

**APPENDIX D-1: BIOLOGICAL RESOURCES ASSESSMENT TECHNICAL
MEMORANDUM - VERIFICATION OF CONDITIONS AND UPDATE LETTER**

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27 March 2007

Shane Parker
Christopher A. Joseph & Associates
Santa Clarita Office
27413 Tourney Road, Suite 120
Santa Clarita, California 91355

RE: LA PAZ PROJECT, CITY OF MALIBU - VERIFICATION OF CONDITIONS AND UPDATE LETTER

Dear Mr. Parker:

It is our understanding that the La Paz project final EIR is under preparation. **TERACOR Resource Management** (TERACOR) has been asked to confirm site conditions as discussed below. The purpose of this Addendum Assessment is to update work originally performed by TERACOR in May 2002 and August 2003.

On 15 March 2007 TERACOR personnel, S. Reed and N. Bruennel, conducted an afternoon site assessment of the subject property. Specifically, we were asked to evaluate the following:

1. Confirm the status of biological conditions on-site;
2. Confirm presence or absence of wetlands, "waters of the U.S.," streambeds, or other water features present on-site; and
3. Determine if walnuts (*Juglans californica*) are present on-site.

Existing Site Conditions

Conditions on-site are consistent with the site assessment originally performed by TERACOR in 2002 and 2003. The majority of the site is comprised of disturbed areas utilized for a landscaping business or are non-native grassland/seasonally-disced weedy fields. A small patch of coastal sage scrub is present in the west-central edge of the site and northeast corner of the property. Several mature sycamores (*Platanus racemosa*) are also present in the central and west portion of the site. The sycamores are intermixed with gum trees (*Eucalyptus* sp.) and date palms (*Phoenix* sp.), suggestive of an ornamental origin. The actual origin of the sycamores is not known, though they likely were either planted by property owners many years ago or may be relictual stands of trees no longer associated with freshwater braids of Malibu Creek. In either event, they are not associated with water features at this time. Existing site conditions are depicted in the attached, *Exhibit 1 - Site Photographs*.

Absence of Water Features On-site

TERACOR evaluated the subject site for the presence of wetlands, "waters of the U.S.," streambeds, and other water features. Though Sycamore trees are present on-site, they are either ornamental or relictual trees from a period where conditions in the Malibu civic center area were more natural. TERACOR concluded that the subject site does not support wetlands and has been substantially modified over many years of human activities.

27 March 2007

Absence of Walnuts On-site

TERACOR conducted a thorough investigation of all areas on the property to determine if California black walnut (*Juglans californica*) trees are present on-site. A sparse distribution of walnut trees was observed off-site and up-slope of the project area near the north-westerly corner of the property. Though the property line was not staked, careful correlation of aerial photography, topography, and ground-truthing by TERACOR personnel determined that walnut trees are absent on-site.

If you have any questions or concerns, please contact us at 951 694 8000. Thank you.

Respectfully,

TERACOR Resource Management



Samuel Reed
Principal

Enclosures: Exhibit 1 - Site Photographs

c: Chris Deleau

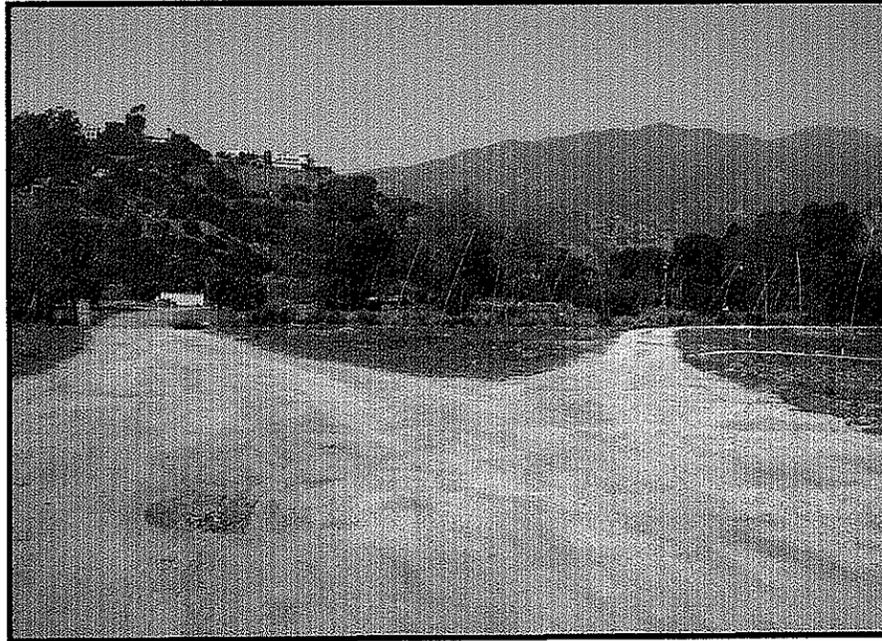


Photo 1 - General site conditions are depicted in this northerly March 15, 2007 view of the property from Civic Center Way.



Photo 2 - Sycamores (*Platanus racemosa*) are intermixed on-site with non-native gum trees (*Eucalyptus* sp.) and date palms (*Phoenix* sp.). This stand of trees is present within the central portion of the site. Almost all of the natural habitat on-site has been removed or substantially modified through human activities.



Photo 3 - Coastal sage scrub is present in small patches along hillside areas in the west-central portion and north corner of the subject site. Vegetation species include laurel sumac (*Malosma laurina*), California sagebrush (*Artemisia californica*), and California brittlebush (*Encelia californica*).



Photo 4 - The site contains several disturbances, including extensive invasion by non-native species such as castor bean (*Ricinus communis*), totalote (*Centaurea melitensis*), and black mustard (*Brassica nigra*).

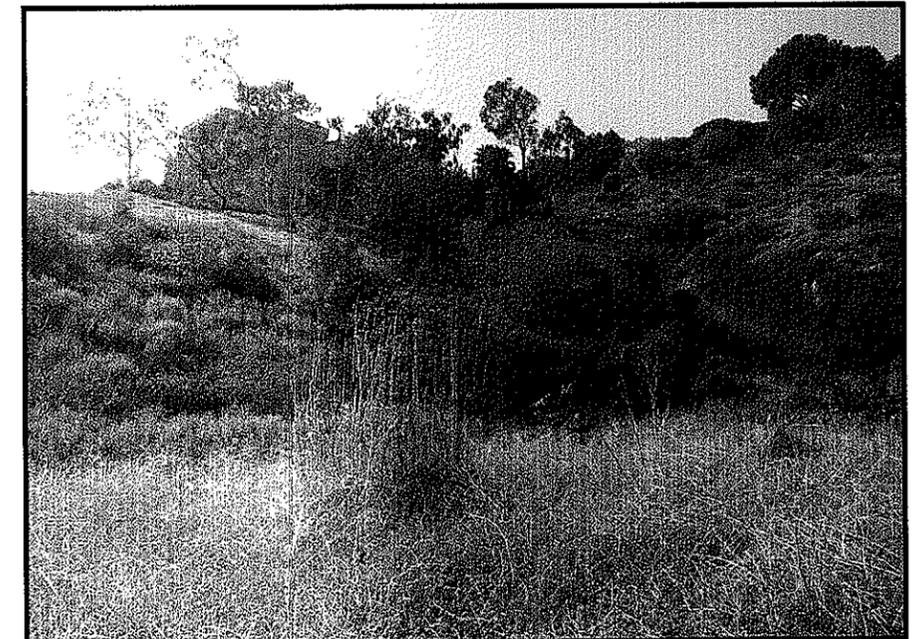


Photo 5 - California walnut trees (*Juglans californica*) were observed off-site near the northern property boundary.

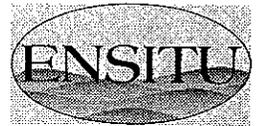
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**APPENDIX F-1: SUPPLEMENTAL TECHNICAL INFORMATION AND
MEMORANDA TO WASTEWATER FEASIBILITY ANALYSIS**

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Steven J Rodriguez
Ensitu Engineering Inc.
685 Main Street, Suite A
Morro Bay, CA 93442

RECEIVED
JAN 1 2006
PLANNING DEPT.



Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel:
805.772.0150
Fax:
805.772.0813

ensitu@ensitu.com

September 19, 2005

Mr. Lawrence Young
City of Malibu
PO Box 973
Malibu, CA 90265

Subject: 127-05 La Paz Ranch

Dear Mr. Young:

INTRODUCTION

This report provides engineering design for the onsite wastewater treatment/disposal system for the above noted site. The site is split up into two (2) parcels: A and B. Seven (7) buildings are to be constructed on Parcel A and four (4) buildings on Parcel B.

3700 LA PAZ
LANE

SCOPE OF WORK

We completed the following work for this study:

- 1) Provided engineering design criteria for the proposed onsite wastewater treatment/disposal system.

PROPOSED DESIGN

Design Flow

Parcel A

Seven (7) buildings are to be built on Parcel A. Five of the seven buildings are strictly retail, while two of the buildings, 5 and 6, are both retail and office and both have 175 seat restaurants. The design flow for office space was approximated using the Malibu Plumbing Code. Table K-3 of the Malibu Plumbing Code specifies that the flow per employee in an office building shall be 20 GPD. The maximum number of employees was approximated using a minimum of 100 square feet per employee. For retail space, Table K-3 specifies 1 GPD per square foot of floor space. Finally for the restaurants, Table K-3 specifies that the flow per seat in a restaurant shall be 50 GPD. The following table summarizes the design flow for Parcel A:

"Dedicated to achieving higher standards in onsite and decentralized wastewater systems."

127-05 La Paz Ranch, Parcel A, Report



Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel:
805.772.0150
Fax:
805.772.0813

ensitu@ensitu.com

Page 2 of 4

PARCEL A FLOW SUMMARY						
Building	Retail Space (sf)	Flow from Retail (GPD)	Office Space (sf)	Max # Employees	Flow from Office Space (GPD)	Building Flow (GPD)
1	6,200	620	-	-	-	620
2	6,200	620	-	-	-	620
3	10,000	1,000	-	-	-	1,000
4	10,000	1,000	-	-	-	1,000
5	10,000	1,000	7,540	76	1,520	2,520
6	10,000	1,000	7,540	76	1,520	2,520
7	400	40	-	-	-	40
Restaurants						
Building	# Seats	Flow per Seat (GPD)		Restaurant Flow (GPD)		
5	175	50		8,750		
6	175	50		8,750		
Total Flow for Parcel A					25,820	

Parcel B

Four (4) buildings are to be built on Parcel B. The buildings are a combination of office and retail. The design flows for the buildings on Parcel B were determined using the same criteria from the Malibu Plumbing Code as described for Parcel A. The following table summarizes the design flow for Parcel B:

PARCEL B FLOW SUMMARY						
Building	Retail Space (sf)	Flow from Retail (GPD)	Office Space (sf)	Max # Employees	Flow from Office Space (GPD)	Building Flow (GPD)
8	7,702	780	7,578	76	1,520	2,300
9	7,883	790	7,757	78	1,560	2,350
10	5,177	520	2,081	21	420	940
11	3,155	320	1,708	18	360	680
Total Flow for Parcel B					6,270	

Parcel A and B have approximate design flows of 25,900 and 6,300 GPD, respectively. The combined design flow for the two (2) parcels is approximately 32,200 GPD.

Treatment

Treatment shall be performed using HighStrengthFAST® Treatment Systems. A FAST wastewater treatment system is fixed film, aerated system utilizing a combination of attached and suspended growth. Seven (7) HighStrengthFAST® 9.0 treatment units running in parallel shall be used for the proposed design.

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Engineering Inc
685 Main St.
Suite A
Morro Bay, CA
93442

Tel:
805.772.0150
Fax:
805.772.0813

ensitu@ensitu.com
m

Disinfection

Disinfection shall be performed using a Norweco® Bio-Dynamic® Chlorine tablet feeder. The Bio-Dynamic® is a flow rated proportional feeder designed to safely apply chemicals into the flow of a water or wastewater treatment system. Bio-Sanitizer® Disinfecting Tablets are used in this tablet feeder. These tablets are produced from a proprietary grade of calcium hypochlorite and containing a minimum of 70% available chlorine. Chlorine is released as the liquid flow erodes the chlorine tablets.

Dechlorination

The residual chlorine left in the water after chlorination shall be removed using a Norweco® Bio-Dynamic® tablet feeder with Bio-Neutralizer® Dechlorination Tablets. Bio-Neutralizer® Dechlorination Tablets are formulated to effectively remove both free and combined chlorine from water or wastewater. Containing 35% active sodium sulfite, Bio-Neutralizer tablets will remove chlorine without degrading the quality of the environment. As the water passes through the tablet feeder and comes in contact with the dechlorination tablets, the chlorine is removed.

Disposal

Disposal shall be performed using Geoflow© Wasteflow® Subsurface Drip Systems. The Wasteflow® drip system disposes of effluent below the ground surface through ½" pressurized pipes. The treated wastewater shall flow to a 50,000 gallon Dosing/Surge Tank, then pumped to multiple dosing tanks, then pumped from the dosing tanks to the dispersal fields shown on the site plan. Disposal shall be controlled utilizing headworks systems and solenoid valves. The following table summarizes the areas of the proposed subsurface drip dispersal fields:

SUMMARY SUBSURFACE DRIP DISPERSAL FIELDS	
Subsurface Drip Dispersal Field	Area (SF)
1	3,000
2	4,100
3	1,000
4	900
5	9,000
6	1,000
7	4,700
8	800
9	12,100
10	1,000
11	2,400
12	700
13	2,000
14	2,200
15	29,700

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Page 4 of 4

16	33,800
17	25,800
18	26,700
19	5,200
20	7,100
21	26,200
22	2,500
23	32,600
24	1,100
25	2,800
26	4,700
27	18,100
Total	261,200

The total subsurface drip dispersal area is 261,200 square feet. The total design flow for the subject property is 32,200 GPD. The application rate shall be 0.13 gallons per square foot per day (gpsfd).

Any persons concerned with this project, who observe conditions, or features of the site, or its surroundings that are different from those described in this report, should notify EEI immediately for evaluation.

Thank you for the opportunity to have been of service. If you have any questions, or require additional assistance please feel free to contact me at (805) 772-0150.

Sincerely,

Ensitu Engineering Inc.

Steven J Rodriguez
Project Engineer

"Dedicated to achieving higher standards in onsite and decentralized wastewater systems."

HOPE

HOPE ENGINEERING

1301 Third Avenue
Suite 300
San Diego, CA 92101

TEL: (619) 232-4673
FAX: (619) 235-4675
info@hopeengineering.com

Transmittal

SCANNED JUL 01 2006

Date: April 3, 2006
To: Chris Deleau
With: Schmitz & Associates, Inc.
5234 Chesebro Road, Suite 200
Agoura Hills, CA 91301
Project: Malibu La Paz
Project #: N/A
From: Chuck Hope, Jr.

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PLANNING DEPT.

3700 LA PAZ LANE

Remarks

As requested by Daniel Chudnovsky with DCA Architects, attached please find our letter regarding the above referenced project. The original letter will be sent to your attention via overnight delivery. Please call me if you have any questions or if we can be of further service.

Copies To: Daniel Chudnovsky, DCA Architects, Inc. (310) 475-6222

Via:

Mail

Overnight

Fax: (818) 338-3423

Messenger Service:

Number of pages w/cover: 3

If enclosures are not as noted, kindly notify us at once.

4

HOPE

HOPE ENGINEERING 1301 Third Avenue
Suite 300
San Diego, CA 92101

TEL: (619) 232-4673
FAX: (619) 235-4675
info@hopeengineering.com

April 3, 2006

Daniel Chudnovsky
DCA Architects, Inc.
1964 Westwood Blvd., Suite 410
West Los Angeles, CA 90025

Project: **Malibu La Paz (Civic Center Site)**
Malibu, California
Project #: N/A

Dear Daniel:

I understand that DCA Architects is currently in the initial design phase of a mixed-use project to be located in the City of Malibu, California. The proposed 18-acre development will include a high end shopping court, a City Hall, and several speculative office buildings. Subterranean parking structures will be located beneath the buildings throughout the site.

It has been determined that the site is located within a geological setting that includes a relatively high water table and potentially liquefiable soils. I understand that the site will undergo temporary dewatering operations during construction. However, a permanent dewatering system will not be utilized due to environmental concerns, including a septic/drip dispersal system and City of Malibu regulations.

Hope Engineering has recent experience with these same conditions on projects located in the Downtown San Diego area. These projects range from the 26-story Icon Residential tower to the San Diego County Waterfront Park project. It is the City of San Diego's policy to not allow permanent dewatering systems for environmental reasons. Accordingly, all projects within areas of high water tables must be designed to retain water and resist uplift due to buoyancy forces generated by the high water table.

A very relevant project is the San Diego County Waterfront Park, which has been designed and is waiting for final funding before going into construction. This project consists of a single level subterranean parking structure with a public park above at the street level. This project is across the street from the San Diego Bay and will be built on land that was reclaimed by dredging operations completed long ago. Several landscape features and small structures are planned at the grade level. To mitigate liquefiable soil conditions, the building pad will be densified by installing a grid of rock columns. This consists of small diameter holes (12" to 18" in diameter) being drilled on a 5-foot grid. The holes are then filled with crushed rock or gravel, which is placed in layers and tamped down in order to expand the diameter of the drilled hole, thus increasing soil density. The foundations of the parking structure consist of a thickened mat footing designed to distribute the foundation loads onto the densified soils. The thickness of the mat is based on the amount of dead load necessary to resist the calculated uplift forces (buoyancy forces), which in this case is based on a water table approximately 8 feet above the slab elevation. A water proofing system surrounds the base and the perimeter basement walls to prevent water intrusion, eliminating the need for permanent dewatering of the structure.

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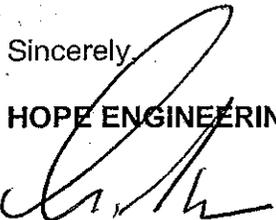
Daniel Chudnovsky, DCA Architects, Inc.
Subject: Malibu La Paz (Civic Center Site)
April 3, 2006
Page 2

There are several alternatives that are available for addressing the liquefiable soils and water table issues at the Malibu site. In addition to mat foundations, we have successfully used pre-cast concrete driven piles and cast-in-place concrete augur piles. The piles systems can be tied into the mat slab to resist upward forces. The Augur pile system was recently used on a site with liquefiable soil conditions for the SDSU/USGS Water Quality Lab which is now located along the shoreline of the San Diego Bay.

I understand that the proposed project site will have high water tables which will result in water levels occurring above the basement finished floor. This height of water table is easily accommodated in the structural design of the subterranean structure. I am confident that an efficient foundation system can be designed and implemented for this project that will address the liquefiable soils and ground water level without the need of a permanent dewatering system.

Please call to discuss if you have any questions or if we can be of further service.

Sincerely,


HOPE ENGINEERING

Charles B. Hope, Jr., P.E.
Principal

CBH/cg



1715/1776



FUGRO WEST, INC.

1000 Broadway, Suite 200
Oakland, California 94607
Tel: (510) 268-0461
Fax: (510) 268-0137

April 10, 2006
Project No. 3374.001

3700 LAPAZLANE

Sterling Capitol
c/o Schmitz & Associates
5234 Chesebro Road, Suite 200
Agoura Hills, California 91301

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Attention: Ms. Brenda Luster

Subject: Addendum No. 2 to Hydrogeologic Report for Malibu-La Paz Ranch Development

Dear Ms. Luster:

Fugro West, Inc., (Fugro) completed a hydrogeologic report entitled, "A Steady-State Groundwater Flow Model for the Proposed Malibu-La Paz Ranch Development," dated March 2005. This report addressed hydrogeologic site characterization and the potential impacts to groundwater levels from disposal of all treated wastewater at the development through dispersal fields. Fugro subsequently prepared a report entitled, "Supplemental Report/Response to Comments for A Steady-State Groundwater Flow Model for the Proposed Malibu-La Paz Ranch Development," dated May 2005, to address comments from the City of Malibu. The plans for the proposed development then changed substantially in terms of the method of disposal of treated wastewater. Fugro prepared a letter entitled, "Addendum to Hydrogeologic Report for Malibu-La Paz Ranch Development," dated October 7, 2005, that described changes in the project related to disposal of treated wastewater and how these changes impacted previous predictions of potential groundwater level changes.

Since October 2005, minor changes to the proposed site plan have been made in terms of the wastewater treatment and disposal system. Based on our review of the site plan by Ensitu (latest revisions dated March 2006) and a conversation with John Yaroslaski of Ensitu on April 6, 2006, we understand that the overall treated wastewater disposal plan and disposal amount (9,200 gallons per day [gpd]) remains similar to the plan addressed in our October 7, 2005, letter. Changes to the treated wastewater disposal system plans between October 2005 and March 2006 relate primarily to the locations and total area of subsurface drip dispersal fields and the locations of other septic system components (septic tanks, dosing/surge tank, etc.). We understand that the treated wastewater storage capacity remains the same (50,000 gallons), but that the total area for subsurface drip dispersal fields has been decreased from about 262,000 square feet to 202,000 square feet.

Revised calculations for ET prepared by Bruce Malinowski based on the change in total area for the subsurface drip dispersal fields indicate that average daily ET demands ranged from about 8,750 gpd in winter to 21,150 gpd in summer over the period from June 2004 to May 2005. Assuming a total average daily treated wastewater disposal rate of 9,200 gpd for the project indicates that landscape ET will consume most of the treated wastewater. However,



there will be periods of time (38 days during the time period analyzed in Bruce Malinowski's revised ET calculations) during the rainy season when rainfall exceeds all of the landscape ET requirements. In addition, there will be 3 months (December through February) during which the average daily amount of treated effluent to be disposed of exceeds the ET demands by about 450 gpd. The 50,000-gallon storage tank can provide storage for the 450 gpd during winter months (approximately 40,000 gallons). ET calculations indicate that once the 50,000-gallon storage tank is filled, it could not be drained until March (when ET demands of about 13,600 gpd exceed the average daily amount of treated effluent by 4,400 gpd).

Review of the number of rainy days exceeding ET demands, amount of treated wastewater in excess of winter month ET demands, and amount of storage available indicates that there will be days during winter months each year with treated wastewater percolating to the water table. Based on assumptions from the revised wastewater system design by Ensitu and revised ET calculations from Bruce Malinowski, there will be 38 days with all treated wastewater percolating to the water table (38 days with rainfall in excess of ET demands) and 90 days with approximately 450 gpd reaching the water table (excess of amount of treated wastewater for disposal beyond ET demands for non-rainy days in winter months). The 50,000 gallon storage tank can be used to hold the 450 gpd of treated wastewater in excess of ET demands during winter months until it can be used to satisfy excess ET demands beginning in March. Thus, the total amount of treated wastewater reaching the water table over the course of a year will be approximately 10 percent of the total treated wastewater generated during the course of 1 year (maximum of 38 days out of 365 days). Thus, potential groundwater level rises would likely be about 10 percent (on average during the course of the year) of the predicted values in Fugro's previous reports. The actual number of days with water percolating to the water table could be substantially less than 38 days depending on the exact number and sequence of rainy days in a given winter season. Furthermore, it should be noted that the above analysis is based on a wet year and the total number of rainy days will be less in most years.

Sincerely,

FUGRO WEST, INC.

A handwritten signature in cursive script that reads "Peter Leffler".

Peter M. Leffler, C.Hg.
Senior Hydrogeologist

PML:tm

Copies Submitted: (4) Addressee and pdf
C. Deleau - Schmitz & Associates - pdf
David Gardiner - pdf



HYDROQUIP PUMP & DEWATERING CORP.

9355 Stewart & Gray Road Downey, CA 90241

Phone (562) 921-1768 Fax (562) 923-5162

April 11, 2006

Daniel Chudnovsky AIA
DCA Architects, Inc.
1964 Westwood Blvd. Suite 410
Los Angeles, California 90025

RECEIVED
APR 12 2006
PLANNING DEPT.

Attention: Daniel Chudnovsky

Re: Additional Information as Requested
Temporary Dewatering
Malibu La Paz
Civic Center Site
Malibu, Ca

3700
LA PAZ LANE

Dear Daniel,

Thank you for the opportunity to offer our input to this project.

OVERVIEW AND EXPERIENCE

Your request included Hydroquip's input, overview and feasibility of the temporary dewatering required for the construction of structures at, near, or below the natural groundwater table in this area, several of which will be constructed at this site. Per the information you forwarded this project presents conditions which are common, acceptable, and responsive to normal, temporary dewatering practices.

DEWATERING

Dewatering will be installed on this site on the exterior perimeter of areas where construction must advance to levels of 1-2 feet or more below the existing groundwater level to provide a firm, dry, stable working surface. Wells are placed on the exterior perimeters of the excavations acting to pull groundwater away from and below the excavation limits. In this type of materials wells are usually spaced on 40 to 50 foot centers and placed between shoring elements where used. Performed properly no solids are extracted by the wells due to the large amount of filtration gravels around the well casings through which the groundwater must pass before being pumped

from the very bottom of the well. The pumps operate continuously with no floats or other controls, thereby acting to keep all wells in a depleted condition at all times and commencing the formation and development of the drawdown curves, or cones of depression.

DISCHARGE

The discharge of groundwater is ALWAYS controlled and carefully monitored by not only the Dewatering Contractor, but also overseen and governed by the California Regional Water Quality Control Board, Los Angeles Region under the NPDES General Permit for this area. The permit requires rigorous and extensive initial testing, the filing of an application with all pertinent information included, a review and site visit by the Board, and continued compliance with the Monitoring and Reporting program for this area which will include frequent water testing and reporting on a weekly, monthly; quarterly, semi annual, and/or annual basis. In certain cases all of the frequencies are required. Dewatering testing during pre-construction will generate representative samples and volumes for application for the NPDES General Permit. After review by the CRWQCB the permit will be issued with the required monitoring and Reporting Program purely discretionary relative to frequency, testing requirements, and limits. Monthly testing and reporting to the CRWQCB will verify the initial water quality and continuous compliance with the requirements.

Groundwater will be discharged via a closed piping system to Malibu Creek or a nearby storm drain after passing through holding tank. This baffled tank eliminates solids and other deleterious materials from entering the discharge stream. This is the common and acceptable scenario on all dewatered construction projects.

BMP'S

It is a requirement of the NPDES permit that BMP's are initiated upon activation of the dewatering and they include, among others, frequent equipment checks and calibrations, routine service intervals by the on site General Contractor and the Dewatering Contractor, and where appropriate backup systems and alarms to monitor critical levels, pressure and other factors. Typical dewatering systems are by nature extremely reliable and dependable. Under certain circumstances standby as emergency generators are used to provide additional redundancy.

POST CONSTRUCTION

After the construction of the structure is adequately complete the temporary dewatering will be deactivated and no further discharge will take place. This is accomplished by the structures achieving adequate completion to withstand the rebound of the groundwater to the original groundwater levels. This is accomplished in the design of the buildings and is often referred to as a hydrostatic design. This refers to the fact that the structures eventually reach a completion milestone where they are hydrostatically balanced meaning that they are simply heavy enough that they will not float, and stiff enough that they will not break. At this point the Structural Engineer directs that the temporary dewatering can be deactivated with no harm to the subterranean structures and the dewatering and all discharge can be deactivated and the groundwater allowed to safely rebound to its original level.

SUMMARY

The planned approach for this project is the current Industry Standard and includes pre-dewatering with dewatering wells, best BMP's, the structures designed hydrostatically to eliminate the need for permanent, ongoing pumping, and the discharges directed to the appropriate receiving water after assurance of the initial and continuous compliance with the requirements of the NPDES General Discharge Permit.

CLOSURE

Thank you for the opportunity to submit this information for your use. Please contact the undersigned if any questions remain or you require any additional information.

Sincerely,

Jerry L. King
President



City of Malibu ^{PLANNING REVIEW}

23815 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 456-7650 • www.ci.malibu.ca.us

GEOTECHNICAL REVIEW SHEET

<u>Project Information</u>	
Date: July 5, 2006	Review Log #: 1775 and 1776
Site Address: 3700 La Paz Lane, Parcels A and B	Planning #: CUP 05-003, LLA 05-003, CDP 05-106; CUP 05-004, LLA 05-004, CDP 05-107
Lot/Tract/PM #: Tract 45633	BPC/GPC #:
Applicant/Contact: Christopher Deleau	Planner: Stefanie Edmondson
Contact Phone #: 818-338-3636	Fax #: 818-338-3423
Project Type: New commercial developments-revisions and conversions to CDP projects; geotechnical response to the hydrogeologic study on the properties	

<u>Submittal Information</u>	
Consultant(s) / Report Date(s): <i>(Current submittal(s) in Bold.)</i>	Gold Coast GeoServices (Hogrefe, CEG 1516; Workman, RCE 68557): 4-3-06, 12-13-05, 10-25-04, 9-21-04, 9-14-04, 6-22-04, 10-25-03, 7-28-03, 2-7-02; 12-12-01, 11-9-2000, 11-22-99 Ref: GeoSoils, Inc.: 4-17-89, 4-11-89, 3-22-89, 12-13-88, 12-12-88, 10-16-86
	Fugro West, Inc. (Gardner, CHG 122): 4-10-06, 10-7-05, 5-31-05, 3-7-05, 8-9-04
	EnSitu Engineering Company (Yaroslaski, RCE): OWTS plans dated March 6, 2006, Printed 10 Mar 06, 4 sheets; report dated 9-19-05
	Letter from Hydroquip Pump & Dewatering Corporation dated April 11, 2006.
	Letter prepared by Hope Engineering dated April 3, 2006 regarding subterranean parking and dewatering.
	Architectural Plans prepared by Daniel Chudnovsky Architects (DCA), dated 12-12-05 and 11-28-05
	Conceptual Grading Plans prepared by Jensen Design & Survey, Inc. dated December 30, 2005 and January 13, 2006

Guidelines for geotechnical reports (dated February 2002) are available on the City of Malibu web site:
<http://www.ci.malibu.ca.us/index.cfm?fuseaction=nav&navid=30>.

Fugro Project #: 3399.001

Previous Reviews: 3-2-06, 11-19-04, 10-7-04, 8-12-04, 12-4-03, 9-4-03, 4-11-02, 8-29-01, 3-20-2000; Ref: Los Angeles County

Hydrogeologic reviews by GeoLabs-Westlake Village: 6-9-06, 6-10-05, email letter dated 3-28-05, 9-7-04

In-Concept Approvals of OWTS for the proposed developments by Larry Young, previous City Environmental Health Specialist, dated June 23, 2004 (for Parcel A and Parcel B), August 3, 2004 (for Malibu City Hall), and July 8, 2004 (for Parcel B, Alternative)

Review Findings

Coastal Development Review

- APPROVED** from a geotechnical perspective.
- NOT APPROVED** from a geotechnical perspective. The listed 'Review Comments' shall be addressed.

Building Plan-Check Stage

- APPROVED** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.
- NOT APPROVED** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage approval.
- Awaiting Building plan check submittal.** Please respond to the listed 'Building Plan-Check Stage Review Comments' AND review and incorporate the attached 'Geotechnical Notes for Building Plan Check' into the plans.

Remarks

CDP 05-106: La Paz Commercial Development/No City Hall- Parcel A: 53, 917 square feet of retail space in 7 one-story buildings; Parcel B: 45,200 square feet retail and office space in 4 two-story buildings. Subterranean parking structures beneath all structures. Grading- Parcel A: 23,412 yards cut, 6,812 yards fill, including 2,647 yards cut as remedial grading; Parcel B: 11,829 yards cut, 2,697 yards fill, including 771 yards fill as remedial grading.

CDP 05-107: La Paz Commercial Development/City Hall- Parcel A: 68,997 square feet of retail and office space in 7 one and two-story buildings; Parcel B: 43,061 square feet of retail and office space in 4 two-story buildings; Parcel C (City Hall): 20,000 square foot one-story City Hall complex. Subterranean parking under all structures except Buildings 10 and 11. Grading- Parcel A: 22,837 yards cut, 13,149 yards fill, including 2,647 yards cut as remedial grading; Parcel B: 11,967 yards cut, 6,035 yards fill, including 771 yards fill as remedial grading; Parcel C (City Hall): 7,703 yards cut, 4,115 yards fill.

The proposed OWTS (revised) consists of treatment, disinfection, dechlorination, and disposal of the treated effluent in 29 subsurface drip dispersal fields and 6 leach fields (202,900 square feet) in landscaped areas across Parcels A and B. The calculated design flow for the properties is 36,220 gallons per day (GPD), and the application rate is 0.18 gallons per square foot per day (gpsfd).

The referenced reports, reviews by GeoLabs, Westlake Village, and plans were reviewed by the City from a geotechnical perspective. City geotechnical staff reviewed the revised architectural, grading, and OWTS plans, as well as the geotechnical response to the conclusions from the hydrogeologic study, to determine whether effluent disposal will affect the proposed development, and the liquefaction hazard evaluation.

Based on City geotechnical and hydrogeologic staffs' review, as well as consultation with City Staff, the project can be approved for a CDP, with the following conditions to be addressed in the Building and Grading plan check stages.

Conditions for Building and Grading Plan Check:

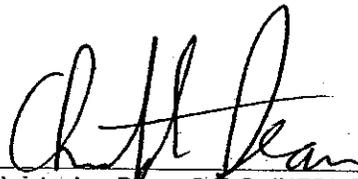
1. The applicant shall obtain final feasibility approval (CDP) for the proposed onsite wastewater treatment systems (OWTS) for Parcel A, Parcel B, and the City Hall projects from the City Environmental Health Specialist, Andrew Sheldon. Please provide to City Geotechnical Staff a copy of the OWTS, as well as copies of the approved plans and designs of the systems from Ensitu.
2. In accordance with Chapter 18.4(D) of the City's Local Coastal Plan-Local Implementation Plan (LCP-LIP), the proposed OWTS shall be evaluated for cumulative impacts on groundwater levels. A cumulative impact analysis shall be submitted and approved by City geotechnical staff and the City Environmental Health Specialist, Andrew Sheldon.
3. Section 6.2.1 of City of Malibu's Geotechnical Guidelines state that numerical and graphical presentations of laboratory data that shall be included in the report are: Shear strength tests with plots consisting of normal stress versus shear resistance (failure envelope), normal stress vs. shearing resistance if the normal stress is not contacts during the shear test, and *shear resistance versus displacement*. Please provide the requested data for the tests used to evaluate the stability of section E(2)-E(2)', and please include reshear cycles for residual tests as well.
4. The Project Geotechnical Consultant has provided an equivalent fluid pressure for cantilevered walls and active pressure conditions. Basement walls are generally considered as restrained walls and would be exposed to higher lateral thrusts more representative of at rest conditions than cantilevered walls that are free to deflect under active conditions. Since the currently proposed plans include subterranean space for parking, the Project Geotechnical Consultant shall provide appropriate geotechnical recommendations for restrained walls and include recommendations for damp-proofing or waterproofing and means for removing any water collected (e.g., sump pump), in accordance with the City's Geotechnical Guidelines.
5. The structural engineer shall provide a letter along with supporting information, prior to plan check approval, indicating that the proposed buildings can tolerate the anticipated total and differential movements, or that site mitigation measures will be required. The Project Geotechnical Consultant shall provide specific recommendations for site improvements, if required.
6. The Project Geotechnical Engineer recommends that, for areas of moderate to high risk of surface manifestation of liquefaction, they be underlain by a 10-foot thick compacted fill blanket reinforced with Tensar BX1200 geogrid or equivalent. Recommendations addressing the overexcavation, installation of geogrid and backfilling of these areas shall be provided that addresses temporary stability of construction excavations and bottoms.
7. One set of grading plans that include the existing and proposed grades, grading yardages, proposed subterranean parking, the limits and depths of removals under the structures and flatwork areas, and grading cross-sections shall be submitted to City geotechnical staff for review in the grading plan check stage. Remedial grading to mitigate liquefaction and other geotechnical hazards must be clearly defined in the grading yardages, and illustrated on the Plans. A supplemental geotechnical report providing the design of the liquefaction mitigation measures shall be submitted for review along with the plans. Please provide the geotechnical hazards that the proposed remedial grading is mitigating, as per the City's LCP-LIP. How many yards of remedial grading is proposed on the two parcels?
8. Two sets of grading, drainage, temporary dewatering, OWTS, subterranean parking, and building plans for the proposed commercial structures incorporating the Project Geotechnical Consultant's recommendations

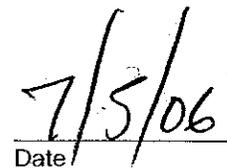
and items in this review sheet shall be submitted to City geotechnical staff for review. Additional concerns may be raised upon the review of the plans that may require a response from the applicant and consultants.

9. The Hydrogeologic Consultant (Fugro West, Oakland) has reviewed the latest plans and design of the proposed OWTS for the project, and has evaluated whether or not the new systems will adversely affect groundwater levels under the site (from their previous conclusions evaluating a different design of the OWTS). The hydrogeologic reviewers, GeoLabs-Westlake Village, reviewed and approved the consultant's latest evaluation on June 9, 2006, with conditions. These conditions (attached) shall be a part of this approval letter. Any changes in the design of the proposed OWTS, including changes due to the results of additional infiltration testing, or changes due to revisions to the proposed development, shall be documented by the wastewater professionals and submitted to the City for review.
10. It has been determined by the applicant's professionals that permanent dewatering facilities will not be required for the subterranean parking structures on the site; provided the structures are properly waterproofed, provided with subdrains/backdrains connected to the storm drainage system, the OWTS dispersal fields are set back the code-required distance from the structures, and mitigation measures are implemented for the effects of liquefaction on the proposed development. Plans shall reflect these requirements.
11. Maintenance agreements required by the applicant's consultants, as well as by the City of Malibu's Environmental and Building Safety and Public Works Departments to monitor, repair, and maintain storm water and drainage facilities, as well as OWTS facilities shall be submitted to City geotechnical staff for review and comment.
12. Please submit one set of temporary dewatering plans to City geotechnical staff for review. Additional concerns may be raised upon review of the plans that may require a response by the applicant and consultants.
13. All permits required by agencies outside the City (LARWQB, etc.) shall be submitted to City geotechnical staff for the City's geotechnical files.

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

Engineering Geology Review by:


 Christopher Dean, C.E.G. #1751, Exp. 9-30-06
 Engineering Geology Reviewer


 Date

This review sheet was prepared by City Geotechnical Staff contracted with Fugro as an agent of the City of Malibu.

FUGRO WEST, INC.
 4820 McGrath Street, Suite 100
 Ventura, California 93003-7778
 (805) 650-7000 (Ventura office)
 (310) 456-2489, x306 (City of Malibu)





City of Malibu

23815 Stuart Ranch Road
 Malibu, California 90265
 (310) 456-2489 Fax (310) 456-7650

GEOTECHNICAL REVIEW FEE FORM

PROJECT OWNER/APPLICANT: Chris Deleau

PROJECT ADDRESS: 3700 La Paz Lane, Parcels A, B, and C

GEOTECHNICAL LOG NO: 1775/1776

PLANNING NO: CDP 05-106 and 05-107

PLAN CHECK NO: _____

ITEM	STATUS	DATE	DEPOSIT	CHARGE	BALANCE	COMMENTS
DEPOSIT BY:					\$0.00	
CITY ADMINISTRATIVE FEE					\$0.00	
Review of revised projects, geotechnical response to hydrogeologic studies	Response Required	3/3/06		\$1,168.75	(\$1,168.75)	Responses required from geotechnical and hydrogeologic consultants
Meeting at City Hall		3/30/06		\$210.00	(\$1,378.75)	Discussed items on latest review sheet
CDP 05-106 and 05-107	Approved	7/5/06		\$1,063.75	(\$2,442.50)	Planning only
REFUND DUE APPLICANT						REFUND # _____
BALANCE DUE CITY OF MALIBU					\$ 2,442.50	CHECK # _____

NOTES:

\$1,250.00 Deposit required Geology AND Soils Review

\$625.00 Deposit required Geology OR Soils Review ONLY

\$XXX.XX Indicates Positive deposit balance

(\$XXX.XX) Indicates Negative balance, supplemental deposit required before further review.

PROJECTS REQUIRING AS-BUILT REVIEWS MAY REQUIRE ADDITIONAL FEE DEPOSIT



City of Malibu

23815 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 456-7650 • www.ci.malibu.ca.us

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JUN 15 2006
BUILDING SAFETY DEPT.

HYDROGEOLOGY REVIEW SHEET

Project Information

Date: June 9, 2006
Site Address: 3700 La Paz Lane
Lot/Tract/PM #: Parcels A & B
Applicant/Contact: Brenda Luster
Contact Phone #: 589-0773
Project Type: Retail and office commercial development w/onsite wastewater disposal

Review Log #: 1775/1776
Planning #: PPC 00-006
BPC/GPC #:
Planner: Stefanie Edmondson
Fax #: 589-0353

Submittal Information

Consultant(s) / Report Date(s): Fugro West, Inc. 4/10/06, 10/7/05, 5/31/05, 3/7/05, 8/9/04
(Current submittal(s) in Bold.)
Previous Reviews: 9/7/04, 3/28/05 (via email), 6/10/05

Review Findings

Planning Stage

- APPROVED** from a hydrogeological perspective.
- NOT APPROVED** from a hydrogeological perspective. The listed 'Planning-Stage Review Comments' shall be addressed prior to Planning-stage approval.

Remarks

The referenced reports were reviewed by the City from a hydrogeological perspective. The review was performed by representatives of Geolabs-Westlake Village and its subcontractor, GeoPentech, Inc. on behalf of the City. The referenced reports were prepared to help address issues concerning potential impacts from the proposed development on local groundwater levels. Based upon the submitted information, the project comprises a new retail and office commercial development, including grading, construction of multiple buildings, parking areas, and an onsite wastewater disposal system.

The 10/07/05 Fugro report documents changes to the proposed method of treated wastewater disposal and discusses how the changes impact predictions of potential groundwater level changes. The change involves the use of a subsurface drip system that will be used for onsite irrigation, instead of microdosed dispersal fields located throughout the development.

The 4/10/06 Fugro report documents additional minor changes to the treated wastewater disposal system plan, and discusses the effects and impacts of those changes. The changes include locations and total area of subsurface drip dispersal fields (area reduction from about 262,000 square feet to 202,000 square feet), as well as changes to the locations of other septic system components.

The recent submittals assume a treated effluent disposal rate of 9,200 gallons per day. In the event of further changes to the project design, which may result in changes to the assumed effluent disposal rate, the conclusions drawn in the reports would need to be reviewed and revised accordingly.

Comments:

General comments on the recent submittals (Fugro West, Inc., October 7, 2005 and April 10, 2006) are provided below (Note: these comments are presented for information purposes and do not specifically require response by the consultant):

1. Use of treated wastewater onsite for irrigation would need to meet applicable State and local health codes.
2. Use of shallow onsite irrigation wells, which was previously discussed as a mitigation method for offsite groundwater level rise, would need to meet applicable State and local health codes and well standards.
3. Wastewater disposal systems including dispersal fields shall be constructed per applicable City, County and Regional Water Quality Control Board standards.
4. Effective operation of the type of wastewater disposal system proposed will be dependant upon a monitoring system used to measure real-time evapotranspiration (ET) and soil-moisture conditions and control the application rates from the wastewater system. Future plan submittals for the project permitting shall include descriptions of the ET and soil-moisture monitoring system, as well as the drip system's automated control system, its logic, fail-safes, and maintenance programs.
5. The applied evapotranspiration values and calculations used to estimate the feasible discharge rates were not provided for review. Therefore we are unable to comment on the adequacy of the sizing of the disposal area, including the size of the temporary holding tanks.

Please direct any questions regarding this review sheet to the individuals below.

Reviewed by:



Michael B. Phipps, CEG 1832, Exp. 7-31-06
Principal Geologist
Geolabs-Westlake Village



Eric S. Fordham, CHG 283, Exp. 2-28-07
Principal Hydrogeologist
GeoPentech, Inc.

Date: 6-9-06

Attachment: 6-10-05 Hydrogeology Review Sheet

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APPENDIX I: DRAFT EIR COMMENT LETTERS

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Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Sean Walsh
Director

November 14, 2006

Stefanie Edmondson
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

Subject: Malibu La Paz Ranch Development Agreement
SCH#: 2003011131

Dear Stefanie Edmondson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on November 13, 2006, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse

1.1

RECEIVED
NOV 27 2006

Document Details Report
State Clearinghouse Data Base

Comment Letter No. 1 (Cont.)

SCH# 2003011131
Project Title Malibu La Paz Ranch Development Agreement
Lead Agency Malibu, City of

Type EIR Draft EIR

Description The proposed project includes the development of three separate commercial development projects for a total development of 132,058 sf of commercial floor area, including commercial office and retail space and a City Hall. The architecture is envisioned as Mediterranean with modern updates, with maximum building heights not exceeding 24 feet at the base of the roof level and 34-feet in height as measured from the highest point of articulated roof elements. A summary of the total proposed development for all three parcels combined is as follows:

- 112,058 square feet of commercial retail and office space;
- 20,000 sf City Hall; and
- 609 parking spaces.

Lead Agency Contact

Name Stefanie Edmondson
Agency City of Malibu
Phone (310) 456-2489 x233 **Fax**
email
Address 23815 Stuart Ranch Road
City Malibu **State** CA **Zip** 90265

Project Location

County Los Angeles
City Malibu
Region
Cross Streets Civic Center Way and La Paz Lane
Parcel No. 4458-022-025
Township **Range** **Section** **Base**

Proximity to:

Highways Pacific Coast Highway
Airports
Railways
Waterways Pacific Ocean and Malibu Creek
Schools
Land Use Community Commercial (CC)

Project Issues Noise; Traffic/Circulation; Vegetation

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Department of Fish and Game, Region 5; Department of Water Resources; California Coastal Commission; California Highway Patrol; Caltrans, District 7; Santa Monica Mountains Conservancy

Date Received 09/29/2006 **Start of Review** 09/29/2006 **End of Review** 11/13/2006

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
 89 SOUTH CALIFORNIA ST., SUITE 200
 VENTURA, CA 93001
 (805) 585-1800



RECEIVED
 NOV 13 2006

November 9, 2006

Stefanie Edmondson
 City of Malibu, Planning Division
 23815 Stuart Ranch Road
 Malibu, CA 90265-4861

RE: Draft Environmental Impact Report (DEIR) for the La Paz Development Agreement

Dear Ms. Edmondson:

Commission staff has reviewed the above referenced Draft EIR and are providing the following comments for your consideration. As proposed, the project includes development of 132,058 sq. ft. of retail and commercial office space and a City Hall on two existing Community Commercial-zoned parcels located within the Civic Center area of Malibu. The project site is situated on 15.2 acres of vacant land north of Civic Center Way and directly east from the Civic Center government buildings. A lot line adjustment to reconfigure the existing parcels, and a land division to create a third parcel for the proposed City Hall, are also proposed. The project, as proposed, involves the processing of a Development Agreement between the City and the project applicant to increase the maximum Floor Area Ratio (FAR) allowed under the Malibu LUP to 0.20, the maximum allowed if public benefits and amenities are provided to the City. The Development Agreement must be certified by the Commission as an amendment to the LCP. The project will also require a Coastal Development Permit.

2.1

1. *Development Agreement.* The DEIR states that the Development Agreement is currently in the process of being finalized between the City and applicant. Since the Development Agreement is a significant part of the proposed project, it should be included in the EIR document as an appendix.

2.2

2. *Civic Center Development Criteria.* The total development area proposed under the proposed project, for parcels A, B, and C combined, is 132,058 square feet. The overall FAR is 0.20. The LCP provides for a maximum FAR of 0.20 within the Civic Center Overlay Area only if public benefits and amenities are provided, including public open space and, where applicable, habitat restoration or enhancement. Section 3.8(A)(5)(f) of the LIP contains guidelines the City shall use in qualifying public benefits and amenities that are offered by an applicant to increase the maximum allowable FAR for commercial development. The EIR should address which guideline was used for making the proposed project's public benefit and amenity determination.

2.3

3. *Wetland Delineation/Biological Surveys.* In order to complete an adequate biological impact analysis, the DEIR must be based upon an up-to-date, comprehensive biological inventory. The EIR should also quantify all habitat and native trees to be removed or disturbed. For the purposes of reviewing the LCP amendment, Commission will require recent (completed within 1-2 years of application submittal) biological information, including datasheets and routes for each site visit. In addition, Section 3.8(A)(5)(e)(4) of the Malibu LIP requires submittal of a wetland delineation determination, conducted in accordance with policy 4.4.3(b) of the LIP, prior to Commission approval of a LCP amendment for any development agreement in the Civic Center Overlay.

2.4

November 9, 2006

Page 2

- 4. *Biological Resources and Project Alternatives.* The proposed project involves the removal of all native coastal sage scrub habitat, California black walnut and sycamore woodland relic cells on the project site. The preferred alternative involves removal of a portion of the on-site native coastal sage scrub habitat, and removal of all California black walnut and sycamore woodland cells on-site. The EIR should quantify all habitat and native trees to be removed or disturbed under each project alternative. The DEIR indicates that mitigation measures for the loss of habitat is proposed under each alternative in order to render the biological resource impacts less-than-significant. However, the project's biological resource impacts cannot be considered less-than-significant if the proposed project and mitigation measures are not consistent with the biological resource and native tree policies and provisions of the certified LCP. The LCP requires that new development be sited and designed to avoid impacts to environmentally sensitive habitat areas and native trees. Mitigation shall not substitute for implementation of an alternative that would avoid or reduce adverse impacts. It appears that feasible alternatives exist that would avoid or minimize adverse impacts upon biological resources. Commission staff recommends that the EIR address consistency of the proposed project, alternatives, and proposed mitigation with the sensitive habitat and native tree provisions of the LCP and make the applicable findings. 2.5

- 5. *Fuel Modification.* The project's fuel modification requirements should be incorporated into the biological analysis of the EIR, including an illustration of the approximate fuel modification areas on an aerial photograph overlain with the proposed development footprint(s). 2.6

- 6. *Development Standards.* The DEIR states that land use impacts related to non-conforming yard setbacks and building height would be brought into conformance and be less-than-significant with approval of the proposed Development Agreement. This is incorrect since a project's deviation from applicable land use plan, policies and regulations is considered a significance criteria according to CEQA guidelines and the EIR should evaluate the project's consistency with commercial development and visual resource standards contained in the LCP. 2.7

- 7. *Land Division.* The proposed project involves a land division in order to create three parcels from two existing parcels. The third parcel is proposed to be conveyed to the City for development of a City Hall. The EIR should evaluate the proposed project's conformance with the applicable provisions of Chapter 15 of the LIP (Land Divisions) and make the required findings. This analysis should be included in the Land Use and Planning section of the EIR. 2.8

Commission staff will review future staff reports for the La Paz Development Agreement LCP amendment and coastal development permit(s). Depending on the particular details of the project and LCP amendment, we may provide additional comments or identify additional issues to be addressed. Thank you for the opportunity to review the DEIR at this time. 2.9

Sincerely,



Deanna Christensen
Coastal Program Analyst

cc: Barbara Carey
Gary Timm

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF PUBLIC
TRANSPORTATION AND REGIONAL PLANNING
 IGR/CEQA BRANCH
 100 SOUTH MAIN STREET
 LOS ANGELES, CA 90012
 PHONE (213) 897-3747
 FAX (213) 897-1337



*Flex your power!
 Be energy efficient!*

DEC 04 2006

November 30, 2006

IGR/CEQA DEIR CS/061001
 City of Malibu
 La Paz Ranch Development Agreement
 112,058 sq. ft. of retail, commercial and office
 space, and a 20,000 sq. ft. City Hall
 Malibu Civic Center area
 Vic. LA-1-47.75, SCH# 2003011131

Ms. Stafanie Edmondson
 City of Malibu
 Planning Department
 23815 Stuart Ranch Rd.
 Malibu, CA 90265

Dear Ms. Edmondson:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-mentioned project. Based on the information received, we have the following comments:

Traffic mitigation measures involving State Highways such as PCH (State Route 1) will need to be reviewed and approved by Caltrans. A Caltrans Encroachment Permit will be needed for any work to be performed within the State Right-of-way. Any non-standard design features will need a Caltrans approved Exception to Mandatory Design Standards Fact Sheet. Traffic Studies needs to include impact to southbound PCH from the proposed project to the Santa Monica Freeway for summertime traffic, weekend traffic and holiday traffic.

3.1

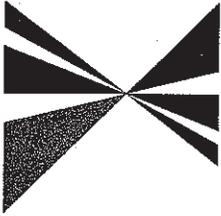
If you have any questions, you may reach me at (213) 897-3747 and please refer to our record number 061001/CS.

Sincerely,

CHERYL J. POWELL
 IGR/CEQA Program Manager
 Office of Regional Planning

cc: Scott Morgan, State Clearinghouse

SOUTHERN CALIFORNIA



ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

Officers: President: Yvonne B. Burke, Los Angeles County - First Vice President: Gary Ovitt, San Bernardino County - Second Vice President: Richard Dixon, Lake Forest - Immediate Past President: Toni Young, Port Hueneme

Imperial County: Victor Carrillo, Imperial County - Jon Edney, El Centro

Los Angeles County: Yvonne B. Burke, Los Angeles County - Zev Yaroslavsky, Los Angeles County - Jim Aidingier, Manhattan Beach - Harry Baldwin, San Gabriel - Paul Bowlen, Cerritos - Todd Campbell, Burbank - Tony Cardenas, Los Angeles - Stan Carroll, La Habra Heights - Margaret Clark, Rosemead - Gene Daniels, Paramount - Mike Dispenza, Palmdale - Judy Dunlap, Inglewood - Rae Gabelich, Long Beach - David Gatin, Downey - Eric Garretti, Los Angeles - Wendy Greuel, Los Angeles - Frank Gurulé, Cudahy - Janice Hahn, Los Angeles - Isadore Hall, Compton - Keith W. Hanks, Azusa - José Huizar, Los Angeles - Tom LaBonge, Los Angeles - Paula Lantz, Pomona - Paul Nowatka, Torrance - Pam O'Connor, Santa Monica - Alex Padilla, Los Angeles - Bernard Parks, Los Angeles - Jan Perry, Los Angeles - Ed Reyes, Los Angeles - Bill Rosendahl, Los Angeles - Greig Smith, Los Angeles - Tom Sykes, Walnut - Paul Talbot, Alhambra - Mike Jen, South Pasadena - Tonia Reyes Uranga, Long Beach - Antonio Villaraigosa, Los Angeles - Dennis Washburn, Calabasas - Jack Weiss, Los Angeles - Herb J. Wesson, Jr., Los Angeles - Dennis Zine, Los Angeles.

Orange County: Chris Norby, Orange County - Christine Barnes, La Palma - John Beaman, Brea - Lou Bone, Tustin - Art Brown, Buena Park - Richard Chavez, Anaheim - Debbie Cook, Huntington Beach - Leslie Daigle, Newport Beach - Richard Dixon, Lake Forest - Paul Glaab, Laguna Niguel - Mari Lynn Poe, Los Alamitos

Riverside County: Jeff Stone, Riverside County - Thomas Buckley, Lake Elsinore - Bonnie Flickinger, Moreno Valley - Ron Loveridge, Riverside - Greg Pettis, Cathedral City - Ron Roberts, Temecula

San Bernardino County: Gary Ovitt, San Bernardino County - Lawrence Dale, Barstow - Paul Eaton, Montclair - Lee Ann Garcia, Grand Terrace - Tim Jasper, Town of Apple Valley - Larry McCallon, Highland - Deborah Robertson, Rialto - Alan Wapner, Ontario

Ventura County: Judy Mikels, Ventura County - Glen Becerra, Simi Valley - Carl Morehouse, San Buenaventura - Toni Young, Port Hueneme

Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

05.09.06

November 9, 2006

Ms. Stefanie Edmondson
City of Malibu
3700 La Paz Lane
Malibu, CA 90265

RECEIVED
NOV 13 2006

RE: SCAG Clearinghouse No. I 20060672 Malibu La Paz Ranch

Dear Ms. Edmondson:

Thank you for submitting the **Malibu La Paz Ranch** for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the **Malibu La Paz Ranch**, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project will be published in SCAG's **October 1-31, 2006** Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact Laverne Jones at (213) 236-1857. Thank you.

Sincerely,

SYLVIA PATSAOURAS
Manager, Environmental Division

Doc #128638

4.1

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



November 20, 2006

City of Malibu
Attn: Stefanie Edmondson
City of Malibu
23815 Stuart Ranch Road
Malibu, California 90265

**Comments on La Paz Development Agreement Project
Draft Environmental Impact Report**

Dear Ms. Edmondson:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the La Paz Development Agreement Project Draft Environmental Impact Report (DEIR). In a letter dated February 24, 2003, the Conservancy commented on the Notice of Preparation (NOP) for this project. We incorporate those comments into this letter by reference.

5.1

The Conservancy agrees that the cumulative impacts to biological resources associated with the project remain potentially significant (DEIR, p. v.C-27). For example, the Malibu Bay Company DEIR (2002) identified numerous sensitive wildlife species (notably birds, including raptors) potentially using the Civic Center sites. The La Paz project site is probably utilized by many of these same species. The DEIR (p. v.C-25) states that the cumulative degradation to regional biological resources in the Malibu area from development of existing residential lots, intensification and improvement of existing land use, and development of existing commercial lots such as that proposed, may be regionally significant. The DEIR (p. v.C-27) states that the loss of open space can only be mitigated for by creating new open space where none exists now, and that this is not a practical or viable measure. Although creation of new open space may not be viable, protection of existing open space is viable. Project applicants in various jurisdictions routinely set aside open space for protection in perpetuity to help offset significant adverse project-related or cumulative impacts to biological resources. Given that the cumulative impacts to biological resources will remain significant, an open space dedication is warranted in this case as a feasible means for the lead agency to substantially reduce impacts.

5.2

Any avoidance on the project site will preserve at least some of the habitat for the wildlife species potentially using the site, including raptors and mammals. The California Environmental Quality Act (CEQA) dictates and the Conservancy recommends that some

5.3

City of Malibu
 La Paz Development Agreement Project DEIR
 November 20, 2006
 Page 2

open space be left undisturbed onsite. This should include approximately 250 feet measured from the northern tip of the property southward, encompassing the coastal sage scrub onsite. In addition, the coastal sage scrub located at the northwest portion of the site should be avoided. These areas should not be disturbed by fuel modification or any development, and fencing should not be allowed. A conservation easement should be recorded prior to, or concurrent with, the issuance of the first grading permit, in favor of an appropriate public park agency such as the Mountains Recreation and Conservation Authority.

5.3

Inadequate range of alternatives

Clearly the environmentally superior alternative, which saves an undisclosed amount of coastal sage scrub, does not represent an adequate range of development-oriented alternatives. For the environmental document to have an adequate range of alternatives, the Final Environmental Impact Report must include a project disturbance footprint and related protected open space area more or less equivalent to those recommended by the Conservancy in this letter.

5.4

Other comments regarding biological resources

Mitigation Measure 6 (DEIR, p. v.C-27) should be modified to require a 2:1 impact to creation mitigation ratio for impacts to coastal sage scrub. Coastal sage scrub is a very threatened plant community as identified by the California Department of Fish and Game, and it has been reduced by about 80-90 percent of its former range. Creation results in a temporal loss of habitat values (i.e., it may take a decade for the created coastal sage scrub to function similarly to mature stands that have been impacted). Also, there is a level of uncertainty that the created coastal sage scrub will be successful. In addition, the habitat quality may not match the naturally occurring coastal sage scrub proposed to be destroyed. For these reasons, a ratio higher than 1:1 is warranted.

5.5

The buffers proposed for construction around nests are not appropriate (DEIR, p. v.C-26). Buffer requirements are variable for non-raptor nests, but may be on the order of 300 feet. The California Department of Fish and Game letter on the NOP (February 26, 2003) recommends a minimum 500 foot buffer for all raptor nests.

5.6

It is critical that the lighting plan be carefully designed and implemented so as to achieve the goals stated in Mitigation Measure 5 (p. v.C-27), which states that it will be designed to protect nocturnal biological resources. We urge that the lighting plan be available for the City's and public review, prior to final action on this project.

5.7

City of Malibu
La Paz Development Agreement Project DEIR
November 20, 2006
Page 3

Thank you for your consideration. Please direct any questions to Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121.

↑
5.7

Sincerely,

Elizabeth A. Cheadle

ELIZABETH CHEADLE
Chairperson

02/26/2003 15:25 3105892488

PAGE 02

STATE OF CALIFORNIA - THE RESOURCES AGENCY

GRAY DAVIS, Governor

SANTA MONICA MOUNTAINS CONSERVANCY

RAMMEZ CANYON PARK
6750 RAMMEZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 889-3200
FAX (310) 589-3207



February 24, 2003

City of Malibu Planning Department
Attn: Scott Albright, Senior Planner
23815 Stuart Ranch Road
Malibu, California 90265

**Comment Letter on Notice of Preparation of an Environmental Impact Report
for La Paz Development Agreement**

Dear Mr. Albright:

The Santa Monica Mountains Conservancy (Conservancy) appreciates the opportunity to comment on the above-referenced Notice of Preparation (NOP) for La Paz Development Agreement (DA). The project would result in the development of the 15.29-acre site with 10 commercial buildings and three buildings for a new city hall. The project includes landscaping, parking, and onsite wastewater treatment. The Conservancy recommends that a portion of the northern end of the project site be left undeveloped primarily to allow for continued unrestricted wildlife movement in this area.

Despite the existing development in the Civic Center area and surrounding area, a considerable amount of open space still exists in the project vicinity, including Malibu Creek State Park. The Malibu Bay Company DA Draft Environmental Impact Report (DEIR) identifies numerous sensitive wildlife species (notably birds, but also mammals) potentially utilizing the Civic Center sites (including Ioki, Smith, and Chili Cook-off sites). The project site is potentially utilized by many of these same species. Any avoidance on the project site will preserve at least some of the habitat for these species.

The DEIR should include an analysis of offsite areas that are likely to remain as open space adjacent to and in the near vicinity of the project site. This information is necessary both to conduct an effective cumulative impact analysis, and to effectively configure open space areas on the project site. In light of the anticipated developments in the Civic Center area, an open space linkage should be permanently protected from Malibu Creek State Park through the project site, and then southwest towards the Smith site (part of the Malibu Bay Company DA). If sufficient area is set aside on the project site, that is contiguous with adjacent open spaces areas, substantial native wildlife (e.g., mammals) will continue to move through these areas.

SMMC
Attachment
11-20-06
Item 10c

02/26/2003 15:26 3105692408

PAGE 03

La Paz Development Agreement, City of Malibu
February 24, 2003
Page 2

Proposed development footprints that should be included in the above-requested analysis are: office and retail uses on the Yamaguchi site, the senior housing project north of the Yamaguchi site, the Ioki site (part of the Malibu Bay Company DA), the Chili-Cook-off site (part of the Malibu Bay Company DA), and the proposed Malibu Sycamore Grove Office Park and Civic Center Way Retail Park (east of and adjacent to the project site). These proposed footprints (if available) must be shown in the DEIR. (In an October 28, 2002 letter to the City on the Malibu Bay Company DA DEIR, the Conservancy recommended preserving the northern portion of the Ioki site to maintain adequate wildlife movement.)

To most effectively design this open space connection, the DEIR should also provide a map of topography and plant communities on the site and its immediate vicinity. When designing the exact boundaries of the area to be preserved, consideration should be given to preserving open space with topography that is not too steep so as to deter wildlife movement, preserving drainages, and preserving native plant communities (e.g., chaparral and coastal sage scrub) if possible.

The project site is roughly 1,500-feet long, measured from the northern tip to the southern end of the property, based on the figure provided in the NOP. Depending on the results of this analysis, it appears necessary to preserve roughly 250 feet measured from the northern tip of the property southward. This area should not to be disturbed by fuel modification or any other development, and fencing should not be allowed. A conservation easement should be recorded in favor of an appropriate public park agency such as Mountains Recreation and Conservation Authority.

The Malibu Lagoon Task Force has recommended the purchase and preservation of site C3, adjacent to and west of the project site if there were a willing seller. The goal of the Task Force would be to create an interconnected series of small retention ponds and treatment wetlands. Preservation of some portion of the northern portion of the subject project site, along with preservation of site C3, would collectively aid in preserving this open space linkage. Any preservation of open space on the project site, and other project sites in the Civic Center area and vicinity will also reduce cumulative water quality impacts to Malibu Lagoon.

The DEIR must fully disclose whether the sycamore trees onsite will be preserved. The DEIR should also provide a discussion regarding the consistency of the proposed project with the Malibu Local Coastal Program adopted by the California Coastal Commission on September 13, 2002.

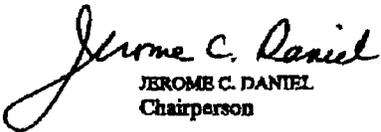
02/26/2003 15:25 3105892400

PAGE 04

La Paz Development Agreement, City of Malibu
February 24, 2003
Page 3

Please direct any questions and all future correspondence to Judi Tamasi of our staff at the
above address and by phone at (310) 589-3200, ext. 121.

Sincerely,


JEROME C. DANIEL
Chairperson



3220 International Boulevard
Santa Monica CA 90404

phone 310 453 7927
fax 310 453 7927

www.healthebay.org

February 24, 2003

Scott Albright
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

RE: La Paz Development Agreement; and
Malibu Sycamore Grove Office Park and Civic Center Way Retail Park

Dear Mr. Albright,

Heal the Bay is a non-profit environmental group with over 10,000 members dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life. We have reviewed the notice of preparations for two Malibu Civic Center developments, La Paz Development Agreement; and the Malibu Sycamore Grove Office Park and Civic Center Way Retail Park, and have the following concerns regarding the projects:

The City of Malibu must develop an Integrated Water Resource Management Plan for the Civic Center Area

Given the historic water quality problems that have plagued Malibu Creek, Malibu Lagoon, and Surfrider Beach, the City of Malibu must develop an integrated water resource management plan (IWRMP) before permitting any further development for the Civic Center area. Such a plan would enable the City to manage wastewater, potable water, and stormwater/nuisance flows for the entire Civic Center area in a cost effective manner, while obtaining greater environmental benefits. By continuing to evaluate and permit projects for the Civic Center area in a piece-meal approach, the City cannot adequately determine the cumulative impacts to the coastal environment, and thereby unable to mitigate them.

The economies of scale for wastewater treatment and stormwater management pollution prevention plan related construction and maintenance costs exist when an IWRMP is developed and implemented. Instead of building countless septic systems or implementing stormwater related best management practices (BMPs) on a project-by-project basis, the City could manage the Civic Center's environmental resources with greater success at a reduced cost through package plants and BMP treatment trains. In doing so, the City would be able to effectively control the individual and cumulative impacts of increased wastewater and stormwater flows generated with each new development.

Environmentally, Malibu Creek, Malibu Lagoon, and Surfrider Beach are currently on the State's 303 (d) list of impaired waterbodies for: nutrients, trash, pathogens, and sediment. Additional constituents of concern include pesticides and excessive flows. The lack of an IWRMP has lead

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p. 2

310 453 7927

HEAL THE BAY

Feb 24 03 06:51P

to problems at Malibu Plaza, Malibu Country Market, and Cross Creek Plaza, which has impacted Malibu Creek and Malibu Lagoon on countless occasions. To date, there is still no long-term solution in place for two of the three developments, and the Civic Center area cannot follow this same fate. Given the numerous developments planned for the Civic Center area, has the City determined the amount of wastewater flow that can safely be treated by septic systems without failing? Has the City studied the cost-benefits of implementing a single or multiple package plants versus the aggregate cost for each septic system created by new development? Has the City determined the amount of storage and treatment space required to handle the Civic Center area's stormwater flows when completely built out? Has the City developed a comprehensive water quality monitoring program for the Civic Center area to insure BMP effectiveness?

Finally, this is a great opportunity for the City to require dual plumbing. Utilizing reclaimed water from Tapia or newly constructed package plants; and/or recycling stormwater/nuisance flows for non-potable uses would be a proactive stance on reducing the area's need for potable water. In addition to reducing reliance on potable water, reusing non-potable water could reduce wastewater and stormwater/nuisance discharge costs, as well as flows to the environment.

Since the City has not developed an IWRMP, it is critical that these two projects have:

- Balanced water budget for all wastewater and stormwater that ensures no additional water flows (via runoff, direct discharge, or groundwater) to Malibu Creek or Malibu Lagoon.
- State-of-the-Art BMPs that will ensure no pollutant loading to Malibu Creek or Malibu Lagoon. In addition, a comprehensive water quality monitoring program needs to be implemented to insure installed BMPs are functioning.
- Adequate storage capacity for recycled water (40days was deemed adequate for the Pepperdine development).

Without such a plan the City of Malibu cannot effectively manage or mitigate the massive increases in wastewater and stormwater volume expected to be generated from individual development projects like the La Paz Development and the Malibu Sycamore Grove Office Park projects in the Civic Center area to already impacted waterbodies like Malibu Creek, Malibu Lagoon, and Surfrider Beach? The City of Malibu has a great chance to develop an integrated water resource management plan for the Civic Center area that will be both environmentally and economically beneficial. If you have any questions about my comment, please feel free to call me at (310) 453-0395 ext.123.

Sincerely,


James Alamillo
Beach Report Card Manager
Heal the Bay

cc sharyl Beebe



1055 Corporate Center
Dr., Suite 300
Monterey Park, CA
91754-7642
323.260.4703
fax: 323.260.4705
koala@katzokitsu.com
www.katzokitsu.com

November 10, 2006

Stefanie Edmondson
Associate Planner
City of Malibu

Subject: Review of Malibu La Paz Draft EIR

JA3109

Dear Ms. Edmondson:

I have reviewed the traffic-related portions of the Draft Environmental Impact Report for the La Paz Development Agreement Project, dated September 28, 2006. I had previously submitted comments based on the 4th screencheck draft report in August of this year, and all of my comments have been adequately addressed. I have no further comment regarding traffic or parking.

6.1

Sincerely,

KATZ, OKITSU & ASSOCIATES

Walter Okitsu, Professional Engineer
(Calif. Regis. Civil 52655, Traffic 1406)

San Diego
619.683.2933
fax: 619.683.7982

Tustin
714.573.0317
fax: 714.573.9534

Ontario
909.890.9693
fax: 909.890.9694

Oakland
510.839.0061
fax: 510.834.0964



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DONALD L. WOLFE, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 13, 2006

IN REPLY PLEASE
REFER TO FILE: LD-0

Ms. Stefanie Edmondson
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

Dear Ms. Edmondson:

DRAFT ENVIRONMENTAL IMPACT REPORT
MALIBU LA PAZ RANCH DEVELOPMENT
CITY OF MALIBU

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Malibu La Paz Ranch Development. The proposed project involves the development of three parcels; Parcel A consisting of 68,997 square feet of retail/commercial office space, Parcel B consisting of 43,061 square feet of retail/commercial office space, and a 20,000-square foot City Hall will be built on Parcel C. We offer the following comments for your considerations as you finalize the DEIR:

7.1

Hydrology/Water Quality and Drainage:

The DEIR is not clear as to what entity will be providing long-term maintenance of the proposed drainage improvements. Should it be the City's intent to transfer the flood control facilities to the Los Angeles Flood Control District, all drainage improvements, including all retention and/or debris basins should be designed with sufficient details and plans submitted to Public Works for review before certifying the EIR. Any water quality basins should be constructed off-line of the main drainage system. Also, 24-hour access to all facilities must be provided, access must be over properly sized roads, and the roads must be constructed for H2O traffic loading. Street access to a retention and/or debris basin must allow two-way truck traffic. Where necessary, the turnaround areas for Public Works equipment must be able to handle a minimum 40-foot-turning radius. Should it be the intent of the City to maintain the drainage facilities, the applicant will need to furnish Public Works with sufficiently detailed hydrology and hydraulic calculation and design details so that we can determine that the upstream stormwater and debris flow will be adequately managed and will not adversely impact downstream flood control facilities. These calculations and details should be submitted prior to certifying the EIR.

7.2

Ms. Stefanie Edmondson
November 13, 2006
Page 2

Transportation/Traffic:

Upon development of all three parcels, the proposed project is estimated to generate approximately 3,140 trips daily, with 130 and 260 vehicle trips during the weekday a.m. and p.m. peak hours, respectively. We agree with the DEIR that the project will have significant impact to the County portion of roadway segment of Malibu Canyon Road between the Hughes Research Lab and Piuma Road. No feasible mitigation measures are available. Therefore, the impacts to this roadway segment would remain significant and unavoidable. However, to address the potential safety issues that may occur on the County portion of Malibu Canyon Road due to the increased traffic, we request that the study be revised to include a Highway Safety Study based on Section 148 of Title 23 of the United States Code.

7.3

Public Utilities-Water:

The proposed project is located in the service area of Los Angeles County Waterworks District 29, Malibu. The discussion on the District's facilities in the vicinity of the project site is basically correct, and we are agreeable to the concept of the proposed mitigation measures. However, a complete hydraulic analysis needs to be prepared to determine the detailed requirements for providing water service to the project.

7.4

If you have any questions, please contact Mr. Suk Chong at (626) 458-7150.

Very truly yours,

DONALD L. WOLFE
Director of Public Works



ROSSANA D'ANTONIO
Assistant Division Engineer
Land Development Division

SPC:ca
P:\dpubl\CEQA\SUK\Malibu La Paz Ranch_DEIR_Malibu.doc

Steve Uhring
23722 Harbor Vista Drive
Malibu, Ca. 90265

Nov 12, 2006

City of Malibu
Attn: Malibu La Paz Ranch DA/EIR

c/o Stefanie Edmondson, Associate Planner
23815 Stuart Ranch Road
Malibu, CA 90265

Stefanie,

Please find comments to the LaPaz Ranch EIR. We look forward to the City's responses.

Steve Uhring
Malibu Knolls Property Owners Association

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Comment 1

Section Environmental Impacts Noise

Sound studies, the placement of Noise detectors, were not conducted on homes on Harbor Vista Drive, which abut the proposed development. The amphitheatre type setting of Harbor Vista guarantees that a great deal of the noise generated by the development will find its way to this neighborhood.

The lack of testing of the noise impacts on Harbor Vista displays a large deficiency in this EIR noise study and would render its results unreliable. .

8.1

Comment 2

Section Public Utilities/Water

The EIR in section V.I states that water resources for the site are not available and need to be constructed.

La Paz states that a steel Reservoir, a booster pumping station, and pressure regulator, Off site water mains connecting the booster pumping station to the existing distribution infrastructure and to the steel reservoir, distribution mains to the project area and other possible needs must be constructed in order to adequately serve the Project. Additionally this project will place more demands on the single pipeline that runs along PCH and provides water to all of Malibu.

8.2

Steve Uhring
23722 Harbor Vista Drive
Malibu, Ca. 90265

The EIR does not identify the impact of this project upon the single water feeding line Malibu. Will the project impact the community in the form of diminished water services?

The EIR also does identify if community is in any way required to bear a portion of the financial burden required to construct the water infrastructure needed to support the project,

The following information should be included in the EIR.

Where is the land where this infrastructure would be constructed?

What is the projected cost, including the cost of land, to construct the needed infrastructure?

Which entity, (e.g. The City of Malibu, La Paz or the County) would be responsible for paying for and constructing this infrastructure?

8.2

Comment 3

Section: Traffic

Comment A:

Malibu Canyon is the only egress available to three residential streets on Malibu Knolls. These streets are Malibu Crest, Harbor Vista Drive and Malibu Knolls Drive. Nothing in the EIR discusses the impact the development's proposed traffic increases will have on the ability of the homeowners living on these streets to safely egress on Malibu Canyon Drive.

8.3

The EIR does not comment on the traffic impacts to these residential areas nor does it propose mitigation measures for these residential intersections to insure we will have safe entry and exit from our neighborhoods.

Comment B:

Appendix G Traffic and Circulation study, page 21 under Ambient Growth in Traffic states that files from Caltrans indicate that traffic in the study area has historically grown by approximately 1.5% per year.

8.4

The EIR does not provide a reference for the Caltrans study used to support this ambient growth rate and without one it is impossible to access the accuracy of this computation.

Steve Uhring
23722 Harbor Vista Drive
Malibu, Ca. 90265

Comment C

The EIR does not provide any information on what the actual growth rates on Malibu's roads, such as PCH, and Civic Center Way, have been since 2000, nor is the actual traffic growth rate used to compute the future impacts of traffic. Our data shows that actual growth rates are substantially higher than the 1.5% and that the projected traffic growth rates identified in the EIR are materially understated.

8.5

Comment D

Traffic studies for this project were conducted in April and May of 2003. This period is not typical of summer traffic (July and August) nor is it representative of the fall and spring timeframes when schools (both Malibu Schools and Pepperdine) are in session.

Adjustments to the April and May traffic counts were not included in the EIR to account for summer and school in session traffic which would be considerably higher than the numbers included in the existing EIR. The result is the traffic impacts for the roadways and intersections identified in the EIR are materially understated.

8.6

Comment E

Traffic mitigation measures proposed in the EIR require changes to Pacific Coast Highway. Modifications to PCH will require agreement by Caltrans. There is no indication in the EIR that Caltrans approval has been obtained.

8.7

Comment F

There are additional development projects scheduled for the Civic Center not included in the EIR Traffic study. These projects include the Santa Monica College Campus, Redevelopment of the Malibu Lumber Yard, proposed development on the IOKI property, the development of two restaurants on PCH -The Windsail and PierView, the potential movement of City Hall to the new development and the impacts of renting out the existing space used for city hall to additional tenants, to name but a few.

8.8

Excluding the impacts of these projects from the Traffic Study, materially understates the conclusion reached in the EIR.

Comment G

The Traffic Study identifies that mitigation measures require that Webb Way be converted to a six-lane road. The Study does not identify the party (The developer or the city) that will bear the costs for this modification

8.9

Steve Uhring
23722 Harbor Vista Drive
Malibu, Ca. 90265

The EIR should clearly identify the party responsible for paying for modifications to Webb Way.

8.9

Comment H

The existing traffic counts in the EIR are significantly less than traffic counts taken by Caltrans for the same roads. These Caltrans traffic counts are available at the Caltrans website.

8.10

The development should be required to reconcile its existing traffic accounts with those provided by Caltrans and to explain any differences.

Comment 4.

Protection of nearby neighborhoods.

The hillsides that separate Malibu Knolls from the Commercial activity in the Civic Center have acted as a barrier preventing individuals from accessing the Knolls from below.

8.11

This development project will move the commercial activity in the City closer to the Knolls and will in fact make entry to the Knolls via the hillsides relatively easy.

The EIR should include measures to prevent individuals who enter the project footprint from gaining access to the Knolls via the hillsides.

Comment 5:

Civic Center Specific Plan.

Malibu's General Plan requires that a Civic Center Specific Plan be approved, prior to development in the Civic Center.

8.12

A Civic Center Specific Plan must be developed before any aspect of this project can be approved.

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OCT 16 2006

October 12, 2006

Ms. Stefanie Edmondson
City of Malibu
23815 Stuart Ranch Rd
Malibu Calif 90265

Re: Malibu La Paz DA/EIR

Dear Ms. Edmondson,

I am a resident of Malibu Knolls. I have seen the information provided to me by neighbors, regarding the measuring of sound from this development. Why was the area uphill of this development ignored in the sound studies? We are affected in a material way as the sound travels up into the canyon and into our homes. Additionally, lights from commercial structures light up our homes. The Malibu Country Mart is a prime example of parking light glare that keeps us illuminated. Lastly, the skate board park is a constant source of noise, and when in use, overwhelms the sound of the surf, which we used to hear.

9.1

9.2

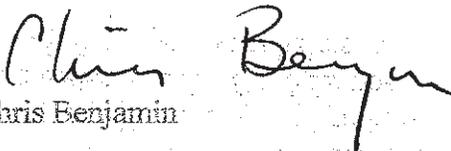
The center where the Ralph's market exists, with its nighttime lighting on the roof, not obscures the view of the ocean at night.

I trust if a development goes forward, the restrictions will take into consideration: lighting which will terminate at 8 PM, operating hours likewise; truck delivery hours from 8 to 5, and not on weekends; lighting standards with glare not over 2 ft. candles beyond the property line; parking areas closed to other businesses at 8 PM; and any dedication to skate boarding limited to daylight hours, with no lighting.

9.3

Any questions? Phone 456 2736

Sincerely,


Chris Benjamin

RECEIVED

NOV 13 2006

PLANNING DEPT.

LAW OFFICES

ALAN ROBERT BLOCK

A PROFESSIONAL CORPORATION

1901 AVENUE OF THE STARS, SUITE 470
LOS ANGELES, CALIFORNIA 90067-6006
TELEPHONE (310) 552-3336
TELEFAX (310) 552-1850

ALAN ROBERT BLOCK
JUSTIN MICHAEL BLOCK

OF COUNSEL
MICHAEL N. FRIEDMAN

SENDER'S E-MAIL
alan@blocklaw.net

November 13, 2006

Ms. Stephanie Edmondson
City of Malibu Planning Department
23815 Stuart Ranch Road
Malibu, CA 90265

Re: *Draft Environmental Impact Report for
Proposed La Paz Ranch Development*

Dear Ms. Edmondson:

This office represents Eric and Tamara Gustavson, the owners of the property located at 3657 Cross Creek Road, in Malibu. I am writing to you to share our comments and concerns regarding the Draft Environmental Impact Report ("DEIR") for the proposed development on Assessor's Parcel Nos. 4458-022-023 and 4458-022-024, commonly known as the La Paz Ranch project ("project").

BACKGROUND INFORMATION

The Gustavsons and their children reside on a large single family residence at 3657 Cross Creek Road. Their residence is located towards the rear of the property at the end of a long driveway that connects to Cross Creek Road, northeast of the intersection of Cross Creek Road and Civic Center Way. The Gustavson property is located adjacent to the east to what is proposed to be Parcel B of the project. The Gustavson residence is located near what is proposed to be the site for Buildings 10 and 11 on Parcel B of the project.

10.1

The Gustavsons have been aware for many years that the La Paz Ranch property is zoned for commercial use, and they have no objection to the fact that commercial retail and office use is proposed. The Gustavsons believe, however, that the density and design of the proposed project leaves too many potentially unmitigated adverse impacts, for them specifically and for the community at large, and that the DEIR does not adequately address certain issues which are vital to the successful integration of the proposed project into the civic center complex.

Ms. Stephanie Edmondson

Re: *Draft Environmental Impact Report for Proposed La Paz Ranch Development*

November 13, 2006

Page 2

**SUMMARY OF ISSUES REGARDING THE LA PAZ RANCH
DRAFT ENVIRONMENTAL IMPACT REPORT**

The Gustavsons take issue with the DEIR with regard to the following:

1. The DEIR fails to offer adequate mitigation for identified adverse impacts and improperly postpones analysis of necessary mitigation measures to future approvals.

2. The DEIR fails to consider an adequate array of project alternatives. Specifically, the DEIR fails to consider the viability of a project that complies with the City's existing height and density limitations.

3. The DEIR does not address the impacts of ground water migration and increased ground water levels to the south of the La Paz Ranch property, specifically the leach fields beneath and adjacent to the Chili Cook-off Site.

4. The DEIR proposes no mitigation measures for adverse traffic impacts to the intersection of Cross Creek Road and Civic Center Way.

5. The DEIR fails to address potential adverse impacts from the water elements of the proposed project including noise from the fountains and impacts from standing water, including odors and insect breeding.

6. The DEIR fails to provide adequate mitigation measures to prevent noise, light, air and view blockage from Buildings 10 and 11 on Parcel B

10.2

**ANALYSIS OF ISSUES REGARDING THE LA PAZ RANCH
DRAFT ENVIRONMENTAL IMPACT REPORT**

Lack of Adequate Discussion of Mitigation for Identified Adverse Impacts

According to the CEQA Regulations, at 14 Cal. Admin. Code §15126.1(a), “[a]n EIR is an informational document which will inform public agency decision-makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

10.3

CEQA Regulations, at 14 Cal. Admin. Code §15126.4(a)(1) provides, “[a]n EIR shall describe feasible measures which could minimize significant adverse impacts.” The discussion of mitigation measures shall . . . identify mitigation measures for each significant

Ms. Stephanie Edmondson

Re: *Draft Environmental Impact Report for Proposed La Paz Ranch Development*

November 13, 2006

Page 3

environmental effect identified in the EIR. 14 Cal. Admin. Code §15126.4(a)(1)(A). Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. 14 Cal. Admin. Code §15126.4(a)(1)(B).

10.3

Here, the DEIR is faulty because it all too frequently defers the formulation of mitigation measures into the future. The DEIR correctly states that future approvals will be required for various aspects of the project. However, it cannot properly state that these subsequent approvals are, in and of themselves, mitigation measures. As a result, the Gustavsons and all others reviewing the DEIR are left clueless as to what types of mitigation measures, if any, may be adopted in connection with those future approvals. The future approvals which the developer has cited as mitigation measures include: (1) the approval of a landscape plan in the future to mitigate aesthetic/view blockage impacts; (2) the approval of “complete grading plans that include existing and proposed grades, grading yardages, proposed subterranean parking, the limits and depths of removals under the structures and flatwork areas, and grading cross-sections” to mitigate geology and soils impacts; (3) the approval of a final feasibility approval of the onsite wastewater treatment system (“OWTS”) by the City Environmental Health Specialist, which will address the cumulative impacts upon groundwater levels to mitigate environmental health impacts; (4) the approval of a water quality mitigation plan (“WQMP”) to mitigate environmental health impacts; (5) the approval of grading and drainage plans by the City Environmental Building and Safety Division to mitigate geology and environmental health impacts; (6) approval of “detailed plans for the OWTS” by the City Environmental Building and Safety Division to mitigate environmental health impacts; and (7) approval of “permits from the RWQCB prior to the installation of any temporary and/or permanent de-watering systems” to mitigate the impacts on groundwater levels from construction and maintenance of the subterranean garages.

10.4

The Gustavsons recognize that the project, as proposed, cannot proceed without the foregoing approvals. However, that is beside the point for purposes of determining the adequacy of an EIR as an informational document. At this point in time, no one knows what types of mitigation measures might be required, what effects they might have, and whether any of the project alternatives might be preferable to the proposed project with those future mitigation measures that might be imposed. The DEIR, as currently written, leaves too much open to speculation and future resolution. For that reason, it is inadequate.

10.5

Lack of Adequate Project Alternatives

According to the CEQA Regulations, at 14 Cal. Admin. Code §15126.6(a), “[a]n EIR shall describe a range of reasonable alternatives to the project, or to the location of the

10.6

Ms. Stephanie Edmondson

Re: *Draft Environmental Impact Report for Proposed La Paz Ranch Development*

November 13, 2006

Page 4

project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376)."

10.6

According to the CEQA Regulations, at 14 Cal. Admin. Code §15126.6(c), "[t]he range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts."

Here, the DEIR identified only two project alternatives, one of which is mandated by CEQA and involves no discretion or consideration as to whether it should be included, i.e., the so-called "no project" alternative. The Gustavsons do not challenge the analysis of the no-project alternative, and recognize the right of the property owner to make a reasonable use of its land. Therefore, it appears to the Gustavsons that there are only 2 alternatives for the La Paz Ranch property – either the project as proposed, or the project as proposed without the City Hall element. This is hardly a full and fair analysis of potential project alternatives. Without any explanation, the DEIR fails to consider as a project alternative a development which complies with the City's existing General Plan, Zoning Laws, and Local Coastal Program. The DEIR is silent on the issue of why this property can only be feasibly used if all of the City's laws regarding it are rewritten.

10.7

The DEIR does not address the issue of how much commercial square footage is required to make the project feasible and whether overall density can be decreased by an increase in commercial square footage and a decrease in office square footage. Before this

10.8

Ms. Stephanie Edmondson

Re: *Draft Environmental Impact Report for Proposed La Paz Ranch Development*

November 13, 2006

Page 5

developer is granted an increase in FAR (floor area ratio) which exceeds the level currently set forth in the City's General Plan, some type of analysis should be depicted in the DEIR demonstrating why this project cannot be made feasible without the increase in FAR. The FAR proposed by the developer can only be supported, given current parking requirements, by the construction of subterranean garages. These garages, in turn, result in structures which exceed the City's current structural height limit. A reduction in density, by the elimination of the second story of the offices on Parcel B, for example, would decrease the amount of parking required for those structures, decrease FAR and increase permeable lot area. It is not clear from the DEIR why a reduction in density or the reduction of oversized structures to current limits is unfeasible. For this reason, the DEIR is inadequate as an informational document.

10.8

Lack of Adequate Discussion of Impacts From Increased Ground Water Levels

CEQA Regulations, at 14 Cal. Admin. Code §15126.2(a), provides that “[a]n EIR shall identify and focus on the significant environmental effects of the proposed project. . . Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.”

10.9

According to the DEIR, the demand for water supply will be at the estimated rate of 43,370 gallons per day. It is reasonable to estimate that water discharge will be at a comparable rate. The proposed OWTS will discharge all of this wastewater by two means: via leach fields located beneath the surface parking lots and via an evapotranspiration (“ET”) system, which will provide subsurface irrigation, presumably at locations on the property other than the location of the leach fields.

10.10

The City's Chili Cook-Off site, located on the south side of Civic Center Way, is the likely destination of migrating groundwater emanating from the La Paz Ranch property. The fact that the proposed leach fields are located beneath impermeable surfaces virtually guarantees that the discharged wastewater will increase groundwater levels at the Chili Cook-Off site and seaward as the wastewater migrates to the ocean. Unfortunately, the Chili Cook-Off site is already subjected to increased groundwater levels from wastewater discharges

Ms. Stephanie Edmondson

Re: *Draft Environmental Impact Report for Proposed La Paz Ranch Development*

November 13, 2006

Page 6

from the Malibu Country Mart, and it is widely known that on rainy winter days, the smell of raw sewage emanating from the Chili Cook-Off site is very apparent, even to passersby on Pacific Coast Highway. The impact of additional groundwater increases at this site are not addressed in the DEIR, nor are any mitigation measures proposed.

↑
10.10

This is one of the most a critical issues for this project because much of the property lies within a flood plain and the project's water elements can be expected to reach their maximum capacity as a result of surface water run-off during the wet season. At this time of year, the ET system will also provide little benefit because subsurface soils will be saturated from surface waters, and even more discharge into the leach fields can be reasonably anticipated. The DEIR does not identify how expansive the soil is in the location of the leach fields, but expansive soils can be reasonably anticipated to cause cracking and sink holes in the surface driveways, which will produce more construction activities at the project site.

Given the seriousness of the impacts associated with increased groundwater levels produced by the reasonably anticipated daily wastewater discharge, the treatment it received in the DEIR is grossly inadequate and much more analysis should be required of the developer before serious consideration to the certification of a final EIR can be given.

Lack of Mitigation Measures for Traffic Impacts at the Intersection of Cross Creek Road and Civic Center Way

At present, the intersection of Cross Creek Road and Civic Center Way has no controls for vehicles turning from one street to the other, or for vehicles heading northbound on Cross Creek Road crossing Civic Center Way. However, for those heading southbound on Cross Creek Road, there is a stop sign giving all turning traffic the right-of-way. The developer's own traffic study identified significant adverse impacts to this intersection during afternoon hours. It is likely, depending on the hours of operation of businesses at the La Paz Ranch property, that there will be significantly more traffic passing through this intersection at other times of the day as well.

10.11

No attempt at mitigation is proposed in the DEIR and no explanation for leaving this impact unmitigated is offered. That is unacceptable. Traffic impacts could be lessened by providing more controls at the intersection, or by directing traffic from the proposed project to the west, through use of a right-turn only exit. Further study of this issue by the developer's traffic engineer is warranted to determine what type of mitigation measure is best suited for this intersection. At present, the DEIR is inadequate in its treatment of this issue.

Ms. Stephanie Edmondson

Re: *Draft Environmental Impact Report for Proposed La Paz Ranch Development*

November 13, 2006

Page 7

Lack of Consideration of Impacts From the Proposed Project's Water Elements

The water elements are touted in the DEIR as a means to mitigate impacts associated with surface water run-off. The developer proposes a series of water elements which include fountains, flowing "streams" and two man-made "wetlands," which will hold standing water. While this mitigation measure may produce some benefits in controlling surface water run-off, potential adverse impacts are not discussed.

CEQA Regulations, at 14 Cal. Admin. Code §15126.4(a)(1)(D), provides, in relevant part, that "[i]f a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed." The DEIR fails to do this.

10.12

The impacts that are of greatest concern to the Gustavsons are the extent that the running water in the fountains and streams will produce unwanted noise, odors from standing water, and increases in insect populations as a result of the introduction of the wetland breeding grounds. No report from the County Vector was submitted and no analysis of impacts regarding the spread of West Nile virus was made.

Because the wetlands are designed to hold standing water year-round, impacts regarding increased insect and animal populations should be addressed. While the introduction of wetlands may, in concept, appear to be a laudable goal, the impacts of water fowl populations should be considered, such as increased droppings from ducks and other large water birds in and around the La Paz Ranch property.

Lack of Adequate Mitigation Measures to Prevent Noise, Light and View Blockage From Buildings 10 and 11 on Parcel B

Buildings 10 and 11 on Parcel B are located in very close proximity to the Gustavson residence. They are the only structures in the proposed project that is in close proximity to existing residence. Accordingly, mitigation measures for these structures should be greater, because the impacts of that structure are likely to be greater to the project's neighbors, i.e., the Gustavsons, than structures that do not abut existing residential development. As presently designed, Building 10 will have two levels totaling 7,258 square feet. Building 11, which is set back further from the Gustavson property, and more landward, is only 4,863 square feet. Fifteen parking spaces are located on the property line dividing the La Paz Ranch property and the Gustavson property. Those spaces are at an elevation approximately 12 feet higher than the elevation at the front Building 10 and will be accessible via driveways which have an incline in elevation. Vehicles entering this parking area at night would shine

10.13

Ms. Stephanie Edmondson

Re: *Draft Environmental Impact Report for Proposed La Paz Ranch Development*

November 13, 2006

Page 8

their headlights onto the Gustavson residence. Vehicles parking in this area would produce noise and exhaust which could be significant given the proximity of these parking spaces to the Gustavson residence.

These impacts are significant to the Gustavsons, and should have been addressed in the DEIR. Proposed mitigation measures are likewise absent from the DEIR. For example, the locations of Buildings 10 and 11 could be switched, along with the parking required for those buildings, so that the larger building is located further from existing residential development. Likewise, the relocation of parking spaces away from the property line might decrease the impacts created by Building 10. These mitigation measures, and others proposed by the Developer, should be addressed prior to certification of a final EIR.

10.13

CONCLUSION

The La Paz Ranch project, if approved as proposed, would have significant adverse impacts which have not been properly and adequately addressed in the DEIR. These impacts could have serious consequences for the environment and for Malibu's citizens. Until all of the potentially significant adverse impacts have been addressed, and mitigation measures proposed that will reduce these impacts to levels of insignificance, the La Paz Ranch project should be disapproved.

10.14

Very truly yours,

**LAW OFFICES OF
ALAN ROBERT BLOCK**
A Professional Corporation



ALAN ROBERT BLOCK

cc: Mr. Eric Gustavson



California Regional Water Quality Control Board
Los Angeles Region



Linda S. Adams
 Cal/EPA Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
 Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
 Governor

November 5, 2007

Ms. Stacey Rice
 Director, Planning Department
 City of Malibu
 23815 Stuart Ranch Road
 Malibu, CA 90265

COMMENTS: MALIBU LA PAZ DEVELOPMENT AGREEMENT FOR RETAIL AND RESTAURANT USE, 3700 LA PAZ LANE, MALIBU (DRAFT ENVIRONMENTAL IMPACT REPORT SON-2003011131)

Dear Ms. Rice,

The Regional Water Quality Control Board-Los Angeles (Board) comments on the Malibu La Paz Development Agreement for Retail and Restaurant Use Draft Environmental Impact Report (DEIR) are summarized below. We appreciate the recent steps taken by the City of Malibu (City) to keep us informed of ongoing environmental and planning activities at the City so we may participate in your review process in a timely manner.

11.1

Project Summary

The September 28, 2006, DEIR describes a project on the 15.03 acre La Paz Ranch site immediately adjacent to the City Library in the City of Malibu on Legacy Park. Seven buildings are proposed with 112,508 square feet of commercial, retail and office space, a 20,000 square foot City Hall and 609 subsurface parking spaces. The site is about 1000 feet west of Malibu Creek.

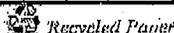
The December 22, 2006, Engineering Design by EnSitu describes a waste water treatment system to dispose of a maximum of 29,620 gallons per day (gpd) of domestic waste. The collection and treatment system consists of sanitary sewer lines, a grease interceptor, a primary settling tank, flow equalization tank, a HighStrength FAST treatment using fixed media bacteria with odor control, chlorine tablet disinfection and average subsurface disposal of 7,500 gpd through on-site irrigation.

11.2

A hydrology model of the impact of the discharge to receiving groundwater was completed by FUGRO with reports submitted on August 2005, March 2005, and May 2005. A revised interpretation of the model assuming irrigation disposal and only 38 days of discharge to groundwater, was submitted to the project proponent on October 7, 2005 and April 10, 2006, and only received by Regional Board staff on October 31, 2007.

CC: Edmondson
 File

California Environmental Protection Agency



Ms. Stacey Rice
La Paz Comment Letter
City of Malibu

- 2 -

November 5, 2007

Project Status

Board staff Ms. Elizabeth Erickson met with Ms. Stacey Rice, City Planning Director, on October 15, 2007, to express concerns about the cumulative effects of new projects on existing septic systems and Legacy Park commitments in the Civic Center Area. Ms. Erickson talked with Ms. Stefanie Edmondson of City Planning on October 29, 2007, who provided assurance that Regional Board comments on the La Paz DEIR would be accepted, evaluated and the results incorporated, even though the comment period closed on November 13, 2006. Mr. Don Schmitz of Schmitz and Associates, the project proponent, also expressed a desire to respond to the concerns of Regional Board staff during a teleconference with Mr. David Bacharowski, Assistant Executive Officer, Ms. Wendy Phillips, Chief of Groundwater Permitting, and Ms. Elizabeth Erickson, geologist in Groundwater Permitting on October 29, 2007. Mr. Craig George from the City of Malibu also participated on that date in support of planning staff that were performing other critical duties.

We learned on October 15, 2007, that the City Council will be meeting to discuss the project very soon. Specifically, we understand that the Council may consider Conditional Approval for the La Paz Final EIR pending a plan check, without further public review, on a schedule as follows:

- November 6, 2007: Planning Commission initial review of the La Paz Draft EIR,
- December 4, 2007: Planning Commission vote on La Paz Final EIR, and
- January 28, 2008: City Council Vote on Malibu La Paz Development Agreement for Retail and Restaurant Use.

Comments

These technical comments are based on all technical documents provided by the date of this letter. Mr. Schmitz assured us on October 29, 2007, that he would ensure we promptly received all technical reviews.

Groundwater Separation

We reviewed the 2005 hydrology model¹ submitted with the Draft EIR. The model shows increases in groundwater elevations of 1.5 to 2 feet resulting from discharges to ground water averaging 9,200 gpd. Discharge occurs at 1-2 feet below the surface. The maximum groundwater elevation of 8 feet is described for the site in the City's Stone Report². These values represent the most critical conditions, and they could result in only 4 feet of separation between the discharge point and groundwater. The Regional

¹ A Final Steady State Groundwater Flow Model for the Proposed Malibu-La Paz Ranch Development, FUGRO, August 2005; Revised Report, March 2005, and Revised Report, May 2005.

² A current average groundwater depth of 8 feet below the surface for an unbreached lagoon (City of Malibu/Stone report/ Morrissey Model dated May 11, 2004) with 2 feet of groundwater mounding from the project, and waste disposal at 2 feet below the ground surface would result in separation between groundwater and discharge of 4 feet.

11.3

11.4

11.5

Ms. Stacey Rice
La Paz Comment Letter
City of Malibu

November 5, 2007

Board generally requires at least 10 feet of separation, and in special cases a minimum of 5 feet of separation, between the base of the disposal system and groundwater.

↑
11.5

Disposal Capacity

The engineering and modeling documents contend that onsite irrigation in rainy winter days can dispose of the average flow of 9,200 gpd through evapotranspiration (ET). It does not document disposal of the maximum discharge of 29,620 gpd during winter days. The April 10, 2006, model letter states that "there will be 38 days with all treated wastewater percolating to the water table (rainy days in excess of ET demands) and 90 days when 450 gpd will percolate (non-rainy days in excess of ET demands)." A 50,000 gallon holding tank is planned to contain 450 gpd of treated and disinfected wastewater. The flow for each of the remaining 38 days is assumed to be the average value of 9,200 gpd, not the maximum flow.

11.6

The model conclusions are based on an evapotranspiration rate of 11,400 gpd in the winter and 27,700 gpd in the summer. The values were derived between June 2004 and May 2005 in an undocumented study³. However, our staff contends that evapotranspiration rates can vary widely and are best documented in site-specific pilot studies. The volume of waste water which can be discharged over the 202,000 square feet of vegetation at the site, using a more conservative ET factor of 0.8 ft/year, is only 3,312 gpd⁴. In addition, while the letter says the calculations are based on a wet period from 2004-2005, measured rainfall, in Los Angeles, was low. If evapotranspiration was estimated during a dry year, a lower than average humidity would provide an artificially high ET rate.

11.7

Mounding

The FUGRO letters state that due to irrigation disposal, the modeled rise in groundwater is reduced everywhere to 10% of the previously predicted total mounding because the number of discharge days is reduced to 10% of the total. However, our staff contends that this conclusion is not sufficiently prudent as the discharge is not distributed over a year, but occurs during the most critical days with the highest groundwater levels and precipitation.

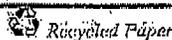
11.8

Further, the hydrology reports do not make a conclusion about the how groundwater levels elevated during critical conditions might affect adjacent septic systems or future plans for disposal at Legacy Park. The City's plans for the park include disposal of 1,400 gallons per minute of storm water flows, disposal of 17,000 gpd for the Malibu Lumber development, and disposal of 15,000 to 30,000 gpd for a future wastewater treatment system providing tertiary treatment for the Civic Center and Malibu Colony. Additional developments are currently being processed by the Planning Department, including the Whole Foods complex with proposed flows into the Civic Center area of up to 30,000 gpd.

11.9

³ April 19, 2006 letter from Peter Loeffler, FUGRO, to Schmitz and Associates

⁴ $0.8 \text{ ft/yr} \times 202,000 \text{ ft}^2 = 161,600 \text{ ft}^3/\text{yr} \times 7.48 \text{ gallons/ft}^3 \times 1 \text{ yr}/365 \text{ days} = 3,312 \text{ gal/day}$



Ms. Stacey Rice
La Paz Comment Letter
City of Malibu

- 4 -

November 5, 2007

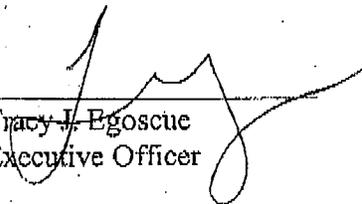
Recommendation

A hydrology study, considering all basin inflows (including storm water retention) for the Civic Center, would determine the remaining assimilative capacity for tertiary treated water and septic effluent in Legacy Park. Representatives from the City have been discussing such a study with consultants and with Regional Board staff. Most recently, a teleconference was initiated by Malibu Lumber proponents on October 29, 2007.

We recommend that the City not proceed with the approval process until the City has specified the steps required to address our concerns on its cumulative assessment of wastewater disposal issues.

If you have any questions on the findings, please contact Ms. Elizabeth Erickson (213) 620 2264 or Ms. Wendy Phillips (213) 576 6618.

Sincerely,


Tracy J. Egoscue
Executive Officer

Cc.

City of Malibu City Council: Jeff Jennings, Mayor; Pamela Conley Ulich, Mayor Pro Tem, Sharon Barovsky, Ken Kearsley and Andy Stern, Councilmembers.

City of Malibu staff: Victor Peterson, Craig George, Andrew Sheldon and Stefanie Edmondson
Don Schmidt, Schmidt and Associates

John Yaroslaski, EnSitu Engineering

John Ainsworth, Deputy Director, California Coastal Commission

Steve Fleischli, Bay Keeper

Mark Gold, Heal the Bay

11.10

**APPENDIX J: SUPPLEMENTAL TRAFFIC COUNT DATA/ALTERNATIVES
ANALYSIS (TRAFFIC)**

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Project Name: **Malibu La Paz**
 Project Number:
 Scenario: **Existing Weekend**
 Created By: **NJ**

N/S Segment	E/W Segment	Year	Scenario	ID #	Northbound			Southbound			Eastbound			Westbound			Intersection Total
					LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	
Kanan Dume Road	Pacific Coast Highway	2003	Existing	1	0	0	0	175	0	500	215	1070	0	0	1225	130	3315
		2007	Rev Existing		0	0	0	322	0	645	318	1127	0	0	1472	127	4011
			Difference		0	0	0	147	0	145	103	57	0	0	247	-3	21% increase 696
Malibu Canyon Road	Pacific Coast Highway	2003	Existing	2	20	15	45	235	50	330	200	1330	35	30	1280	110	3680
		2007	Rev Existing		12	8	54	297	21	397	288	1235	25	28	1265	340	3970
			Difference		-8	-7	9	62	-29	67	88	-95	-10	-2	-15	230	8% increase 290
Webb Way	Pacific Coast Highway	2003	Existing	3	150	100	50	175	100	60	145	1530	110	270	1335	150	4175
		2007	Rev Existing		149	82	36	106	105	77	105	1410	128	311	1434	150	4093
			Difference		-1	-18	-14	-69	5	17	-40	-120	18	41	99	0	2% decrease -82
Cross Creek Road	Pacific Coast Highway	2003	Existing	4	10	10	10	225	5	170	220	1480	15	15	1700	220	4080
		2007	Rev Existing		11	15	32	203	1	150	241	1254	37	36	1759	167	3906
			Difference		1	5	22	-22	-4	-20	21	-226	22	21	59	-53	4% decrease -174
Las Flores Canyon Road	Pacific Coast Highway	2003	Existing	5	25	10	45	40	0	45	70	1515	25	50	1725	40	3590
		2007	Rev Existing		20	0	33	37	0	32	46	1456	44	49	1996	42	3755
			Difference		-5	-10	-12	-3	0	-13	-24	-59	19	-1	271	2	5% decrease 165
Topanga Canyon Road	Pacific Coast Highway	2003	Existing	6	0	0	0	370	0	135	90	1625	0	0	1825	350	4395
		2007	Rev Existing		0	0	0	443	0	153	95	1506	0	0	2044	353	4594
			Difference		0	0	0	73	0	18	5	-119	0	0	219	3	5% increase 199
Malibu Canyon Road	Civic Center Way	2003	Existing	7	60	275	35	190	465	25	130	65	135	15	55	250	1700
		2007	Rev Existing		154	473	24	61	426	31	18	31	235	39	40	141	1673
			Difference		94	198	-11	-129	-39	6	-112	-34	100	24	-15	-109	2% decrease -27
Webb Way	Civic Center Way	2003	Existing	8	235	50	135	10	10	5	5	115	165	115	125	5	975
		2007	Rev Existing		148	17	165	9	19	15	11	95	113	134	117	16	859
			Difference		-87	-33	30	-1	9	10	6	-20	-52	19	-8	11	12% decrease -116
Cross Creek Road	Civic Center Road	2003	Existing	9	250	30	0	20	25	15	20	0	210	0	0	0	570
		2007	Rev Existing		262	34	0	0	30	20	24	0	230	0	0	0	600
			Difference		12	4	0	-20	5	5	4	0	20	0	0	0	5% increase 30

Notes:

- (1) Existing volumes based on Malibu La Paz Traffic Study, April and May, 2003
 - (2) Revised Existing volumes based on counts collected by Priority Engineering on August 8, 2007 and August 13, 2007
- Previously identified project impacted intersections

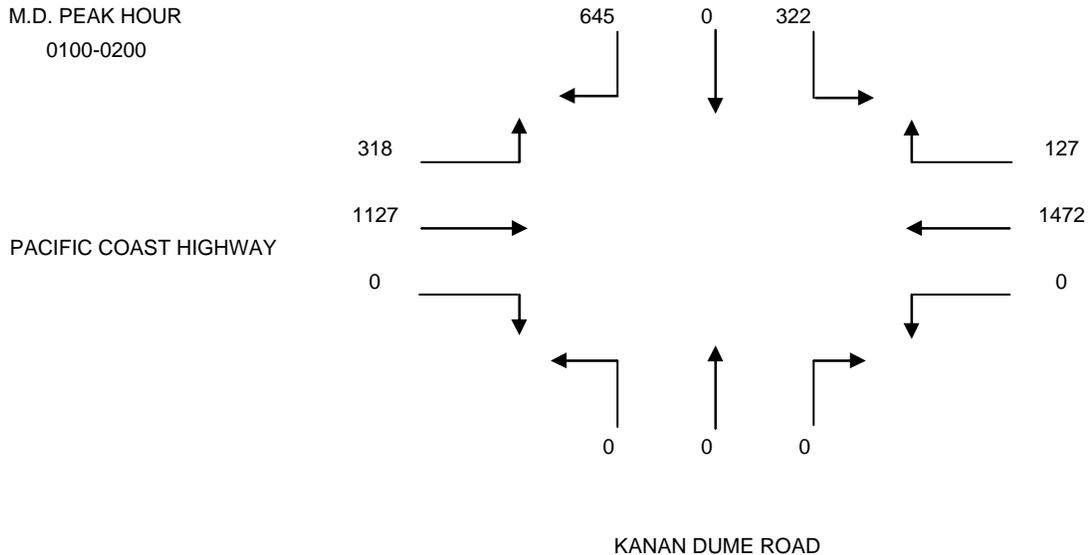
INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 04, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S KANAN DUME ROAD
 E/W PACIFIC COAST HIGHWAY
 FILE NUMBER: 1-MD

15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	125	0	71	33	327	0	0	0	0	0	234	58
1215-1230	136	0	72	31	369	0	0	0	0	0	263	59
1230-1245	153	0	80	53	352	0	0	0	0	0	270	73
1245-0100	171	0	69	33	370	0	0	0	0	0	236	50
0100-0115	179	0	77	34	354	0	0	0	0	0	244	67
0115-0130	149	0	85	34	378	0	0	0	0	0	277	72
0130-0145	162	0	79	31	361	0	0	0	0	0	296	85
0145-0200	155	0	81	28	379	0	0	0	0	0	310	94

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	585	0	292	150	1418	0	0	0	0	0	1003	240	3688
1215-0115	639	0	298	151	1445	0	0	0	0	0	1013	249	3795
1230-0130	652	0	311	154	1454	0	0	0	0	0	1027	262	3860
1245-0145	661	0	310	132	1463	0	0	0	0	0	1053	274	3893
0100-0200	645	0	322	127	1472	0	0	0	0	0	1127	318	4011

M.D. PEAK HOUR
0100-0200



THE TRAFFIC SOLUTION
 329 DIAMOND STREET
 ARCADIA, CALIFORNIA 91006
 626.446.7978

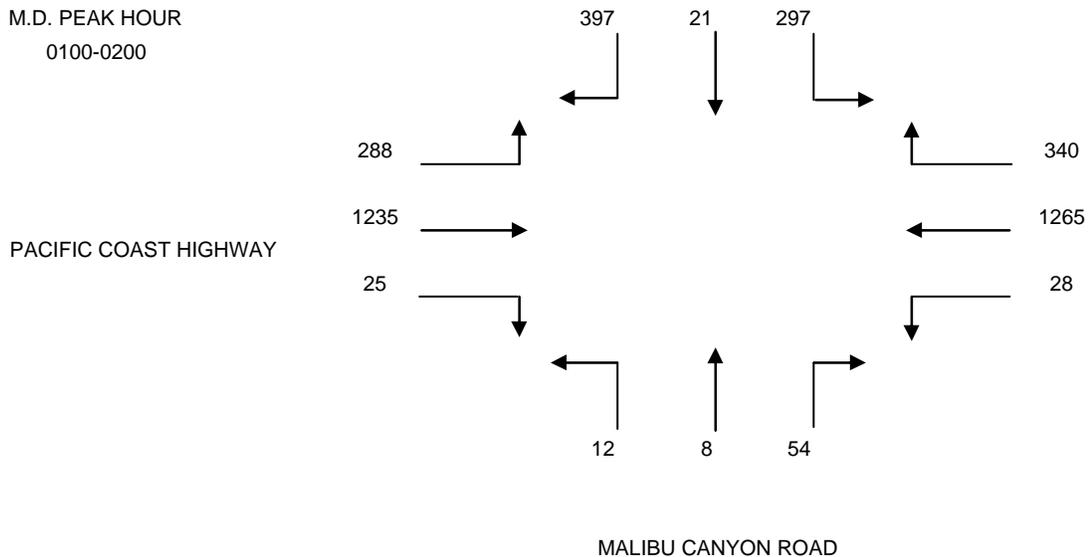
INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 04, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S MALIBU CANYON ROAD
 E/W PACIFIC COAST HIGHWAY
 FILE NUMBER: 2-MD

15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	95	4	56	85	273	7	13	0	7	6	244	68
1215-1230	105	5	78	86	310	10	9	1	5	4	250	68
1230-1245	100	4	75	78	328	12	12	3	7	7	295	71
1245-0100	106	3	67	88	319	19	14	1	6	5	299	57
0100-0115	103	3	73	81	358	12	15	2	5	4	261	75
0115-0130	102	7	78	94	278	6	11	3	3	8	286	63
0130-0145	95	4	65	79	321	5	13	3	2	6	338	77
0145-0200	97	7	81	86	308	5	15	0	2	7	350	73

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	406	16	276	337	1230	48	48	5	25	22	1088	264	3765
1215-0115	414	15	293	333	1315	53	50	7	23	20	1105	271	3899
1230-0130	411	17	293	341	1283	49	52	9	21	24	1141	266	3907
1245-0145	406	17	283	342	1276	42	53	9	16	23	1184	272	3923
0100-0200	397	21	297	340	1265	28	54	8	12	25	1235	288	3970

M.D. PEAK HOUR
0100-0200



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 ARCADIA, CALIFORNIA 91006
 626.446.7978

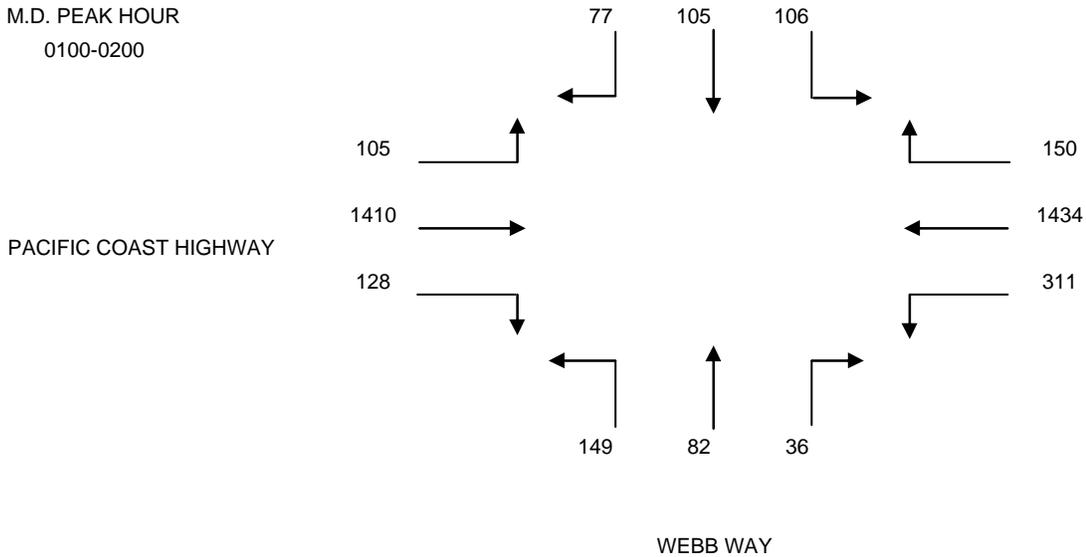
INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 04, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S WEBB WAY
 E/W PACIFIC COAST HIGHWAY
 FILE NUMBER: 3-MD

15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	19	20	24	22	301	70	6	23	46	30	284	16
1215-1230	13	25	21	30	363	55	12	22	41	33	315	23
1230-1245	15	28	34	43	380	98	11	20	30	31	338	20
1245-0100	19	33	21	33	395	58	6	24	35	20	318	31
0100-0115	23	25	25	38	386	93	8	24	38	28	292	34
0115-0130	17	23	22	34	322	69	7	21	40	33	350	27
0130-0145	15	32	29	31	364	78	9	18	43	39	381	21
0145-0200	22	25	30	47	362	71	12	19	28	28	387	23

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	66	106	100	128	1439	281	35	89	152	114	1255	90	3855
1215-0115	70	111	101	144	1524	304	37	90	144	112	1263	108	4008
1230-0130	74	109	102	148	1483	318	32	89	143	112	1298	112	4020
1245-0145	74	113	97	136	1467	298	30	87	156	120	1341	113	4032
0100-0200	77	105	106	150	1434	311	36	82	149	128	1410	105	4093

M.D. PEAK HOUR
0100-0200



THE TRAFFIC SOLUTION
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 626.446.7978

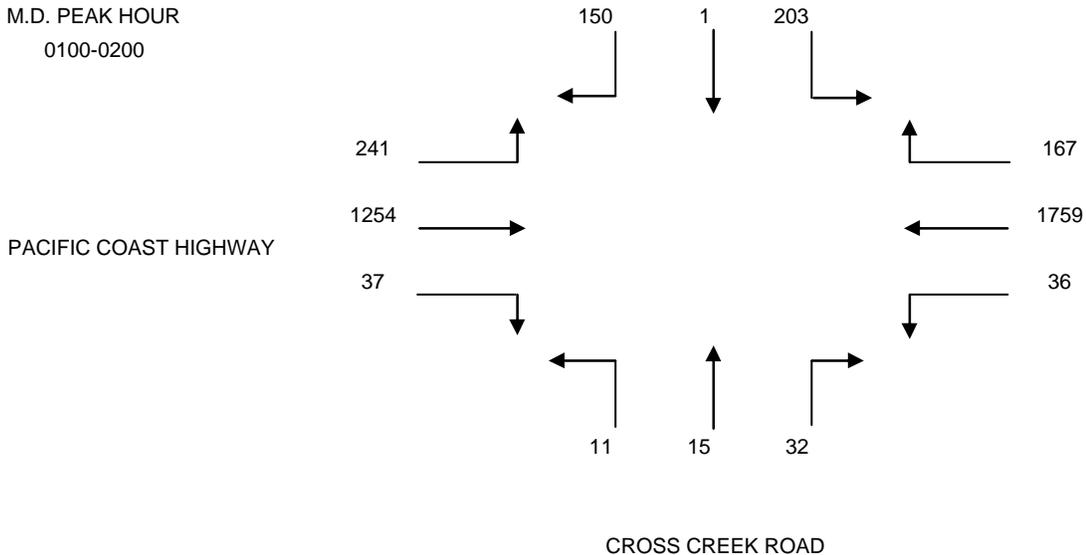
INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 04, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S CROSS CREEK ROAD
 E/W PACIFIC COAST HIGHWAY
 FILE NUMBER: 4-MD

15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	26	1	46	30	355	5	3	3	2	8	279	41
1215-1230	23	0	50	42	451	11	7	4	3	7	287	59
1230-1245	32	0	47	53	487	13	5	7	2	10	295	60
1245-0100	37	2	73	43	460	11	9	6	2	5	270	47
0100-0115	45	0	66	38	462	13	12	5	4	8	249	67
0115-0130	39	0	43	41	405	9	7	4	3	7	313	70
0130-0145	27	0	53	48	459	5	5	4	1	11	330	57
0145-0200	39	1	41	40	433	9	8	2	3	11	362	47

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	118	3	216	168	1753	40	24	20	9	30	1131	207	3719
1215-0115	137	2	236	176	1860	48	33	22	11	30	1101	233	3889
1230-0130	153	2	229	175	1814	46	33	22	11	30	1127	244	3886
1245-0145	148	2	235	170	1786	38	33	19	10	31	1162	241	3875
0100-0200	150	1	203	167	1759	36	32	15	11	37	1254	241	3906

M.D. PEAK HOUR
0100-0200



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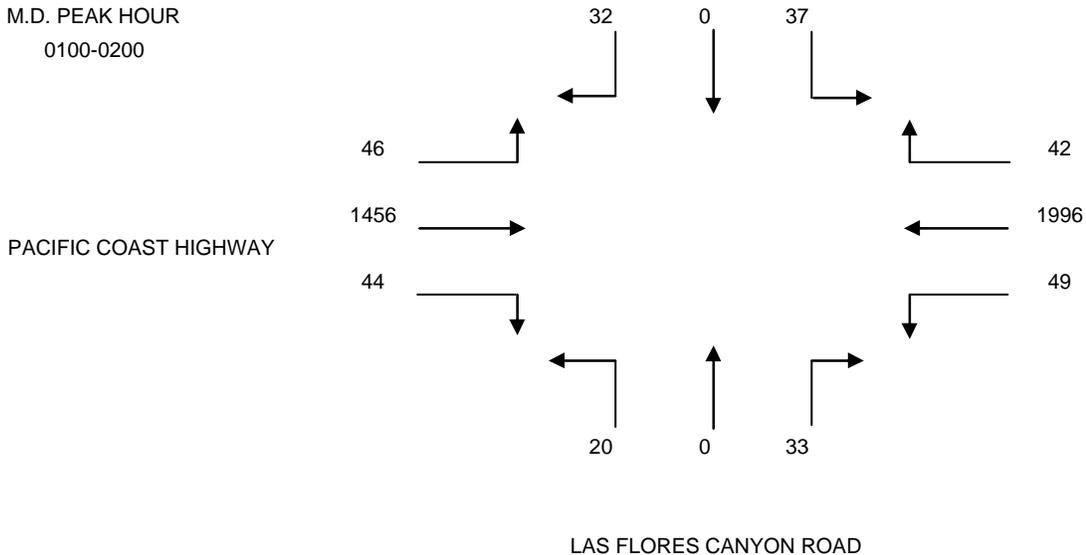
INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 11, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S LAS FLORES CANYON ROAD
 E/W PACIFIC COAST HIGHWAY
 FILE NUMBER: 5-MD

15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	5	0	5	4	436	0	0	0	1	3	350	10
1215-1230	9	0	6	9	534	3	2	0	1	5	362	13
1230-1245	11	0	13	8	533	7	3	0	2	9	338	11
1245-0100	7	0	10	5	517	11	4	1	3	6	320	8
0100-0115	10	0	12	13	520	8	5	0	7	11	330	9
0115-0130	9	0	13	10	463	11	9	0	4	15	371	10
0130-0145	5	0	5	11	518	17	9	0	4	10	376	11
0145-0200	8	0	7	8	495	13	10	0	5	8	379	16

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	32	0	34	26	2020	21	9	1	7	23	1370	42	3585
1215-0115	37	0	41	35	2104	29	14	1	13	31	1350	41	3696
1230-0130	37	0	48	36	2033	37	21	1	16	41	1359	38	3667
1245-0145	31	0	40	39	2018	47	27	1	18	42	1397	38	3698
0100-0200	32	0	37	42	1996	49	33	0	20	44	1456	46	3755

M.D. PEAK HOUR
0100-0200



THE TRAFFIC SOLUTION
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 ARCADIA, CALIFORNIA 91006
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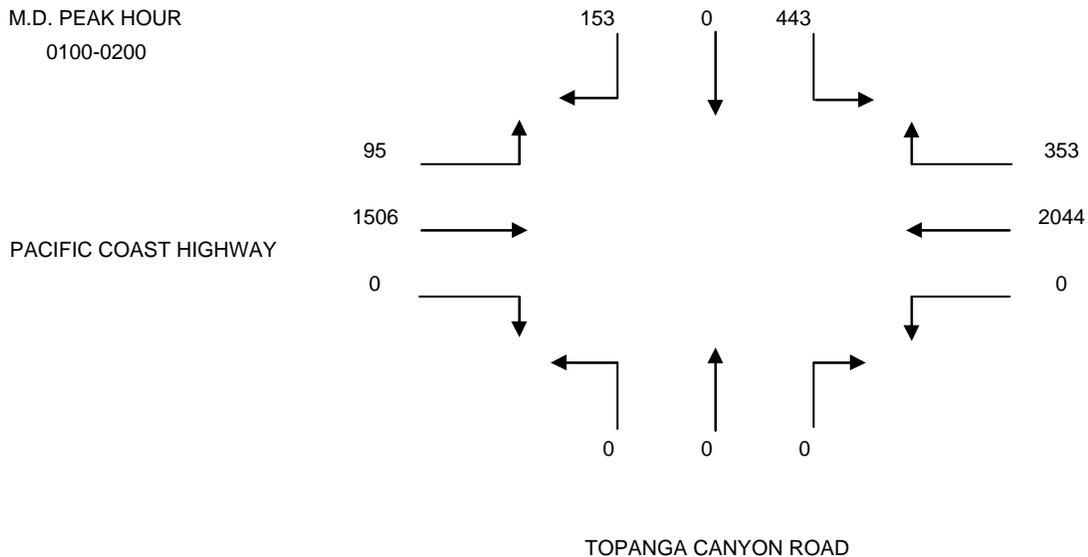
INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 11, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S TOPANGA CANYON ROAD
 E/W PACIFIC COAST HIGHWAY
 FILE NUMBER: 6-MD

15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	35	0	111	75	428	0	0	0	0	0	389	19
1215-1230	30	0	91	68	507	0	0	0	0	0	343	18
1230-1245	53	0	115	93	512	0	0	0	0	0	340	17
1245-0100	44	0	95	87	526	0	0	0	0	0	345	29
0100-0115	34	0	100	74	546	0	0	0	0	0	360	22
0115-0130	30	0	140	97	444	0	0	0	0	0	380	25
0130-0145	36	0	102	100	520	0	0	0	0	0	363	20
0145-0200	53	0	101	82	534	0	0	0	0	0	403	28

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	162	0	412	323	1973	0	0	0	0	0	1417	83	4370
1215-0115	161	0	401	322	2091	0	0	0	0	0	1388	86	4449
1230-0130	161	0	450	351	2028	0	0	0	0	0	1425	93	4508
1245-0145	144	0	437	358	2036	0	0	0	0	0	1448	96	4519
0100-0200	153	0	443	353	2044	0	0	0	0	0	1506	95	4594

M.D. PEAK HOUR
0100-0200



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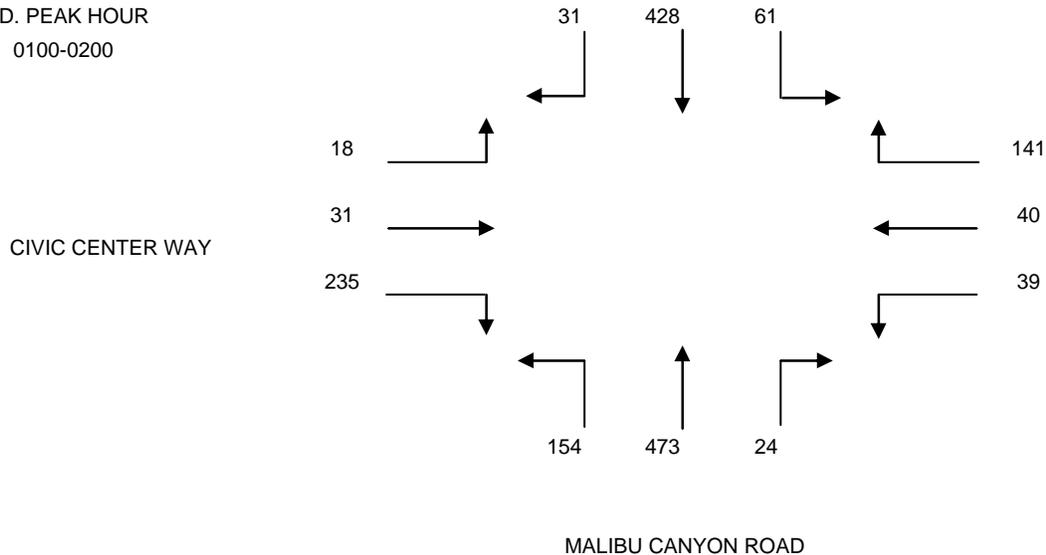
INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 11, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S MALIBU CANYON ROAD
 E/W CIVIC CENTER WAY
 FILE NUMBER: 7-MD

15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	13	80	12	13	9	19	9	113	39	48	9	5
1215-1230	10	94	13	19	11	21	8	108	46	57	10	5
1230-1245	14	104	11	29	14	24	7	112	39	54	9	3
1245-0100	11	105	10	27	15	18	6	107	37	43	8	4
0100-0115	9	110	17	29	10	12	5	120	42	51	11	5
0115-0130	7	115	17	33	9	9	5	112	34	61	6	4
0130-0145	6	96	14	42	10	8	5	128	41	64	9	5
0145-0200	9	107	13	37	11	10	9	113	37	59	5	4

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	48	383	46	88	49	82	30	440	161	202	36	17	1582
1215-0115	44	413	51	104	50	75	26	447	164	205	38	17	1634
1230-0130	41	434	55	118	48	63	23	451	152	209	34	16	1644
1245-0145	33	426	58	131	44	47	21	467	154	219	34	18	1652
0100-0200	31	428	61	141	40	39	24	473	154	235	31	18	1675

M.D. PEAK HOUR
0100-0200



THE TRAFFIC SOLUTION
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 ARCADIA, CALIFORNIA 91006
 626.446.7978

INTERSECTION TURNING MOVEMENT COUNT SUMMARY

CLIENT: PRIORITY ENGINEERING, INC.
 PROJECT: CITY OF MALIBU
 DATE: SATURDAY, AUGUST 11, 2007
 PERIOD: 12:00 PM TO 02:00 PM
 INTERSECTION: N/S WEBB WAY
 E/W CIVIC CENTER WAY
 FILE NUMBER: 8-MD

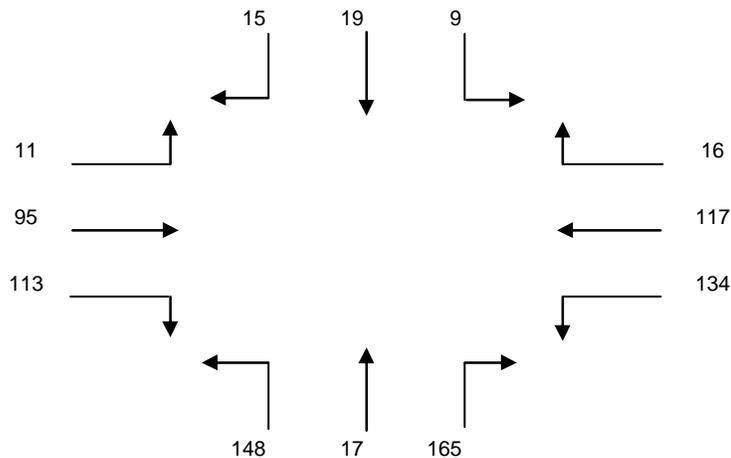
15 MINUTE	1	2	3	4	5	6	7	8	9	10	11	12
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT
1200-1215	2	3	2	5	30	36	34	2	22	18	12	0
1215-1230	2	6	1	3	29	43	42	2	33	20	17	2
1230-1245	3	5	2	3	29	35	54	3	37	30	26	1
1245-0100	5	8	2	7	35	27	31	6	30	27	21	3
0100-0115	5	4	3	4	28	37	46	5	39	27	23	5
0115-0130	2	2	2	2	25	35	34	3	42	29	25	2
0130-0145	2	2	0	2	36	47	38	2	42	24	21	1
0145-0200	3	3	2	3	24	38	25	2	34	22	20	0

1 HOUR	1	2	3	4	5	6	7	8	9	10	11	12	TOTALS
TOTALS	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	
1200-0100	12	22	7	18	123	141	161	13	122	95	76	6	796
1215-0115	15	23	8	17	121	142	173	16	139	104	87	11	856
1230-0130	15	19	9	16	117	134	165	17	148	113	95	11	859
1245-0145	14	16	7	15	124	146	149	16	153	107	90	11	848
0100-0200	12	11	7	11	113	157	143	12	157	102	89	8	822

M.D. PEAK HOUR
1230-0130

CIVIC CENTER WAY

WEBB WAY



THE TRAFFIC SOLUTION
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 ARCADIA, CALIFORNIA 91006
 626.446.7978



September 20, 2007

Mr. Chris Deleau
 Schmitz & Associates, Inc.
 5234 Chesebro Road, Suite 200
 Agoura Hills, CA 91301

MALIBU LA PAZ PROJECT ALTERNATIVES ANALYSIS

Purpose

The purpose of this memorandum is to explore the feasibility of alternatives to the Preferred Project (.20 F.A.R) and the Preferred Alternative project (.15 F.A.R). This analysis evaluates the impacted intersections, as identified in the Updated Supplemental Traffic Study, to determine if said impacts could be reduced or avoided by modifying the proposed office to retail ratio (in relative percentages of sq. ft. allocated to each proposed use). Ratio analysis included 40-60, 50-50 and 60-40 alternatives (office to retail %).

Analysis of Use Alternatives to the “Preferred” Project (.20 F.A.R.)

As an alternative to the Preferred Project, varying ratios of office to retail square footages were analyzed for the Future 2010 Condition. The three ratio scenarios are 40-60, 50-50 and 60-40 (Office to Retail). Trip Generation and level of services associated with each ratio scenario are summarized for the three impacted intersections in the following tables.

40-60 Ratio (.20 Preferred Project)

**Table 1
 Trip Generation
 40:60 Ratio (.20 Preferred Project)**

Land Use	Floor Area	Percentage	Weekday							Saturday			
			Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
				In	out	Total	in	out	total		In	out	total
Alternative - 40/60													
Office	52823	40%	813	99	13	112	20	96	116	131	12	10	23
Retail	79235	60%	3222	35	22	57	90	115	205	3331	143	132	276
			4035	133	36	169	110	211	321	3462	156	143	298
Retail Pass-by			-1128	-12	-8	-20	-32	-40	-72	-1166	-50	-46	-97
Total	132058	100.0%	2908	121	28	149	78	171	250	2296	105	96	202

Table 1 summarizes the trip generation associated with the .20 Preferred Project consisting of 40% office use and 60% retail use. When compared to the Preferred Project, this scenario produces 12 less trips during the AM peak hour, 1 additional trip during the PM peak hour and 19 additional trips during the Saturday peak hour. Tables 2 and 3 summarize the Level of Service associated with this alternative.

**Table 2
Cumulative Base Conditions (.20 Preferred Project)
40:60 Ratio Weekday Analysis**

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	AM	0.74	C	0.78	C	0.04	NO	0.72	C	-0.02	NO
	PM	1.04	F	1.08	F	0.04	YES	0.98	E	-0.06	NO
Cross Creek Rd @ PCH	AM	0.83	D	0.86	D	0.03	YES	0.76	C	-0.07	NO
	PM	1.04	F	1.10	F	0.06	YES	0.97	E	-0.07	NO
Webb Way @ Civic Ctr Way ^a	AM	84.2	F	84.3	F	-	YES	-	-	-	-
	PM	155.4	F	156.9	F	-	YES	-	-	-	-
Webb Way @ Civic Ctr Way ^b	AM	0.71	C	0.71	C	0.00	NO	0.60	A	-0.11	NO
	PM	0.79	C	0.83	D	0.04	YES	0.75	C	-0.04	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

**Table 3
Cumulative Base Conditions (.20 Preferred Project)
40:60 Ratio Saturday Analysis**

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	Weekend	1.00	E	1.04	F	0.04	YES	0.93	E	-0.07	NO
Cross Creek Rd @ PCH	Weekend	1.11	F	1.17	F	0.06	YES	1.03	F	-0.08	NO
Webb Way @ Civic Ctr Way ^a	Weekend	22.5	C	24.3	C	-	NO	-	-	-	-
Webb Way @ Civic Ctr Way ^b	Weekend	0.59	A	0.62	B	0.03	NO	0.62	B	0.03	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

As seen in Tables 2 and 3, the impacted intersections remain impacted with the 40-60 Alternative. When compared to the Preferred Project, the level of services remain the same for all three impacted study intersections and the proposed mitigation measures continue to reduce impacts to less than significant.

50-50 Ratio (.20 Preferred Project)

**Table 4
Trip Generation
50:50 Ratio (.20 Preferred Project)**

Land Use	Floor Area	Percentage	Weekday						Saturday				
			Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
				in	out	total	in	out	total		in	out	total
Alternative - 50/50													
office	66029	50%	965	118	16	134	23	114	137	160	15	12	27
retail	66029	50%	2685	29	19	48	75	96	171	2776	119	110	230
			3650	147	35	181	99	209	308	2935	134	123	257
Retail Pass-by			-940	-10	-6	-17	-26	-34	-60	-972	-42	-39	-80
Total	132058	100.0%	2710	137	28	165	72	176	248	1964	92	84	176

Table 4 summarizes the trip generation associated with the .20 Preferred Project consisting of 50% office use and 50% retail use. When compared to the Preferred Project, this scenario produces 4 more trips during the AM peak hour, 1 less trip during PM peak hour and 7 less trips during the Saturday peak hour. Tables 5 and 6 summarize the Level of Service associated with this alternative.

**Table 5
Cumulative Base Conditions (.20 Preferred Project)
50:50 Ratio Weekday Analysis**

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	AM	0.74	C	0.79	C	0.05	NO	0.72	C	-0.02	NO
	PM	1.04	F	1.08	F	0.04	YES	0.98	E	-0.06	NO
Cross Creek Rd @ PCH	AM	0.83	D	0.87	D	0.04	YES	0.76	C	-0.07	NO
	PM	1.04	F	1.10	F	0.06	YES	0.97	E	-0.07	NO
Webb Way @ Civic Ctr Way ^a	AM	84.2	F	84.2	F	-	YES	-	-	-	-
	PM	155.4	F	156.9	F	-	YE	-	-	-	-
Webb Way @ Civic Ctr Way ^b	AM	0.71	C	0.71	C	0.00	NO	0.60	A	-0.11	NO
	PM	0.79	C	0.83	D	0.04	YES	0.75	C	-0.04	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

**Table 6
Cumulative Base Conditions (.20 Preferred Project)
50:50 Ratio Saturday Analysis**

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	Weekend	1.00	E	1.04	F	0.04	YES	0.93	E	-0.07	NO
Cross Creek Rd @ PCH	Weekend	1.11	F	1.16	F	0.05	YES	1.02	F	-0.09	NO
Webb Way @ Civic Ctr Way ^a	Weekend	22.5	C	24.0	C	-	NO	-	-	-	-
Webb Way @ Civic Ctr Way ^b	Weekend	0.59	A	0.61	B	0.03	NO	0.61	B	0.03	NO
Notes: a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds) b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.											

As seen in Tables 5 and 6, the impacted intersections remain impacted with the 50-50 Alternative. When compared to the Preferred Project, the level of services remain the same for all three impacted study intersections and the proposed mitigation measures continue to reduce impacts to less than significant.

60-40 Ratio (.20 Preferred Project)

Table 7
Trip Generation
60:40 Ratio (.20 Preferred Project)

Land Use	Floor Area	Percentage	Weekday							Saturday			
			Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
				in	out	total	in	out	total		in	out	total
Alternative - 60/40													
office	79235	60%	1110	136	19	155	27	130	157	188	17	14	31
retail	52823	40%	2148	23	15	38	60	77	137	2221	96	88	184
			3258	160	33	193	87	207	293	2408	112	103	215
Retail Pass-by			-752	-8	-5	-13	-21	-27	-48	-777	-33	-31	-64
Total	132058	100.0%	2506	151	28	180	66	180	245	1631	79	72	151

Table 7 summarizes the trip generation associated with the .20 Preferred Project consisting of 60% office use and 40% retail use. When compared to the Preferred Project, this scenario produces 19 more trips during the AM peak hour, 4 less trips during PM peak hour and 32 less trips during the Saturday peak hour. Tables 8 and 9 summarize the Level of Service associated with this alternative.

Table 8
Cumulative Base Conditions (.20 Preferred Project)
60:40 Ratio Weekday Analysis

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	AM	0.74	C	0.79	C	0.05	NO	0.72	C	-0.02	NO
	PM	1.04	F	1.07	F	0.03	YES	0.98	E	-0.06	NO
Cross Creek Rd @ PCH	AM	0.83	D	0.87	D	0.04	YES	0.76	C	-0.07	NO
	PM	1.04	F	1.09	F	0.05	YES	0.97	E	-0.07	NO
Webb Way @ Civic Ctr Way ^a	AM	84.2	F	84.2	F	-	YES	-	-	-	-
	PM	155.4	F	157.2	F	-	YES	-	-	-	-
Webb Way @ Civic Ctr Way ^b	AM	0.71	C	0.71	C	0.00	NO	0.60	A	-0.11	NO
	PM	0.79	C	0.83	D	0.04	YES	0.75	C	-0.04	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

**Table 9
Cumulative Base Conditions (.20 Preferred Project)
60:40 Ratio Saturday Analysis**

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	Weekend	1.00	E	1.03	F	0.03	YES	0.92	E	-0.08	NO
Cross Creek Rd @ PCH	Weekend	1.11	F	1.15	F	0.04	YES	1.01	F	-0.10	NO
Webb Way @ Civic Ctr Way ^a	Weekend	22.5	C	23.8	C	-	NO	-	-	-	-
Webb Way @ Civic Ctr Way ^b	Weekend	0.59	A	0.61	B	0.02	NO	0.61	B	0.02	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

As seen in Tables 8 and 9, the impacted intersections remain impacted with the 60-40 ratio Alternative. When compared to the Preferred Project, there is a slight decrease in the volume-to-capacity ratio at the Webb Way and Civic Center Way intersection during the Saturday peak hour. However, the LOS remains the same. The impacts, according to the Updated Supplemental Traffic Study, remain the same at all three study intersection and the proposed mitigation measures continue to reduce impacts to less than significant.

Analysis of Use Alternatives to the “Preferred” Alternative (.15 F.A.R.)

As an alternative to the Preferred Alternative, varying ratios of office to retail square footages were analyzed for the Future 2010 Condition. The three ratio scenarios are 40-60, 50-50 and 60-40 (Office to Retail). Trip Generation and level of services associated with each ratio scenario are summarized for the three impacted intersections in the following tables.

40-60 Ratio (.15 Preferred Alternative)

**Table 10
Trip Generation
40:60 Ratio (.15 Preferred Alternative)**

Land Use	Floor Area	Percentage	Weekday							Saturday			
			Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
				in	out	total	in	out	total		in	out	total
Alternative - 40/60													
office	39647	40%	652	79	11	89	16	78	94	103	10	8	18
retail	59470	60%	2419	26	17	43	68	86	154	2500	108	99	207
			3071	105	27	132	84	164	248	2603	117	108	225
Retail Pass-by			-847	-9	-6	-15	-24	-30	-54	-875	-38	-35	-72
Total	99117	100.0%	2224	95	22	117	60	134	194	1728	80	73	152

Table 10 summarizes the trip generation associated with the .15 Preferred Alternative Project consisting of 40% office use and 60% retail use. When compared to the Preferred Alternative, this scenario produces 14 more trips during the AM peak hour, 1 more trip during the PM peak hour and 19 less trips during the Saturday peak hour. Tables 11 and 12 summarize the Level of Service results associated with this alternative.

Table 11
Cumulative Base Conditions (.15 Preferred Alternative)
40:60 Ratio Weekday Analysis

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	AM	0.74	C	0.77	C	0.03	NO	0.72	C	-0.02	NO
	PM	1.04	F	1.07	F	0.03	YES	0.98	E	-0.04	NO
Cross Creek Rd @ PCH	AM	0.83	D	0.85	D	0.02	YES	0.76	C	-0.07	NO
	PM	1.04	F	1.08	F	0.04	YES	0.96	E	-0.08	NO
Webb Way @ Civic Ctr Way ^a	AM	84.2	F	84.4	F	-	YES	-	-	-	-
	PM	155.4	F	156.4	F	-	YES	-	-	-	-
Webb Way @ Civic Ctr Way ^b	AM	0.71	C	0.71	C	0.00	NO	0.60	A	-0.11	NO
	PM	0.79	C	0.82	D	0.03	YES	0.75	C	-0.04	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

Table 12
Cumulative Base Conditions (.15 Preferred Alternative)
40:60 Ratio Saturday Analysis

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	Weekend	1.00	E	1.07	F	0.07	YES	0.95	E	-0.05	NO
Cross Creek Rd @ PCH	Weekend	1.11	F	1.15	F	0.04	YES	1.01	F	-0.10	NO
Webb Way @ Civic Ctr Way ^a	Weekend	22.5	C	23.8	C	-	NO	-	-	-	-
Webb Way @ Civic Ctr Way ^b	Weekend	0.59	A	0.61	B	0.02	NO	0.61	B	0.02	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

As seen in Tables 11 and 12, the impacted intersections remain impacted with the 40-60 ratio Alternative. When compared to the Preferred Alternative, there is a slight improvement in the LOS at the Webb Way and Civic Center Way intersection during the Saturday peak hour. The LOS improves from a LOS D to a LOS C. However, this intersection remains impacted during the PM peak hour. The impacts, according to the Updated Supplemental Traffic Study, remain the same at all three study intersections and the proposed mitigation measures continue to reduce impacts to less than significant.

50-50 Ratio (.15 Preferred Alternative)

**Table 13
Trip Generation
50:50 Ratio (.15 Preferred Alternative)**

Land Use	Floor Area	Percentage	Weekday						Saturday				
			Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
				in	out	total	in	out	total		in	out	total
Alternative - 50/50													
office	49559	50%	774	94	13	107	19	92	111	124	12	10	21
retail	49559	50%	2016	22	14	36	56	72	128	2083	90	83	172
			2790	116	27	142	75	164	239	2208	101	93	194
Retail Pass-by			-705	-8	-5	-12	-20	-25	-45	-729	-31	-29	-60
Total	99117	100.0%	2084	108	22	130	56	139	194	1479	70	64	133

Table 13 summarizes the trip generation associated with the .15 Preferred Alternative Project consisting of 50% office use and 50% retail use. When compared to the Preferred Alternative, this scenario produces 27 more trips during the AM peak hour, 1 more trip during the PM peak hour and 38 less trips during the Saturday peak hour. Tables 14 and 15 summarize the Level of Service results associated with this alternative.

Table 14
Cumulative Base Conditions (.15 Preferred Alternative)
50:50 Ratio Weekday Analysis

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	AM	0.74	C	0.78	C	0.04	NO	0.72	C	-0.02	NO
	PM	1.04	F	1.07	F	0.03	YES	0.98	E	-0.06	NO
Cross Creek Rd @ PCH	AM	0.83	D	0.85	D	0.02	YES	0.76	C	-0.07	NO
	PM	1.04	F	1.08	F	0.04	YES	0.96	E	-0.08	NO
Webb Way @ Civic Ctr Way ^a	AM	84.2	F	84.2	F	-	YES	-	-	-	-
	PM	155.4	F	156.5	F	-	YES	-	-	-	-
Webb Way @ Civic Ctr Way ^b	AM	0.71	C	0.71	C	0.00	NO	0.60	A	-0.11	NO
	PM	0.79	C	0.82	D	0.03	YES	0.75	E	-0.04	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

Table 15
Cumulative Base Conditions (.15 Preferred Alternative)
50:50 Ratio Saturday Analysis

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	Weekend	1.00	E	1.06	F	0.06	YES	0.95	E	-0.05	NO
Cross Creek Rd @ PCH	Weekend	1.11	F	1.14	F	0.03	YES	1.01	F	-0.10	NO
Webb Way @ Civic Ctr Way ^a	Weekend	22.5	C	23.6	C	-	NO	-	-	-	-
Webb Way @ Civic Ctr Way ^b	Weekend	0.59	A	0.61	B	0.02	NO	0.61	B	0.02	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

As seen in Tables 14 and 15, the impacted intersections remain impacted with the 50-50 ratio Alternative. When compared to the Preferred Alternative, there is a slight improvement in the LOS at the Webb Way and Civic Center Way intersection during the Saturday peak hour. The LOS improves from a LOS D to a LOS C. However, this intersection remains impacted during the PM peak hour. The impacts, according to the Updated Supplemental Traffic Study, remain the same at all three study intersections and the proposed mitigation measures continue to reduce impacts to less than significant.

60-40 Ratio (.15 Preferred Alternative)

**Table 16
Trip Generation
60:40 Ratio (.15 Preferred Alternative)**

Land Use	Floor Area	Percentage	Weekday						Saturday				
			Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
				in	out	total	in	out	total		in	out	total
Alternative - 60/40													
office	59470	60%	890	108	15	123	22	105	127	146	13	11	25
retail	39647	40%	1612	17	11	29	45	58	103	1667	72	66	138
			2503	126	26	152	67	163	229	1812	85	78	163
Retail Pass-by			-564	-6	-4	-10	-16	-20	-36	-583	-25	-23	-48
Total	99117	100.0%	1938	120	22	142	51	143	193	1229	60	54	114

Table 16 summarizes the trip generation associated with the .15 Preferred Alternative Project consisting of 60% office use and 40% retail use. When compared to the Preferred Alternative, this scenario produces 39 more trips during the AM peak hour, the same number of trips during the PM peak hour and 57 less trips during the Saturday peak hour. Tables 17 and 18 summarize the Level of Service results associated with this alternative.

**Table 17
Cumulative Base Conditions (.15 Preferred Alternative)
60:40 Ratio Weekday Analysis**

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)				Cumulative Plus Project w/Mitigation (2010)			
		V/C	LOS	V/C	LOS	Increase	Significant	V/C	LOS	Increase/Decrease	Significant
Webb Way @ PCH	AM	0.74	C	0.78	C	0.04	NO	0.72	C	-0.02	NO
	PM	1.04	F	1.07	F	0.03	YES	0.98	E	-0.06	NO
Cross Creek Rd @ PCH	AM	0.83	D	0.85	D	0.02	YES	0.76	C	-0.07	NO
	PM	1.04	F	1.08	F	0.04	YES	0.96	E	-0.08	NO
Webb Way @ Civic Ctr Way ^a	AM	84.2	F	84.2	F	-	YES	-	-	-	-
	PM	155.4	F	156.5	F	-	YES	-	-	-	-
Webb Way @ Civic Ctr Way ^b	AM	0.71	C	0.71	C	0.00	NO	0.60	A	-0.11	NO
	PM	0.79	C	0.82	D	0.03	YES	0.75	C	-0.04	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

**Table 18
Cumulative Base Conditions (.15 Preferred Alternative)
60:40 Ratio Saturday Analysis**

Intersection	Peak Hour	Cumulative Base (2010)		Cumulative Plus Project (2010)		Cumulative Plus Project w/Mitigation (2010)		V/C	LOS	Increase/Decrease	Significant
		V/C	LOS	V/C	LOS	Increase	Significant				
Webb Way @ PCH	Weekend	1.00	E	1.06	F	0.06	YES	0.94	E	-0.06	NO
Cross Creek Rd @ PCH	Weekend	1.11	F	1.14	F	0.03	YES	1.01	F	-0.10	NO
Webb Way @ Civic Ctr Way ^a	Weekend	22.5	C	23.4	C	-	NO	-	-	-	-
Webb Way @ Civic Ctr Way ^b	Weekend	0.59	A	0.60	A	0.01	NO	0.60	A	0.01	NO

Notes:
a=Unsignalized intersection. HCM methodology used for average vehicle delay (seconds)
b=Unsignalized intersection. ICU methodology used as signalized to determine project impacts.

As seen in Tables 17 and 18, the impacted intersections remain impacted with the 60-40 ratio Alternative. When compared to the Preferred Alternative, there is a slight improvement in the LOS at the Webb Way and Civic Center Way intersection during the Saturday peak hour. The LOS improves from a LOS D to a LOS C. However, this intersection remains impacted during the PM peak hour.

The impacts, according to the Updated Supplemental Traffic Study and the KAKU Associates Traffic Study, remain the same at all three study intersections and the proposed mitigation measures continue to reduce impacts to less than significant.

Big Box Alternative

Another alternative to the preferred alternative project is to consider replacing the retail component of the project with a “Big Box” retail store. A “Big Box” retail store is described as a free standing discount store that offers a variety of customer services and a wide range of products. The trip generation associated with replacing the retail component with a “Big Box” store:

**Table 19
Trip Generation
“Big Box” Retail Alternative (.20 Preferred Project)**

Land Use	Weekday							Saturday			
	Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
		in	out	total	in	out	total		in	out	total
Preferred Project (0.20)											
Office	926	113	15	128	22	109	132	152	14	12	26
Retail	2827	31	20	50	79	101	180	2922	126	116	242
Big Box Retail	3894	40	19	58	176	176	352	4711	269	258	527
With Retail Total	3752	143	35	178	102	210	312	3074	140	128	268
With "Big Box" Total	4819	153	34	187	198	285	483	4863	283	270	553

**Table 20
Trip Generation
“Big Box” Retail Alternative (.15 Preferred Alternative)**

Land Use	Weekday							Saturday			
	Daily Trips	AM Trips			PM Trips			Daily Trips	Mid-day Trips		
		in	out	total	in	out	total		in	out	total
Preferred Project (0.15)											
office	721	87	12	99	18	86	104	115	11	9	20
retail	2193	24	15	39	61	78	140	2267	98	90	188
Big Box Retail	3020	31	14	45	136	136	273	3518	208	200	409
With Retail Total	2914	111	27	138	79	164	243	2382	108	99	207
With "Big Box" Total	3742	118	26	144	154	222	376	3633	219	209	429

As seen in the above tables, the “Big Box” retail generates 84 more trips during the AM peak hour, 290 more trips during the PM peak hour, and 382 more trips during the Saturday peak hour when compared to the Preferred Alternative Project. This alternative produces a considerable amount of trips during the peak hours that will cause further degradation to the impacted intersections.

Conclusion:

This document analyzes several alternative to the Proposed Alternative Project as described in the Malibu La Paz Traffic Impact Study and subsequently Updated Supplement Traffic Re-Study report. Several alternatives (varying office to retail ratios alternatives and a “Big Box” Alternative) were evaluated for potential improvement or further degradation of the three impacted study intersections. As a result, the three impacted study intersections remain impacted by the project and would not benefit from any of the alternatives analyzed in this document.