IV. OVERVIEW OF ENVIRONMENTAL SETTING
A. ENVIRONMENTAL SETTING

This section provides a brief overview of the Project Site's regional and local setting. Additional descriptions of the environmental setting as it relates to each of the environmental issues analyzed in this EIR are included in the environmental setting discussions contained within Sections IV.A through IV.L. Provided below is a list of related projects, which is used as the basis for the discussion of cumulative impacts in Section V, Environmental Impact Analysis.

Regional Setting

The Project Site is located in Los Angeles County within the City of Malibu (Figure III-1, Project Location Map). As shown in Figure III-3, the Project Site is located along the north side of Civic Center Way, east of La Paz Lane.

Local Setting

The Project Site is located within Malibu's Civic Center area, which is comprised of approximately 185 acres extending from Pacific Coast Highway to the south to the base of the Santa Monica Mountain hillsides to the north. In addition, the Civic Center Area extends from Malibu Creek in the east to the area of land enclosed by Pacific Coast Highway, Malibu Canyon Road and Civic Center Way in the west. Resources in and adjacent to the Civic Center Area include a riparian zone located along Malibu Creek, some native vegetation on the hillsides, a sensitive tidally-influenced wetland located within Malibu Creek State Park and Lagoon, a wetland area located at the base of the Malibu Country Village Condominiums and the Winter Canyon area. An oblique aerial photograph depicting the Project Site, the surrounding developed Civic Center area, and outlying Malibu Lagoon environment is presented in Figure IV-1 on page IV-2.

As depicted in Figure IV-1, the Project Site is surrounded by a largely undeveloped hillside to the north-northwest, a single-family residence to the northeast, vacant land to the east, Civic Center Way to the south, and the Los Angeles County-Malibu Civic Center property to the west. Single-family residential properties are located further to the north, along the ridgeline overlooking the Civic Center area. Further to the east across Cross Creek Road are residential, industrial and commercial uses. Land uses to the south, across Civic Center Way include commercial uses and the future Malibu Legacy Park Site (former known as the Chili Cook-Off site). The Malibu Civic Center, located immediately to the west of the Project Site, is occupied by the Los Angeles County Public Library – Malibu Branch, and the Los Angeles County Superior Court West District Office.

~~As depicted in Figure IV-1, the 15.2-acre Project Site is surrounded by single-family residential to the north, office and retail commercial to the south, a skate park and an equestrian centers to the east, and the government center to the west. The height of existing development in the surrounding vicinity ranges from approximately 28-feet for residential uses and approximately 35-feet for commercial uses. The~~

Source: Copyright © 2002-2003 Kenneth Adelman, California Coastal Records Project, www.californiacoastline.org and Christopher A. Joseph & Associates, January 2005.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure IV-1
Oblique Aerial Photograph of the Malibu Civic Center Area

~~residential properties are somewhat isolated from the Civic Center as they are located on the ridgeline above the Proposed Project Site and are primarily accessed via residential roadways extending from Malibu Canyon Road.~~

Project Site

The Project Site is primarily vacant and has been cleared of most native flora. At the present time, the Project Site is predominantly devoid of vegetation with the exception of weeds, shrubs, a mature stand of California Sycamore trees, and small patches of native coastal sage scrub in the northern most portions of the site. An existing dirt road (i.e., La Paz Lane) that served the previous landscape/nursery uses provides access to the interior of the property.

~~The Project Site is shown on the Malibu General Plan as Community Commercial and on the City's Zoning Map as Community Commercial (CC), which permits low intensity commercial development such as individual retail and service uses.~~

Aesthetics/Views

The visual character of area surrounding the Project Site is largely defined by the natural and built environment consisting of the developed areas in and around the Civic Center area and the scenic natural characteristics of the ~~influenced by natural elements within and around the Civic Center area, including the diverse topography and vegetative features of the~~ Santa Monica Mountains, the Malibu Lagoon and the Pacific Ocean. The narrow coastal terraces and lowlands of the City, backed by steeply ascending slopes of the Santa Monica Mountains, create a highly visible tiered-array of private and public properties.

In the area of the Project Site, the existing views of surrounding areas from the Project Site consist of existing commercial, residential and institutional land uses. The Santa Monica Mountains also define some of these existing viewsheds.

The availability of views of the Project Site from off-site locations varies due to natural and built characteristics. Views of the Project Site are generally less obstructed by such features the closer a viewer is to the site, particularly from streets and properties that are adjacent to or above the site. Overall, the Project Site is visible from private and public viewing locations. The Project Site is not directly visible from the Pacific Ocean and the coastline, however limited and distant views of the Project Site are available from Pacific Coast Highway in the vicinity of Webb Way.

Existing nighttime lighting conditions vary substantially throughout the City of Malibu. Nighttime lighting varies from moderately high levels in areas of commercial development, such as along the Coast Highway, to areas of low level or a complete absence of night lighting.

Air Quality

The Project Site is located within the Los Angeles County portion of the South Coast Air Basin (SCAB). The City of Malibu is typical of some of the SCAB's best air quality areas because of its location along the coast, upwind from most mobile and stationary sources. The summer climate in the City of Malibu is strongly influenced by stable air flowing out of the Pacific High to the west. During the Malibu winter, the Pacific High migrates south, putting the City on the fringe of the influence of a low pressure cell. The combined effect of these meteorologic and oceanographic systems is a tempering of local weather such that extremes of wind, temperature and precipitation are relatively uncommon.

The Project Site is located in South Coast Air Quality Management District's (SCAQMD)~~'s~~ Northwest Los Angeles County Coastal Air Monitoring Area (No. 2), which is served by the West Los Angeles ~~–~~ Veteran's Affairs (VA) Hospital Monitoring Station, approximately 13 miles from the Project Site. Criteria pollutants monitored at the West Los Angeles - VA Hospital Monitoring Station includes ozone (O_3), carbon monoxide (CO), and nitrogen dioxide (NO_2~~.~~). The monitoring station does not monitor sulfur dioxide (SO_2)~~–~~ and respirable particulate matter (PM_{10}). The Hawthorne Monitoring Station, approximately 19 miles from the Project Site, monitors SO_2 and PM_{10}.[1] Historical data from the West Los Angeles - VA Hospital and Hawthorne Monitoring Stations were used to characterize existing conditions within the vicinity of the Project Site and to establish a baseline for estimating future conditions with and without the Proposed Project. According to this historical data, criteria pollutants CO, NO_2, and SO_2 did not exceed the California Ambient Air Quality Standard (CAAQS) during the 1999-2001 period. However, O_3 exceeded the State standard one to four times per year and PM_{10} exceeded the State standard 33 to 54 times per year during that same period.

Air quality monitoring of existing ~~carbon monoxide (~~CO~~)~~ conditions was conducted at seven traffic intersections. As there is a direct relationship between traffic/circulation congestion and CO impacts, CO concentrations at sidewalks adjacent to seven study intersections were modeled to demonstrate a worst-case scenario for CO in the project area. Existing conditions at the study intersections did not exceed the State one- and eight-hour CO standards during monitoring.

Biological Resources

Vegetation

The Project Site is largely disturbed and degraded, except in the northwest hillside area. Early residential and basic infrastructure remnants, such as concrete pads and dirt roadways, remain in the central area and northwest corner of the site. Subsequent to residential use, nursery operations on-site have allowed naturalization of numerous non-native shrubs and annual plants across the Project Site. In addition to a strong ornamental presence, mechanical maintenance of on-site vegetation is ongoing on the property.

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[1] *General forecast areas are larger groupings of more specific air monitoring areas.*

Areas along the northwesterly property boundary are comprised of a peninsula of coastal sage scrub (CSS) on a south-facing slope. There are also native cells of native sycamore trees (*Platanus racemosa*) on-site. Additional non-native, annual vegetation was present as cover throughout most of the site. These areas, referred to as disturbed, consisted mostly of black mustard (*Brassica nigra*), wild raddish (*Raphanus sativa*), and cheese weed (*Malva parviflora*). These weedy annuals were mixed with grasses such as wild oat (*Avena fatua*), wild barley (*Hordeum murinum*), ripgut grass (*Bromus diandrus*), and foxtail chess (*Bromus madrintensis rubens*). Large stands of non-native and highly invasive castor bean (*Ricinus communis*) were also present across the north end of the property.

On 16 March 2007 TeraCor Resource Management biologists revisited the Project Site to confirm the site conditions, as requested by the City and Project Applicant. As noted in the March 27, 2007 Technical Memorandum prepared by TeraCor documenting the conclusions of this most recent site visit (included herein as an attachment to Appendix D of to the Final EIR), the Project Site remains substantially consistent with the conditions that were observed in 2003. Furthermore, no wetlands species or indicators were observed on the property during any of the surveys. As noted on page 2 of the technical memorandum prepared by TeraCor, the Project Site contains no California black walnut trees (a native tree species) on the Project Site, but noted the existence of a sparse distribution of walnut trees off-site and up-slope from the Project Site. This correction is noted throughout the Final EIR, as appropriate.

Wildlife

Habitat values for wildlife within and adjacent to the Project Site are low. These low values are ascribed due to the substantial modifications that have occurred to the Project Site and surrounding hillsides over the last century. At one time, the site was located in what was probably a large, broad, brackish marsh at the confluence of Malibu Creek and the Pacific Ocean. This area could have contained sandy flats, saltgrass (*Distichlis spicata*), pickle weed (*Salicornia sp.*) and cattail (*Typha sp*.) marshes, open brackish water, and extensive riparian areas at the margins. In the last century, the area has been dredged and filled to stabilize the shoreline for human habitation and later, for the construction of State Highway 1 (Pacific Coast Highway). Since the original modification of the region as a whole, the site has been disturbed further in the intervening decades.

The Project Site's value to wildlife is further degraded by similar historical development and disturbance to the areas adjacent to and surrounding the Project Site. The closest intact habitat is the Malibu Creek drainage, which is located approximately 600 feet to the east to the subject property. At this point in its proximity to the site, it has been highly modified with development on either side of the channel and a narrow band of riparian vegetation along the banks. Additional surrounding natural habitat includes the foothills of the Santa Monica Mountains to the north of the site. These areas are somewhat degraded as well, having been cleared of much of their chaparral vegetation in the past few years for fuel control around the respective residences. None of these surrounding natural habitats contribute significantly to the overall wildlife value of the site.

Cultural Resources

Cultural resources in the City of Malibu include archaeological sites of the Chumash Indians and their ancestors, sacred places of the Chumash, and historic buildings. The Chumash Indians are believed to have inhabited areas of the Santa Monica Mountains, including a portion of territory encompassing the Project Site and extending mainly northward. Humaliwo, located in the Malibu Lagoon, was the southern capital of the Chumash and, with a population of several hundred families, it dominated the politics and economic life of most of the Chumash population of the Santa Monica Mountains and the San Fernando Valley. For this reason, the Chumash are a very important and sensitive cultural resource to Malibu, particularly near Malibu Lagoon.

The Project Site was initially surveyed for cultural resources by Chester King on June 7, 1994 and by ERA on February 4, 1999. Both site surveys concluded that no evidence of either prehistoric or historic artifacts or features have been found on the Project Site.

Geology and Soils

The Project Site is situated on the flood plain of Malibu Creek, about one-fourth mile west of its mouth. The site is situated at the south base of the Santa Monica Mountains of the Transverse Ranges Geomorphic Province. The topography of the site varies from gentle southerly slopes to flat terrain, with moderately steep hillside terrain to the north.

Site drainage is topographically controlled from the north towards the south-southeast portions of the site. No indications of concentrated flows, such as gullies or excessive erosion, were observed on or adjacent to the property during site investigations by Gold Coast Geoservices. The southerly two-thirds of the Project Site are located within either a Flood Hazard A or B zone, as determined for the Malibu Creek area, by the Federal Emergency Management Agency (FEMA). Additionally, groundwater was encountered at depths varying from 8 to 29 feet on the property. The soil of the Project Site consists of alluvial, fluvial (floodplain), colluvial and estuarine sediments of late Pleistocene to recent time, which are above bedrock material.

The location of the site within the Santa Monica Mountains and the Transverse Ranges are characterized by east-west trending fault systems. The fault systems that are nearest to the subject site are the Malibu Coast fault and the Ancapa Dume-Santa Monica fault. It has been concluded that there are no active earthquake faults within the Project Site. Major earthquakes along any of these faults could cause a moderate to strong ground shaking creating liquefaction.

Hydrology/Water Quality

The Project Site is situated on the flood plain of Malibu Creek, about one-fourth of a mile from its mouth, at the south base of the Santa Monica Mountains. The topography of the site varies from gentle southerly slopes to flat terrain, with a steep hillside to the north. The north portion of the property is bordered by an offsite area of high relief and steep slope. The watershed immediately north of the Project Site drains toward the Project Site.

The Project Site is located within the Malibu Creek Watershed. The tributary area to Malibu Creek is approximately 75,000 acres (115 square miles) and drains portions of the Simi Hills and Santa Monica Mountains. Malibu Creek discharges runoff directly into the Pacific Ocean. The Project Site is affected by runoff from Malibu Creek, which has historically been subject to flooding, and is located in an area mapped by FEMA as being prone to flooding.

Malibu Creek has a history of water quality problems. The Regional Water Quality Control Board's Los Angeles Region Basin Plan identifies Malibu Creek as a threatened water body and Malibu Lagoon as an impaired water body. Malibu Beach and Surfrider Beach also appear on the United States Environmental Protection Agency (U.S. EPA) list of impaired water bodies for 1998. Water quality in the Malibu Creek and Lagoon is potentially impacted by increased surface water runoff, septic system seepage, and wastewater treatment plant effluent.

Under the existing conditions, water quality from the Project Site is not likely to be a major contributor to the water quality problems of Malibu Creek. ~~Since the Project Site is primarily a vacant dirt lot covered with weeds and grasses, its most probable pollutants would be trash, debris and sedimentation that might be washed off the site during storms.~~

Land Use and Planning

The Project Site is primarily undeveloped. Land uses surrounding the Project Site include: a vacant lot and commercial uses located to the south across Civic Center Way; undeveloped hillside followed by single-family residences to the north and northeast; a vacant lot proposed for future commercial/retail development to the east; and government building complex, including the courthouse and library to the immediate west of the Project Site.

Development of the Project Site is subject to several local and regional land use plans and regulations. Local plans and regulations to which development must conform include the City of Malibu General Plan Land Use Element, the City of Malibu Zoning Ordinance, and the City of Malibu Local Coastal Program (LCP). The underlying zoning designation for the Project Site is Community Commercial. The City of Malibu General Plan Land Use Policy Map designates the Project Site as Community Commercial (CC). <u>The LCP land use designation is CC as well.</u>

Regional plans to which development must conform include the Southern California Association of Government's (SCAG) Regional Comprehensive Plan Guide (RCPG) and the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP).

Noise

The existing noise environment of the project area and its vicinity is characterized by vehicular traffic, animals (birds), and weather (wind). Vehicular traffic is the primary source of noise in the project vicinity and is the largest consistent noise source in the project vicinity. Sound measurements were taken using a Quest Q-400 Noise Dosimeter during the hours between 9:00 a.m.-12:00 p.m. on June 11, 2003 at various sensitive receptor locations within the vicinity of the Project Site. These readings were used to

establish existing ambient conditions. The locations of the noise monitoring positions consist of representative noise sensitive land uses, which include nearby residences, community facilities, and schools. The existing noise levels range between 55 and 66 dBA (A-weighted decibel scale) (L_{eq} equivalent sound level).

Public Utilities

Electricity

The Southern California Edison Company (SCE) currently provides electrical service to the City of Malibu. The project area is currently served by the Tapia Substation, located within one mile of the Project Site. The Tapia Substation provides electricity to the area via a 16,000 volt underground distribution line and an underground 4/0 American wire gauge (AWG) Aluminum cable. The Project Site does not currently support any uses that consume electricity resources.

The California Assembly voted unanimously in 1996 to deregulate the state's electric industry and dismantle what was considered a government-regulated monopoly. Under deregulation, the state's investor-owned utilities, ~~Southern California Edison (~~SCE~~)~~ and Pacific Gas & Electric (PG&E), were required to sell most of their power generating plants to unregulated private companies while retaining control and ownership of the distribution system. The California Public Utilities Commission (PUC) transferred pricing to the California Power Exchange (PX), overseen by the Federal Energy Regulatory Commission (FERC). Now the State's investor-owned utilities must buy back the power at market prices, which can fluctuate daily. Deregulation has led to a certain amount of instability in the available supply of electricity in California. Energy shortages led to rolling blackouts throughout the summer of 2000 in Southern California.

Energy consumption from new buildings in California is regulated by the State Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations. The building efficiency standards are enforced through the local building permit process.

Natural Gas

The Southern California Gas Company (The Gas Company) provides natural gas service to the City of Malibu through gas mains that run under the streets. There are two mains that currently serve the project area: a two-inch main located under Cross Creek Road, and a three-inch main located under Civic Center Way.

Natural gas service for new development projects must be provided in accordance with The Gas Company's policies and extension rules on file with the California Public Utilities Commission (PUC) at the time contractual agreements are made. The availability of natural gas is based upon present conditions of gas supply and regulatory policies. As a public utility, The Gas Company is under the jurisdiction of the PUC, but can also be affected by actions of federal regulatory agencies. Should these agencies take any action which affects gas supply or the conditions under which service is available, gas service would be provided in accordance with those revised conditions.

Water

Water service to the City of Malibu is provided by the Los Angeles County Water Works District 29 (the District). The District obtains its water mostly from the West Basin Municipal Water District (WBMWD), but also receives portions from the Las Virgenes Municipal Water District (LVMWD) and the City of Los Angeles Department of Water and Power (LADWP).[2]

The City of Malibu receives water through a 30-inch water main running along Pacific Coast Highway. Smaller water mains connect to this water main and run to other parts of the city. The Project Site has water mains beneath Civic Center Way and Cross Creek Road, ranging in size from six inches to twelve inches. There are smaller mains branching off of these mains that range from four inches to eight inches. While there are water mains around the Project Site, the site is not currently served by water service, and no infrastructure for such service, with the exception of the presence of water mains, exists.

Wastewater

The City of Malibu does not maintain a publicly owned and operated sewer system. Most properties in the City of Malibu are served by private onsite wastewater treatment systems (OWTS). The Project Site is primarily vacant, and not currently served by a treatment system.

Solid Waste

The California Integrated Waste Management Act of 1989 (AB 939) was enacted to reduce, recycle, and reuse solid waste generated in the state to the maximum amount feasible. Specifically, the Act required city and county jurisdictions to identify an implementation schedule to divert 50 percent of the total waste stream away from landfill disposal by the year 2000 and 70 percent by the year 2020. AB 939 further requires each city to conduct a Solid Waste Generation Study and to prepare a Source Reduction and Recycling Element (SRRE) to describe how it would reach the goals. The SRRE contains programs and policies for fulfillment of the goals of the Act, including the above-noted diversion goals, and must be updated annually to account for changing market and infrastructure conditions. To date, implementation of AB 939 has proven to be a successful method of reducing landfill waste.

Waste from the Proposed Project will be hauled by GI Rubbish to either the Calabasas Sanitary Landfill or the Simi Valley Landfill.[3] The Calabasas Landfill, located in Agoura, has approximately 23,674,000 cubic yards of capacity remaining with an average daily intake of 1,350 tons per day.[4, 5] Under its initial

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[2] *Written correspondence with Brian D. Hooper, Assistant Deputy Director, Los Angeles County Waterworks District 29, March 27, 2003.*

3 *Written Correspondence with Marilyn Gallagher, Government Affairs, GI Rubbish Company, March 21, 2003.*

[4] *Remaining capacity as of March 31, 2003.*

approved capacity the Simi Valley Landfill had 6,700,000 cubic yards remaining, however due to a recently approved expansion it has 19,800,000 cubic yards of capacity remaining with an average daily intake of 2,200 to 2,400 tons per day.[6] The daily maximum intake at the Calabasas Landfill is 3,500 tons, the daily maximum at the Simi Valley Landfill is 3,000 tons.

Facility expansions and new landfills are being sought as existing facility capacity diminishes. Also, mandatory City waste reduction and recycling programs, in compliance with the September 1989 California Integrated Solid Waste Management Act, AB 939, are greatly reducing the amount of waste that would otherwise have entered area landfills.

Public Services

Fire Protection

The County of Los Angeles Fire Department (LACFD) provides fire protection and emergency medical services for the City of Malibu. The Department's operations are divided into nine operational Divisions, which are composed of 20 Battalions serving unincorporated areas of Los Angeles County and 57 contract cities (including the City of Malibu).[7] The Project Site is located within Battalion 5. According to the LACFD, Fire Station 88 is the primary station serving the Project Site.

Water infrastructure serving the Project Site is maintained by the Los Angeles County Department of Public Works, Waterworks District 29. The LACFD fire flow requirements are based on the type of land use.

The Santa Monica Mountains are considered particularly susceptible to wildfires due to several factors including: climate patterns and weather conditions; fire adaptation of vegetation types; slope steepness; and frequency of fires caused by human activity. The LACFD ranks the Malibu areas of the Santa Monica Mountains, including the Project Site, as Fire Zone 4, or Very High Fire Hazard Severity Zone (VHFHSZ), the highest fire hazard category in Los Angeles County.[8] The California Department of Forestry and Fire Protection also ranks the Santa Monica Mountains area as being a critical fire hazard area, giving it a Class III, or highest hazard, rating.

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[5] *Phone communication with Felicia Ursitti, Civil Engineer, Los Angeles County Sanitation Districts, May 14, 2003.*

[6] *Phone communication with James P. Riley, Environmental Engineer, Simi Valley Landfill and Recycling Center, May 15, 2003.*

[7] *County of Los Angeles Fire Department at http://www.lacofd.org/CRO/pfd/2001%20Stat%20Summary.pdf, May 27, 2003.*

[8] *Written correspondence with David R. Leininger, Chief, Forestry Division, Prevention Bureau, County of Los Angeles Fire Department, April 7, 2003.*

The Project Site is mostly cleared of native flora. Weeds, shrubs, and California Sycamore trees exist on the mostly dirt site. The entire site is routinely disked for fire suppression measures. The grade of the site is mainly flat from Civic Center Way to the north boundary of Parcel A. Parcel C, the site of the proposed Civic Center, abuts the southerly base of the Santa Monica Mountains, as does the north end of Parcel B, where a parking lot is proposed to be located.

The Project Site is currently served by an access way at Civic Center Way, which serves as a fire access road from Civic Center Way to the rear of the site~~, and a dirt access way through the Project Site to the adjacent residential property.~~ These access ways adequately serve the current land uses on the Project Site.

Public Services

Police Protection

Police protection, enforcement, and emergency services in the City of Malibu are provided by the Los Angeles County Sheriff's Department (LACSD) on a contract basis with the City. The LACSD's Malibu/Lost Hills Station serves the City of Malibu as well as the cities of Agoura Hills, Calabasas and Westlake Village, and the surrounding unincorporated areas of the County.

The average LACSD response times for each type of call during the 2002 calendar year are well within the established goals of the Department.

Transportation and Circulation

A comprehensive data collection effort was undertaken to develop a detailed description of existing conditions within the study area. The City of Malibu identified nine intersections to be analyzed for traffic conditions. These intersections are as follows:

- Kanan Dume Road & PCH
- Malibu Canyon Road & PCH
- Webb Way & PCH
- Cross Creek Road & PCH
- Las Flores Canyon Road & PCH
- Topanga Canyon Boulevard & PCH
- Malibu Canyon Road and Civic Center Way
- Webb Way & Civic Center Way
- Cross Creek Road and Civic Center Way

Eight of the nine intersections during the weekday morning peak hour and four of the nine intersections during the weekday afternoon peak hour currently operate at Level of Service (LOS) of C (good) or better. The intersections that operate at LOS D (fair) or worse during either the weekday morning and/or afternoon peak hour are:

- Malibu Canyon Road & PCH (afternoon peak hour only)
- Webb Way & PCH (afternoon peak hour only)
- Cross Creek Road & PCH (afternoon peak hour only)
- Topanga Canyon Road & PCH (morning and afternoon peak hour)
- Webb Way & Civic Center Way (afternoon peak hour only)

Seven of the nine intersections currently operate at LOS C or better during the summer Saturday mid-day peak hour. The intersections that operate at LOS D or worse during the summer Saturday mid-day peak hour are:

- Webb Way & PCH
- Cross Creek Road & PCH

One bus line operated by Los Angeles County Metropolitan Transportation Authority (LACMTA) serves the study area. The LACMTA Line 434 is an express east/west line from Downtown Los Angeles to the Trancas area. LACMTA Line 434 travels on PCH, Cross Creek Road, Civic Center Way, and Malibu Canyon Road through the study area.

Environmental Hazards

According to aerial photographs and building permits for the Project Site, landscaping/nursery and residential uses occupied the site approximately from the 1940s through today. By 1994, a tree farm, operated by Environmental Tree Care, Inc., occupied the Project Site. Several land uses unaffiliated with the trees farm were located near the boundary of the Project Site, including residential uses, and a horse and llama corral and their associated uses. At that time, vacant land covered by natural vegetation occupied the remainder of the site.

Currently, the Project Site is primarily vacant with a few small un-permitted structures that will be demolished as part of the Proposed Project. The Project Site has been cleared of most native vegetation and at the present time, the Project Site is predominantly devoid of natural vegetation with the exception of weeds, shrubs, and a mature stand of California Sycamore trees.

A database review identified three Resource Conservation and Recovery Act (RCRA) sites within a one-quarter mile from the Project Site, and one treatment, storage, or disposal (TSD) and Corrective Action Site (CORRACTS) facility within a one-mile radius of the Project Site. Additionally, three underground storage tank (UST) facilities were listed as being present within one-quarter mile of the Project Site. Seven leaking underground storage tank (LUST) sites were listed within one-half mile of the Project Site.

All untested materials are presumed to contain asbestos in buildings constructed prior to 1981. Thus, the Project Site is presumed to contain some asbestos containing materials (ACMs). Radon levels on the Project Site are predicted to be under the concentration at which the EPA requires corrective action. It is likely that the structures on the Project Site were originally constructed and modified prior to 1979, and therefore these structures have the potential to contain lead based paint and pose a hazard to children and persons on the Project Site.

IV. OVERVIEW OF ENVIRONMENTAL SETTING
B. IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

In addition to the environmental impact categories analyzed in detail in the DEIR, the City of Malibu has determined that the development and operation of the Proposed Project would not result in potentially significant impacts to the environmental impact topics listed below. Section 15128 of the CEQA Guidelines states:

> *"An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study."*

It has been determined that there is no evidence that the Proposed Project would cause significant environmental effects in the following areas and that no further environmental review of these issues is necessary for the reasons described below.

Agricultural Resources

The California Department of Conservation, Division of Land Protection, lists Prime Farmland, Unique Farmland, and Farmland of Statewide Importance under the general category of "Important Farmland." The Extent of Important Farmland Map Coverage maintained by the Division of Land Protection indicates that the Project Site is not included in the Important Farmland category.[9] In addition, locally the Project Site is zoned for commercial and not "agricultural" uses. Therefore, the Proposed Project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. Additionally, there are no known Williamson Act Contract agreements associated with the Project Site. ~~The Project Site currently supports commercial landscape/nursery activities, which includes the storage of boxed specimen trees.~~ The Project Site is not actively farmed or cultivated. The Proposed Project would not involve other changes in the existing environment, which, due to their location or nature, would result in conversion of farmland, to a non-agricultural use. Therefore, the Proposed Project would not result in any potentially significant impacts to agricultural resources and no further analysis of this issue is warranted.

Mineral Resources

There are no known economic mineral resources located beneath the Project Site. The Project Site is not within a known source area for aggregate or other mineral resources. Additionally, the Project

[9] *Source: State of California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, Los Angeles County Important Farmland Map, 2002 Los Angeles Area Map.*

Site is not located in an area of potential petroleum resources. Therefore, development of the Proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. In addition, development of the Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site. As the Proposed Project would not result in any potentially significant impacts to mineral resources, no further analysis of this issue is warranted.

Population and Housing

The Project Site is located within a centrally ~~located~~ developed area of the City and, therefore, would not cause growth to occur in an undeveloped area. There are no residential properties on the Project Site and none are planned as part of the development of the Proposed Project. Therefore, implementation of the Proposed Project would not result in any direct permanent population increase nor would it displace any existing housing in the area.

Construction of the Proposed Project would result in increased employment opportunities in the construction field, which could potentially result in increased population and demand for housing in the vicinity of the Project Site. However, the employment patterns of the construction workers in Southern California is such that construction workers would not likely, to any significant degree, relocate their households as a consequence of a temporary construction employment contract associated with the Proposed Project.

Implementation of the Proposed Project is anticipated to provide employment for up to approximately 293 persons by project completion as shown in Table IV-1. The Southern California Association of Governments (SCAG) has forecasted the total City of Malibu employment to be approximately 7,640 employees by the year 2010.[10] This is an increase of 287 jobs over the City's forecasted year 2000 total employment. Thus, the Proposed Project's estimated gross employee generation would account for approximately 102 percent of SCAG's forecasted total employment growth for the City of Malibu during this period. In terms of SCAG's employment forecast for the Los Angeles Subregion, the project's projected gross employment would account for approximately 0.06 percent of the forecasted growth for the Subregion between the years 2000 and 2020.[11] Employment resulting from the Proposed Project would be consistent with SCAG projections for

[10] *SCAG 1997 Forecast.*

[11] *SCAG 2001 Socio-Economic Forecast Report.*

Table IV-1
Estimated Employment Generation by the Proposed Project

Type of Development	Size (gsf)	Employee Generation Factor[a]	Total Projected Employees
Commercial Office[b]	53,825	3.43 employees/1,000 sq. ft.	185
Retail	77,110	1.4 employees/1,000 sq. ft.	108
Total			**293**

[a] *Employment generation factors based on the type of land use were derived from the Los Angeles Unified School District, School Facilities Fee Plan, March 2000.*

[b] *Including a 20,000 square foot City Hall.*

Source: Christopher A. Joseph & Associates.

the City of Malibu and the Los Angeles Subregion. Therefore, the Proposed Project would not have a potentially significant impact on employment levels in the City of Malibu or in the Los Angeles Subregion.

While the Proposed Project is expected to generate approximately 293 new jobs, the project would not be expected to generate a demand for new housing units. Some of the project's new tenants can be expected to be existing businesses that will relocate to these new facilities. Those workers in this category that are only moving short distances would not be expected to change their residence location. Second, the kinds of labor force skills required for many of the uses proposed by the project (i.e., retail, and office clerical) are of the types that are typically filled by workers and students who are already present in the local labor force. It is therefore reasonable to expect that many of the Proposed Project's estimated 293 employees will be drawn from the local labor force and student population readily available in the City of Malibu and surrounding communities.

Nevertheless, the labor force requirements of the more specialized positions in the office uses may cause some workers to look for new housing in the City of Malibu and in the surrounding communities, and therefore the project may result in increased demand for housing. While the number of new employees that will require new housing is not known, for purposes of this analysis a "worst case scenario" has been evaluated that assumes the project would generate a demand for 293 housing units.

The City of Malibu is forecasted to have a housing stock of approximately 5,409 dwelling units by the year 2010. According to the California Department of Finance, as of January 1, 2002, the City of Malibu had a citywide rental vacancy rate of 16.2 percent.[12] For the purposes of this analysis, it is assumed the citywide vacancy rate in the year 2010 would remain at 16.2 percent. Based on this

[12] *Source: California Department of Finance, City/County Population and Housing Estimates, 2002, Revised 2001, with 2000 Census Count, at http://www.dof.ca.gov/html/demograp/E-5text2.htm.*

assumption, approximately 876 units would be vacant and available for occupancy in the City of Malibu in the year 2010. Therefore, the housing stock within the City of Malibu can accommodate the potential housing demand created by the Proposed Project.

Recreation

There are no recreational uses on the Project Site and none are planned as part of the development of the Proposed Project. The Proposed Project will not directly impact existing recreation facilities such that substantial physical deterioration of the facilities would occur or be accelerated in the existing neighborhood, regional parks or other recreational facilities.

The Proposed Project will also include a total of 105,379 square feet of open space as well as a total of 266,641 square feet of landscaping. No active recreational facilities are proposed. However, because of the commercial nature of the Project, the demand for active recreational facilities would be relatively low. Open space and landscaping features within the Proposed Project would provide for passive recreational activity. As such, the Proposed Project would not significantly impact existing recreational facilities. No further analysis of this issue is warranted.

Public Services (Schools, Parks, Libraries, and other Public Facilities)

Schools

There are no residential properties on the Project Site and none are planned as part of the development of the Proposed Project. Therefore, development of the Proposed Project would not result in a direct increase in the resident population or in any associated school-aged children. There is a potential for future employees generated by the Proposed Project who have school-aged children to relocate their places of residency within the service boundaries of schools that serve the Project Site. This would result in an increased demand for school services. However, this increase in demand for school services would be minimal and would not significantly impact existing student capacities at local schools. Therefore, impacts to local schools would be less than significant. No further analysis of this issue is warranted.

Parks

The Proposed Project will also include a total of 105,379 square feet of open space as well as a total of 266,641 square feet of landscaping. There are no residential properties on the Project Site and none are planned as part of the development of the Proposed Project. Therefore, development of the Proposed Project would not result in a direct increase in the resident population that would use park facilities. Although employees of the Proposed Project could use the on-site open space for passive recreational purposes, local parks would be used mainly by current residents and not employees. Therefore, impacts on local parks by employees would be less than significant. No further analysis of this issue is warranted.

Libraries

The Project Site is adjacent to the Los Angeles County Public Library – Malibu Branch. The Proposed Project entails the development of 132,058~~0,941~~ square feet of commercial office, retail and City Hall uses. Based on standard employment generation rates the Proposed Project is anticipated to generate 293 employees. The employees and patrons of the Proposed Project would create additional demands for library services. As a result of the close proximity of the adjacent Public Library, the Project would be adequately served by existing library facilities. Impacts on local libraries as a result of the development of the Proposed Project would be less than significant. No further analysis of this issue is warranted.

Other Public Facilities

Proposed Project operations would utilize and, to some extent, affect the maintenance of public facilities including roads. However, wear and tear on City streets resulting from project-related traffic is not expected to be excessive or beyond normal requirements. Furthermore, the developer would be required to implement roadway improvements (including any required street repairs due to any relocation of public utilities, project construction damage, and traffic mitigation measures), as monitored and enforced by the City. Therefore, impacts to public facilities as a result of the development of the Proposed Project would be less than significant. No further analysis of this issue is warranted.

IV. OVERVIEW OF ENVIRONMENTAL SETTING
C. CUMULATIVE PROJECTS

Sections 15126 and 15130 of the State CEQA Guidelines provide that EIRs consider the significant environmental effects of a Proposed Project as well as "cumulative impacts." "Cumulative Impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA Guidelines Section 15355). Cumulative impacts may be analyzed by considering a list of past, present, and probable future projects producing related or cumulative impacts (CEQA Guidelines Section 15130 (b)(1)(A)).

All proposed (those projects with pending applications), recently approved, under construction, or reasonably foreseeable projects that could produce a related or cumulative impact on the local environment when considered in conjunction with the Proposed Project are included in the cumulative impacts analyses in this EIR. For an analysis of the cumulative impacts associated with these related projects and the Proposed Project, the reader is referred to the cumulative impact discussions under each individual impact category in Section V, Environmental Impact Analysis.

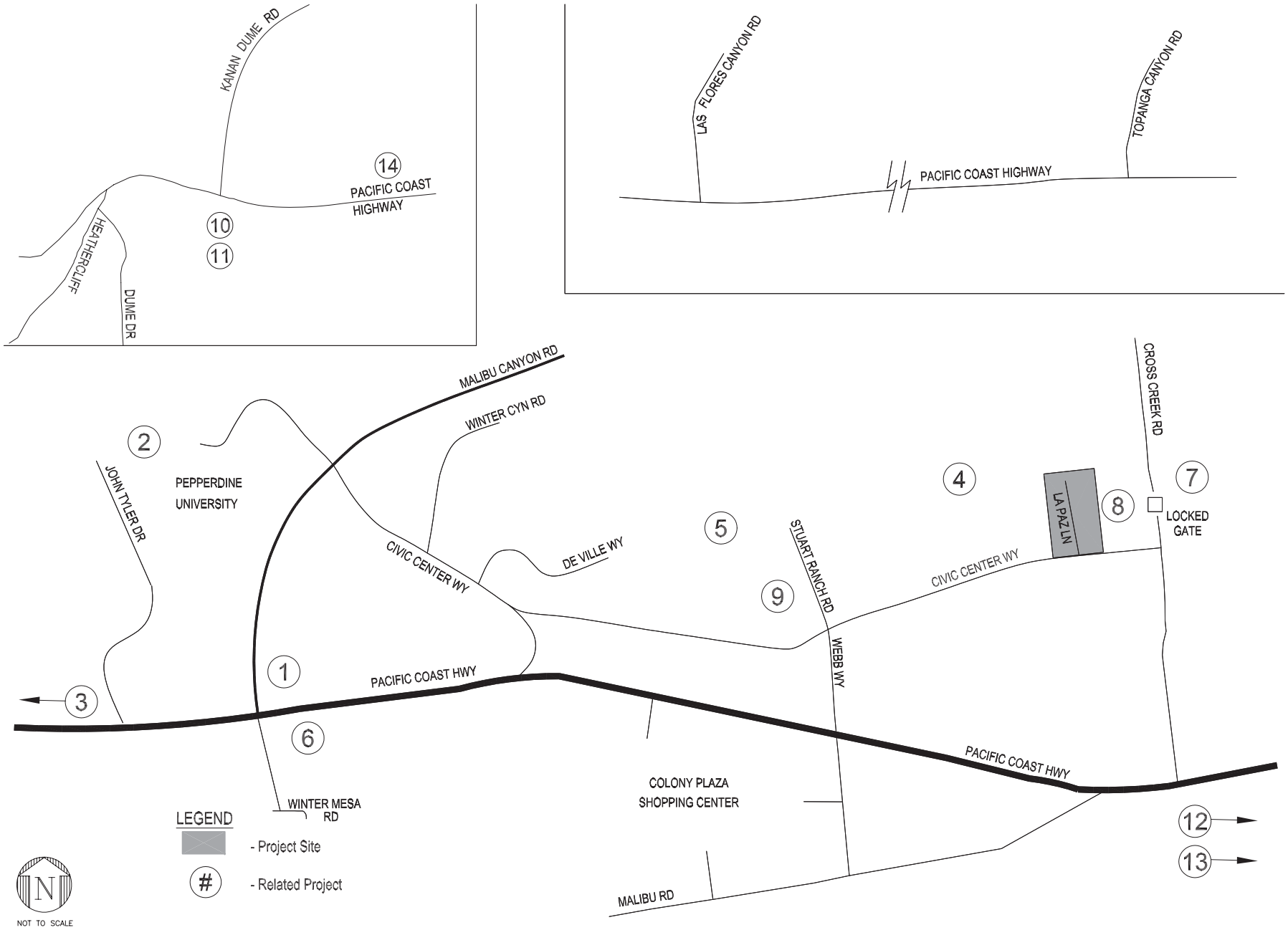
The list of ~~related~~ cumulative projects consists of all approved, proposed or potential projects located in the City of Malibu within the vicinity of the Project Site. As shown in Table IV-2, the list includes 14 projects of various land uses in addition to the Proposed Project. ~~Related~~ Cumulative project locations are shown in Figure IV-2. Sources for the list include the City of Malibu Planning Department and Kaku Associates.

Table IV-2
~~Related~~ Cumulative Projects List

Map No.	Land Use	Size
1	Rancho Malibu Hotel	
	Hotel	146 rooms
	Health Club	6,052 sf
	Cultural Center	9,000 sf
2	Pepperdine University Upper Campus [a]	
	Commuter Student	120 students
	Resident Student	600 students
	Commuter Faculty/Staff	48 students
	Resident Faculty	58 students
	Other Individuals	58 students
3	Forge Lodge (26025 Pacific Coast Highway)	
	Bed and Breakfast	28 rooms
4	Pepperdine Office Development	
	Office	65,000 sf
5	Proposed Senior Housing	36 units
6	Single Family Housing Development	8 units
7	Adamson Self-Storage	
	Self-storage	56,600 sf
8	Schultz	
	Office	20,850 sf
	Retail (Pharmacy)	18,000 sf
9	Yamaguchi	
	Office	67,000 sf
	Retail	42,271 sf
10	Residential	6 units
11	Office	13,500 sf
12	~~Malibu~~ Pierview	
	Restaurant~~/Retail~~	10,237 sf
13	Windsail	
	Restaurant	7,275 sf
	Community Room	980 sf
	Day Spa	1,300 sf
14	Office	10,000 sf

[a] *A total of 384,800 square feet of new development proposed. City of Los Angeles, Pepperdine University Upper Campus Development Draft EIR, July 1998.*

Source: Kaku Associates, Draft Traffic and Circulation Study for the Malibu La Paz Project, December 2004.



Source: KAKU Associates, December 2004.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure IV-2
Cumulative Projects Map