

Appendix B
2008 Comments Received (Initial Study and Notice of
Preparation)



Appendices

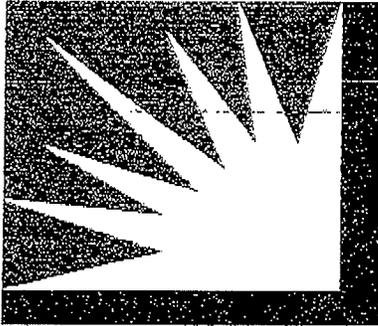
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Appendix B
2008 Comments Received (Initial Study and Notice of
Preparation)



Appendices

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SOUTHERN CALIFORNIA

EDISON

An EDISON INTERNATIONAL Company

FAX

Date: 7/18/08

Number of pages including cover sheet: 3

To: HENRY KAPLAN

PAX: _____

Phone: _____

Fax: 310 670 9512

From: JACK HOPKINS

PAX: _____

Phone: 805 654 7482

Fax: 805 654-7328

REMARKS: Urgent For your review Reply ASAP Please comment



Date: 07/18/08

COMPANY: Simon Schreier and Associates

SUBJECT: Grimmer Project 24200 Pacific Coast Highway - Custom Single Family
Approx. 3,000 SF

Dear: Mr Simon Schreier

This is to advise that the subject property is located within the service territory of the Southern California Edison Company (SCE) and that the electrical loads of the project are within parameters of projected load growth which SCE is planning to meet in this area.

Our total system demand is expected to continue to increase annually; however, excluding any unforeseen problems, our plans for new distribution resources indicate that our ability to serve all customers' loads in accordance with our rules and tariffs will be adequate during the decade of the 2000's.

Current conservation efforts on the part of SCE customers have resulted in energy savings. Optimization of conservation measures in this project will contribute to the overall energy savings goal.

If you have any additional questions, please feel free to call me at (805) 654-7482.

Sincerely,

Jack Hopkins

A handwritten signature in black ink, appearing to read "Jack Hopkins", written over a horizontal line.

Customer Service Planner

Crummer Site Subdivision
24120 Pacific Coast Highway, City of Malibu
Electricity Questionnaire

1. Will Southern California Edison be able to provide electrical service to the proposed project given the current level of facilities and supply? If not, please indicate what improvement will be required to service the project.

SEE ATTACHED WILL SERVE LETTER.

2. Please provide consumption factors for schools and recreational land uses. How much electricity will be required to serve the proposed project?

13,500 S.F. APPROX - 50 KVA PER HOME - DEPENDS ON
30 TONS A/C. LOAD INFORMATION FROM ELECTRICAL ENGINEER

3. Please describe the electrical facilities that are currently present in the project vicinity. Is there existing service to the project site? What new facilities will be required to provide electrical service to the project site?

EXISTING 16 KV VAULT AT MALIBU CANYON RD
+ PEH.

4. What impact will the proposed project, in combination with all the other development projects in the area, have on the City's ability to provide electrical service?

CITY DOES NOT PROVIDE ELECTRICAL SERVICE.
PROVIDED BY EDISON.

5. What mitigation measures, if any, would you recommend for the proposed project?

NONE

6. Please add any comments you may wish to make regarding this project.

NONE.

Response Prepared By:

JACK HOPKINS SERVICE PLANNER
Name Title

SO CAL EDISON 7/19/08.
Agency Date

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

*1651 Sixteenth Street
Santa Monica, California 90404
(310) 450-8338*

July 23, 2008

The Planning Center
9841 Airport Boulevard, Suite 1010
Los Angeles CA 90045-5409

RE: Residential Development - 24120 Pacific Coast Highway, Malibu CA

Attn: Henry Kaplan:

Listed below are the Santa Monica-Malibu Unified School District schools that children at the above mentioned address would attend:

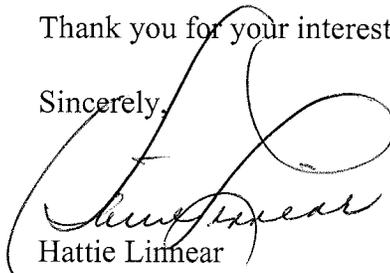
K-5 Webster Elementary School
3602 Winter Canyon
Malibu, CA 90265
(310) 456-6494

6-8 Malibu Middle School
30215 Morningview Drive
Malibu, CA 90265
(310) 457-6801

9-12 Malibu High School
30215 Morningview Drive
Malibu, CA 90265
(310) 457-6801

Thank you for your interest in the schools of the Santa Monica-Malibu Unified School District.

Sincerely,



Hattie Linhear
Administrative Assistant
Student Services Department

From: Bob Stallings [bstallings@ci.malibu.ca.us]
Sent: Monday, August 11, 2008 3:07 PM
To: Henry Kaplan
Subject: Crummer Site Subdivision

Categories: Crummer

Dear Mr. Kaplan,

Here is the information you requested from the questionnaire dated July 17, 2008 regarding the proposed residential development at 24120 Pacific Coast Highway, Malibu, CA.

1. Malibu Bluffs Park is ten-acre community park located at the intersection of Pacific Coast Highway and Malibu Canyon Road. The park consists of 2 baseball fields, 1 soccer/multi-purpose field, exercise par course, walking path, picnic tables, whale watching station, and an indoor activity room within the Michael Landon Community Center.
2. The influx of residents created by the proposed project is not sizeable enough to negatively impact the City's recreation facilities or programs.
3. Yes, the existing parks and recreation facilities will be able to accommodate the proposed project.
4. The proposed project at 24120 Pacific Coast Highway and other planned developments do not appear to have a cumulative impact on City owned or managed recreation facilities.
5. Development of the property will result in the loss of an overflow parking area used when the demand for parking exceeds what the park can accommodate during large special events. To mitigate the loss of the overflow parking area, the developers can add additional on-site parking to the project.
6. The City will benefit from the proposed development by creating additional park space for the community.

Please don't hesitate to call if you require any information.

Regards,

Bob

Bob Stallings
Parks & Recreation Director
City of Malibu
(310) 456-2489 x 225

Creating Community through People, Parks and Programs

MARGARET DONNELLAN TODD
COUNTY LIBRARIAN

August 1, 2008

Henry Kaplan
Assistant Environmental Planner
The Planning Center
9841 Airport Boulevard, Suite 1010
Los Angeles, CA 90045-5409

Dear Mr. Kaplan:

**PROPOSED RESIDENTIAL DEVELOPMENT
24120 PACIFIC COAST HIGHWAY, CITY OF MALIBU
REQUEST FOR INFORMATION**

This is in response to your request for information regarding library services for the preparation of an environmental impact report for the development of five homes at 24120 Pacific Coast Highway in the City of Malibu, California.

If you have any questions or need additional information, please contact Malou Rubio at (562) 940-8450.

Sincerely,



Terri Maguire
Chief Deputy County Librarian

TM:DF:MR:MB:vm

U:\STAFFSERVICES\DEVELOPER\FEE\EIR\Malibu - 24102 Pacific Coast Highway - EIR.doc

Attachment

c: David Flint, Assistant Director, Finance and Planning
Malou Rubio, Staff Services
Robert Seal, Public Services Administration

COUNTY OF LOS ANGELES PUBLIC LIBRARY

**CRUMMER SITE SUBDIVISION
24120 PACIFIC COAST HIGHWAY, MALIBU, CA
RESPONSE TO LIBRARY QUESTIONNAIRE**

1. What public library(s) would serve the proposed project site?

The County's Malibu Library provides library services to the proposed project site. The Malibu Library is located at 23519 W. Civic Center Way, Malibu, CA 90265.

2. Is the existing amount of library space and number of volumes of books considered adequate for the existing population within the affected library service area? If not, what is the estimated deficit of space and/or volumes?

Yes, the existing library space of 16,530 sq. ft. and the collection of 81,809 books and other library materials as of March 31, 2007 (latest data available) is adequate for the existing population of 16,947 (2000 U.S. Census) within the Malibu Library service area.

3. What factors are used to determine the amount of library space and number of volumes to serve a given population?

The County Library uses its current service level guidelines to determine the amount of library space and the number of books and other library materials that are needed for each library. These service level guidelines are a minimum of 0.50 gross square foot of library facility space per capita and 2.75 items (books and other library materials) per capita.

4. What impact would development of the proposed project have on existing and planned library facilities?

The population growth from the development of these five single-family residents in the proposed project would create additional demand for library services. However, it would not affect the service capacity of the Malibu Library to adequately serve the residents of its service area.

5. What measures are required or recommended to reduce or offset the impacts of this project or the cumulative impacts of this project and other anticipated growth?

Since the County's library facilities mitigation fee does not apply to residential development projects located in cities, we recommend that there be discussions in the future between City representatives and the County Library regarding acceptable mitigation measures, including payment of fees, to mitigate the potential impact of new residential developments on local library services.

6. Please add any other comments you may wish to make regarding this project.

None

Response Prepared By:

Malou Rubio

Name

Head, Staff Services

Title

County of Los Angeles Public Library

Agency

August 1, 2008

Date



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

RECEIVED
OCT - 3 2008

Notice of Preparation

September 30, 2008

To: Reviewing Agencies
Re: Crummer Site Subdivision
SCH# 2008091155

Attached for your review and comment is the Notice of Preparation (NOP) for the Crummer Site Subdivision 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:

Stefanie Edmondson
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
Assistant Deputy Director & Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008091155
Project Title Crummer Site Subdivision
Lead Agency Malibu, City of

Type NOP Notice of Preparation

Description The proposed project includes the subdivision of the project site into eight individual lots. Lots 1 through 5 would be developed with a new private street, which would connect the proposed residences to Winter Mesa. The remaining two lots, Lots A and B would be maintained as private and public open space, respectively. Lot A includes the slope adjacent to PCH and would be maintained by either the homeowners' association or Caltrans, who has an easement along the north-facing slope. Lot B would be dedicated to the city and be developed with a baseball field. The dedication of Lot B to the City would expand Malibu Bluffs Park by two acres. To serve the proposed recreational use, 35 parking spaces would be created along Winter Mesa.

Lead Agency Contact

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

Project Location

County Los Angeles
City Malibu
Region
Cross Streets 24120 Pacific Coast Highway at Winter Mesa/Malibu Canyon Road
Lat / Long 34° 2' 2" N / 118° 42' 0" W
Parcel No. 4458-018-019,-018, and -002
Township 1S **Range** 17W **Section** 31 **Base** SBB&M

Proximity to:

Highways 1 (Pacific Coast Highway)
Airports
Railways
Waterways Pacific Ocean, Winter Mesa Drain
Schools 4 schools
Land Use Malibu Local Coastal Program Land Use & Zoning: PD (Planned Development). Malibu GPLU&ZD: RR2.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Native American Heritage Commission; Santa Monica Bay Restoration; California Highway Patrol; Caltrans, District 7; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 4

Date Received 09/30/2008 **Start of Review** 09/30/2008 **End of Review** 10/29/2008

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

NOP Distribution List

926

County: Los Angeles

SCH# 2008091155

Resources Agency

- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
David Johnson
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Sharon Howell
- California Energy Commission
Dale Edwards
- Cal Fire
Allen Robertson
- Office of Historic Preservation
Wayne Donaldson
- Dept of Parks & Recreation
Environmental Stewardship Section
- Central Valley Flood Protection Board
Mark Herald
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources
Resources Agency
Nadell Gayou
- _____
Conservancy

- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Gabrina Getchel
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Anna Garbeff
Environmental Services Section
- Dept. of Public Health
Veronica Malloy
Dept. of Health/Drinking Water

Independent Commissions, Boards

- Delta Protection Commission
Debby Eddy
- Office of Emergency Services
Dennis Castrillo
- Governor's Office of Planning & Research
State Clearinghouse
- Native American Heritage Comm.
Debbie Treadway

Fish and Game

- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 1E
Laurie Harnsberger

- Public Utilities Commission
Ken Lewis
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Marina Brand
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Sandy Hesnard
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Shirley Kelly
Office of Special Projects
- Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Bruce de Terra
- Caltrans, District 4
Lisa Carboni
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Elmer Alvarez

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Ryan P. Chamberlain

Cal EPA

- Air Resources Board
- Airport Projects
Jim Lerner
- Transportation Projects
Ravi Ramalingam
- Industrial Projects
Mike Tollstrup

- California Integrated Waste Management Board
Sue O'Leary

- State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

- State Water Resources Control Board
Steven Herrera
Division of Water Rights

- Dept. of Toxic Substances Control
CEQA Tracking Center

- Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
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)
- Other _____



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

September 30, 2008

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

RECEIVED
OCT - 3 2008

Dear Ms. Edmondson:

Notice of Preparation of a Draft Environmental Impact Report (Draft EIR) for the Crummer Site Subdivision Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD'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). Please send the SCAQMD a copy of the Draft EIR upon its completion. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files. Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD 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 SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.urbemis.com.

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 (including demolition, if any) and operations should be calculated. 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 analysis.

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address:
http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. 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.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law 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 SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD'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. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

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

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Daniel Garcia, Air Quality Specialist, CEQA Section, at (909) 396-3302 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.

Program Supervisor, CEQA Section

Planning, Rule Development and Area Sources

SS:DG:AK

LAC080926-01AK

Control Number



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

October 1, 2008

Henry Kaplan, Assistant Environmental Planner
The Planning Center
9841 Airport Boulevard, Suite 1010
Los Angeles, CA 90045

Dear Mr. Kaplan:

NOTICE OF PREPARATION, SUBJECT: PROPOSED RESIDENTIAL DEVELOPMENT AT 24120 PACIFIC COAST HIGHWAY, MALIBU (FFER #200800213)

The Notice of Preparation has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. Who provides fire protection and medical response service for the project site? Do other jurisdictions provide mutual aid? If so, who are they?
 - a. Fire protection and emergency medical services are provided by the Los Angeles County Fire Department. There are no aid agreements with other fire protection agencies affecting this project.
2. What are the locations of responding stations?
 - a. Fire Station 88 is the jurisdictional station for this project. It is located at 23720 W. Malibu Road, Malibu, CA 90265-4603, approximately ½ mile from the project. The second closest Fire Station to the project site is Fire Station 70 located at 3970 Carbon Canyon Road, Malibu, CA 90265-5005, approximately 3 miles from the project. Additionally, the Los Angeles County Fire Department operates under a regional concept in its approach to providing fire protection and emergency medical services, wherein emergency response units are dispatched as needed to an incident anywhere in the District's service territory based on distance and availability, without regard to jurisdictional or municipal boundaries.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKESWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLENORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

3. What type of equipment and manpower does each station have?
 - a. Fire Station 88 is staffed with a 3-person engine company and a 2-person paramedic squad. Fire Station 70 is staffed with a 4-person engine company.
4. What is the approximate fire flow requirement for the proposed project?
 - a. To be answered by the Land Development Unit.
5. What is the response time to the project site? What is the department's standard for desired response time for emergency and non-emergency calls?
 - a. Based on the distance to the project site, the jurisdictional engine company, Engine 88 is estimated to have an emergency response time of 1.7 minutes and the jurisdictional paramedic squad, Squad 88 (advance life support) is estimated to have an emergency response time of 1.7 minutes. The Fire Department uses national guidelines of a 5-minute response time for the 1st-arriving unit for Fire and EMS responses and 8 minutes for the advanced life support (paramedic) unit in urban areas.
6. Are there any existing deficiencies in the level of fire protection service currently provided to the area including and surrounding the project site?
 - a. Fire protection serving the area appears to be adequate for the existing development/land use. However, each additional development creates greater demands on existing resources. Mitigation of the impact on fire protection and emergency medical service will be accomplished by participating in the City of Malibu's adopted developer fee ordinance for new residential, commercial and industrial construction.
7. Are the existing equipment and personnel adequate to maintain a sufficient level of service for the proposed project and other properties within this same service area? If not, what additional facilities, personnel and equipment would be needed? What factors are used to project these needs?
 - a. Yes. (See answer to Question No. 6.)
8. Would this project have a significant impact on the ability to maintain adequate level of fire protection service to the area?
 - a. No. The developer mitigation fee in effect in the project area will mitigate any impact this development would have on existing resource, and therefore, this project is not expected have a significant impact on Fire Department services.
9. What mitigation measures are required or recommended to reduce fire hazards and reduce potential impacts on fire service?
 - a. Participation in the developer mitigation fee in effect in the project area will mitigate any impact this development would have on existing resources.
10. Please add any other comments you may wish to make regarding this project. We have no additional comments.

LAND DEVELOPMENT UNIT:

1. Question #4 - What is the approximate fire flow for the proposed project?
 - a. Single family detached homes shall require a minimum fire flow of 3000 gallons per minute at 20 pounds per square inch residual pressure for three-hour durations. Specific fire flows will be addressed once official plans have been submitted for review.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. 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.
2. 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 Draft Environmental Impact Report.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

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

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:lj



“WE APPRECIATE YOUR PARTICIPATION”

Crummer Site Subdivision
EIR Scoping Meeting Comment Form
Meeting Date: October 2, 2008

The City of Malibu and The Planning Center (TPC) request your participation in the planning process for this project. Your comments will assist us in the preparation of the Environmental Impact Report (EIR).

You may submit your comments at the meeting or, if you prefer, you can mail, fax or email your comments to:

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

FAX: (310) 456-7650
sedmondson@ci.malibu.ca.us

For your convenience, three specific questions are listed to help organize your comments. (Note that this is a two-sided form).

1. What specific environmental impact issues would you like to see addressed in the EIR?
Why?

a native Chumash monitor to be retained at the beginning stages of the earth disturbance to completion of all excavation. Not only when a artifact or artifacts are found - we also are concerned of our ceremonial and spiritual sites if encountered.

Over

2. What specific suggestions do you have to avoid or reduce one or more environmental impacts of this project?

I would recommend Compass Rose Archaeology
as the arch. monitor. John Ransonie (818) 989-6506
is the owner -

3. What is your preferred method of learning about future meetings and obtaining additional information about this project?

Newspaper Notices

Direct Mail

Community Cable T.V. Announcement

City of Malibu Website

Other(Please specify) _____

Your Name:

Pat Turnament

Mailing Address:



Telephone Number:

E-mail:

Group You Represent:

Native Chamash Community

Over



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Memorandum

RECEIVED
OCT 17 2008
PLANNING DIV.

Date: October 14, 2008
To: All Reviewing Agencies
From: Scott Morgan, Senior Planner
Re: SCH # 2008091155
Crummer Site Subdivision

Pursuant to the attached letter, the Lead Agency has extended the review period for the above referenced project to November 07, 2008 to accommodate the review process. All other project information remains the same.

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

Resources Agency

- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
David Johnson
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Sharon Howell
- California Energy Commission
Dale Edwards
- Cal Fire
Allen Robertson
- Office of Historic Preservation
Wayne Donaldson
- Dept of Parks & Recreation
Environmental Stewardship Section
- Central Valley Flood Protection Board
Mark Herald
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources
Resources Agency
Nadell Gayou
- _____
Conservancy

Fish and Game

- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 1E
Laurie Harnsberger

- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Gabrina Gatchel
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Anna Garbeff
Environmental Services Section
- Dept. of Public Health
Veronica Malloy
Dept. of Health/Drinking Water

Independent Commissions, Boards

- Delta Protection Commission
Debbie Eddy
- Office of Emergency Services
Dennis Castrillo
- Governor's Office of Planning & Research
State Clearinghouse
- Native American Heritage Comm.
Debbie Treadway

- Public Utilities Commission
Ken Lewis
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Marina Brand
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Sandy Hesnard
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Shirley Kelly
Office of Special Projects
- Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Bruce de Terra
- Caltrans, District 4
Lisa Carboni
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Elmer Alvarez

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Ryan P. Chamberlain

Cal EPA

Air Resources Board

- Airport Projects
Jim Lerner
- Transportation Projects
Ravi Ramalingam
- Industrial Projects
Mike Tollstrup

- California Integrated Waste Management Board
Sue O'Leary

- State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

- State Water Resources Control Board
Steven Herrera
Division of Water Rights

- Dept. of Toxic Substances Control
CEQA Tracking Center

- Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
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)

Other _____



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



RECEIVED

OCT 22 2008

PLANNING DIV.

October 20, 2008

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

**Notice of Preparation of a
Draft Environmental Impact Report for
Crummer Site Subdivision Project
Los Angeles County**

Dear Ms. Edmondson

The Department of Fish and Game (Department) has reviewed the above-referenced Notice of Preparation (NOP), for a Draft Environmental Impact Report for the 24 acre Crummer Site Subdivision Project. The project is located at 24120 Pacific Coast Highway, City of Malibu, County of Los Angeles. The project includes construction of five single-family homes, recreational open space and associate infrastructure.

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 (Attachment 1).

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.

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, Section 15380).

d. The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 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, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.

a. CEQA Guidelines, Section 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 are of concern to the Department and 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, outdoor artificial lighting, noise and vibration.

c. A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 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 including proposals to removal/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also 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 1) 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, 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 with offsite mitigation locations clearly identified.

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.

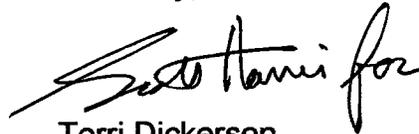
5. The Department opposes the elimination of watercourses (including concrete channels) and/or the canalization of natural and manmade drainages or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations. The Department recommends a minimum natural buffer of 100 feet from the outside edge of the riparian zone on each side of a drainage.

a. The Department requires a Streambed Alteration Agreement (SAA), 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 SAA 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.

Ms. Stefanie Edmondson
October 20, 2008
Page 5

Thank you for this opportunity to provide comment. Please contact Mr. Scott Harris, Environmental Scientist, at (626) 797-3170 if you should have any questions and for further coordination on the proposed project.

Sincerely,

A handwritten signature in black ink that reads "Scott Harris for". The signature is written in a cursive, flowing style.

Terri Dickerson
Senior Environmental Scientist

Attachments

cc: Ms. Helen Birss, Los Alamitos
Ms. Terri Dickerson, Laguna Niguel
Ms. Kelly Schmoker, Glendora
Mr. Scott Harris, Pasadena
Ms. Jamie Jackson, Altadena
HabCon-Chron
Department of Fish and Game

State Clearinghouse, Sacramento

SPH:sph
spharris/City of Malibu, Crummer Site Subdivison /NOP 2008

Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California
THE RESOURCES AGENCY
Department of Fish and Game
December 9, 1983
Revised May 8, 2000

The following recommendations are intended to help those who prepare and review environmental documents determine **when** a botanical survey is needed, **who** should be considered qualified to conduct such surveys, **how** field surveys should be conducted, and **what** information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:

- a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.

3. Botanical consultants should possess the following qualifications:

- a. Experience conducting floristic field surveys;
- b. Knowledge of plant taxonomy and plant community ecology;
- c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
- d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- e. Experience with analyzing impacts of development on native plant species and communities.

4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:

- a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project

Attach 1

area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits spaced throughout the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.

c. Conducted in a manner that is consistent with conservation ethics. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collecting permit from the Habitat Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.

d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.

e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.

5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:

- a. Project description, including a detailed map of the project location and study area.
- b. A written description of biological setting referencing the community nomenclature used and a vegetation map.
- c. Detailed description of survey methodology.
- d. Dates of field surveys and total person-hours spent on field surveys.
- e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.
- f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.
- g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.
- h. Recommended measures to avoid impacts.
- i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.
- j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).
- k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.
- l. Name of field investigator(s).
- m. References cited, persons contacted, herbaria visited, and the location of voucher specimens.

Sensitivity of Top Priority Rare Natural Communities in Southern California

Sensitivity rankings are determined by the Department of Fish and Game, California Natural Diversity Data Base and based on either number of known occurrences (locations) and/or amount of habitat remaining (acreage). The three rankings used for these top priority rare natural communities are as follows:

- S1.# Fewer than 6 known locations and/or on fewer than 2,000 acres of habitat remaining.
- S2.# Occurs in 6-20 known locations and/or 2,000-10,000 acres of habitat remaining.
- S3.# Occurs in 21-100-known locations and/or 10,000-50,000 acres of habitat remaining.

The number to the right of the decimal point after the ranking refers to the degree of threat posed to that natural community regardless of the ranking. For example:

- S1.1 = very threatened
- S2.2 = threatened
- S3.3 = no current threats known

Sensitivity Rankings (February 1992)

<u>Rank</u>	<u>Community Name</u>
S1.1	Mojave Riparian Forest Sonoran Cottonwood Willow Riparian Mesquite Bosque Elephant Tree Woodland Crucifixion Thorn Woodland Allthorn Woodland Arizonan Woodland Southern California Walnut Forest Mainland Cherry Forest Southern Bishop Pine Forest Torrey Pine Forest Desert Mountain White Fir Forest Southern Dune Scrub Southern Coastal Bluff Scrub Maritime Succulent Scrub Riversidean Alluvial Fan Sage Scrub Southern Maritime Chaparral Valley Needlegrass Grassland Great Basin Grassland Mojave Desert Grassland Pebble Plains Southern Sedge Bog Cismontane Alkali Marsh

Attach 2

- S1.2 Southern Foredunes
 Mono Pumice Flat
 Southern Interior Basalt Flow Vernal Pool
- S2.1 Venturan Coastal Sage Scrub
 Diegan Coastal Sage Scrub
 Riversidean Upland Coastal Sage Scrub
 Riversidean Desert Sage Scrub
 Sagebrush Steppe
 Desert Sink Scrub
 Mafic Southern Mixed Chaparral
 San Diego Mesa Hardpan Vernal Pool
 San Diego Mesa Claypan Vernal Pool
 Alkali Meadow
 Southern Coastal Salt Marsh
 Coastal Brackish Marsh
 Transmontane Alkali Marsh
 Coastal and Valley Freshwater Marsh
 Southern Arroyo Willow Riparian Forest
 Southern Willow Scrub
 Modoc-Great Basin Cottonwood Willow Riparian
 Modoc-Great Basin Riparian Scrub
 Mojave Desert Wash Scrub
 Engelmann Oak Woodland
 Open Engelmann Oak Woodland
 Closed Engelmann Oak Woodland
 Island Oak Woodland
 California Walnut Woodland
 Island Ironwood Forest
 Island Cherry Forest
 Southern Interior Cypress Forest
 Bigcone Spruce-Canyon Oak Forest
- S2.2 Active Coastal Dunes
 Active Desert Dunes
 Stabilized and Partially Stabilized Desert Dunes
 Stabilized and Partially Stabilized Desert Sandfield
 Mojave Mixed Steppe
 Transmontane Freshwater Marsh
 Coulter Pine Forest
 Southern California Fellfield
 White Mountains Fellfield
- S2.3 Bristlecone Pine Forest
 Limber Pine Forest

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
www.nahc.ca.gov
ds_nahc@pacbell.net



October 20, 2008

RECEIVED**OCT 23 2008****PLANNING DIV.**

Ms. Stefanie Edmondson, AICP, Principal Planner

CITY OF MALIBU

23815 Stuart Ranch Road
Malibu, CA 90265

Re: SCH# 2008091155 CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for the Crummer Site Subdivision (24120 Pacific Coast Highway); City of Malibu; Los Angeles County, California

Dear Ms. Edmondson:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state agency designated for the protection of California's Native American cultural resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR per the California Code of Regulations § 15064.5(b)(c)(f) (CEQA Guidelines). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the 'Information Center' nearest you is available from the State Office of Historic Preservation in Sacramento (916/653-7278). The record search will determine:
 - If a part or the entire (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- √ The Native American Heritage Commission (NAHC) has conducted a Sacred Lands File (SLF) search of the project area and did not identify any cultural resources within 1/2 mile radius of the project site (APE). However, the NAHC has identified Native American cultural sites in proximity to the APE. A local tribe may be the only source of information about a Native American cultural resource. Therefore, provided is information on tribal contacts that are culturally affiliated to the project location who may have information on cultural resources in or near the APE. Also, we recommend that you contact the Native American contacts on the attached list to get their input on the effect of potential project (e.g. APE) impact. As noted above, a culturally-affiliated Native American tribe or person will be the only source of information about the existence of a cultural resource.
- √ Also, lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f) of the California Code of Regulations (CEQA Guidelines). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, is recommended should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

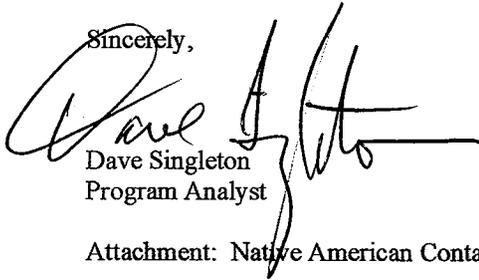
0√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigations plans.

- CEQA Guidelines §15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the Initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American groups, identified by the NAHE, to ensure the appropriate and dignified treatment of Native American human remains and any associated grave goods.
- Health and Safety Code §7050.5, Public Resources Code §5097.98 and CEQA Guidelines §15064.5(d) mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in CEQA Guidelines §15370 when significant cultural resources are discovered during the course of project planning or execution.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton", is written over the typed name and title.

Dave Singleton
Program Analyst

Attachment: Native American Contact List.

Cc: State Clearinghouse

Native American Contacts
Los Angeles County
October 20, 2008

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks , CA 91362
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com

Chumash
Tataviam
Fernandeño

Randy Guzman - Folkes
4577 Alamo Street, Unit C
Simi Valley , CA 93063
ndnrandy@hotmail.com
(805) 905-1675 - cell

Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Julie Lynn Tumamait
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Chumash

Carol A. Pulido
165 Mountainview Street
Oak View , CA 93022
805-649-2743 (Home)

Chumash

Patrick Tumamait
992 El Camino Corto
Ojai , CA 93023
(805) 640-0481
(805) 216-1253 Cell

Chumash

Owl Clan
Qun-tan Shup
48825 Sapaque Road
Bradley , CA 93426
(805) 472-9536
(805) 835-2382 - CELL

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008091155; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Crummer Site Subdivision (24120 Pacific Coast Highway); City of Malibu; Los Angeles, California.

SANTA MONICA MOUNTAINS CONSERVANCY

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



October 20, 2008

Stefanie Edmondson, AICP
Principal Planner
City of Malibu
23815 Stuart Ranch Road
Malibu, California 90265

RECEIVED
OCT 30 2008
PLANNING DIV.

Comments on Notice of Preparation for a Draft Environmental Impact Report No. 08-003 for Crummer Site Subdivision, 24120 Pacific Coast Highway

Dear Ms. Edmondson:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) No. 08-003 for the Crummer Site Subdivision, 24120 Pacific Coast Highway (PCH). The City owns the approximately 10-acre Malibu Bluffs Park, including the baseball fields, the Michael Landon Community Center, turf and paths, and a large shared parking lot. The Conservancy owns an approximately 84-acre portion of Malibu Bluffs open space, largely consisting of native coastal bluff vegetation, adjacent to the subject 24-acre proposed development site. The Conservancy provided comments on earlier versions of projects on the subject site in letters dated September 6, 2001 and September 23, 1999. It is critical that the ecological, viewshed, and topographic constraints are considered when developing the project design.

Overview of Proposed Project

According to the NOP (p. 11), the project consists of subdividing the site into eight individual lots. Lots 1 through 5 would be developed with single family residences. Lot 6 would be developed with a new private street. Lot A, including the slope adjacent to Pacific Coast Highway, would be maintained by the homeowners' association or Caltrans, which has an easement along the north-facing slope. Lot B would be dedicated to the City and would be developed with a baseball field, to expand the City's Malibu Bluffs Park by two acres. Thirty-five parking spaces would be created along Winter Mesa.

Ecological Value of the Site

The Malibu Bluffs in this area contain a unique assemblage of coastal sage scrub, chaparral, and coastal bluff vegetation elements that is rare in the Santa Monica Mountains. The vegetated area on the bluffs is highly accessible for public enjoyment (e.g., via trails and the other aesthetic benefits) and it is integral to the ecological viability of a unique component of the park system in the Malibu area of the Santa Monica Mountains. The property also contains a critical portion of the habitat linkage with the greatest long-term viability between the Conservancy's Malibu Bluffs open space and the nearest large block of habitat located just northeast of the Malibu Canyon Road entrance of Pepperdine University.

The Conservancy's DEIR comment letters on the proposed hotel across PCH addressed this habitat linkage to Pepperdine-owned open space, and its alternative closer to Puerco Canyon. If a contiguous band of native habitat is not provided from just east of Pepperdine University's Malibu Canyon Road entrance, across PCH and around the eastern and southern boundaries of the subject property, all available science points to an inevitable substantial decline in both wildlife species and numbers on the Conservancy's Malibu Bluffs property.

Early morning (1:30 a.m. to 4:30 a.m.) traffic volumes on PCH and Malibu Canyon Road permit successful wildlife crossing of these roadways by mammals, bird species sensitive to human presence, and possibly even reptiles. If future road construction occurs on either concerned section of these two roadways, small pipe culverts (24-36 inch) should be installed for reptiles and small mammals.

According to the NOP (pp. 33-34), "[b]ecause the site is essentially surrounded by urban development, the project site does not serve as a migration or movement corridor..." and this issue will not be further examined in the EIR. We respectfully disagree with this conclusion and strongly recommend that the DEIR include a thorough analysis of impacts to wildlife movement for this project. The DEIR would be deficient if it does not address how wildlife move in and out of the subject property. The NOP fallaciously treats the subject property as if it is a biological vacuum.

Need for a Thorough Ecological Constraints Analysis

Any further project processing must be preceded by an ecological constraints analysis. This analysis must include a thorough study of the onsite coastal bluff vegetation and the potential for vegetation restoration on portions of the site. The analysis must also examine how the onsite coastal bluff vegetation contributes to, and is integral to, the habitat system on the adjoining Conservancy property. Likewise the analysis must examine how the onsite

habitat contributes to the ecological viability of the entire Malibu bluffs habitat block composed of both public and private land.

The DEIR biological analysis must also specifically identify the contribution of the project site to wildlife movement between the habitat northeast of Pepperdine and the Conservancy's Malibu Bluffs open space. If the DEIR attempts to slough the issue off by saying that the Malibu Hotel will block all wildlife movement, it must justify that conclusion with a detailed mapped figure(s) that unequivocally demonstrates such a conclusion to decision-makers. Any relevant beneficial or detrimental conditions or mitigation measures for the hotel project must be disclosed in full in the DEIR.

Per to the NOP (p. 34), the project site is not designated as Environmentally Sensitive Habitat Area (ESHA) in the maps of ESHA in the Local Coastal Program (LCP), and this issue will not be examined further in the EIR. We recommend that the City reconsider this determination in the EIR. Per the LCP (Local Implementation Plan, 4.3), any area not designated on the ESHA Overlay Map that meets the "environmentally sensitive area" definition is ESHA, and this will be based on a site-specific biological study. The native bluff habitat onsite is similar quality to the ESHA designated on the Conservancy's Malibu Bluffs open space, and it contributes to habitat connectivity to the north and west. If the eastern slope, two south-facing drainages, and southwest corner of the site are ultimately not considered ESHA by the City, the City would set a dangerous precedence on excluding high-quality habitat from ESHA consideration.

According to the NOP (p. 1), the site has been disturbed in the past by weed abatement activities, prior construction, and removal of baseball fields in the northwestern portion of the project site. The ecological constraints analysis, should address when the vegetation was cleared, and whether it was cleared in compliance with the Coastal Act. (Previous coastal development permits [CDPs] for the project site should have been provided to the City as part of the current CDP application.) For example, older photographs of the site show the vegetation covering a larger area than currently shown. (For example, see www.californiacoastline.org, photo No.7948111 from 1979). Also, current aerials of the project site show scattered vegetation in cleared areas of the site, suggesting that the native coastal bluff vegetation would recover if not regularly cleared. It is also not clear why weed abatement is being done and if it is required. If the clearing was unauthorized, that native bluff vegetation that was cleared should be considered ESHA.

Need for Onsite Conservation Easement

As stated above, the site is valuable for wildlife movement and its coastal bluff vegetation, and it is adjacent to the Conservancy's Malibu Bluffs open space. It appears that the currently proposed project would result in development or fuel modification over almost all but one third of an acre of the project site in the southwest corner. Because of potentially significant impacts to biological and park resources and viewshed resulting from the project, the DEIR must include in the project description or mitigation measures an irrevocable offer to dedicate a conservation easement (or a direct grant of a conservation easement) over the eastern, southern, and southwest portions of the site, as described below.

- 1) A minimum of 100-foot wide contiguous band of open space along the eastern portion of the property would be included in the conservation easement.
- 2) A minimum of 105-foot wide contiguous band of open space along the southern portion of the property would be included in the conservation easement.
- 3) A contiguous band of open space along the southwest portion of the property and the entire western drainage to the top of the slopes would be included in the conservation easement. More specifically, this area would be bordered on the west by the westerly property line, on the north by the top of the slope (northerly end) of the western drainage, on the east by the top of the slope of the western drainage (approximately 80 feet east of the western property line), and on the south by the property boundary.

This conservation easement should be made in favor of both a public park agency and the City of Malibu. The Mountains Recreation and Conservation Authority is an appropriate agency to accept such conservation easement, with an overlapping easement to the City of Malibu. To provide adequate permanent mitigation, this offer or direct easement must be recorded prior to the issuance of any and all permits, vegetation removal, grading, or construction. These steps are fundamental to guarantee that future impacts to biological resources are avoided, and it would preclude any perceived piece-mealing of the analysis of environmental impacts.

The easements should prohibit all development and other uses, including fencing, grading, accessory structures, stables, equestrian facilities, grazing, and vineyards. The easement(s) would allow Fire Department-required fuel modification and irrigation. Only native plants would be allowed to be planted in the conservation easement area. The accepting agency would also have the right to remove non-native plants, with seven days written notice to the homeowners' association. Although much of this conservation easement would contain fuel

modification areas, with the identified permitted and prohibited uses, it could serve to support some wildlife.

Other Impacts to Biological Resources and Malibu Bluffs Park and Open Space Resources

The DEIR should explicitly address the extent of fuel modification necessary for the proposed development, and this must be included in the calculated acres of plant communities to be impacted. Fuel modification must not be allowed on public parkland. The DEIR must address to what extent fuel modification will occur in the native coastal bluff vegetation occurring onsite (especially in the two southward-draining drainages) and offsite. A figure must be included in the DEIR depicting the site plan and fuel modification areas overlain on vegetation communities.

Hawks and other raptors are often observed along PCH in this area and the DEIR prepared for the Civic Center Malibu Bay Company project identified numerous sensitive raptors potentially occurring in this area. The DEIR must address the site's contribution to the network of open space in the downtown Malibu and Malibu Lagoon area and beyond. It must also identify the cumulative loss of foraging and nesting habitat in Malibu and surrounding Santa Monica Mountains for raptors.

The Conservancy is concerned with the anticipated edge effects on the native bluff community of the Conservancy-owned Malibu Bluffs open space. Cats can wreak havoc on native bird communities. The DEIR should consider project elements such as including in the covenants, codes, and restrictions (CC&Rs) the prohibition of cats in the development or only allowing indoor cats, and installing cat impermeable fencing around the immediate development area. This fencing should only be allowed around the immediate development footprint, as it should not serve to impede native wildlife movement through the remaining open spaces onsite.

The Mountains Restoration Trust and others have been actively restoring the habitat at Malibu Bluffs for years. It is critical that the proposed development not contribute to weed problems at the Malibu Bluffs open space. The CC&Rs should prohibit the use of invasive, non-native landscaping. The homeowners' association dues should include fees (which likely would be minimal) for periodic monitoring and weed removal onsite.

The Conservancy requests that the DEIR provide a thorough analysis of the night lighting that will result from the project, and its impacts on the biological resources at the undeveloped areas of Conservancy-owned Malibu Bluffs open space. The DEIR should

specify if the proposed ballfield will be lit at night. Appropriate measures should be included in the DEIR to avoid and minimize night lighting impacts on Malibu Bluffs open space (e.g., limiting night lighting, screening with native vegetation, etc.). The results of this analysis should be included in the aesthetics and biological resources sections of the DEIR.

View Impacts

Development of the subject property also has the potential to substantially degrade the visual resource value of the Conservancy's Malibu Bluffs open space. The DEIR should include a visual impacts analysis showing before and after views from trails in the Conservancy-owned Malibu Bluffs open space and the City's Malibu Bluffs Park, as well as from PCH, and Malibu Canyon Road. As described above, lighting impacts should also be addressed. For anticipated significant aesthetic impacts to these public viewing areas, avoidance and mitigation measures should be considered (e.g., limiting the height of homes per Local Coastal Plan Policy 6.7).

Geology Impacts

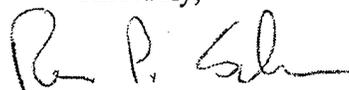
The DEIR should thoroughly address the geological constraints onsite. We are aware of a previous study where "evidence of Holocene surface rupture was exposed in trenches across strands of the Malibu Coast Fault." The DEIR should address how the proposed homes are being set back from this or other faults.

Other Comments

The DEIR should address the project's consistency with policies and implementing measures in the Local Coastal Program pertaining to land division, including those for transfer of development credits (e.g., Local Implementation Plan, 15.2.B.).

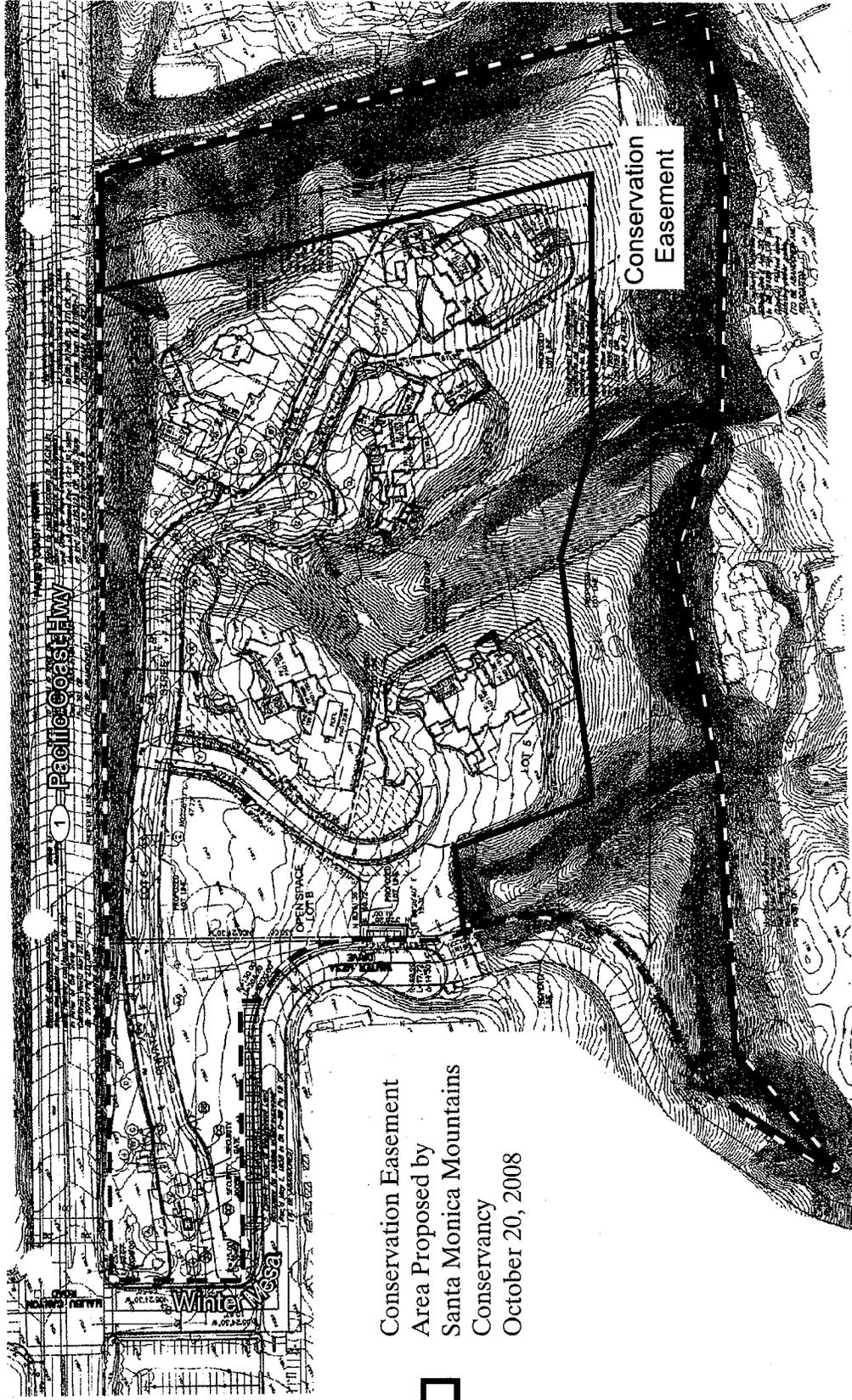
Thank you for your consideration of these comments. Please maintain our agency on the mailing list for this project. If you have any questions, please contact Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121.

Sincerely,



RONALD P. SCHAFER
Chairperson

Site Plan



Conservation Easement
Area Proposed by
Santa Monica Mountains
Conservancy
October 20, 2008



--- Site Boundary

Source: Landry Design Group 2008

Crummer Site Subdivision Initial Study



0 120
Scale (Feet)



Metro

Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

October 30, 2008

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

RECEIVED

NOV 3 2008

PLANNING DIV.

Dear Ms. Edmondson:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Crummer Site Subdivision project. This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (Metro) concerning issues that are germane to our agency's statutory responsibilities in relation to the proposed project.

A Traffic Impact Analysis (TIA), with highway, freeway, and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2004 Congestion Management Program for Los Angeles County", Appendix D. The geographic area examined in the TIA must include the following, at a minimum:

1. All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic); and
2. Mainline freeway-monitoring locations where the project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour.

Among the required steps for the analysis of development-related impacts to transit are:

3. Evidence that in addition to Metro, all affected Municipal transit operators received the NOP for the Draft EIR;
4. A summary of the existing transit services in the area;
5. Estimated project trip generation and mode assignment for both morning and evening peak periods;
6. Documentation on the assumptions/analyses used to determine the number and percentage of trips assigned to transit;
7. Information on facilities and/or programs that will be incorporated into the development plan that will encourage public transit usage and transportation demand management (TDM) policies and programs; and
8. An analysis of the expected project impacts on current and future transit services along with proposed project mitigation.

Metro looks forward to reviewing the Draft EIR. If you have any questions regarding this response, please call me at 213-922-6908 or by email at chapmans@metro.net. Please send the Draft EIR to the following address:

Metro CEQA Review Coordination
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952
Attn: Susan Chapman

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Chapman", with a long horizontal flourish extending to the right.

Susan Chapman
Program Manager, Long Range Planning



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, CA 91311



Arnold Schwarzenegger
Governor

November 5, 2008

RECEIVED
NOV 07 2008

Ms. Stefanie Edmondson, AICP
Principal Planner
City of Malibu
23815 Stuart Ranch Road
Malibu, California 90265

NOTICE OF PREPARATION FOR THE CRUMMER SITE SUBDIVISION DRAFT ENVIRONMENTAL IMPACT REPORT, SCH NO. 2008091155

Dear Ms. Edmondson:

The Department of Toxic Substances Control (DTSC) has received your Notice of Preparation of a draft Environmental Impact Report (EIR) for the project mentioned above.

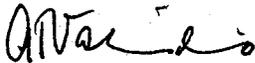
Based on the review of the document, DTSC comments are as follows:

1. The draft EIR needs to identify and determine whether current or historic uses at the Project site (Site) have resulted in any release of hazardous wastes/substances.
2. The draft EIR needs to identify any known or potentially contaminated area within the Site. For all identified areas, the draft EIR needs to evaluate whether conditions at the Site pose a threat to human health or the environment.
3. The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any area that may require remediation, and which government agency will provide appropriate regulatory oversight.
4. If during construction of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils exist, the draft EIR should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulator oversight.

Ms. Stefanie Edmondson
November 5, 2008
Page 2

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6550.

Sincerely,



Alberto T. Valmidiano
Project Manager
Brownfields and Environmental Restoration Program – Chatsworth Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P. O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
1001 "I" Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

DEAN D. EFSTATHIOU, Acting Director

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

IN REPLY PLEASE
REFER TO FILE: **LD-1**

November 6, 2008

Ms. Stefanie Edmondson, AICP
Principal Planner
2381 Stuart Ranch Road
Malibu, CA 90265

Dear Ms. Edmondson:

NOTICE OF PREPARATION AND INITIAL STUDY FOR CRUMMER SITE SUBDIVISION CITY OF MALIBU

Thank you for the opportunity to review the Notice of Preparation/Initial Study for the subject project. The project proposed the subdivision of an approximately 24-acre property into 8 individual parcels for the development of five new homes, a new private road, and a new baseball field that would be dedicated to the City of Malibu.

The following comments are for your consideration and relate to the environmental document only:

Hazards-Geotechnical

We concur that an Environmental Impact Report (EIR) is required. All or portion of the site is located within potentially liquefiable and earthquake-induced landslide areas per the State of California Seismic Hazard Zones Map, Malibu Beach Quadrangle. All geotechnical and geological issues discussed in the Notice of Preparation/Initial Study should be addressed in the EIR. Geotechnical and geology reports addressing the proposed development and recommending mitigation measures for the geotechnical and geological hazards should be included as a part of the EIR.

If you have any questions regarding geotechnical, please contact Mr. Jeremy Wan at (626) 458-4925.

Environmental Programs

1. Solid Waste

Current estimates indicate that daily solid waste generation in Los Angeles County will exceed the available daily disposal capacity in the near future. The construction and demolition of the proposed project, and the operation over the life of the project, will increase the generation of solid waste and negatively impact the Solid Waste Management infrastructure. Therefore, the EIR should identify what measures will be implemented to mitigate the impact. Mitigation measures may include the recycling of construction and demolition debris and the development of infrastructure in the project to facilitate recycling.

2. Hazardous Waste

The existing Hazardous Waste Management infrastructure in this County is inadequate to handle the hazardous waste currently being generated. The construction of the five single-family residences may generate household hazardous waste, which could adversely impact existing Hazardous Waste Management infrastructure. This issue should be addressed and mitigation measures provided. Mitigation measures may include, but are not limited to, providing new homeowners with educational materials on the proper management and disposal of household hazardous waste. The project proponent may contact the County of Los Angeles Department of Public Works for available educational materials by calling 1(888) CLEAN LA.

3. Underground Storage Tanks

The project site is not likely to contain any underground storage tanks, and the construction of the five single-family residences is not likely to require their use. However, should any operation within the subject project include the construction, installation, modification, or removal of underground storage tanks, Public Works' Environmental Programs Division must be contacted for required approvals and operating permits.

4. Storage Space for Recyclables

The California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires each development project to provide an adequate storage area for collection and removal of recyclable materials. The EIR should include/discuss

Ms. Stephanie Edmondson
November 6, 2008
Page 3

standards to provide adequate recyclable storage areas for collection/storage of recyclable and green waste materials for this project.

If you have questions regarding environmental programs comments above, please contact Mr. Corey Mayne at (626) 458-2536.

Utility–Water

According to the Initial Study, Section 3.16 (b)

"Currently, 10-inch steel water line is stubbed near the entrance to the Michael Landon Center parking lot. The static pressure at this location is approximately 169 psi as provided by Public Works. This line has adequate supply and pressure to supply domestic and fire water to the proposed development. A pressure-reducing valve will be required at the service connection to reduce operating pressures to acceptable levels."

This statement is inaccurate and should be revised. Additional upgrades to the existing system will be required to provide adequate gravity water storage for fire protection. To reduce project impacts on existing water supply system and as conditions of this development, the project proponent would be required to complete the following improvements:

- Install approximately 3,400 feet of 12-inch-diameter water main along Malibu Canyon Road including interconnections to existing water system at Malibu Knolls Road and all necessary appurtenances.
- Install domestic water meter as required based on domestic flow calculated by applicant engineer.
- Install reduced pressure principal detector assembly to be designed to meet or exceed on-site fire flow requirements as determined by the County of Los Angeles Fire Chief.
- Install required fire hydrant assemblies to be designed to meet or exceed public fire flow requirements as determined by the County of Los Angeles Fire Chief.
- Also note that the acronym used, LACDWP, is referenced incorrectly. That acronym is for the Department of Water and Power. Please correct the Initial Study and refer to our department as Public Works to eliminate any confusion.

Ms. Stephanie Edmondson
November 6, 2008
Page 4

If you have any questions regarding water comments above, please contact Mr. Greg Even at (626) 458-3331.

If you have questions or require additional information, please contact Mr. Toan Duong or Mrs. Letty Schleikorn at (626) 458-4921.

Very truly yours,

DEAN D. EFSTATHIOU
Acting Director of Public Works



for DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

MA:ca

P:\ldpub\CEQA\CDMMalibu - Crummer Site Subdivision_24120 Pacific Coast Highway_NOP-IS.doc

CRUMMER SITE



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

January 26, 2009

RECEIVED

JAN 30 2009

PLANNING DIV.

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

Dear Ms. Edmondson:

NOTICE OF PREPARATION, PROJECT: CRUMMER SITE SUBDIVISION (24120 PACIFIC COAST HIGHWY), ENVIRONMENTAL IMPACT REPORT NO. 08-003, MALIBU (FFER #200800266)

The Notice of Preparation has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. The subject development will receive fire protection and paramedic services from the County of Los Angeles Fire Department. Fire Station 88, located at 23720 W. Malibu Road, Malibu, CA 90265-4603, is the jurisdictional station for this property. It is approximately 1/2 mile east of the project site. It has a 3-person engine company and a 2-person paramedic squad .

PROJECT IMPACT ON SERVICES

2. Fire protection serving the area appears to be adequate for the existing development/land use. However, each additional development creates greater demands on existing resources. Mitigation of the impact on fire protection and emergency medical service will be accomplished by participating in the City of Malibu's adopted developer fee ordinance for new residential, commercial and industrial construction.

SERVICE RESPONSIBILITY

3. This development would be in close proximity to an existing fire station, resulting in acceptable response times to fire emergencies occurring within the project. The project would incrementally increase service demand on the fire protection resources in the area. However, such impact should not be significant.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKESWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLENDDORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

Stefanie Edmondson, Principal Planner
January 26, 2009
Page 2

LAND DEVELOPMENT UNIT:

1. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants. Conditions will be set at the time official plans are submitted for review.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. 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 Final Environmental Impact Report

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

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

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:lj



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

RECEIVED
FEB 10 2009
PLANNING DIV.

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

January 30, 2009

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

Dear Ms. Edmondson:

INITIAL STUDY, 24120 PACIFIC COAST HIGHWAY, STATE CLEARINGHOUSE NUMBER 2008091155, MALIBU (FFER #200800282)

The Initial Study has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

- 1. We have previously responded to this project as EIR #200800266 and our comments were as follows:
2. The subject development will receive fire protection and paramedic services from the County of Los Angeles Fire Department. Fire Station 88, located at 23720 W. Malibu Road, Malibu, CA 90265-4603, is the jurisdictional station for this property. It is approximately 1/2 mile east of the project site. It has a 3-person engine company and a 2-person paramedic squad.

PROJECT IMPACT ON SERVICES

- 3. Fire protection serving the area appears to be adequate for the existing development/land use. However, each additional development creates greater demands on existing resources. Mitigation of the impact on fire protection and emergency medical service will be accomplished by participating in the City of Malibu's adopted developer fee ordinance for new residential, commercial and industrial construction.

SERVICE RESPONSIBILITY

- 4. This development would be in close proximity to an existing Fire Station, resulting in acceptable response times to fire emergencies occurring within the project. The project would incrementally increase service demand on the fire.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

Table listing various cities and areas served by the fire department, including Agoura Hills, Artesia, Azusa, Baldwin Park, Bell, Bell Gardens, Bellflower, Bradbury, Calabasas, Carson, Cerritos, Claremont, Commerce, Covina, Cudahy, Diamond Bar, Duarte, El Monte, Gardena, Glendora, Hawaiian Gardens, Hawthorne, Hidden Hills, Huntington Park, Industry, Inglewood, Irwindale, La Canada-Flintridge, La Habra, La Mirada, La Puente, Lakewood, Lancaster, Lawndale, Lomita, Lynwood, Malibu, Maywood, Norwalk, Palmdale, Palos Verdes Estates, Paramount, Pico Rivera, Pomona, Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Rosemead, San Dimas, Santa Clarita, Signal Hill, South El Monte, South Gate, Temple City, Walnut, West Hollywood, Westlake Village, and Whittier.

LAND DEVELOPMENT UNIT:

1. 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 conditions regarding this project will be addressed at the Building Plan Check once official plans are submitted for review.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. 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.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

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

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:lj