighborhood. Equestrians can be seen daily walking their horses and riding on the roads en route to the Equestrian Center. Clover Heights is used every day by people of all ages. It is a safe place for the elderly to take their obligatory one-mile walks. Children play on skateboards, bikes and on foot with their dogs creating a happy neighborhood environment.

Inserting teenagers driving too fast trying to make it to a class or game into this environment is of critical concern. There are no sidewalks. The street is very narrow and on a downhill grade. An increase in traffic would inevitably cause accidents and, potentially, serious injuries.

Since the Woolsey Fire we neighbors have been working to rebuild our homes and our community. If the proposed parking lot is constructed, we risk loosing all that we have tried so hard to regain over the past three years.

Malibu Park residents are striving to encourage the return of a strong, balanced ecosystem - a healthy, natural, pesticide-free equilibrium. Together with the coyotes that run through our neighborhood, the owls and hawks help to limit the gopher, rat and rabbit populations.

An unattended, upper parking lot that would be accessed through our quiet, residential neighborhood would be an attractive nuisance and a magnet for crime. It would attract disrespectful people from outside the neighborhood creating an unsafe, residential imbalance. The potential is great for rodent-attracting trash, alcohol/drug abuse and noise.

CHARLOTTE M FRIEZE

Malibu Park is located in a natural bowl. Sound travels through the canyons. Light reflects and multiplies within its confines especially on foggy nights when the water droplets refract the light. The increased night illumination along the lighted walkways and within the expanded/additional parking lots in combination with the light standards and light leaking through the school windows would illuminate the nighttime sky. Homeowners' views of stars, the moon and night creatures would be replaced by patterns of lighting standards and blocks of buildings. On foggy nights we would look down on a sparkling, white, cotton candy-like cloud. This increase in noise and light could potentially lead to the diminution of nearby property values and reduced concomitant property tax revenue to the City.

This night sky illumination is also detrimental to the Malibu Park wildlife.

Monarch butterflies roost in the blue gum eucalyptus, coast live oaks and sycamore trees of Western Malibu. Many of us are doing our share to support the wildlife habitats. There have been signs of success. The 2021 Monarch butterfly count was increased **one hundred times** compared with the 2019 post-Woolsey Fire count.

It is important to our eco-system to dim the lights not increase them.

A recent post from **Science**Daily reports that scientists at the University of Cincinnati have found the following:

Light pollution can disorient monarch butterflies

Posted: 20 May 2022 11:46 AM PDT

Biologists say nighttime light pollution can interfere with the remarkable navigational abilities of monarchs, which travel as far as Canada to Mexico and back during their multi-generational migration. Researchers found that butterflies roosting at night near artificial illumination such as a porch or streetlight can become disoriented the next day because the light interferes with their circadian rhythms. Artificial light can impede the molecular processes responsible for the butterfly's remarkable navigational ability and trigger the butterfly to take wing when it should be resting.

Night lighting is also harmful to migrating birds. The glorious bright orange (male) and greenish brown (female) Rufous hummingbird fly through California and Malibu in particular between mid-February and mid-May. They visit my Harvester Road garden each year. The Rufous Hummingbird migrates up to 4,000 miles from Mexico and the Gulf Coast up to northwest Alaska where they breed and back each fall. They follow the sun, moon and stars for direction. The Audubon Society says: "*This one-of-a-kind bird could easily become*

CHARLOTTE M FRIEZE

disoriented by bright city lights along the way". Audubon is promoting nationwide efforts to reduce artificial lighting to keep migrating birds on track.

The Malibu Middle and High School Specific Plan requires changes that respect the Malibu Park Ecosystem as well as its neighborhood fabric.

Given the new research on the effects of night lighting on the environment, it is time to re-think the current site plan that includes the placement of an additional 14-space parking lot in the field above the softball field with an entrance on Clover Heights as well as increased lighting of walkways and parking lot light standards. It is critical that the school buildings reflect a concern for the natural setting with a reduction in the nighttime light leakage from the school structures.

As of now the plans are ill conceived and destructive to the neighborhood fabric and the Malibu Park ecosystem.

I emphatically request you remove Parking Lot-F from your proposed plan. It would be devastating to all of us residents if you were to destroy the neighborhood we are trying so hard to re-build for merely 14 parking places.

I emphatically request you remove the increased lighting of walkways and parking lot light standards and reduce the nighttime light leakage from the school structures.

Sincerely,

Charlotte Frieze Jones

Planning Commission

From: Linda Seltzer <[redacted].com>
Sent: Tuesday, May 31, 2022 8:20 AM
To: Planning Commission
Subject: Support for the MMS/HS

Good Morning
I'm the parent of a child currently at Webster Elementary; and will eventually need to decide where our child goes to Middle and High School. We truly support creating a separate identity for both the Middle and High School. We are looking forward to, and anticipating the new gym, art, theatre, and aquatics center. Its vitally important not to let time go by.
PLEASE, let this happen ASAP..

Thank you for your consideration.

Linda Seltzer
Malibu Parent

Cell: 310-[redacted]

Link in with me at: http://www.linkedin.com/pub/[redacted]

CC: Planning Commission, PD,

Recording Secretary, File

Rebecca Evans

From: Patricia Salazar
Sent: Tuesday, May 31, 2022 1:43 PM
To: Rebecca Evans
Subject: FW: new pool at MHS

Patricia Salazar | Senior Administrative Analyst | Planning Department
23825 Stuart Ranch Road, Malibu CA, 90265
(310) 456-2489 extension 245

From: Mulligan, Michael <mmulligan@smmusd.org>
Sent: Tuesday, May 31, 2022 1:31 PM
To: Paul Grisanti <pgrisanti@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; Karen Farrer <kfarrer@malibucity.org>; Mikke Pierson <mpierson@malibucity.org>; Steve Uhring <suhring@malibucity.org>; Patricia Salazar <psalazar@malibucity.org>
Subject: new pool at MHS

Hello,

I am writing in regards to the importance of a new 50m pool at Malibu HS.

I have been coaching at Malibu HS since 1991 when we did not have a pool. As we added the 25yd pool in 1994 I have seen tremendous growth in the hs aquatic programs as well as the City of Malibu's programs. Over the past 30 years both programs have flourished and grown leaps and bounds. In those years boys polo has won 21 league titles, girls polo 12 titles, boys swimming 8 and girls swimming 7. We have had many aquatic students go on to swim and play polo at the college level and even a 2x Olympian.

Unfortunately for the past 5-7 yrs we have outgrown the current pool. There is not enough time in the day to accommodate all the programs. Which in turn is hurting all the programs:

*youth water polo for the city: an hour 1/2 practices cut to 45 minutes-an hour.

CC: Planning Commission, PD,

Recording Secretary, File

*Hs polo: 2 hours cut to less then an hour and 1/2.

*Swimming the same as hs polo.

*Club swimming: has had to split workouts over several days and limit days to make room for all their swimmers.

I am sure the same has happened with other City aquatic programs that are offered. Many programs cannot be offered because of space and time constraints. Now with the high school not getting out of school until 3:35 this will take more time away from practice and push everything later.

Which begs to question the need for proper lighting. As of right now the pool is not very safe to operate at night. The new lighting is terrible: the deck is dark, the pool is dark and very difficult to see the bottom of the pool, which is a safety hazard and not recommended. Pepperdine has very efficient lighting as do all pools that operate at night. Many of them meeting dark sky policies. At Malibu high the lights turn off by 8pm when the pool closes except for Wed nights for 6 weeks during the summer for our Wed. night summer league which ends at 9pm. We cannot end earlier because we have to wait for the city programs to end before we can get in the pool.

Having a 50m pool in our community is vital to the success of all community members, especially being so close to the ocean. Everyone one should be water safe at a young age and confident while at the ocean. This pool will serve the high school, middle school, club teams ie water polo and swimming, masters swim programs, and a slew of City programs: learn to swim, swim lessons, aqua aerobics, lifeguard classes, junior lifeguard training clinics, etc.... Not to mention the huge aquatic community who lap swim for health, social, and mental well being. Malibu is a huge aquatic community and needs a pool to support that lifestyle.

Santa Monica HS just put in a 50m pool this year and are already reaping the benefits. Their HS water polo coach is consistently bragging how much the new pool is helping with time constraints and appropriate space for several workouts to take place at the same time. He said it is a game changer.

I hope we are able to give our community the same opportunity.

It takes a village.

Mike Mulligan
Malibu High School
Physical Education Teacher
Assistant Boys and Girls Water Polo and Head Boys Swim Coach
310-457-6801 Ext. 74243

Stop the spread of COVID-19 – Get vaccinated (if within eligible age group). Wear a mask properly (cover your nose and mouth). Stay physically distanced whenever possible. Wash your hands with soap & water or use hand sanitizer frequently. Cough & sneeze into your elbow.
For accurate and up-to-date **information** refer to:
http://www.publichealth.lacounty.gov/media/Coronavirus/
https://www.smmusd.org/coronavirus

Ayude a detener la propagación de COVID-19 *– Vacúnese (si reúne los requisitos según el grupo de edad correspondiente). Use la mascarilla correctamente (cúbrase la nariz y la boca). Mantenga la distancia física siempre que sea posible. Lávese las manos con agua y jabón o use desinfectante para manos frecuentemente. Tosa y estornude en el pliegue del codo.*
Para obtener ***información*** *correcta y actualizada visite el siguiente enlace:*
http://www.publichealth.lacounty.gov/media/Coronavirus/
https://www.smmusd.org/coronavirus

Planning Commission

From: Miller, Patrick [redacted].org>
Sent: Tuesday, May 31, 2022 11:02 AM
To: Planning Commission
Cc: Steve McClary; Avila-Zamudio, Noemi; Burgess, Isaac; Upton, Carey
Subject: Support to APPROVE Specific Plan for New MHS Project

Chairperson Hill and Dedicated Planning Commission Members,

I am unable to attend tonight's Planning Commission meeting Public Hearing to discuss the Specific Plan for the planned projects on the Juan Cabrillo Elementary and Malibu High School sites due to a conflict with the youth baseball team I coach. Therefore, I am writing this email today to ask that you APPROVE the Specific Plan at tonight's meeting to ensure this much desired and needed community project continues to proceed without delay. Any delay in this project will have substantial costs and could impact the scope of this project.

As the Principal of Malibu High School, I have heard directly from so many students and parents eager for the new high school project to begin. Our Malibu community has fought for years to ensure modern and safe learning environments for our teachers, staff, and students which they deserve. The communities recent support of the bond measure M and their participation throughout the current process show the broad community support for this project. The opening of the new A/B/E Buildings which will service Malibu Middle School long-term have helped improve public trust and helped improve school pride and student experience. There was so much frustration after that project experienced delay, and we cant repeat that experience with this next phase, the construction of a new high school building to house English, Math, History, Sciences and the Arts on the existing, now vacant, JCES campus.

We previously operated two campuses, Juan Cabrillo Elementary and Malibu High School (6-12), in these locations for many years, many decades. Operationally, the plan to house a stand alone middle school and stand alone high school at our current and planned enrollment figures will have much less impact on our surrounding neighborhood including traffic, lighting, noise as there simply will be less students and staff spread out over these two campuses than at any previous time in the last 70 years. Through the planning process and through the experiences of our past construction projects the last 5 years, I have observed directly how district staff, project management, and contractors have worked not only to ensure co-operation with us at the school site, but also with the neighborhood and the city of Malibu to ensure minimal impact and I am confident the same will be true for this project.

Thank you for your thoughtful consideration and again respectfully ask that you approve the specific plan.

Thanks,

Patrick Miller

Principal, Malibu High School
p.miller@smmusd.org

Website: www.malibu.smmusd.org
Twitter: [@malibuprincipal](https://twitter.com/malibuprincipal)

DO NOT COME TO CAMPUS AND CONTACT SCHOOL HEALTH/ADMIN STAFF IF:

- ***You are experiencing any cold or flu-like symptoms, regardless of previous test result.***
- ***You have been in contact with a known or presumed positive case of Covid-19, social or family exposures, regardless of previous test result.***
- ***You have been directed to isolate (positive case) or been directed to quarantine (exposure).***

CC: Planning Commission, PD,

Recording Secretary, File

Planning Commission

From: Rob Seltzer [redacted].com>
Sent: Tuesday, May 31, 2022 11:10 AM
To: Planning Commission
Subject: Malibu Middle and High Schools

Good Morning,

I'm the parent of a child currently at Webster Elementary; and will eventually need to decide where our child goes to Middle and High School. We truly support creating a separate identity for both the Middle and High School. We are looking forward to, and anticipating the new gym, art, theatre, and aquatics center. Its vitally important not to let time go by.
PLEASE, let this happen ASAP..

Thank you for your consideration.

Sincerely,

Rob Seltzer

Rob Seltzer

Robert S. Seltzer, C.P.A./P.F.S.
Seltzer Business Management, Inc.
1801 Century Park East, Suite 1080
Los Angeles, CA 90067

tel: 310-278-9944
fax: 310-278-0238
mobile: 310-[redacted]

rob@seltzerbizmgmt.com

CC: Planning Commission, PD,

Recording Secretary, File

Planning Commission

From: Susan Johnson-Fox [redacted].net>
Sent: Tuesday, May 31, 2022 3:40 PM
To: Planning Commission
Subject: Topic of MHS

Dear planning commission,
This is the first PC meeting I will be attending. I am a 20-year Point Dume resident and have 3 boys who have been/are in the SMMUSD system.

I am writing and attending in support of the Malibu Middle and High School plan. This process started when my boys were in elementary school, and although they will not benefit from the new buildings, I believe that our community will. Many hours of meetings and years of planning have gone into creating the proposal, including numerous opportunities for the larger Malibu community to participate.

I am empathetic to the concern that our enrollment is down. There are many reasons for that, and I have personally known many families who have left or have chosen to send their children to schools outside of Malibu. However, I believe that if we have/create a vibrant school system, more students will stay and families will choose to move back. We moved here in 2003 partly because of the reputation of the school system. I am not sure we would make the same decision now.

I do not support redesigning the plan because it will take millions of dollars and set us back years, and that is presuming that we can get funding again. I do not support busing our children into Santa Monica due to the long commute times and difficulty for families to participate in sports/the arts/etc. in a place so far away.

Again, I believe that having a strong public school system is important, not only to families with children, but also to the larger Malibu community. Moving ahead with the current plan hopefully will help us leave behind the chaos that has plagued our schools over the last 8-10 years.

Sincerely,
Susan Johnson-Fox

CC: Planning Commission, PD,

Recording Secretary, File

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Malibu Middle & High School Campus Specific Plan

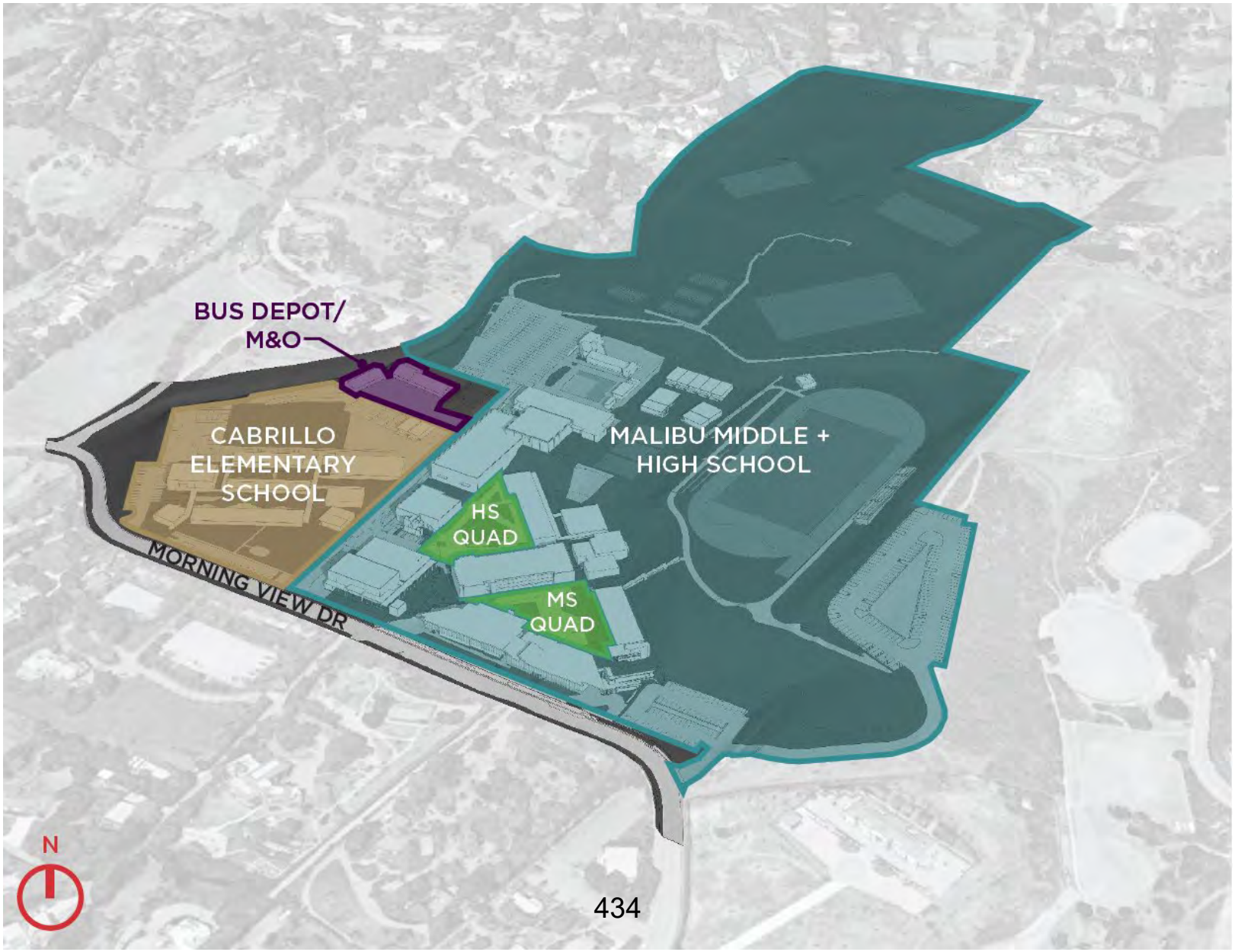
Planning Commission Meeting

May 31, 2022

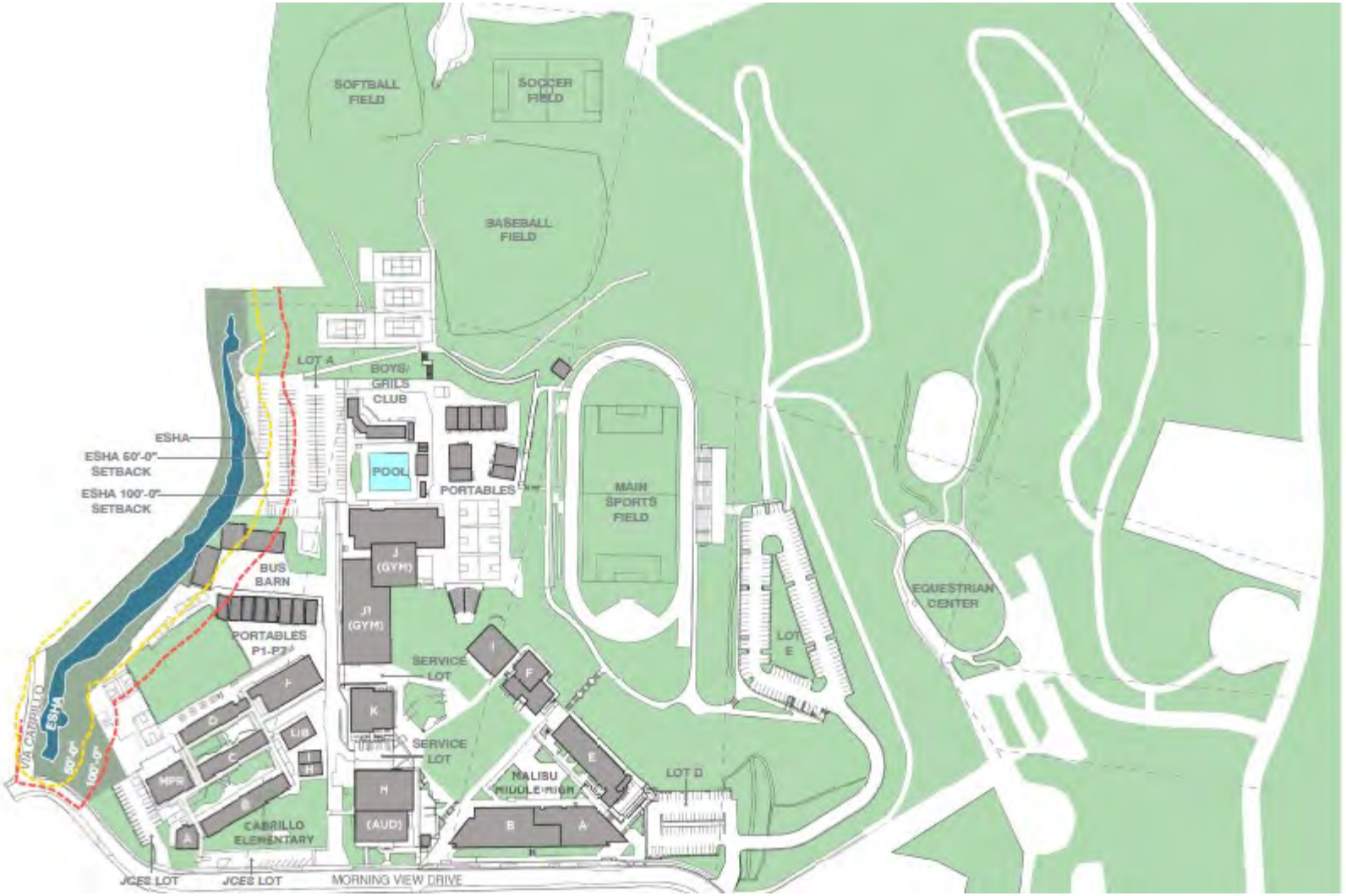
Community

Specific Plan Site

Exiting MMHS Campus



Exiting MMHS Campus



Proposed Site Plan

HIGH SCHOOL

Building C - Classrooms, Student Support Services, Administration and Campus Support

Building J - Gymnasium, PE

MIDDLE SCHOOL

Building A/B (existing) - Administration, Library

Building E (existing) - Classrooms

Building D - Gymnasium/Fitness/PE and Student Activities and Food Service

SHARED USES

Building H - Visual and Performing Arts (VAPA)

Building I - Special Education and Campus Wellness Center

Building L - Aquatics Center/Field House

Building M - Upper Field House

OTHER

POTENTIAL OUTDOOR LEARNING OPPORTUNITES

EXISTING FEATURES/ BUILDINGS TO REMAIN

APPROXIMATE LOCATION OF MARQUEE SIGNS

Project Stalls By Lot:

A. 150 (existing)

B. 62 (existing)

C. 25

D. 129

E. 32

F. 14

Development Overlay

Development Overlay

Specific Plan Overview

- Demolish 18 exiting buildings
- Remove 23 existing portables
- Construct 7 new buildings
- Demolish pool & construct Olympic sized pool
- Demolished or removed: 154,904 sf
- New Construction: 222,425 sf
- ESHA restoration
- 2 Monument Marquees (< 8’)
- Parking

Specific Plan Components

- Construct Building C - High School Classrooms and Support Services (Phase 1 CDP)
- Construct Building D – MS Gym, Fitness, PE, Student Activities and Food Services
- Construct Building J – HS Gym and PE
- Construct Building H – Visual & Performing Arts
- Construct Building I – Special Ed & Campus Wellness Center

Specific Plan Components

- Replace Existing Pool with Building L - New Lighted, Olympic-Sized Pool
- Construct Building M – Upper Field House
- Bus Barn relocation (5 buses, 2 storage)

Specific Plan Components

- Parking Lots

Table 15 Campus Specific Plan Buildout Parking Count

Existing Parking Lot	Existing Spaces	Proposed Changes	Specific Plan Spaces	Built Phase
150-Space Parking Lot (E)	150	Renamed to Parking Lot A	150	Existing
Lower Parking Lot (D)	62	Renamed to Parking Lot B	62	Existing
Student Parking Lot A	119	Removed		
JCES Parking Lots	37	Removed		
Service Lot	7	Removed		
		Parking Lot C (New)	25	1
		Parking Lot D (New)	129	1
		Parking Lot E (New)	32	3
		Parking Lot F (New)	14	3
Total	**375**	**-**	**412**	

Specific Plan Components

- Utility Improvements
- Native Landscaping
- Solar Panel System

Demolition

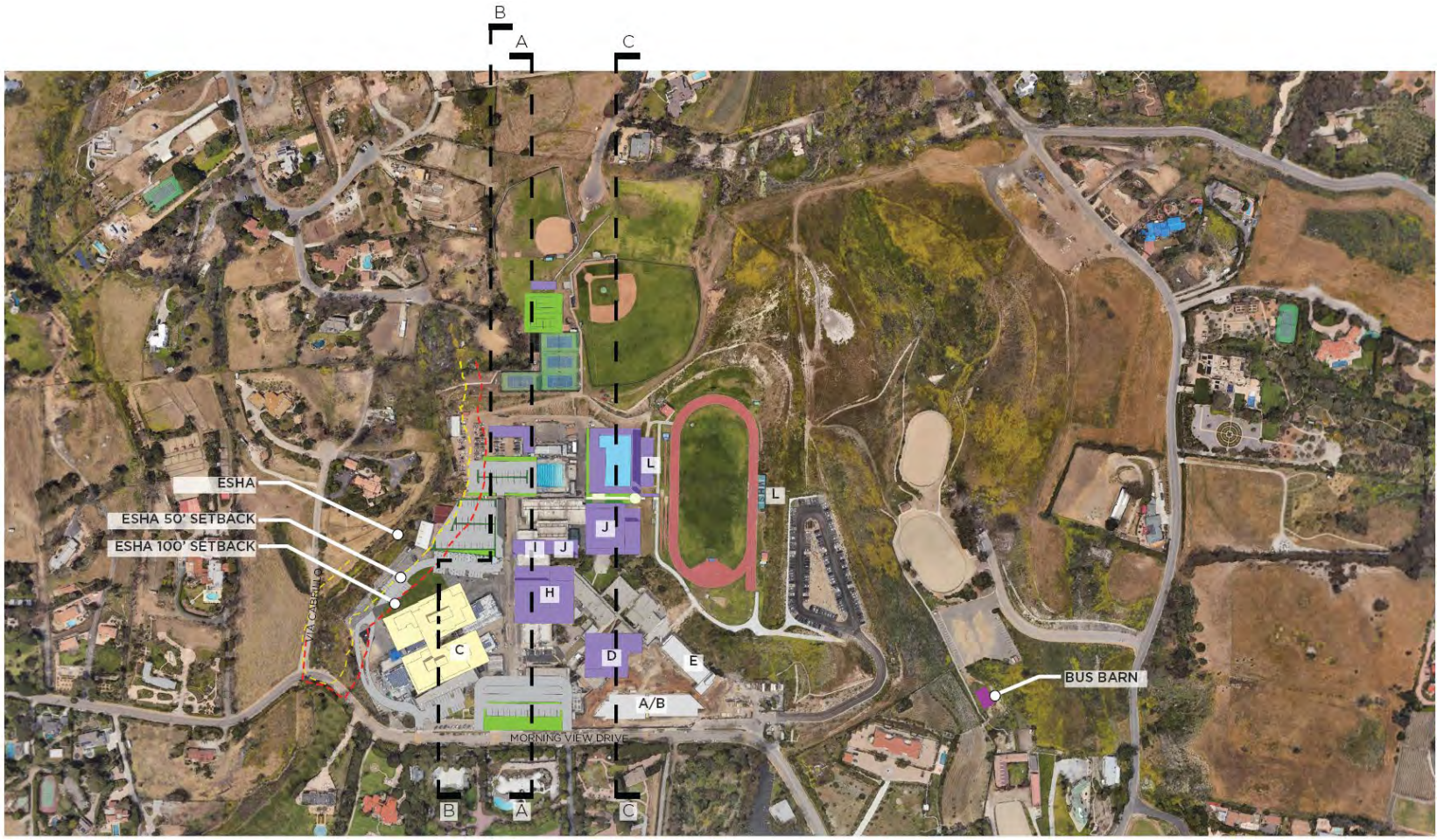
Building Heights Context

HIGH SCHOOL
- Building C
- Building J

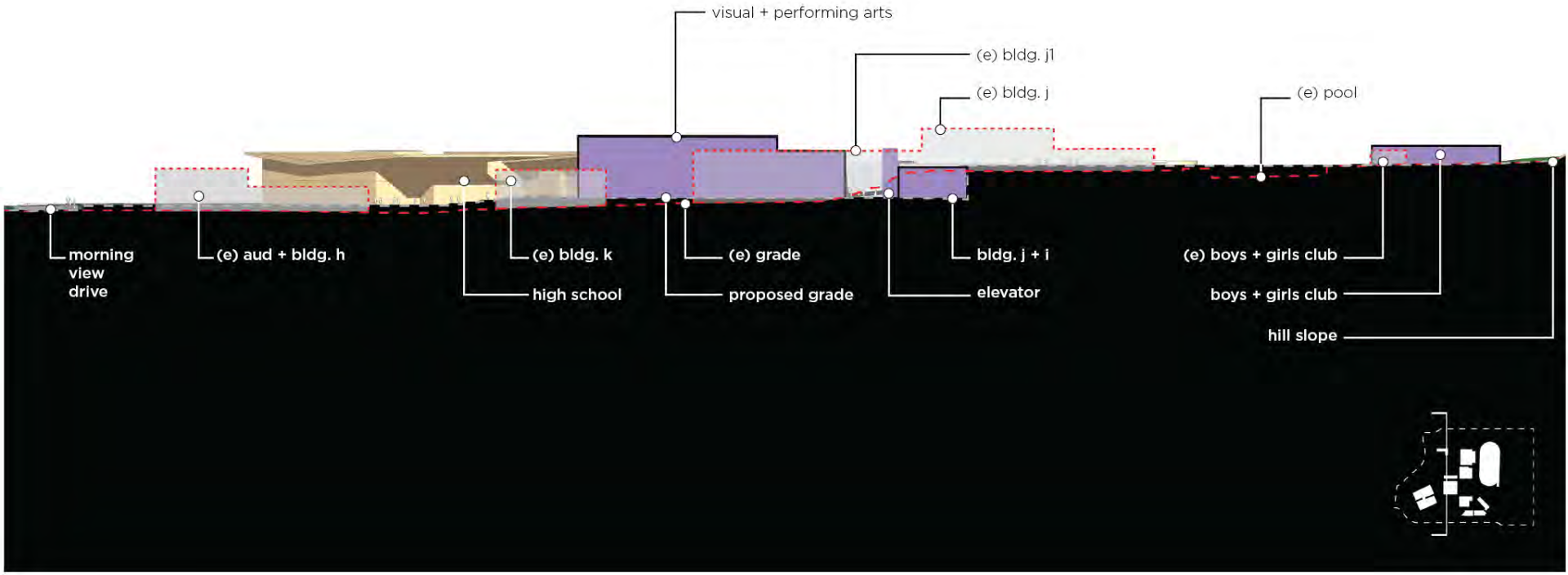
MIDDLE SCHOOL
- (E) Building A/B
- (E) Building E
- Building D

SHARED USES
- Building H
- Building I
- Building L
- Building M

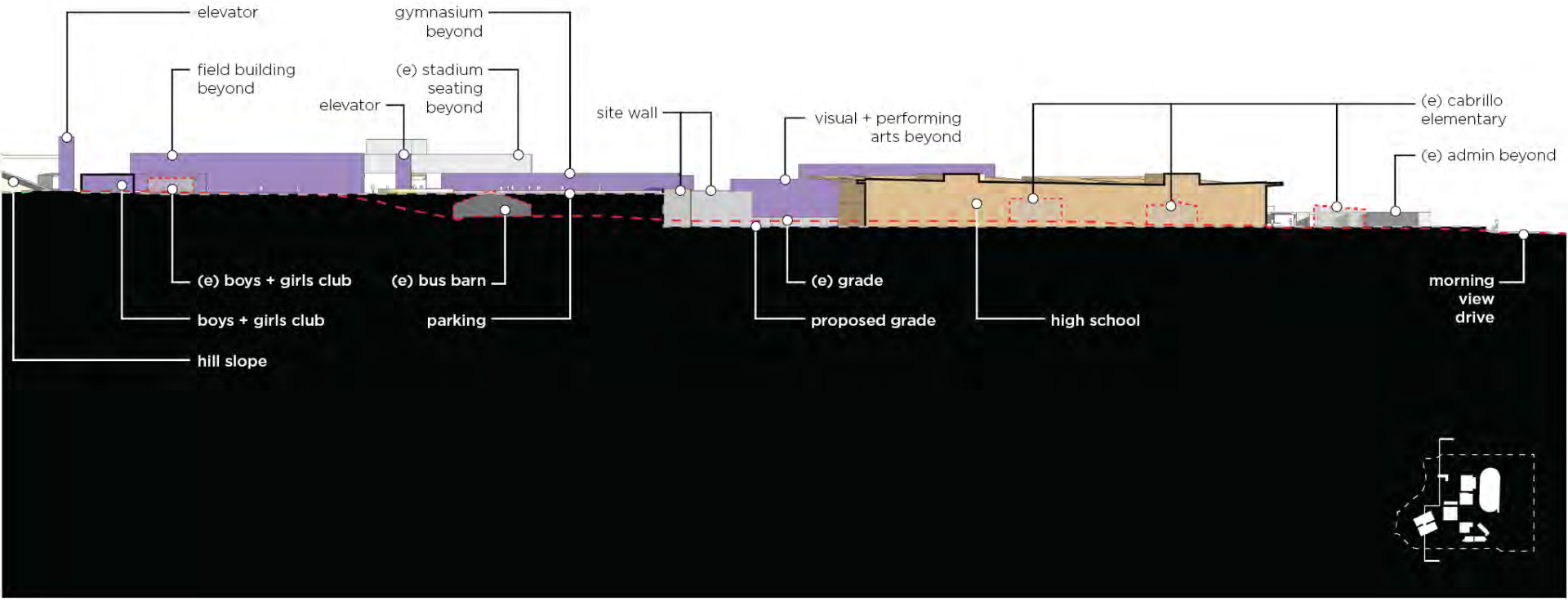
Other
- Bus Barn



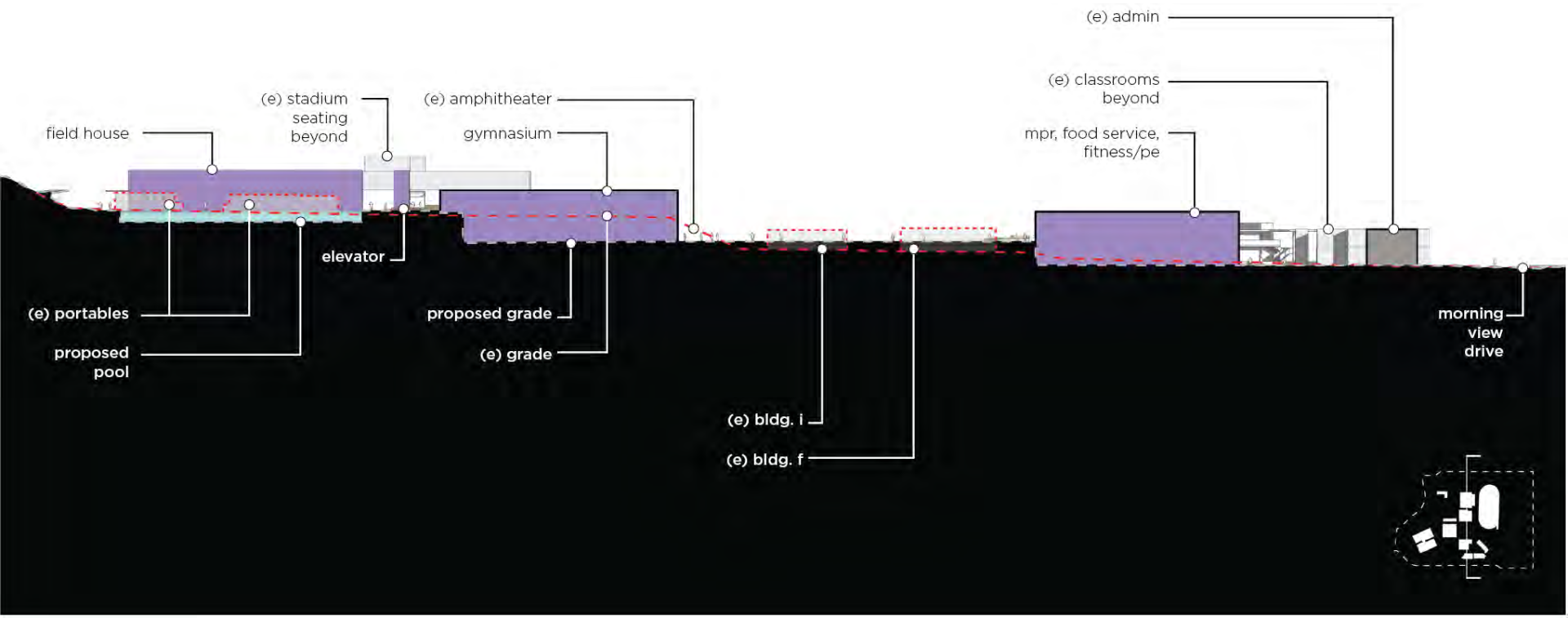
Building Heights Context § A



Building Heights Context § B



Building Heights Context § C



Specific Plan Phasing

- CDP Phasing
- **Phase 0** – Abate & demo JCES Buildings
- **Phase 1** – Construct Building C, Parking Lot C, drop-off & pick-up, and Parking Lot D
- **Phase 2** – Construct Building D and MS Quad
- **Phase 3** – Demo MMHS Buildings F, I, Field House, and Portables; construct Buildings J, K, and M; Parking Lot E; Parking Lot F; and Bus Barn relocation

Specific Plan Phasing

- CDP Phasing
- **Phase 4** – Demo MMHS Buildings K, H, J, J1, Pool, Pool Building, Boys & Girls Club, JCES Portables P1-P5, Restroom Portable, Bus Barn, M&O Warehouse; construct Buildings H and I, and Boys & Girls Club.

ESHA Restoration Plan

Original ESHA Restoration Plan

Study Area/Property
ESHA
ESHA Buffer (50 ft)
ESHA Buffer (100 ft)

Downstream ESHA

Riparian Restoration (0.37 acre)
i. Weed Abatement
ii. Apply Riparian Seed Mix/Plant Willows

Upland Restoration (0.60 acre)
i. Weed Abatement
ii. Apply Upland Seed Mix/Plantings

Middle ESHA

Riparian Stabilization (0.17 acre)
i. Weed Abatement

Upland Restoration (0.32 acre)
i. Weed Abatement

Upstream ESHA

Riparian Restoration (0.14 acre)
i. Weed Abatement
ii. Plant Grasses in Wetland (1,234 sq ft)

Upland Restoration (0.43 acre)
i. Weed Abatement
ii. Apply Upland Seed Mix (9,566 sq ft)

Fuel Modification

Planting Types

A California fuchsia *(Epilobium canum)*; ashyleaf buckwheat *(Eriogonum cinereum)*, purple sage *(Salvia leucophylla)*

B coastal goldenbush *(Isocoma menziesii)*, Coyote bush *(Baccharis pilularis)*, bladderpod *(Peritoma arborea)*

C black sage *(Salvia mellifera)*, California sagebrush *(Artemisia californica)*, bladderpod *(Peritoma arborea)*

D ashyleaf buckwheat *(Eriogonum cinereum)*, bladderpod *(Peritoma arborea)*, deergrass *(Muhlenbergia rigens)*

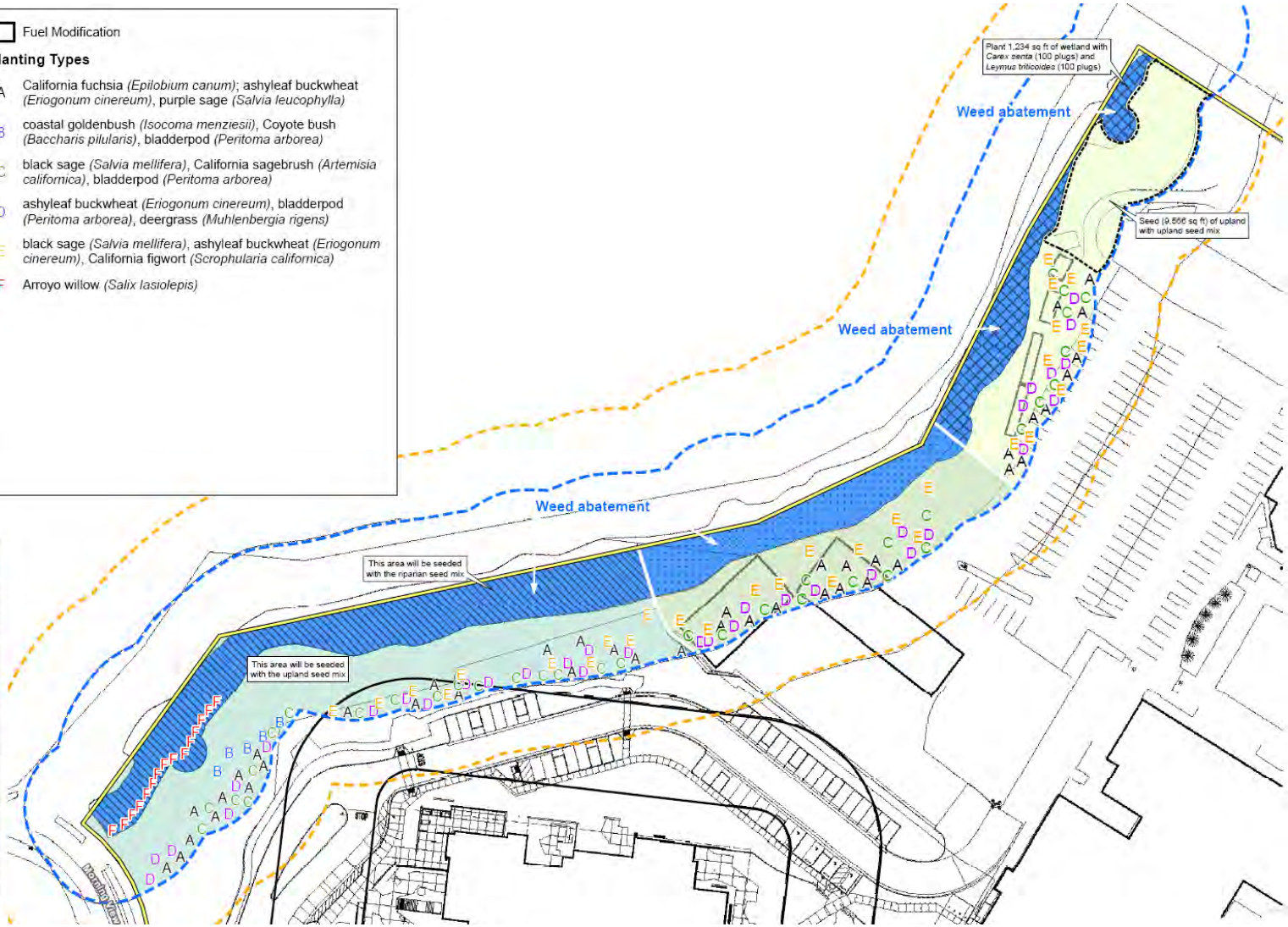
E black sage *(Salvia mellifera)*, ashyleaf buckwheat *(Eriogonum cinereum)*, California figwort *(Scrophularia californica)*

F Arroyo willow *(Salix lasiolepis)*

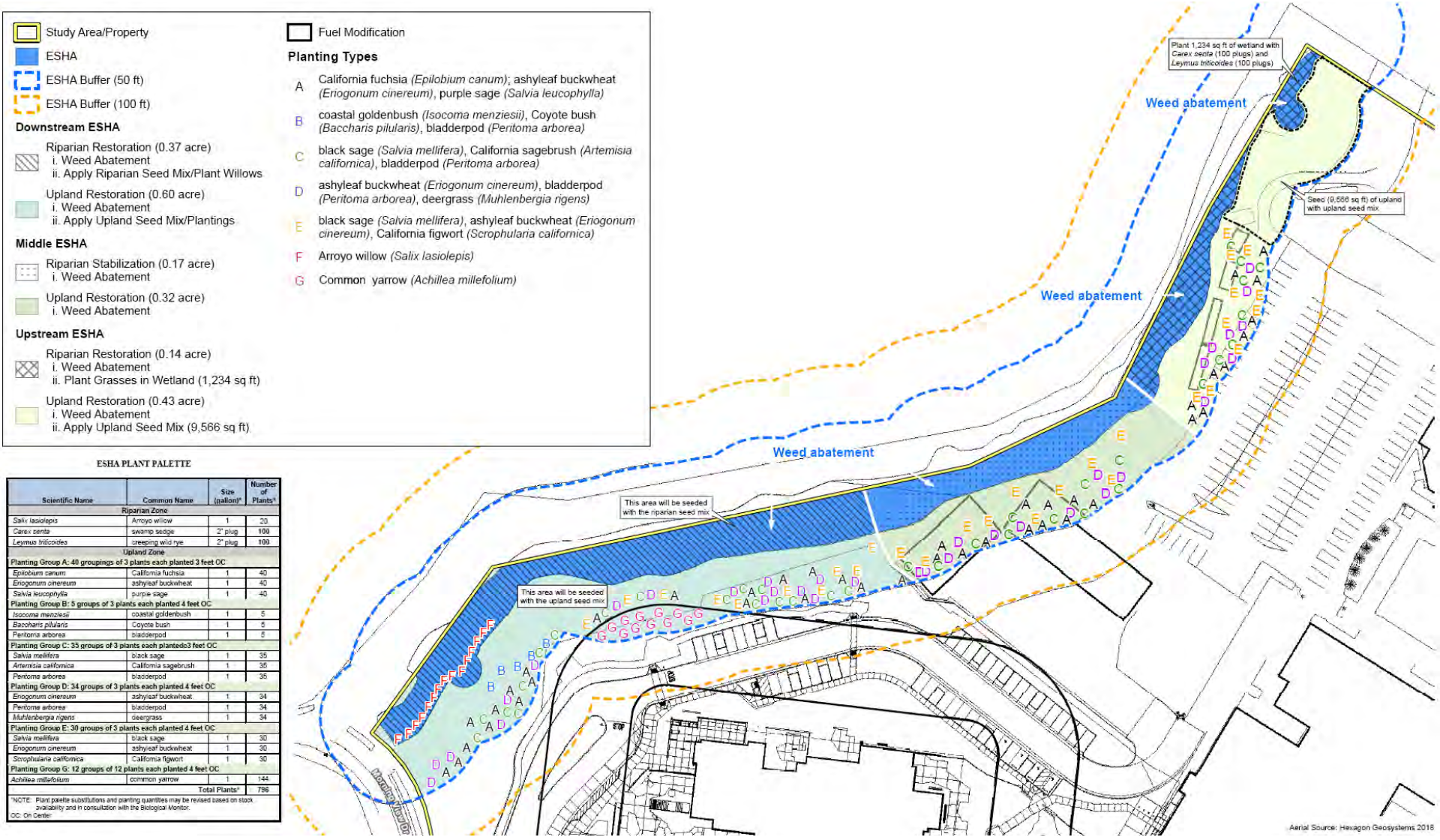
ESHA PLANT PALETTE

Scientific Name	Common Name	Size (gallon)[1]	Number of Plants[2]
Riparian Zone			
Salix lasiolepis	Arroyo willow	1	20
Carex senta	swamp sedge	2" plug	100
Leymus triticoides	creeping wild rye	2" plug	100
Upland Zone			
Planting Group A: 40 groupings of 3 plants each planted 3 feet OC			
Epilobium canum	California fuchsia	1	40
Eriogonum cinereum	ashyleaf buckwheat	1	40
Salvia leucophylla	purple sage	1	40
Planting Group B: 5 groups of 3 plants each planted 4 feet OC			
Isocoma menziesii	coastal goldenbush	1	5
Baccharis pilularis	Coyote bush	1	5
Peritoma arborea	bladderpod	1	5
Planting Group C: 35 groups of 3 plants each plantedc3 feet OC			
Salvia mellifera	black sage	1	35
Artemisia californica	California sagebrush	1	35
Peritoma arborea	bladderpod	1	35
Planting Group D: 34 groups of 3 plants each planted 4 feet OC			
Eriogonum cinereum	ashyleaf buckwheat	1	34
Peritoma arborea	bladderpod	1	34
Muhlenbergia rigens	deergrass	1	34
Planting Group E: 30 groups of 3 plants each planted 4 feet OC			
Salvia mellifera	black sage	1	30
Eriogonum cinereum	ashyleaf buckwheat	1	30
Scrophularia californica	California figwort	1	30
		Total Plants[3]	652

[1]NOTE: Plant palette substitutions and planting quantities may be revised based on stock availability and in consultation with the Biological Monitor
OC: On Center



Revised ESHA Restoration Plan



ESHA PLANT PALETTE

Scientific Name	Common Name	Size (gallon)*	Number of Plants*
Riparian Zone			
Salix lasiolepis	Arroyo willow	1	20
Carex senta	swamp sedge	2" plug	100
Leymus triticoides	creeping wild rye	2" plug	100
Upland Zone			
Planting Group A: 40 groupings of 3 plants each planted 3 feet OC			
Epilobium canum	California fuchsia	1	40
Eriogonum cinereum	ashyleaf buckwheat	1	40
Salvia leucophylla	purple sage	1	40
Planting Group B: 5 groups of 3 plants each planted 4 feet OC			
Isocoma menziesii	coastal goldenbush	1	5
Baccharis pilularis	Coyote bush	1	5
Peritoma arborea	bladderpod	1	5
Planting Group C: 35 groups of 3 plants each plantedc3 feet OC			
Salvia mellifera	black sage	1	35
Artemisia californica	California sagebrush	1	35
Peritoma arborea	bladderpod	1	35
Planting Group D: 34 groups of 3 plants each planted 4 feet OC			
Eriogonum cinereum	ashyleaf buckwheat	1	34
Peritoma arborea	bladderpod	1	34
Muhlenbergia rigens	deergrass	1	34
Planting Group E: 30 groups of 3 plants each planted 4 feet OC			
Salvia mellifera	black sage	1	30
Eriogonum cinereum	ashyleaf buckwheat	1	30
Scrophularia californica	California figwort	1	30
Planting Group G: 12 groups of 12 plants each planted 4 feet OC			
Achillea millefolium	common yarrow	1	144
		Total Plants*	796

*NOTE: Plant palette substitutions and planting quantities may be revised based on stock availability and in consultation with the Biological Monitor.
OC: On Center

ESHA Restoration Plan

- Removal of all structures within 50-foot buffer
- Remove all above ground structures within 50 – 100’ buffer
- Permeable pavement within 100-foot buffer
- Restoration Plan Components
  - Weed Abatement
  - Invasive Plant Controls
  - Seeding/Planting
  - Erosion Prevention/Stability Improvements

Stormwater Management

It's the law.

LOS ANGELES COUNTY URBAN RUNOFF AND STORM WATER NPDES PERMIT

STANDARD URBAN STORM WATER MITIGATION PLAN

BACKGROUND

The municipal storm water National Pollutant Discharge Elimination System (NPDES) permit (Los Angeles County Permit) issued to Los Angeles County and 85 cities (Permittees) by the Los Angeles Regional Water Quality Control Board (Regional Board) on July 15, 1996, requires the development and implementation of a program addressing storm water pollution issues in development planning for private projects. The same requirements are applicable to the City of Long Beach under its separate municipal storm water permit (City of Long Beach MS4 Permit), which was issued on June 30, 1999.

The requirement to implement a program for development planning is based on, federal and state statutes including: Section 402 (p) of the Clean Water Act, Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 ("CZARA"), and the California Water Code. The Clean Water Act amendments of 1987 established a framework for regulating storm water discharges from municipal, industrial, and construction activities under the NPDES program. The primary objectives of the municipal storm water program requirements are to:

1. Effectively prohibit non-storm water discharges, and
2. Reduce the discharge of pollutants from storm water conveyance systems to the Maximum Extent Practicable (MEP statutory standard).

The Standard Urban Storm Water Mitigation Plan (SUSMP) was developed as part of the municipal storm water program to address storm water pollution from new Development and Redevelopment by the private sector. This SUSMP contains a list of the minimum required Best Management Practices (BMPs) that must be used for a designated project. Additional BMPs may be required by ordinance or code adopted by the Permittee and applied generally or on a case by case basis. The Permittees are required to adopt the requirements set herein in their own SUSMP. Developers must incorporate appropriate SUSMP requirements into their project plans. Each Permittee will approve the project plan as part of the development plan approval process and prior to issuing building and grading permits for the projects covered by the SUSMP requirements.

Stormwater Management

REQUIREMENTS

1. PEAK STORM WATER RUNOFF DISCHARGE RATES

Post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion.

2. CONSERVE NATURAL AREAS

If applicable, the following items are required and must be implemented in the site layout during the subdivision design and approval process, consistent with applicable General Plan and Local Area Plan policies:

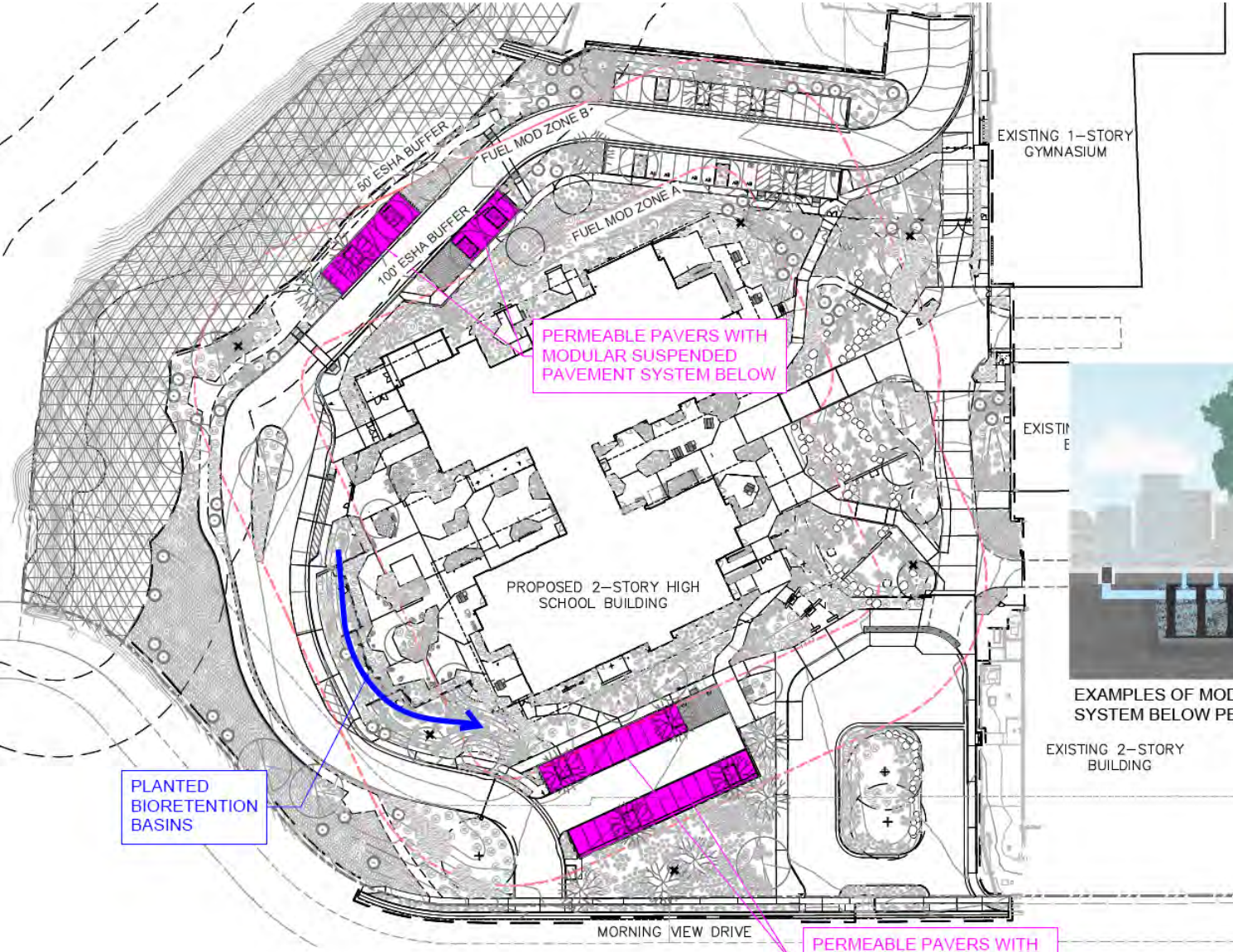
- Concentrate or cluster Development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at a site to the minimum amount needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Preserve riparian areas and wetlands.

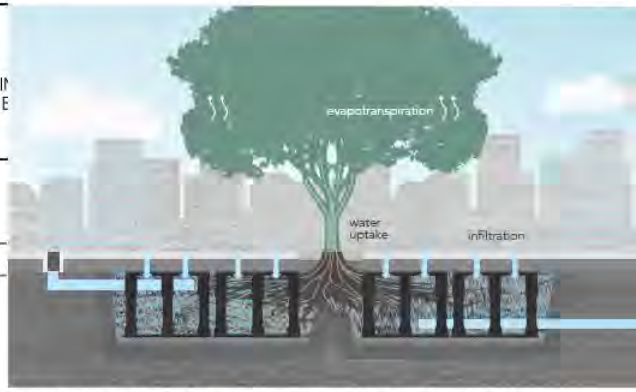
Stormwater Management

3. MINIMIZE STORM WATER POLLUTANTS OF CONCERN

Storm water runoff from a site has the potential to contribute oil and grease, suspended solids, metals, gasoline, pesticides, and pathogens to the storm water conveyance system. The development must be designed so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern that may result in significant impacts, generated from site runoff of directly connected impervious areas (DCIA), to the storm water conveyance system as approved by the building official. Pollutants of concern, consist of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water, elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bioaccumulate in organisms therein, or the detectable inputs of the pollutant are at a concentrations or loads considered potentially toxic to humans and/or flora and fauna.

Stormwater Management





EXAMPLES OF MODULAR SUSPENDED PAVEMENT SYSTEM BELOW PERMEABLE PAVING

Development Standards

LIP Section Number	Requirement	Proposed
3.9.A1a	Structures shall not exceed a maximum height of **28 feet**...	Building J: Gym/PE - **45 ft**
		Building H: VAPA – **45 ft**
		Building D: Gym/MPR - **36 ft**
		Building C: HS Building – **36 ft**
3.9A.1b	Roof-mounted mechanical equipment...may project no more than **two feet** higher than the structure roof height.	Building C: Science Labs Fume Hoods 41 feet total – **10 ft** above roof surface
		Building C: Parapets/Guardrails - up to **3.5 ft** in height above roof surface
Source: SMMUSD 2021.		

Development Standards Continued

LIP Section Number	Requirement	Proposed
3.9.A1d	Sports field lighting limited to the main sports field at Malibu High School.	Nighttime pool lighting for Class II Facility (IESNA)
3.15.3.J	Automatic changing signs or electronic message center signs.	Separate electronic marquees
4.6.1.A	New development adjacent to the riparian habitats shall provide native vegetation buffer areas of no less than 100 feet to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the habitat they are designed to protect.	Maintain a 50-foot ESHA buffer. All new buildings require 100-foot setback from ESHA

Source: SMMUSD 2021.

Development Standards Continued

LIP Section Number	Requirement	Proposed
8.3.B	Maximum of 1,000 CY grading per acre	Development requires more due to site topology
8.3.C	Retaining wall heigh maximum of 6’ for any 1 wall, and 12’ for any combination with a 3’ separation	Building walls serving as retaining walls will exceed 12’

Source: SMMUSD 2021.

Development Standards Continued

Table 11a Phase I Grading

	Exempt			Non-Exempt	Remedial	Total
	R&R	Understructure	Safety			
Cut	9,300	9,800	4,700	11,300	100	35,200
Fill	9,300	0	300	800		10,400
Total	18,600	9,800	5,000	12,100	100	45,600
Import	0	0	0	0	0	0
Export	0	9,800	4,400	10,500	100	24,800

Table 11 Estimated Cut/Fill for Phases 2, 3, and 4

Phase	Cut (cy)	Fill (cy)	Project Phase Total (cy)
2	5,175	-	5,175
3	25,300	14,000	39,300
4	10,000	33,350	43,350
Total	40,475	47,350	87,825

Development Standards Justification

- **<u>High School Gym/PE (Building J)</u>**– [45’] Gyms must meet NFHS minimum interior height requirement of 23’ clear from floor to ceiling for CIF Volleyball. Specific Plan sets 5’ for lowest adjacent outside grade to finished floor, 25’ for adequate tolerance in design and construction and an additional 10’ feet for long span structure, and 5’ for roof slope and parapet.

Development Standards Justification

- **Theater/Performing Art (Building H)** – [45’] High School Performing Arts facilities require a vertical stage opening of 25’ (to the bottom of the proscenium).
- In addition, the long span structure and tension lighting grid ceiling system adds 15’.
- Above the stage opening plus 5 feet for roof slope and parapet.

Development Standards Justification

- **<u>High School Building (Building C)</u>** – [36’ (Fume hood to 41’)] North wing, 2nd floor contains high bay/high volume spaces for educational uses required to provide 21st Century learning, per the Campus Plan Education Specifications.
- Student Union is programmed with a central space of 4,000-sf space that requires an appropriate, high-volume ceiling.
- Science Lab exhaust hood compliance American National Standard for Laboratory Ventilation ANSI Z9.5 & Standard NFPA45, Chapter 7, § 7.2.

Development Standards Justification

- **<u>High School Building(Building C)</u>** – [36’ (Fume hood to 41’)] Rooftop outdoor learning, including ESHA observance. Higher parapets or guards are required, 42-inch minimum height per California Building Code, Part 2, Volume 1, Chapter 10, § 1015.

Development Standards Justification

- **Middle School Gym(Building D)** – [36’.]

Development Standards Justification

- **Pool** – [Outdoor Lighting exceeding Dark Skies)] Lighting to meet Class II facility, per Illuminating Engineering Society of North America (IESNA) (10th ed.), with minimum lighting of 30 foot-candles over the pool and 20 foot-candles over the deck, as measured at the water level.
- Lighting within the pool basin, at the recommended luminance of 15 candelas per square foot (161 candelas per square meter). Compliance with California Building Code § 3115B.1.

Development Standards Justification

- **Marquees** – [prohibited] Required for proper communication with Students and Community.
- Serve a multitude of communication needs, including emergency and safety communications.
- **ESHA Buffers** – [no development] Required drive aisles and parking within 100’ buffer and walking path with crushed granite teaching stations with 50’ buffer due to site constraints and Middle and High School educational requirements.

Development Standards Justification

- **Grading Quantities** – [1,000 CY Limit] Exceedance required due to site topography and need for terraces for student access.
- Serve a multitude of communication needs, including emergency and safety communications.
- **Retaining Walls** – [Maximum of 6’ or 12’ in any combination] Certain future buildings will serve as retaining walls.

CEQA Clearance

- District is the lead agency; and City and Coastal Commission are responsible agencies
- **Draft EIR** – Released for Public Review on October 21, 2021.
- **Specific Plan/Draft EIR Submittal** – Submitted to City on December 28, 2021.
- **Final EIR** – Certified by District on January 26, 2022.
  - Only two significant and unavoidable impacts:
    - Construction Noise
    - Pool Lighting

Additional Considerations

- Similar to a City Project on MMRP monitoring
- City as responsible agency makes formal findings and on the Statement of Overriding Consideration

Planning Commission

From: Tiffany Goodnight [redacted].com>
Sent: Tuesday, May 31, 2022 11:22 AM
To: Planning Commission
Cc: Patricia Salazar
Subject: We Approve of the Malibu HS buildings and plans

My husband, Jon Petersen and I both wholly approve of the already approved new Malibu High School Plan. Please allow it to commence as soon as possible!

Tiffany S. Goodnight

CC: Planning Commission, PD,

Recording Secretary, File

Planning Commission

From: [redacted].com
Sent: Monday, May 30, 2022 7:23 AM
To: Kraig Hill; Dennis Smith; Jeffrey D Jennings; res02igz@verizon.net; Mark Wetton; Planning Commission
Cc: Raneika Brooks; Richard Mollica
Subject: Re: Item 1A. – Malibu Middle and High School Specific Plan

It unbelievable in this day and age when schools are asking for security single school entrance the only school in the nation to propose an additional entrance with a parking lot on clover heights would be proposed by any school

the parking lot, lights and swimming pool lights would eliminate dark skies in the bowl shaped Malibu Park forever making the dark skies ordinance the residents have advocated for destroyed in western Malibu

BEST REGARDS
TERRY LUCOFF

CC: Planning Commission, PD,

Recording Secretary, File

Date Received 05/31/22 Time 07:30 AM
Planning Commission meeting of 05/31/22
Agenda Item No. 1A
Total No. of Pages 1

From: Dina Newman [redacted].com>
Sent: Wednesday, June 1, 2022 4:18 PM
To: Patricia Salazar <psalazar@malibucity.org>; Paul Grisanti <pgrisanti@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; Karen Farrer <kfarrer@malibucity.org>; Mikke Pierson <mpierson@malibucity.org>; Steve Uhring <suhring@malibucity.org>
Subject: A family friendly, community oriented Malibu

Dear City Council Members and Planning Commission of Malibu,

I am writing to request your support of the proposed 50 meter pool at MHS.

I have lived in Malibu for 18 years and have 4 kids that attend Malibu schools. We participate in AYSO, LIttle League and my daughter swims with the Sea Wolves.

Over the years, we have watched community resources dwindle as preschools close (and affordable childcare) and families have moved out of the area with attendance declining at elementary schools and the middle and high school. While the fire has had some influence, these declining numbers predate the fire.

There is a minimum threshold of "community services and resources" that are required to sustain a community. We are teetering on that threshold. Malibu is beautiful but it also needs to be livable. With areas of common ground and "gathering" that are part of daily life. Our 21 miles of breadth make this especially challenging.

I appreciate the intentional efforts to create that community with the Senior Center. I also recognize the efforts to provide youth with a skate park and community classes. Those are part of the needed infrastructure of a community.

With winter sunset at 430p, the pool is one of the few options where exercise can be safely and predictably done year round. And swimming is a sustainable activity over a lifetime.

The pool is rarely under utilized, it is more often over utilized with water polo practice taking place at the same time as Swim practice, older people swimming in lanes next to those learning to put their head in the water. It is a community building place.

And the current pool is also very outdated. As we talk about equity for malibu schools, we really should provide the type of facilities that Santa Monica has. A 50 meter pool is not on the cutting edge of what a school and community should have. It's the baseline of any active program. And we should provide the type of lighting that experts recommend for this type of setting. I understand dark sky ordinances require careful consideration but at some point, we need to decide if Malibu is a place for community and families or if it's merely a beautiful tourist/luxury/tranquility destination. Let's not approve the structure and deny the functionality that comes with lights.

I would suggest that a functional, updated, and safe community pool is critical to attracting and maintaining community life across the generations. And diversity matters in a community. And common ground matters. The pool would facilitate both of these goals.

Please lend your support to the approval of this project.

Thanks for considering.

Dina Newman

310-[redacted]

Rebecca Evans

From: malibure@aol.com
Sent: Wednesday, June 1, 2022 8:46 AM
To: Richard Mollica; Rebecca Evans; Bruce Silverstein; [redacted].com; John Mazza
Cc: Mikke Pierson
Subject: planning commission recommendations may 31, 2022

Follow Up Flag: Follow up
Flag Status: Flagged

Richard Molica and Renika Evans

Last night at the Planning Commission meeting the Commissioners brought up several good points that the City Counsel should adopt at their hearing on the Malibu School expansion project over the next 10 to 15 years.

The School agreed with the Commissioners that single entry into the school should be on Morningview Drive for the safety of the students because of the National epidemic of Gun Violence. As a result the District as voiced by Craig Foster is withdrawing the proposed parking lot L at the end of Clover Heights which would serve as an additional access to the school and an increase of traffic on the curved and narrow streets of Malibu Park without sidewalks.

I want to make sure that this lot is eliminated per the agreement last night before it goes in front of the City Counsel June 13th

Can you please confirm this for the local residents

BEST REGARDS
TERRY LUCOFF

Kelsey Pettijohn

Subject: Issues with school expansion plans

---------- Forwarded message ---------
From: **Vince Bradley** <[redacted]
Date: Mon, Jun 13, 2022 at 3:51 PM
Subject: Issues with school expansion plans
To: <bsilverstein@malibucity.org>, <kfarrer@malibucity.org>, <pgrisanti@malibucity.org>, <suhring@malibucity.org>
Cc: <rmolica@malibucity.org>

Malibu City Council Members-

I had a dream. I built a business for over 20 years, sold it and bought my dream house in malibu. My dream is being crushed by the thought that the view that I worked my life to get could be going away.

Not only are the proposed 45 foot buildings way larger than the standard approved 28 foot, they will also take way longer to build. We have already been through construction on the other side of our our home the past couple years. Now we have to go through it again. The least we ask is that they stick to the plan and not expand it to great lengths.

To add insult to injury, a 50m Olympic swimming pool with stadium lighting is also being presented. So if it wasn't enough that our view was gone, this pool will also be very loud and right next-door to our property. This will significantly reduce our ability to use a large portion of our property if not end it depending on the lighting.

Our kids have already been through the fires (and years of ensuing construction), the pandemic that kept them from school on and off for years. And now this? Longer construction period and loss of view?

If such new expanded construction ensues I might have to leave my dream. These kind of significant changes to the planset will cause malibu locals to loose their dream and some even their homes. It is not ok to destroy dreams and happiness as that is why we are here in the first place.

I was not traveling I would be there in person to speak. I truly appreciate your consideration of this email in lieu of a public appearance. Thank you very much for your careful consideration of this important matter.

Vince Bradley
[redacted]
--

Vince Bradley
[redacted]

Rebecca Evans

From: Richard Mollica
Sent: Thursday, June 23, 2022 5:47 PM
To: Raneika Brooks; Rebecca Evans
Subject: FW: Malibu Middle and High School Specific Plan Concerns

FYI, lets get this in the file and included as correspondance.

Richard Mollica / Planning Director / City of Malibu
23825 Stuart Ranch Road, Malibu CA, 90265
Phone: 310.456.2489 ext. 346
Fax: 310.456.7650

Connect with the City of Malibu!

From: Jonathan Thomas [redacted].com>
Sent: Thursday, June 23, 2022 4:35 PM
To: Karen Farrer <kfarrer@malibucity.org>; Paul Grisanti <pgrisanti@malibucity.org>; Steve Uhring <suhring@malibucity.org>; Mikke Pierson <mpierson@malibucity.org>; Bruce Silverstein <bsilverstein@malibucity.org>; Richard Mollica <rmollica@malibucity.org>
Cc: Jessica Silver [redacted].com>
Subject: Malibu Middle and High School Specific Plan Concerns

Hello All,

We live above the school property in the Malibu Park area at [redacted] Harvester Rd. The school buildings are directly in our view from every area of our property. We are very concerned about the proposal for new buildings with a height of 45 feet and stadium lighting for the swimming pool. This would greatly diminish the quality of our view and property value if approved.

We totally support improving the school but this is not the way and will really impact everyone in the surrounding neighborhood. Already a group of us have been in correspondence with the school principal about the existing pool deck lights, which were mis-angled up towards the neighborhood instead of down onto the pool deck. They were also on all night. Thankfully, the principal had this fixed and we no longer had a light shining into our rooms. Larger lights are not necessary and totally go against the dark sky initiative.

Please consider this concern and allow the residents and neighbors to preserve their views and property values.

Thanks,

Jonathan and Jessica Silver-Thomas
310-[redacted]

NOTICE OF PUBLIC HEARINGS
CITY OF MALIBU
CITY COUNCIL

MALIBU MIDDLE AND HIGH SCHOOL SPECIFIC PLAN

The Malibu City Council will hold public hearings on **MONDAY, June 13, 2022 and June 27, 2022 at 6:30 PM** on the project identified below. These meetings will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to AB 361 and the County of Los Angeles Public Health Officer's Safer at Home Order. All votes taken during these teleconference meetings will be by roll call vote, and the vote will be publicly reported.

At the time this notice is published, a Notice of Planning Commission Public Hearing was published for a Planning Commission Special meeting to be held on **TUESDAY, May 31, 2022 at 6:30 PM** to consider recommendations to City Council on the Malibu Middle and High School Specific Plan, environmental impact report (EIR), and code amendments. Should the Planning Commission complete its recommendation to the City Council on May 31, 2022, the City Council will hold a public hearing and first reading of the ordinance at its June 13, 2022 Regular meeting.

LOCAL COASTAL PROGRAM AMENDMENT NO. 21-002, ENVIRONMENTAL IMPACT REPORT NO. 20-001, GENERAL PLAN MAP AMENDMENT NO. 21-002, ZONING MAP AMENDMENT NO. 22-001, AND ZONING TEXT AMENDMENT NO. 22-002

Project Description: The Malibu Middle and High School (MMHS) Campus Specific Plan establishes the development standards and plans for the redevelopment of the MMHS Campus to be implemented in four phases over the next 10 to 15 years.

The Specific Plan would result in the demolition of 18 existing buildings on the combined campuses; only the existing athletic fields, and the recently completed Buildings A, B and E on the MMHS campus would remain, and the construction of a new campus with dedicated spaces for the middle and high school. The Specific Plan would result in 32 classrooms and 8 labs and a total of 173,595 square feet of new building space, providing the MMHS campus with a total of 47 classrooms and 12 labs and a total of 222,425 square feet of building space. While the Specific Plan will upgrade the MMHS campus, it does not increase floor area ratio (FAR) nor does it allow for an increase in the maximum student population.

The Specific Plan proposes to change several development standards including the ESHA setback, height, and grading quantities. Once adopted, the standards in the Specific Plan would become the regulations against which later phases of the project would be reviewed by the City. The Specific Plan would be constructed in four phases, with construction activities anticipated to begin in fall 2022 and completed in summer 2031.

The applicant is requesting the following entitlements as part of the Specific Plan:

- Local Coastal Program Amendment No. 21-002: 1) add Section 3.4.6 to Chapter 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, 2) amend LCP Land Use Map 2 to add a boundary line around the MMHS property denoting the boundaries of the MMHS Campus Specific Plan area, and 3) amend the LUP to add new ESHA policies.

- General Plan Map Amendment No 21-002: Amend the General Plan Land Use Policy Map, Section 3, to add the Specific Plan land use designation on the MMHS property.

- Zoning Map Amendment 22-001: Amend the Zoning Map to add a boundary line around

ATTACHMENT 6

the MMHS property denoting the boundaries of the MMHS Campus Specific Plan area.

- Zoning Text Amendment 22-002: Amend Section 17.42.020 of the Malibu Municipal Code to add the MMHS Campus Specific Plan.

Note: The coastal development permit and other entitlements for the MMHS redevelopment will be considered by the Planning Commission at a later date.

Location:	30215 Morning View Drive, within the appealable coastal zone
APNs:	4469-017-900, 4469-018-900, 4469-018-901, 4469-018-902, 4469-018-903, 4469-018-904, 4469-019-900, 4469-019-901, 4469-019-902
Zoning:	Institutional (I)
Applicant:	NAC Architecture
Owner:	Santa Monica-Malibu Unified School District (SMMUSD)
Application Filed:	December 17, 2021
Case Planner:	Raneika Brooks, Senior Planner (310) 456-2489, extension 276 rbrooks@malibucity.org

EIR Certification: Acting as lead agency in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15051, on January 26, 2022, the SMMUSD Board of Education (Board) adopted a Final Environmental Impact Report (EIR) for the MMHS Campus Specific Plan (State Clearinghouse # 20200080350). A Draft EIR was prepared for the Proposed Project to assess potential environmental impacts and was made available and circulated for public review and comment, pursuant to the provisions of CEQA. It also examined environmental impacts for alternatives to the Proposed Project, as required by CEQA. The document was available for public comment for a 45-day public review period that began on October 15, 2021, and concluded on November 29, 2021. A public information meeting was held on November 2, 2021, to receive public comment on the Draft EIR. The Final EIR responds to the comments and proposes text revisions to the Draft EIR in response to input received on the Draft EIR.

The Final EIR identified potential significant environmental impacts that would result from the Proposed Project; however, the Board found that the inclusion of certain mitigation measures as part of the Proposed Project approval would reduce most potentially-significant impacts to a less-than-significant level. Accordingly, a Mitigation Monitoring and Reporting Program (MMRP) was adopted for the Proposed Project. The EIR identified significant and unavoidable impacts with respect to Aesthetics (Light and Glare) and Noise (Sensitive Receptors). Pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, the Board weighed the benefits of the Proposed Project, including the specific economic, legal, social, and technological benefits, against the unavoidable aesthetics and noise impacts and determined that the identified benefits outweigh the unavoidable impacts. Accordingly, a Statement of Overriding Considerations (SOC) was adopted by the Board as part of the Final EIR.

Pursuant to CEQA Guidelines Sections 15082 and 15096, the Board acting as lead agency for the proposed project consulted with responsible agencies throughout the preparation of the EIR, including the City. As the decision-making body for the requested entitlements, the City must review and consider the Final EIR prior to acting upon or approving the Proposed Project. The Final EIR, MMRP, SOC, and all accompanying materials are available on the City's website at: https://www.malibucity.org/397/Malibu-Middle-High-School-Improvements

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Council regarding this matter will be afforded an opportunity in accordance with the Council's procedures.

Copies of all documents relating to the proposed Local Coastal Program Amendment are available for review at City Hall, Malibu Public Library, and the Coastal Commission District office during regular business hours. Oral and written comments may be presented to the City Council on, or before, the date of the meeting.

How to View the Meeting: No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at https://malibucity.org/video and https://malibucity.org/VirtualMeeting.

How to Participate Before the Meeting: Members of the public are encouraged to submit email correspondence to citycouncil@malibucity.org prior to the start of the meeting.

How to Participate During the Meeting: Members of the public may also speak during the meeting through the Zoom application. The City requests that you sign up to speak before the item you would like to speak on has been called by the Mayor and then must be present in the Zoom conference to be recognized.

Please visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

IF YOU CHALLENGE THE CITY'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

Richard Mollica, Planning Director

Publish Date: May 26, 2022