APPENDIX A

NOTICE OF PREPARATION (NOP) AND RESPONSES TO THE NOP

NOTICE OF PREPARATION (NOP) AND RESPONSES TO THE NOP

1. Notice of Preparation, City of Malibu, January 24, 2003.
2. State of California, Governor's Office of Planning and Research, State Clearinghouse, January 29, 2003.
3. California Department of Fish and Game, Morgan Wehtje, Environmental Scientist IV, February 26, 2003.
4. California Department of Transportation (Caltrans), Stephen Buswell, IRG/CEQA Branch Chief, February 5, 2003.
5. South Coast Air Quality Management District (SCAQMD), Steve Smith, Ph.D., Program Supervisor, CEQA Division, Planning, Rule Development and Area Sources, January 31, 2003.
6. County of Los Angeles Department of Public Works, James A. Noyes, Director of Public Works, Traffic Impact Analysis Report Guidelines, January 1, 1997.
7. County of Los Angeles Fire Department, David R. Leininger, Chief, Forestry Division, Prevention Bureau, March 3, 2003.
8. Santa Monica Mountains Conservancy, Jerome C. Daniel, Chairperson, February 24, 2003.
9. Heal the Bay, James Alamillo, Beach Report Card Manager, February 24, 2003.

SCH # 2003011151

City of Malibu

23815 Stuart Ranch Road • Malibu, California • 90265-4861
(310) 456-2489 • fax (310) 456-3356

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND NOTICE OF PUBLIC SCOPING MEETING

Project Title: La Paz Development Agreement

Project Location: Civic Center area of Malibu, northeast corner of Civic Center Way and La Paz Lane

Applicant: Malibu La Paz Ranch

Contact: Scott Albright , Senior Planner (310) 456-2489, extension 234

Date: January 24, 2003

Request for Comments: The enclosed material describes two alternatives for a proposed commercial land development along the north side of Civic Center Way, east of La Paz Lane, and suggests possible environmental impacts for each alternative. The City of Malibu is the Lead Agency in the preparation of an Environmental Impact Report (EIR) for this project, and requests your agency's views as to the scope and content of the environmental analysis and report, which is germane to your agency's statutory responsibilities in connection with the proposed project.

Please direct your comments to:

City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265
Attention: Scott Albright, Senior Planner

The City of Malibu welcomes all comments on the possible environmental impacts so that they can be taken into consideration during the preparation of the EIR. California State law establishes a 30-day period for the receipt of comments pertaining to the above-mentioned project. All comments pertaining to this project should be received by the Planning Department no later than **February 24, 2003**.

Notice of Public Scoping Meeting: The City will conduct a Scoping Meeting *at 6:30 p.m. on Wednesday, February 12, 2003, at the Michael Landon Center (at Bluffs Park), 24250 Pacific Coast Highway.* At this meeting, the City will receive public testimony regarding the appropriate scope and content of the environmental information to be included in the Draft Environmental Impact Report. Oral and written comments may be received at this meeting. Since time may be limited for speakers, written comments summarizing oral testimonies are recommended. No decisions on the project will be made at this scoping meeting. A separate public hearing will be held at a later date for discretionary actions required for this project.

Potential Environmental Issues: The City of Malibu has reviewed the proposed application and anticipates the following issues will be discussed within the scope of the EIR:

Aesthetics/Views
Air Quality
Biological Resources
Cultural Resources
Geology and Soils
Hydrology/Water Quality
Land Use and Planning
Noise
Public Utilities (Electricity, Natural Gas, Water, Wastewater, Solid Waste)
Public Services (Fire, Police)
Transportation and Circulation

In addition to analyzing the project's impact with regard to these specific environmental issue areas, the EIR will evaluate the project's impact with regard to cumulative development and potential growth inducing impacts.

Thank you in advance for your comments and participation in this matter. Please refer to the City of Malibu website (www.ci.malibu.ca.us) for updates during the environmental review process.

Scott Albright
Senior Planner

PROJECT DESCRIPTION – PREFERRED PROJECT/PROJECT #1
MALIBU LA PAZ

SITE DESCRIPTION

Malibu La Paz is a proposed commercial development on 15.29 acres of vacant land located along the north side of Civic Center Way, east of La Paz Lane at 3700 La Paz Lane, in the Civic Center area of Malibu. The proposed development is located in the vicinity of commercial services at Cross Creek and Civic Center Way, and the court and library facilities on Civic Center Way.

Surrounding land uses are single-family residential to the north within a gated community, office/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 project area ranges from 26-feet for residential uses and 35-feet for commercial uses.

The proposed development site is vacant, and due to the past agricultural use, has been cleared of most native flora. At the present time, the site is predominantly devoid of vegetation with the exception of weeds, shrubs, and a mature stand of California Sycamore trees. An existing dirt road that served the previous agricultural use provides access to the interior of the property.

The site is shown on the Malibu General Plan as Community Commercial and on the City's Zoning Map as Community Commercial (CC). Both the general plan land use category and the zone "are intended to provide for the resident serving needs of the community...on land more suitable for concentrated commercial activity. The zoning allows for low intensity commercial development such as individual retail and service uses, which emphasize convenient shopping/service to residents in the surrounding neighborhoods."

Electrical service is currently available to the project site from Southern California Edison from overhead lines running along Civic Center Way; natural gas and water service is available from underground service lines located along Civic Center Way. Wastewater will be disposed of on-site.

PROJECT DESCRIPTION

The proposed project entails development of 3 single-story buildings and 7 two-story buildings, providing a total of 128,713 square feet of commercial floor area and three buildings comprising 25,700 square feet of floor area for a new city hall (see **Table 1**).

TABLE 1
FLOOR AREA BREAKDOWN

PARCEL A

BUILDING NO.	OCCUPANCY	FLOOR AREA (Gross Sq. Ft.)
1	Retail	8,442
2	Retail	7,554
3	Retail/Office	16,959 (10,599 s.f. retail/6,360 s.f. office)
4	Retail/Office	16,919 (10,559 s.f. retail/6,360 s.f. office)
5	Retail/Office	19,115 (10,863 s.f. retail/8,252 s.f. office)
6	Retail/Office	19,055 (10,599 s.f. retail/8,240 s.f. office)
7	Retail	469
TOTAL FLOOR AREA - PARCEL A		**88,513 (.252 FAR)**

PARCEL B

BUILDING NO.	OCCUPANCY	FLOOR AREA (Gross Sq. Ft.)
4	Office/Retail	12,100 (7,800 s.f. retail/4,300 s.f. office)
5	Office/Retail	14,100 (9,300 s.f. retail/4,800 s.f. office)
6	Office	14,100
TOTAL FLOOR AREA – PARCEL B		**40,300 (.177 FAR)**

PARCEL C

BUILDING NO.	OCCUPANCY	FLOOR AREA (Gross Sq. Ft.)
1	Council Offices/Community Non-Profit	10,000
2	Bldg/Planning/Public Works/Administration	10,000
3	Council Room	5,700
TOTAL FLOOR AREA - PARCEL C		**25,700 (.252 FAR)**
OVERALL FLOOR AREA		**154,413 including city hall/city hall parcel (FAR = 0.232)** **128,713 excluding city hall/city hall parcel (FAR= 0.227)**

The development of the site incorporates the use of water, landscaping, and architectural features in the project design. The intent is to create a well-planned and aesthetic project, which fits into the character of the area. Pedestrian pathways are proposed to link the commercial buildings, the city hall, and open spaces. Proposed overhead trellises will enclose and frame outdoor spaces and support flowering vines.

Parcel A: Parcel A is comprised of 339,831 square feet (7.8 acres) and will consist of 3 single-story buildings and 4 two-story buildings with a maximum height of 28-feet, providing a total utilization of 88,513 square feet for commercial floor area. The remaining 280,026 square feet breaks down as follows:

- 113,855 square feet of landscaping, or 34 percent of the total parcel area;
- 54,477 square feet of open space, or 16 percent of the total parcel area
- 297 on-site surface parking spaces

Parcel B: Parcel B is comprised of 226,718 square feet (5.2 acres) and will consist of 3 two-story buildings with a maximum height of 28-feet, providing a total utilization of 40,300 square feet of commercial floor area. The remaining 200,318 square feet breaks down as follows:

- A total of 77,747 square feet of landscaping, or 34.3 percent of the total parcel area;
- 11,477 square feet of open space, or 5 percent of the total parcel area;
- 227 on-site surface parking spaces

Parcel C: Parcel C is comprised of 101,839 square feet (2.3 acres) and will consist of a 25,700 square foot City Hall. The remaining 86,739 square feet breaks down as follows:

- A total of 56,804 square feet of landscaping, or 56 percent of the parcel area;
- 26,335 square feet of open space, or 26 percent of the total parcel area;
- 20 on-site surface parking spaces

PROJECT ATTRIBUTES

The project is consistent with the neighborhood in regards to size, design, and height, which includes the surrounding homes and commercial development. The proposed structures will be 28-feet in height, with the largest single building only 19,115-square feet in area; and the smallest being 469-square feet in area. Existing buildings in the immediate vicinity of the proposed project range from two-story homes, 26-feet in height, and two-story commercial buildings, 35-feet height. Most of the homes are located substantially above the subject property, so private views should not be blocked as a result of this project. Furthermore, all proposed exterior lighting would be shielded or directed downward to minimize impacts from night lighting to the surrounding area.

The project is designed to conform to the existing topography and minimize landform alteration. Grading is limited to either remediation or for safety purpose to address flood plain issues. The project is designed to include a natural appearing stream, which will also serve as a drainage course terminating on the south into a man-made wetland.

Natural and formal open space is the organizing element of the project design. The project design includes site amenities such as indigenous plant materials, water features,

walkways, trails, plazas and other hardscape. The site is currently devoid of any coastal plant community. The proposed landscape plan is to revegetate the site with plantings that reflect the Malibu and the Southern California coastal plant community. Large canopy sycamores are proposed to soften the building elevations and complimenting the Malibu Creek Corridor. Coastal oak trees will be spotted throughout the project along with ornamental flowering trees.

Pedestrian walkways, plazas and piazzas are proposed to be integrated through the development connecting larger open spaces for where children can play or people can dine. These areas will be covered with decorative pavement. Overhead structures and trellises, supporting flowering vines, will be provided to enclose and frame outdoor spaces. Required on-site parking will have substantial landscaping for shade in the daytime and serve to shield illumination from adjacent residences. The architecture proposed for the project is Mediterranean with modern updates. The buildings include the use of textured clay tile, Spanish lace, cement pilasters, rough-hewn wood trellises and exposed wood rafter tails, decorative/battered walls, and an array of arches and colonnades.

In addition, innovative solutions for wastewater treatment are being incorporated. The proposed on-site wastewater treatment and dispersal system design is to effectively treat and dispose wastewater generated by the project while minimizing impacts. A network of underground tanks are proposed, where solids and floatable oil and grease containing materials would effectively be removed from the waste stream. The effluent would then be processed and ready for standard dispersal. The proposed system is designed to help protect groundwater and protect against potentially harmful nitrates, and other forms of nitrogen. Over 70% of nitrogen removal is anticipated through this proposed system.

Table 2 shows the project's compliance with applicable City regulations with respect to landscaping, open space and maximum floor area requirements.

TABLE 2

OPEN SPACE, LANDSCAPE AND FLOOR AREA RATIO CONSISTENCY

PARCEL A – 339,831 SQ.FT.

COMPONENT	REQUIRED (SQ.FT.)	PROPOSED (SQ.FT.)
Landscape area (40% of parcel area)	135,932	113,855
Open Space area (25% of lot area or 20% with a minor modification)	84,958 = 25% 67,966 = 20%	54,477
Maximum Gross Floor Area (20% of lot area)	67,966	88,514 (.260 FAR)

PARCEL B – 226,718 SQ.FT.

COMPONENT	REQUIRED (SQ.FT)	PROPOSED (SQ.FT.)
Landscape area (40% of lot area)	90,687	77,747
Open Space area (25% of lot area or 20% with a minor modification)	56,680 = 25% 45,344 = 20%	11,477
Maximum Gross Floor Area (20% of lot area)	45,344	40,300 (.178 FAR)

PARCEL C – 101,839 SQ.FT.

COMPONENT	REQUIRED (SQ.FT)	PROPOSED (SQ.FT.)
Landscape area (40% of lot area)	40,735	56,804
Open Space area (25% of lot area or 20% with a minor modification)	24,460= 25% 20,367 = 20%	26,335
Maximum Gross Floor Area (20% of lot area)	20,367	25,700 (.252 FAR)

OVERALL – 666,145 SQ.FT.

COMPONENT	REQUIRED (SQ.FT)	PROPOSED (SQ.FT.)
Landscape area (40% of lot area)	266,458	248,406 (37.3 %)
Open Space area (25% of lot area or 20% with a minor modification)	166,536= 25% 133,229 = 20%	92,289 (13.9 %)
Maximum Gross Floor Area (20% of lot area)	133,229	154,514 (.232 FAR)

APPROVALS REQUIRED

The following approvals will be required from the City of Malibu: Environmental Impact Report, Development Agreement, General Plan Amendment, Zoning Map Amendment, lot line adjustment, Variance for Landscape area, minor modifications open space, conditional use permit approval, site plan review approval, and plot plan review approval. Approval in concept by the City will include approval in concept from the County of Los Angeles Fire Department and Department of Forestry, City Biologist, City Geologist, and City Environmental Health Specialist. In addition, once approval in concept has been given by the City of Malibu, approval of a coastal development permit from the California Coastal Commission will be required. Final approvals from all agencies who have issued approval in concept will be required, as well as Building Department plan check and issuance of a building permit, will be required in order to construct the project.

PROJECT DESCRIPTION – ALTERNATIVE PROJECT/PROJECT #2
MALIBU LA PAZ

SITE DESCRIPTION

Malibu La Paz is a proposed commercial development on 15.29 acres of undeveloped land located along the north side of Civic Center Way, east of La Paz Lane at 3700 La Paz Lane, in the Civic Center area of Malibu. The proposed development is located in the vicinity of existing commercial services at Cross Creek and Civic Center Way, and the court and library facilities on Civic Center Way.

Surrounding land uses are single-family residential to the north within a gated community, office/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 project area ranges from 26-feet for residential uses and 35-feet for commercial uses.

The proposed development site is undeveloped and due to the past agricultural use, has been cleared of most native flora. At the present time, the site is predominantly devoid of vegetation with the exception of weeds, shrubs, and a mature stand of California Sycamore trees. An existing dirt road that served the previous agricultural use provides access to the interior of the property.

The site is shown on the Malibu General Plan as Community Commercial and on the City's Zoning Map as Community Commercial (CC). Both the general plan land use category and the "are intended to provide for the resident serving needs of the community...on land more suitable for concentrated commercial activity. The zoning allows for low intensity commercial development such as individual retail and service uses, which emphasize convenient shopping/service to residents in the surrounding neighborhoods."

Electrical service is currently available to the project site from Southern California Edison from overhead lines running along Civic Center Way; natural gas and water service is available from underground service lines located along Civic Center Way. Wastewater will be disposed of on-site.

PROJECT DESCRIPTION

The proposed project entails development of 3 single-story buildings and 7 two-story buildings, providing a total of 128,713 square feet of commercial floor area. (See Table 1)

TABLE 1 FLOOR AREA BREAKDOWN		
PARCEL A		
BUILDING NO.	**OCCUPANCY**	**TOTAL FLOOR AREA Square Feet (s.f.) (gross)**
1	Retail	8,442
2	Retail	7,554
3	Retail/Office	16,959 (10,599 s.f.retail/6,360 s.f. office)
4	Retail/Office	16,919 (10,559 s.f.retail/6,360 s.f. office)
5	Retail/Office	19,115 (10,863 s.f.retail/8,252 s.f. office)
6	Retail/Office	19,055 (10,599 s.f.retail/8,240 s.f. office)
7	Retail	469
TOTAL FLOOR AREA - PARCEL A		**88,513**
PARCEL B		
BUILDING NO.	**OCCUPANCY**	**FLOOR AREA Square Feet (gross)**
8	Office	13,400
9	Office	13,400
10	Office	13,400
SUBTOTAL FLOOR AREA		40,200
TOTAL FLOOR AREA - PARCEL B		**40,200**
OVERALL FLOOR AREA		**Based on 128,713 s.f. of retail/office space on 15.29 acres (FAR= 0.193)**

The development of the site incorporates the use of water, landscaping, and architectural features in the project design. The intent is to create a well-planned and aesthetic project, which fits into the character of the area. Pedestrian pathways are proposed to link the commercial buildings and open spaces. Proposed overhead trellises will enclose and frame outdoor spaces and support flowering vines.

Parcel A: Parcel A is comprised of 448,211 square feet (10.29 acres) and will consist of 3 single-story buildings and 4 two-story buildings at a maximum height of 28-feet, providing a total utilization of 88,513 square feet for commercial and office floor area. The remaining 388,910 square feet breaks down as follows:

- 179,284 square feet of landscaping, or 40 percent of the total parcel area;
- 89,712 square feet of open space, or 20 percent of the total parcel area
- 419 on-site parking spaces (including a 237 space parking structure)

Parcel B: Parcel B is comprised of 217,934 square feet (5 acres) and will consist of 3 two-story buildings with a maximum height of 28-feet, providing a total utilization of 40,200 square feet of commercial floor area. The remaining 197,234 square feet breaks down as follows:

- A total of 87,173 square feet of landscaping, or 40 percent of the total parcel area;
- 50,304 square feet of open space, or 23 percent of the total parcel area;
- 167 on-site surface parking spaces

PROJECT ATTRIBUTES

The project is consistent with the neighborhood in regards to size, design, and height, which includes the surrounding homes and commercial development. The proposed structures will be 28-feet in height, with the largest single building 19,115-square feet in area; and the smallest being 469-square feet in area. Existing buildings in the immediate vicinity of the proposed project range from two-story single-family homes, 26-feet in height, and two-story commercial buildings, 35-feet height. Most of the homes are located substantially above (in elevation) the subject property, so private views should not be blocked as a result of this project. Furthermore, all proposed exterior lighting would be shielded or directed downward to minimize impacts from night lighting to the surrounding area.

The project is designed to conform to the existing topography and minimize landform alteration. Grading is limited to either remediation or for safety purpose to address flood plain issues. The project is designed to include a natural appearing stream, which will also serve as a drainage course terminating on the south into a man-made wetland.

Natural and formal open space is the organizing element of the project design. The project designs include site amenities such as indigenous plant materials, water features, walkways, trails, plazas and other hardscape. The site is currently devoid of any coastal plant community. The proposed landscape plan is to revegetate the site with plantings that reflect the Malibu and the Southern California coastal plant community. Large canopy sycamores are proposed to soften the building elevations and complimenting the Malibu Creek Corridor. Coastal oak trees will be spotted throughout the project along with ornamental flowering trees.

Pedestrian walkways, plazas and piazzas are proposed to be integrated through the development connecting larger open spaces for where children can play or people can dine. These areas will be covered with decorative pavement. Overhead structures and trellises, supporting flowering vines, will be provided to enclose and frame outdoor spaces. Required on-site parking will have substantial landscaping for shade in the daytime and serve to shield illumination from adjacent residences. The architecture proposed for the project is Mediterranean with modern updates. The buildings include the use of textured clay tile, Spanish lace, cement pilasters, rough-hewn wood trellises and exposed wood rafter tails, decorative/battered walls, and an array of arches and colonnades.

In addition, innovative solutions for wastewater treatment are being incorporated. The proposed on-site wastewater treatment and dispersal system design is to effectively treat and dispose wastewater generated by the project while minimizing impacts. A network of underground tanks are proposed, where solids and floatable oil and grease containing materials would effectively be removed from the waste stream. The effluent would then be processed and ready for standard dispersal. The proposed system is designed to help protect groundwater and protect against potentially harmful nitrates, and other forms of nitrogen. Over 70% of nitrogen removal is anticipated through this proposed system.

Table 2 shows the project's compliance with applicable City regulations with respect to landscaping, open space and maximum floor area requirements.

TABLE 2

OPEN SPACE, LANDSCAPE AND FLOOR AREA RATIO CONSISTENCY

PARCEL A – 448,211 SQ.FT.

COMPONENT	REQUIRED (SQ.FT.)	PROPOSED (SQ.FT.)
Landscape area (40% of parcel area)	179,284	179,284
Open Space area (25% of lot area or 20% with a minor modification)	112,053 = 25% 89,642 with minor modification	89,712
Maximum Gross Floor Area (20% of lot area)	89,642	88,514 (.197 FAR)

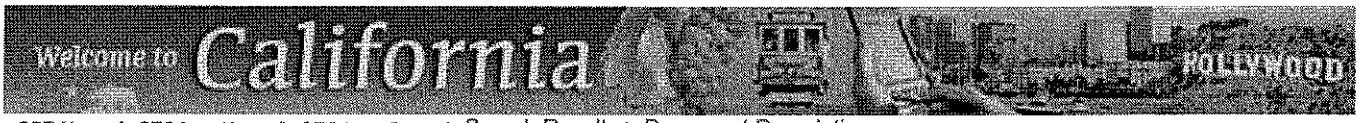
PARCEL B – 217,934 SQ.FT.

COMPONENT	REQUIRED (SQ.FT)	PROPOSED (SQ.FT.)
Landscape area (40% of lot area)	87,173	87,173
Open Space area (25% of lot area or 20% with a minor modification)	54,483 = 25% 43,586 with minor modification	50,304
Maximum Gross Floor Area (20% of lot area)	43,586	40,200 (.184 FAR)

APPROVALS REQUIRED

The following approvals will be required from the City of Malibu: Environmental Impact Report, Development Agreement, Lot Line Adjustment, Minor Modifications for open space, Conditional Use Permit approval, Site Plan Review approval, and Plot Plan Review

approval. Approval in concept by the City will include approval in concept from the County of Los Angeles Fire Department and Department of Forestry, City Biologist, City Geologist, and City Environmental Health Specialist. In addition, once approval in concept has been given by the City of Malibu, approval of a coastal development permit from the California Coastal Commission will be required. Final approvals from all agencies who have issued approval in concept will be required, as well as Building Department plan check and issuance of a building permit, will be required in order to construct the project.



La Paz Development Agreement

SCH Number: 2003011131

Type: NOP

Project Description

The proposed project entails development of 3 single-story buildings and 7 two- story buildings, providing a total of 128,713 square fe floor area and three buildings comprising 25,700 square feet of floor area for a new city hall.

Project Lead Agency

Malibu, City of

Contact Information

Primary Contact:
Scott Albright
City of Malibu
310 456-2489x234
23815 Stuart Ranch Road
Malibu
CA, 90265

Project Location

County: Los Angeles
City: Malibu
Region:
Cross Streets: Cross Creek, Civic Center Way
Parcel No:
Township:
Range:
Section:
Base:
Other Location Info:

Proximity To

Highways:
Airports:
Railways:
Waterways:
Schools:
Land Use: development site is vacant, zoned: Community Commercial (CC)

Development Type

Office; Commercial

Local Action

Site Plan

Project Issues

Aesthetic/Visual; Air Quality; Biological Resources; Geologic/Seismic; Soil Erosion/Compaction/Grading; Water Quality; Landuse; Noi Traffic/Circulation

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Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency California Coastal Commission Department of Conservation Department of Parks and Recreation **Department of Region 5** Native American Heritage Commission State Lands Commission Santa Monica Mountains Conservancy Caltrans, District 7 Highway Patrol Regional Water Quality Control Board, Region 4

Date Received: 1/29/2003 **Start of Review:** 1/29/2003 **End of Review:** 2/27/2003

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STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse

Gray Davis
Governor

Tal Finney
Interim Director

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PLANNING DEPT

Notice of Preparation

January 29, 2003

To: Reviewing Agencies

Re: La Paz Development Agreement
SCH# 2003011131

Attached for your review and comment is the Notice of Preparation (NOP) for the La Paz Development Agreement draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

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

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

CC: Shae Parker, file, City Clerk

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
(916)445-0613 FAX(916)323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

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

Type NOP Notice of Preparation

Description The proposed project entails development of 3 single-story buildings and 7 two- story buildings, providing a total of 128,713 square feet of commercial floor area and three buildings comprising 25,700 square feet of floor area for a new city hall.

Lead Agency Contact

Name Scott Albright
Agency City of Malibu
Phone 310 456-2489x234 **Fax**
email
Address 23815 Stuart Ranch Road
City Malibu **State** CA **Zip** 90265

Project Location

County Los Angeles
City Malibu
Region
Cross Streets Cross Creek, Civic Center Way
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use development site is vacant,
zoned: Community Commercial (CC)

Project Issues Aesthetic/Visual; Air Quality; Biological Resources; Geologic/Seismic; Soil Erosion/Compaction/Grading; Water Quality; Landuse; Noise; Other Issues; Traffic/Circulation

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

Date Received 01/29/2003 **Start of Review** 01/29/2003 **End of Review** 02/27/2003

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List **County:** Ventura **SCH#** [illegible]

Resources Agency

- [x] **Resources Agency**
  Nadell Gayou
- [ ] **Dept. of Boating & Waterways**
  Suzi Betzler
- [x] **California Coastal Commission**
  Elizabeth A. Fuchs
- [x] **Dept. of Conservation**
  Roseanne Taylor
- [ ] **Dept. of Forestry & Fire Protection**
  Allen Robertson
- [ ] **Office of Historic Preservation**
  Hans Kreutzberg
- [x] **Dept of Parks & Recreation**
  B. Noah Tilghman
  Environmental Stewardship Section
- [ ] **Reclamation Board**
  Pam Bruner
- [ ] **S.F. Bay Conservation & Dev't. Comm.**
  Steve McAdam
- [ ] **Dept. of Water Resources**
  Resources Agency
  Nadell Gayou

Health & Welfare

- [ ] **Health & Welfare**
  Wayne Hubbard
  Dept. of Health/Drinking Water

Food & Agriculture

- [ ] **Food & Agriculture**
  Steve Shaffer
  Dept. of Food and Agriculture

Fish and Game

- [ ] **Dept. of Fish & Game**
  Scott Flint
  Environmental Services Division
- [ ] **Dept. of Fish & Game 1**
  Donald Koch
  Region 1
- [ ] **Dept. of Fish & Game 2**
  Banky Curtis
  Region 2
- [ ] **Dept. of Fish & Game 3**
  Robert Floerke
  Region 3
- [ ] **Dept. of Fish & Game 4**
  William Laudermilk
  Region 4
- [x] **Dept. of Fish & Game 5**
  Don Chadwick
  Region 5, Habitat Conservation Program
- [ ] **Dept. of Fish & Game 6**
  Gabrina Gatchel
  Region 6, Habitat Conservation Program
- [ ] **Dept. of Fish & Game 6 I/M**
  Tammy Allen
  Region 6, Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Game M**
  Tom Napoli
  Marine Region

Independent Commissions

- [ ] **California Energy Commission**
  Environmental Office
- [x] **Native American Heritage Comm.**
  Debbie Treadway
- [ ] **Public Utilities Commission**
  Ken Lewis
- [x] **State Lands Commission**
  Betty Silva
- [ ] **Governor's Office of Planning & Research**
  State Clearinghouse Planner

- [ ] **Colorado River Boa**
  Gerald R. Zimmerman
- [ ] **Tahoe Regional Planning Agency (TRPA)**
  Lyn Barnett
- [ ] **Office of Emergency Services**
  John Rowden, Manager
- [ ] **Delta Protection Commission**
  Debby Eddy
- [x] **Santa Monica Mountains Conservancy**
  Paul Edelman

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- [ ] **Dept. of Transportation 2**
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  District 2
- [ ] **Dept. of Transportation 3**
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- [ ] **Dept. of Transportation 6**
  Marc Birnbaum
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- [x] **Dept. of Transportation 7**
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  Linda Grimes,
  District 8
- [ ] **Dept. of Transportation 9**
  Gayle Rosander

  District 9
- [ ] **Dept. of Transportation 10**
  Tom Dumas
  District 10
- [ ] **Dept. of Transportation 11**
  Bill Figge
  District 11
- [ ] **Dept. of Transportation 12**
  Bob Joseph
  District 12

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- [ ] **Housing & Community Development**
  Cathy Creswell
  Housing Policy Division
- [ ] **Caltrans - Division of Aeronautics**
  Sandy Hesnard
- [x] **California Highway Patrol**
  Lt. Julie Page
  Office of Special Projects
- [ ] **Dept. of Transportation**
  Ron Helgeson
  Caltrans - Planning
- [ ] **Dept. of General Services**
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  Environmental Services Section

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  Jim Lerner
- [ ] Transportation Projects
  Kurt Karperos
- [ ] Industrial Projects
  Mike Tollstrup

- [ ] **California Integrated Waste Management Board**
  Sue O'Leary
- [ ] **State Water Resources Control Board**
  Diane Edwards
  Division of Clean Water Programs

- [ ] **State Water Re[illegible]ces Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] **State Water Resouces Control Board**
  Mike Falkenstein
  Division of Water Rights
- [ ] **Dept. of Toxic Substances Control**
  CEQA Tracking Center

Regional Water Quality Control Board (RWQCB)

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  Cathleen Hudson
  North Coast Region (1)
- [ ] **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] **RWQCB 3**
  Central Coast Region (3)
- [x] **RWQCB 4**
  Jonathan Bishop
  Los Angeles Region (4)
- [ ] **RWQCB 5S**
  Central Valley Region (5)
  - [ ] **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- [ ] **RWQCB 6**
  Lahontan Region (6)
  - [ ] **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- [ ] **RWQCB 7**
  Colorado River Basin Region (7)
- [ ] **RWQCB 8**
  Santa Ana Region (8)
- [ ] **RWQCB 9**
  San Diego Region (9)

State of California - The Resources Agency
GRAY DAVIS, *Governor*

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201

Flex your POWER

February 26, 2003

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

Dear Mr. Albright:

Notice of Preparation of a Draft Environmental Impact Report for La Paz Development Agreement
SCH # 2003011131, Los Angeles County

The Department of Fish and Game (Department) appreciates this opportunity to comment on the above-referenced project, relative to impacts to biological resources. The proposed project involves the development of 128,713 square feet of commercial floor space and three buildings comprising 25,700 square feet of floor area for a new City Hall on a 15.29 acre site which is presently undeveloped and previously cleared of native vegetation (except for a stand of mature sycamore trees) by past agricultural uses. The site is located in the City of Malibu along the north side of Civic Center Way, east of La Paz Lane and is surrounded by residential single-family homes, office/retail commercial and recreational facilities including a skate park and equestrian center.

To enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the Draft Environmental Impact Report:

1. A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.

    a. A thorough recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (Attachment 1).

    b. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are

required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.

c. **Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).**

d. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs) or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction that are located in or adjacent to the project area must be addressed.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources (including impacts to local raptor foraging habitat), with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.

a. CEQA Guidelines, § 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.

b. Project impacts should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic and outdoor artificial lighting.

c. A cumulative effects analysis should be developed as described under CEQA Guidelines, § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

d. Impacts to migratory wildlife affected by the project should be fully evaluated. This can include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and

staging sites. All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.

e. Impacts to all habitats from City or County required Fuel Modification Zones (FMZ). Areas slated as mitigation for loss of habitat shall not occur within the FMZ.

f. Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1-September 15) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500 foot buffer for all active raptor nests).

3. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources including wetlands/riparian habitats, alluvial scrub, coastal sage scrub, native woodlands, etc. should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.

   a. Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. Compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere should be addressed.

   b. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts (Attachment 2).

   c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

4. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve,

protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:

a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.

b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

5. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations.

a. The Department requires a streambed agreement, pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department's issuance of a stream bed alteration agreement may be a project that is subject to CEQA. To facilitate our issuance of the agreement when CEQA applies, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

The Department suggests a pre-project or early consultation planning meeting for all projects. To make an appointment, please call Scott Harris, Wildlife Biologist, at (818) 360-8140. Thank you for this opportunity to provide comment.

Sincerely,

Scott Harris for

Morgan Wehtje
Environmental Scientist IV

f

Attachments

cc: Mr. Scott Harris
Department of Fish & Game

Mr. Scott Morgan
State Clearinghouse

sph

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
120 S. SPRING STREET
LOS ANGELES, CA 90012
PHONE (213) 897-4429
FAX (213) 897-1337

Flex your power!
Be energy efficient!

February 5, 2003

IGR/CEQA cs/030177
NOP
City of Malibu
La Paz Development Agreement
Civic Center Way/Cross Creek Rd.
128,713 sq. ft. of commercial floor area & 25700 sq. ft. new City Hall
Vic. LA-1-4709
SCH# 2003011131

RECEIVED
FEB 21 2003
PLANNING DEPT

Mr. Scott Albright
City of Malibu
Planning Division
23815 Stuart Ranch Rd.
Malibu, CA 90265

Dear Mr. Albright:

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

A traffic study will be needed to evaluate the project's overall impact on the State transportation system including SR-1 (PCH). The traffic study should include, but not be limited to:

1) Assumptions used to develop trip generation/distribution percentages and assignments.

2) An analysis of ADT, AM and PM peak hour volumes for both the existing and future (year 2025) conditions. This should also include, but not be limited to, level-of-service calculations:

   Existing traffic volumes
   Existing level-of-service (LOS) calculations
   Future traffic volumes projections for year 2025
   Cumulative level-of-service (LOS) calculations

3) If poor AM/PM peak period operating traffic conditions are projected due to the additional traffic generated by the project along with cumulative developments, traffic mitigation measures will be needed for the State highway. We request that the lead agency refer to Appendix "B" Methodology for Calculating Equitable Mitigation Measures found in our Caltrans Guide to the Preparation of Traffic Impact Studies. The Guide can be found on the internet at:

   http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf

Any work to be performed within the State Right-of-way will need a California Department of Transportation Encroachment Permit.

The proposed project will need to conform with the National Pollution Discharge Elimination System (NPDES) requirements relating to construction activities and Post-Construction Storm Water Management. To the maximum extent practicable, Best Management Practices will need to be implemented to address storm water runoff from new development. The responsible water quality control agencies will need to review storm water runoff facilities and drainage plans.

We would appreciate advance copies of the DEIR and traffic study to facilitate internal Departmental review. Copies should be sent to the undersigned :

c/o Stephen Buswell, IGR/CEQA Program Manager
California Department of Transportation
District 7, Office of Regional Planning
120 South Spring Street
Los Angeles, CA 90012

If you have any questions regarding our comments, refer to our internal IGR/CEQA Record # cs/030177, and please do not hesitate to contact me at (213) 897-4429.

Sincerely,

Original Signed By

STEPHEN BUSWELL
IGR/CEQA Branch Chief

cc: Mr. Scott Morgan, State Clearinghouse

cc: Scott albright, Shane Parker - CAJA, file

South Coast
Air Quality Management District
21865 E. Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • http://www.aqmd.gov

January 31, 2003

Mr. Scott Albright, Senior Planner
City of Malibu
23815 Stuart Ranch Road
Malibu, CA 90265

Dear Mr. Albright:

Notice of Preparation of a Draft Environmental Impact Report for
La Paz Development Agreement

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The AQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR).

Air Quality Analysis
The AQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The AQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the AQMD's Subscription Services Department by calling (909) 396-3720.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction and operations should be considered. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the evaluation. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

CC: Shane Parker, File

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the AQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, AQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

AQMD rules and relevant air quality reports and data are available by calling the AQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the AQMD's World Wide Web Homepage (http://www.aqmd.gov).

The AQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Dr. Charles Blankson, Transportation Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,

Steve Smith

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:CB:li

LAC030128-06LI
Control Number

Traffic Impact Analysis Report Guidelines

January 1, 1997

Prepared by the County of Los Angeles
Department of Public Works

James A. Noyes
Director of Public Works

Table of Contents

I. Introduction

The County of Los Angeles Department of Public Works has established the following Guidelines for the preparation of Traffic Impact Analysis (TIA) reports. The purpose of these Guidelines is to establish procedures to ensure consistency of analysis and the adequacy of information presented and timely review by County staff. It is strongly recommended that the applicant's traffic engineer consult with County staff before beginning the study to establish the scope and basic assumptions of the study and any deviations from these Guidelines to avoid unnecessary delays or revisions. For assistance in the TIA scoping process, the Traffic and Lighting Division, Traffic Studies Unit, can be contacted at (626) 458-5909.

II. Requirements

Generally, the Department staff is concerned with adverse impacts on traffic if:

1. Traffic generated by a project considered alone or cumulatively with other related projects, when added to existing traffic volumes, exceeds certain capacity thresholds of an intersection or roadway, contributes to an unacceptable level of service (LOS), or exacerbates an existing congested condition.

2. Project generated traffic interferes with the existing traffic flow (e.g., due to the location of access roads, driveways, and parking facilities).

3. Proposed access locations do not provide for adequate safety (e.g., due to limited visibility on curving roadways).

4. Nonresidential uses generate commuter or truck traffic through a residential area.

5. Project generated traffic significantly increases on a residential street and alters its residential character.

A traffic report must be prepared by a registered Civil or Traffic Engineer. A traffic report is generally needed if a project generates over 500 trips per day or where other possible adverse impacts as discussed in the Analysis and Impact Section (see page 4) of these Guidelines are identified. Before a full review is conducted, the County staff will check the completeness of the TIA report using the attached check list (Exhibit A). If the report is missing any of the check list items, it will be returned for revision.

III. TIA Report Contents

A. Project Description

The following information is required:

1. A description of the project, including those factors which quantify traffic generators, e.g., dwelling units, square feet of office space, persons to be employed, restaurant seats, acres of raw land, etc. For residential developments, the description should indicate the type of residence, (e.g., one level or townhouse condominiums, and if its use is for families, adults or retirees).

2. A plot plan showing proposed driveways, streets, internal circulation, and any new parking facilities on the project site.

3. A vicinity map showing the site location and the study area relative to other transportation systems.

4. A brief history of the projects that are part of the phased Master Plan or a parent tract/parcel map.

B. Transportation Circulation Setting

The following information is required:

1. Existing and Proposed Site Uses

A description of the permitted and/or proposed uses of the project site in terms of the various zoning and land use categories of the County, and the status and the usage of any facilities currently existing on the site.

2. Existing and Proposed Roadways and Intersections

A description of existing streets and roadways, both within the project site (if any) and in the surrounding area. Include information on the roadway classifications (per the Highway Plan), the number of lanes and roadway widths, signalized intersections, separate turn lanes, and the signal phases for turning movements.

Existing daily directional and peak-hour through and turning traffic volumes on the roadways surrounding and/or logically associated with the project site, including Secondary and Major highways and freeways. Local streets affected by the project should also be shown. Each report shall include appendices providing count data used in the preparation of the report. The source and date of the traffic volume information shall be indicated. Count data should not be over one year old. Since peak volumes vary considerably, a ten percent daily variation is not uncommon, especially on recreational routes or roadways near shopping centers; therefore, representative peak-hour volumes are to be chosen carefully.

All assumed roadways and intersections or any other transportation circulation improvements must be identified and discussed. The discussion should include the scope and the status of the assumed improvements including the construction schedule and financing plan. It should be noted that all assumed roadways and intersections or any other transportation circulation improvements will be made a condition of approval for the project to be in place prior to the issuance of building permits. If assumed improvements do not get built on time due to an unforeseeable condition, traffic conditions for a different assumed highway network or other mitigation measures will be considered if a traffic study is submitted with a different assumed network or other measures are recommended to mitigate the traffic impact in question.

C. Analysis and Impact

The following information is required:

1. Trip Generation Analysis

Tabulate the estimated number of daily trips and a.m. and p.m. peak-hour trips generated by the proposed project entering and exiting the site. Trip generation factors and source are to be included. The trip generation rates contained in the latest edition of the Institute of Transportation Engineers Trip Generation manual should generally be used, except in the case of condominiums/townhomes when the following rates should be used per unit:

	ADT	A.M.-Peak	P.M.-Peak
		Outgoing/Incoming	Outgoing/Incoming
Condominiums/ Townhomes	8.0	0.48/0.06	0.26/0.47

There may be a trip reduction due to internal and/or pass-by trips. Internal trip reduction can only be applied for mixed-use types of developments and pass-by trip reduction for retail/commercial types of developments. Internal or pass-by trip reduction assumptions will require analytical support based on verifiable actual similar developments to demonstrate how the figures were derived and will require approval by the County.

2. Trip Distribution

Diagrams showing the percentages and volumes of the project and nearby project's a.m. and p.m. peak-hour trips logically distributed on the roadway system must be provided. The Regional Daily Trip Distribution Factors (Exhibit D-3) contained in the Congestion Management Program (CMP) Land Use Analysis Guidelines shall be referenced for regional trip distribution assumptions. If it is assumed that new routes will alter traffic patterns, adequate backup including traffic distribution maps must be provided showing how and why these routes will alter traffic patterns.

The study area should include arterial highways, freeways, and intersections generally within a one-mile radius of the project site.

Note: This distance may be greater than one-mile for rural areas depending on the proximity to nearby signalized intersections and the availability of master plan access routes.

3. Related Projects List

A list of related projects that are approximately within a one-and-a-half mile radius of the project site and would reasonably be expected to be in place by the project's build out year must be included in the report. Related projects shall include all pending, approved, recorded, or constructed projects that are not occupied at the time of the existing traffic counts.

The County of Los Angeles Department of Regional Planning (DRP) and other public agencies (if necessary) should be contacted to obtain the latest listings. A table and a map showing the status, project/zone change/conditional use permit/parcel map/tract number, and the location of each project must be provided. For a computer printout of the listing of all filed projects within the County, Land Development Management Section of the DRP, at (213) 974-6481 can be contacted.

4. LOS Analysis

If it appears that the project's generated traffic alone or together with other projects in the area could worsen the LOS of an intersection or roadway, a "before" and "after" LOS analysis is necessary. The Intersection Capacity Utilization (ICU) or Critical Movement Analysis are two methods often used to assess existing and future LOS at intersections.

If the ICU planning method is used, a maximum of 1,600 vehicles per hour per lane should be used (2,880 vehicles per hour should be used for dual left-turn lanes) and a ten percent yellow clearance cycle should be included. Intersection LOS analysis and calculation work sheets, as well as diagrams showing turning volumes shall be included in the report for the following traffic conditions.

(a) Existing traffic;
(b) Existing traffic plus ambient growth to the year the project will be completed (preproject);
(c) Traffic in (b) plus project traffic;
(d) Traffic in (c) with the proposed mitigation measures (if necessary);
(e) Traffic in (c) plus the cumulative traffic of other known developments; and
(f) Traffic in (e) with the proposed mitigation measures (if necessary).

The project's impact on two-lane roadways should also be analyzed for all of the above traffic conditions if those two-lane roadways are used for access. LOS service analysis contained in the Highway Capacity Analysis, Chapter 8, Two-Lane Highways, should be used to evaluate the project's impact. For simplified analysis, use the established significant impact thresholds for two-lane roadways as shown on page 7.

5. Significant Impact Threshold

For intersections, the impact is considered significant if the project related increase in the volume to capacity (v/c) ratio equals or exceeds the threshold shown below.

INTERSECTIONS		
Preproject		Project /C Increase
LOS	V/C	
C	0.71 to 0.80	0.04 or more
D	0.81 to 0.90	0.02 or more
E/F	0.91 or more	0.01 or more

The project is deemed to have a significant impact on two-lane roadways when it adds the following percentages based on LOS of the preproject conditions.

TWO-LANE ROADWAYS				
		Percentages Increase in Passenger Car Per Hour (PCPH) by Project		
		Preproject LOS		
Directional Split	Total Capacity (PCPH)	C	D	E/F
50/50	2,800	4	2	1
60/40	2,650	4	2	1
70/30	2,500	4	2	1
80/20	2,300	4	2	1
90/10	2,100	4	2	1
100/0	2,000	4	2	1

6. Analysis Discussion

Discuss conclusions regarding the adverse impacts caused by the proposed project on the roadway system. If the cumulative traffic impact of this and other projects require mitigation measures, such as traffic signals, then estimate the percent share using the project percent share formula given in the Section III D of the TIA Guidelines. When the proposed project and other nearby developments are expected to significantly impact adjacent roadways, the developer may be required to enter into a secured agreement to contribute to a benefit district to fund major roadway and bridge improvements in the region. Also, for all recommendations to increase the number of travel lanes on a street or at an intersection as a mitigation measure, the report must clearly identify the impacts associated with such a change such as whether or not additional right of way will be required and whether it is feasible to acquire the right of way based on the level of development of the adjacent land and buildings (if any).

Discuss other possible adverse impacts on traffic. Examples of these are: (1) the limited visibility of access points on curved roadways; (2) the need for pavement widening to provide left-turn and right-turn lanes at access points into the proposed project; (3) the impact of increased traffic volumes on local residential streets; and (4) the need for road realignment to improve sight distance.

Projects which propose to amend the County's General Plan Land Use and substantially increase potential traffic generation must provide an analysis of the project at current planned land use versus proposed land use in the build out condition for the project area. The purpose of such analysis is to provide decision makers with the understanding of the planned circulation network's ability to accommodate additional traffic generation caused by the proposed General Plan Land Use amendments.

D. Traffic Models and Model Generated TIA's

Computerized traffic models are planning tools used to develop future traffic projections based on development growth patterns. The Department currently operates two traffic models, one for the Santa Clarita Valley and another for the Ventura Corridor area. The Department can test proposed development project traffic impacts for the public in these areas for a fee. For assistance in the traffic modeling, the Planning Division, Transportation Planning/Assessments Section, can be contacted at (626) 458-4351.

For TIA's prepared using data from outside traffic modeling, the following information is required:

1. The type of modeling software used to generate the traffic analysis report data (i.e., TRANPLAN, EMME/2, etc.).

2. The list of land use assumptions by traffic analysis zones (TAZ's) and their sources used in the traffic model in lieu of a related projects list.

3. A copy of the computerized roadway network assumed to be in place at the time of the project. Streets should be color-coded by street type. Also, TAZ's and their corresponding centroidal connectors, as well as number of lanes should be displayed.

4. The list of trip generation rates used in the traffic model and their sources.

5. Model runs (plots) identifying both the with and without project scenarios. The volumes displayed on the plots should be in 100's for Average Daily Vehicle Trips (ADT) and 10's for peak-hour plots.

E. Traffic Signals

The following information is required:

Traffic signal warrant analysis using the State of California Department of Transportation (Caltrans) Peak-Hour (Figures 9-8 and 9-9 of Caltrans Traffic Manual) and Estimated Average Daily (Figure 9-4 of Caltrans Traffic Manual) Traffic Warrant Analysis should be provided. If the installation of signals is warranted with the addition of the project's traffic, then the installation will be the sole responsibility of the project. If it is warranted with cumulative traffic of the project and other related projects, the following formula should be used to calculate the project percent share.

$$\textbf{Project Percentage Share} = \frac{\text{Project Traffic}}{\text{Project+Other Related Projects Traffic}}$$

The project percent share should be based on the peak-hour volumes that warrant signals. If both peak hours satisfy the installation of signals, the average of the two peak-hour volumes should be used in the percent share analysis.

F. Mitigation Measures

The following information is required.

Identify feasible mitigation measures which would mitigate the project and/or other related projects' significant impacts to a level of insignificance. Also, identify those mitigation measures which will be implemented by others. Those mitigation measures that are assumed to be implemented by others will be made a condition of approval for the project to be in place prior to issuance of building permits. Mitigation measures may include, but are not limited to, the following:

1. **Traffic Engineering Techniques.**

   a. Locate access points to optimize visibility and reduce potential conflict.
   b. Design parking facilities to avoid queuing into public streets during peak arrival periods.
   c. Provide additional off-street parking.
   d. Dedicate visibility easements to assure adequate sight distance at intersections and driveways.
   e. Signalize or modify traffic signals at intersections.
   f. Install left-turn phasing and/or multiple turning lanes to accommodate particularly heavy turning movements.
   g. Widen the pavement to provide left- or right-turn lanes to lessen the interference with the traffic flow.[1]
   h. Widen intersection approaches to provide additional capacity.
   I. Prohibit left turns to and from the proposed development.
   j. Restrict on-street parking during peak hours to increase street capacity.[1]

2. **Contribute to a benefit district to fund major capital improvements**

---

1 Physical roadway improvements to improve capacity should be considered before considering parking restrictions.

a. Construct a grade separation.
b. Improve or construct alternate routes.
c. Complete proposed routes shown on the Los Angeles Highway Plan.
d. Improve freeway interchanges (bridge, widening, modifications, and etc.).

3. **Transportation System Management (TSM) Techniques**[2]

a. Establish flexible working hours.
b. Encourage employee use of carpools and public transportation (specific measures must be indicated).
c. Establish preferential parking for carpools.
d. Restrict truck deliveries to Major and Secondary highways and encourage deliveries during the off-peak hours.
e. Establish a monitoring program to ensure that project traffic volumes do not exceed projected traffic demand.

Note: When it appears that other jurisdictions will be impacted by a development, the Department will request that the involved jurisdiction also review the TIA. A written response from that jurisdiction should be provided with appropriate follow-up to the lead County agency.

G. CMP Guidelines

The following information is required:

Where the project meets the criteria established in the County of Los Angeles' CMP Land Use Analysis Guidelines, a CMP analysis must be provided. A copy of the latest Guidelines will be available upon request. A CMP TIA is required for all projects required to prepare an Environmental Assessment based on local determination or projects requiring a traffic study.

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[2] Contributions to a benefit district and/or TSM techniques may not be used to lower LOS in the capacity calculations.

The geographic area examined in the TIA must include the following, at a minimum.

- All CMP arterial monitoring intersections (see Exhibit B of the Guidelines), including freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. peak hours.

- Main line freeway monitoring locations (see Exhibit C of the Guidelines) where the project will add 150 or more trips, in either direction, during the a.m. or p.m. weekday peak hours.

- Caltrans must also be consulted to identify other specific locations to be analyzed on the State highway system.

If, based on these criteria, the TIA identifies no facilities for study, no further traffic analysis is required.

JHC:ce
T-2/ACCESS
(01/07/99)

Attach.

EXHIBIT A
TRAFFIC IMPACT ANALYSIS REPORT CONTENTS CHECK LIST

Note: Before a full review is conducted, PW's staff will check the completeness of the Traffic Impact Analysis Report. If the Report is missing any of the items listed below, it will be returned for revision.

CONTENT	YES/ NO	COMMENT
Site Plan • Access locations • Interior circulation		
Trip Generation Rates • Institute of Transportation Engineers (ITE) trip generation rates • Documentation for alternate rates		
Trip Distribution • Regional • Local project (am/pm) • Local related projects(am/pm)		
Traffic Counts • Taken within one year • Date/Time		
Discounting • Internal trip discounts for mixed use developments • Pass-by trip discounts for commercial/retail developments • Backup		
Level of Service Calculations • Intersection Capacity Utilization (ICU) or Criteria Movement Analysis • 10 percent yellow clearance for ICU planning method • 1,600 vehicles per lane (vpl); 2,880 vpl for dual left-turn lanes for ICU planning method • Calculation sheets • Scenarios as required per Guidelines • Existing/Future lane configurations		
Signal Warrant Analysis • Peak-hour/Average Daily Traffic per the State of California Department of Transportation standards		
Mitigation Measures • Project impacts • Cumulative developments impacts • Projects percent share of the cost to mitigate cumulative development impacts		
Congestion Management Program Analysis		

JHC:ce
T-2/ACCESS3
02/22/99

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

RECEIVED
MAR 03 2003
PLANNING DEPT

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

March 3, 2003

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

Dear Mr. Albright:

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LA PAZ DEVELOPMENT AGREEMENT, "CITY OF MALIBU" -- (EIR #1589/2003)

The Notice of Preparation and a Draft Environmental Impact Report for the La Paz Development Agreement Project has been reviewed by the Planning Section, Land Development Unit, and Forestry Unit of the County of Los Angeles Fire Department. The following are their comments:

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AVAILABILITY:

The subject development will receive fire protection and paramedic service from the County of Los Angeles Fire Department. Fire Station 88, located at 23720 W. Malibu Rd., Malibu, CA 90265-4603, is the jurisdictional engine company for this property.

We would need a detailed map showing proposed buildings and access routes to calculate response distances/times.

Any development will increase the service demand on existing resources. Although this development would be in proximity to existing fire stations, it would increase service demand on the existing fire protection resources in the general area. Additional manpower, equipment, and facilities are needed in the area now.

The applicant shall participate in an appropriate financing mechanism, such as a developer fee or an in-kind consideration in lieu of developer fees, to provide funds for fire protection facilities which are required by new commercial, industrial or residential development in an amount proportionate to the demand created by this project. Currently, the developer fee is a set amount per square foot of building space, adjusted annually, and is due and payable at the time a building permit is issued. In the event that the developer fee is no longer in effect at the time of building permit issuance, alternative mitigation measures shall be required.

cc: Scott albright, Steve Packer, File.

GENERAL REQUIREMENTS:

The proposed development may necessitate multiple ingress/egress access for the circulation of traffic, and emergency response issues. The Department may condition future development to provide additional means of access.

The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and hydrants.

This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, must be met.

Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.

Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width, unobstructed, clear-to-sky. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.

When a bridge is required, to be used as part of a fire access road, it shall be constructed and maintained in accordance with nationally recognized standards and designed for a live load sufficient to carry a minimum of 75,000 pounds.

The maximum allowable grade shall not exceed 15% except where the topography makes it impractical to keep within such grade, and then an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topography difficulties, shall be no more than 17%. Grade breaks shall not exceed 10% in 10 feet.

When involved with a subdivision, Fire Department requirements for access, fire flows and hydrants are addressed during the subdivision tentative map stage.

COMMERCIAL:

Development may require fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of the buildings, their relationship to other structures, property lines, and types of construction used. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:

1. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.

2. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.

3. Additional hydrants will be required if hydrant spacing exceeds specified distances.

4. When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block.

5. A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.

6. A Fire Department approved turning area shall be provided at the end of a cul-de-sac.

Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs. All on-site driveways shall provide a minimum unobstructed width of 26 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:

1. Provide 28 feet in width, when a building has three or more stories, or is more than 35 feet in height, above access level. Also, for using fire truck ladders, the centerline of the access roadway shall be located parallel to, and within 30 feet of the exterior wall on one side of the proposed structure.

2. Provide 34 feet in width, when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.

3. Provide 42 feet in width, when parallel parking is allowed on each side of the access roadway/driveway.

4. "Fire Lanes" are any ingress/egress, roadway/driveway with paving less than 34 feet in width, and will be clear-to-sky. All "Fire Lanes" will be depicted on the final map.

5. For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING – FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.

LIMITED ACCESS DEVICES (GATES ETC.):
All access devices and gates shall meet the following requirements:

1. Any single gate used for ingress and egress shall be a minimum of 26 feet in width, clear-to-sky.

2. Any gate used for a single direction of travel, used in conjunction with another gate, used for travel in the opposite direction, (split gates) shall have a minimum width of 20 feet each, clear-to-sky.

3. Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way, and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.

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5. Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.

TRAFFIC CALMING MEASURES:
All proposals for traffic calming measures (speed humps/bumps, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation.

Should any questions arise regarding design and construction, and/or water and access, please contact Inspector J. Scott Greenelsh at (323) 890-4235.

OTHER ENVIRONMENTAL CONCERNS:
The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed in the Environmental Impact Report.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

David R. Leininger

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:lc

ENCLOSURE

(323) 890-4330

March 3, 2003

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

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If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

David R. Leininger

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:lc

STATE OF CALIFORNIA–THE RESOURCES AGENCY

GRAY DAVIS, *Governor*

SANTA MONICA MOUNTAINS CONSERVANCY
RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
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.

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 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.

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

JEROME C. DANIEL
Chairperson

Heal the Bay
3220 Nebraska Avenue
Santa Monica CA 90404
ph 310 453 0395
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

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 Shary / Beebe