

**CITY OF MALIBU
NOTICE OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION**

Notice is hereby given that the City of Malibu has completed an Initial Study for the following project in accordance with the California Environmental Quality Act (CEQA):

Project Title	Paradise Cove Wastewater Treatment Plant Upgrade Project
Application Nos.	Initial Study No. 20-001, Mitigated Negative Declaration No. 20-001, Coastal Development Permit No. 17-118, and Variance Nos. 20-004 and 20-005
Location	28128 Pacific Coast Highway, Malibu, CA Assessor's Parcel Numbers: 4466-001-004 and 4466-001-005
Zoning	Mobile Home Residential (MH) and Commercial Visitor-Serving -One (CV 1)
Project Applicant	Steve Dahlberg, Paradise Cove Land Company, LLC
Property Owners	The Kissel Company Inc. and Paradise Cove Land Company, LLC

Project Description: The proposed project consists of an application for a coastal development permit for the demolition of portions of a mobile home park wastewater treatment system, abandonment of a septic tank, and installation of a new wastewater treatment system, including a water recycling plant, electrical equipment on concrete pads, a new pipeline, and construction of a new building housing sludge and disinfection equipment, and retaining walls. The project requires a variance for a reduced front yard setback and for a reduced setback from environmentally sensitive habitat area. The complete project description is provided in the Initial Study.

Public Review: The purpose of this review is to allow public agencies and interested members of the public the opportunity to share expertise, disclose agency analysis, check for accuracy, detect omission, discover public concerns and solicit counter proposals pursuant to CEQA Section 15200 (Purposes of Review).

The Initial Study and Mitigated Negative Declaration will be circulated for a 30-day review period. Written comments will be received by the City of Malibu Planning Department until 5:30 p.m. on the ending date of the public review period.

Review Period:	Begins: February 20, 2020	Ends: March 20, 2020
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Where to Send Comments and Where Documents are Available for Review:

Post: City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265

Fax: (310) 456-3356
Email: lrudolph@malibucity.org

City of Malibu Website: malibucity.org/ceqa

Public Hearing: A public hearing for the City of Malibu Planning Commission to receive comments on the document and to adopt the Initial Study / Mitigated Negative Declaration will be scheduled and noticed at a later date.

Contact: For more information regarding this notice, please contact the following staff member:

Lilly Rudolph, Contract Planner
(310) 456-2489, extension 238
lrudolph@malibucity.org

Bonnie Blue, Planning Director

Date: February 20, 2020

Initial Study / Mitigated Negative Declaration

Paradise Cove Wastewater Treatment Plant Upgrade Project

**Coastal Development Permit (CDP No. 17-118)
28128 Pacific Coast Highway**

Prepared by:



City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265-4861

February 2020

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- A Biological Assessment Report
- B Native Tree Survey Report
- C Completion Report for Tree Protection Report

Introduction

This Initial Study has been prepared in accordance with relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and the CEQA Guidelines as revised. Section 15063(c) of the CEQA Guidelines indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Malibu) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
 - Focusing the EIR on the effects determined to be significant;
 - Identifying the effects determined not to be significant;
 - Explaining the reasons why potentially significant effects would not be significant; and
 - Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project would not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

Initial Study

Project Title:	Paradise Cove Wastewater Treatment Plant Upgrade Project
Project Location:	28128 Pacific Coast Highway Assessor's Parcel Numbers (APNs): 4466-001-004 and 4466-001-005
Application:	Coastal Development Permit (CDP) No. 17-118 Variance (VAR) No. 20-004 Variance (VAR) No. 20-005
Lead Agency Name and Address:	City of Malibu Planning Department 23825 Stuart Ranch Road Malibu, CA 90265-4861
Contact Person and Phone Number:	Lilly Rudolph, AICP Contract Planner (310) 456-2489
Project Applicant Name and Address:	Steve Dahlberg Paradise Cove Land Company, LLC 28128 Pacific Coast Highway Malibu, CA 90265
Property Owner:	The Kissel Company Inc. and Paradise Cove Land Company, LLC 28128 Pacific Coast Highway Malibu, CA 90265
Malibu Municipal Code (MMC) Zoning:	Mobile Home Residential (MH) and Commercial Visitor Serving (CV-1)
General Plan/Local Coastal Program (LCP) Land Use Designation:	Mobile Home Residential (MH) and Commercial Visitor Serving (CV-1)

Surrounding Land Uses and Setting

Paradise Cove consists of 69.6 acres located at 28128 Pacific Coast Highway (PCH) on the south side of the highway (Figures 1 and 2). The property consists of two parcels of land and is located entirely within 1,300 feet of the Pacific Ocean. The property includes the Paradise Cove Mobile Home Park and the Beach Café, both of which are accessed from Paradise Cove Road, which intersects with PCH at the northeastern corner of the property. Other uses on the property include two onsite wastewater treatment systems (OWTSs), a modular office building, beach restrooms, a grassy lawn area, community room, tennis court, tot lot and a state-owned pier, as shown in Figure 2. Land uses surrounding the project site include PCH and single- and multi-family residential development to the north, single-family development to the east and west and the Pacific Ocean to the south.

Figure 1. Regional Map



Fig 1 Project Vicinity

Figure 2. Aerial Photograph of Paradise Cove



Fig 2 Project Site Aerial

The elevation of Paradise Cove ranges from approximately 10 feet above mean sea level (MSL) at the southern boundary of the site near the Pacific Ocean to 120 feet above MSL at the northern boundary of the site near PCH. Paradise Cove includes a variety of native and non-native vegetation as well as Ramirez Canyon Creek, which runs under PCH and below grade for a segment, then daylights in the northern portion of the site and runs southward to the ocean in a dirt- and concrete-lined culvert. Ramirez Canyon Creek is a mapped environmentally sensitive habitat area (ESHA) on the LCP ESHA and Marine Resources Map, as shown in Figure 3.

The General Plan Land Use Policy Map and Zoning Map designate the existing mobile home park as Mobile Home Residential (MH) and the Beach Café as Community Visitor Serving (CV-1). Both zones were established to recognize the uses that existed at the time the City was incorporated in 1991. The project site is located within the appeal jurisdiction of the California Coastal Commission, according to the City's Post-LCP Certification Permit and Appeal Jurisdiction Map.

The proposed and unimproved Paradise Cove Trail alignment runs north-south through the eastern third of the property as depicted on the LCP Park Lands Map.

Paradise Cove is currently served by two onsite wastewater treatment systems (OWTSs) (Figure 2). Wastewater generated by the mobile home park is treated by an OWTS completed in 2008 and located in the north central portion of the property. This OWTS is designed for an average flow of 40,000 gallons per day and a peak flow rate of 60,000 gallons per day. The Beach Café OWTS was upgraded in 2014 and is located on an eastern promontory of the site and serves the Beach Café, beach restrooms and office building. This OWTS is designed for an average flow of 16,000 gallons per day and a peak flow of 25,000 gallons per day. Wastewater from both systems is disinfected and treated to secondary standards and then liquids are routed to nearby seepage pits for disposal. Sludge produced in the wastewater treatment process is regularly hauled off by private vendors who transport it to landfills for disposal.

Figure 3. LCP ESHA and Marine Resources on the Property



Imagery provided by City of Malibu, 2002.

Fig 3 LCP ESHA and Marine Resources on Project Site

Description of Project

The proposed scope of work is as follows:

Installation of an upgraded wastewater treatment plant that will replace the two existing OWTs and meet the requirements of Los Angeles Regional Water Quality Control Board Cease and Desist Order No. R4-2016-0311-A1., and consists of the following phases:

Phase 1: Site Preparation

- Relocation of existing mobile home park OWTs components to an adjacent interim location to accommodate equipment for the upgraded wastewater treatment plant; and
- Demolition of portion of existing mobile home park OWTs, including a structure that facilitates disinfection equipment, concrete pads, walls, and fencing.

Phase 2: Mobile Home Park Wastewater Treatment Plant Construction and Equipment Installation

- Construction of an electrical panel, electrical alcove and retaining walls, not to exceed six feet in height within the front yard setback;
- Installation of a recycled water plant and retaining walls, not to exceed six feet in height within the front yard setback;
- Construction of 1,058-square-foot, new structure that houses sludge and disinfectant equipment, not to exceed 18 feet in height within the front yard setback; and
- Demolition of interim equipment.

Phase 3: Pipeline Installation and System Connection

- Installation of a 1,400-foot-long-pipeline from the new Mobile Home Park Wastewater Treatment Plant to the existing Beach Café secondary treatment system;
- Abandonment of one of the four Beach Café tanks located in the Beach Café parking lot;
- Connection of all piping;
- Exterior lighting; and
- Nonexempt grading.

Additional Discretionary Requests:

- VAR No. 20-004 for a greater than 50 percent reduction of the front yard setback; and
- VAR No. 20-005 for installation of a pipeline to extend into ESHA.

Paradise Cove has a history of issues related to contaminants from the site's wastewater affecting local water quality. The property has been subject to several directives by the Los Angeles Regional Water Quality Control Board for actions that need to be undertaken to improve water quality. The most recent order is Cease and Desist Order No. R4-2016-0311-A1, issued by the Water Board in 2016, which requires the property owner to limit discharges of effluent by installing an upgraded wastewater treatment plant to replace the two existing OWTs.

Subsequent to receipt of the Cease and Desist Order, the applicant constructed the majority of the subject wastewater treatment plant in advance of the City's approval of the subject Coastal Development Permit No. 17-118. The project is currently the subject of a stop work order issued by the City. Construction and demolition for the upgraded wastewater treatment plant began in October of 2017, and the project is nearing completion but is not yet operational. The major components of the project include a water recycling plant, 924 square foot sludge and disinfection building, and electrical equipment located at the site of the existing mobile home park OWTS, a 1,400-foot-long pipeline connecting the upgraded wastewater treatment plant to the Beach Café secondary treatment, and abandonment of one tank in the Beach Café parking lot, as shown on Figure 4 below.

The upgraded wastewater treatment plant occupies about 5,000 square feet of land, in the same development area as the previous OWTS, as illustrated on Figure 4, below. The upgraded wastewater treatment plant will have a peak capacity of 100,000 gallons per day (gpd) of wastewater treatment capacity. The upgraded wastewater treatment plant includes a sludge and disinfection building with equipment, which will disinfect and treat effluent and remove sludge, and an Ovivo® microBLOX™ Membrane Bioreactor (MBR) System, which will treat the processed liquids to recycled water standards for use in the mobile home park's existing landscape irrigation system. Recycled water will be routed to the irrigation system and to seepage pits for storage during periods of rainfall or an emergency. Sludge will be stored in enclosed tanks for regular disposal by private vendors. Figures 6 and 7 include photographs of the sludge and disinfection building and the Bioreactor System.

The two existing OWTSs will discontinue operation when the upgraded wastewater treatment plant comes online and most of the existing surface facilities will be removed. However, underground seepage pits will remain to store excess recycled water. In addition, an existing 200-square-foot equipment building, located at the existing Beach Café secondary treatment system will remain.

A 1,400-foot-long pipeline has been installed between the Beach Café underground seepage pits and the new wastewater treatment plant to bring effluent from the Beach Café secondary treatment system to the upgraded wastewater treatment plant and return some of the recycled water to seepage pits at that location. The pipeline extends north from the Beach Café secondary treatment system, near the northern limit of the site, and then turns west near the northern site boundary to the upgraded wastewater treatment plant. Installation of the pipeline included excavation of a linear trench approximately 2 feet wide and 18-inches deep. Two four-inch PVC pipes were installed in the trench with a minimum soil cover of 3 inches. Based on a native tree survey conducted in 2017, the pipeline route was selected to have the lowest potential to impact protected coast live oak (*Quercus agrifolia*) trees present in the area. Prior to trenching for the pipeline, the contractor and wildlife biologists marked the route and installed protective fencing around native oak trees along the route. No native trees were removed for the project, although hand trenching was conducted around two trees close to the route. These trees will be monitored for a ten-year-period to document their health and vigor. In addition, a non-native eucalyptus tree that was potentially impacted by the installation will be monitored for future stability issues.

The applicant has not submitted an application for a coastal development permit and any other required entitlements to the City of Malibu. Thus, the likelihood of this project is unclear and it does not qualify as a reasonably foreseeable project under CEQA. It should be noted that while the upgraded wastewater treatment plant has been designed for a flow of 100,000 gpd, which exceeds the current peak flow of 85,000 gpd, the size is a standard size and the excess capacity will provide for any unforeseen increases in peak flow. Thus, this Initial Study does not include analysis of additional mobile home units at the site. A future proposal for additional mobile home units, if any, would be subject to further environmental review.

Figure 4. Upgraded Wastewater Treatment Plant



Imagery provided by Microsoft Bing and its licensors © 2020.

Fig 5 Proposed Wastewater Treatment Plant and Pipeline

Figure 5. Upgraded Wastewater Treatment Plant Equipment Plan

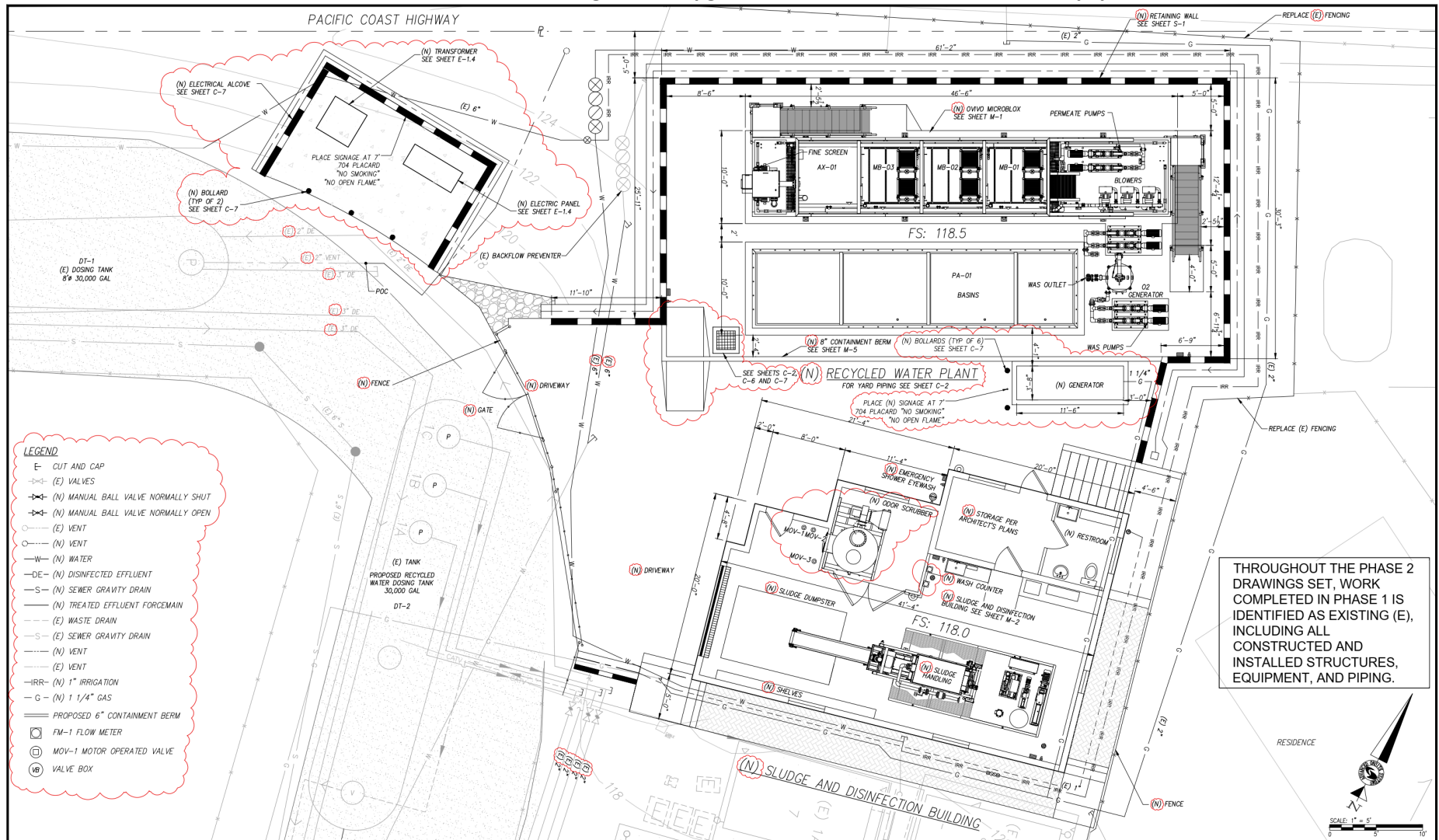


Figure 6. Photograph of Sludge and Disinfection Building, December 2019



Figure 7. Photograph of Recycled Water Plant, December 2019



It should be noted that the applicant is contemplating placing up to 12 additional mobile home sites on the project site at some point in the future. However, plans for this development have not been developed and

Project Approvals/Certifications

The Paradise Cove Wastewater Treatment Plant Upgrade Project requires the following approvals from the City of Malibu:

1. Consideration of Initial Study No. 20-001 and Mitigated Negative Declaration No. 20-001
2. Approval of Coastal Development Permit No. 17-118
3. Approval of Variance VAR No. 20-004
4. Approval of Variance VAR No. 20-005

The project has undergone review for conformance by the agencies listed below. Their recommendations are incorporated as conditions of approval for the project.

- City of Malibu Environmental Health Administrator
- City of Malibu Biologist
- City of Malibu Geologist
- City of Malibu Public Works Department
- Los Angeles County Fire Department (LACFD)

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

- ☐ I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION would be prepared.
- ☒ I find that although the project could have a significant effect on the environment there would not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION would be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or and NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


NAME
DATE

2/20/20

Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used: Identify and state where they are available for review;
 - b. Impacts Adequately Addressed: Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis; and
 - c. Mitigation Measures: For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., Comprehensive Plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significant.
9. The LCP is a certified CEQA document. Therefore, if all LCP standard conditions designed to minimize impacts to environmental resources are incorporated, and those conditions mitigate potentially significant impacts to a level of less than significant, then no additional mitigation is required by law. For discussion purposes, standard conditions may be listed below the impact discussions but are not actual mitigation measures.

III. Aesthetics

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program Land Use Plan and Local Implementation Plan; Public Resources Code; City of Malibu Trails System Maps; and site and aerial photographs.

Impact Discussion

- a-c. **Less than significant impact.** The project site is located on the seaward side of PCH which is designated a scenic roadway by the Malibu LCP Land Use Plan. In addition, the proposed and unimproved Paradise Cove Trail alignment runs north-south through the eastern portion of the property.

The project includes the installation of a new 924 square foot structure housing sludge and disinfection equipment and water recycling plant, and installation of a new 1,400-foot-long pipeline to connect to the existing Beach Café secondary treatment system. The project requires approval of two variances. VAR No. 20-004 is a variance to allow for a greater than 50-percent reduction of the front yard setback. This variance would permit the wastewater treatment plant to be located closer to PCH than what would be allowed in the required front yard setbacks for a MH-zoned property. The upgraded wastewater treatment plant occupies an area of approximately 5,000 square feet on a previously-graded-pad. The location of the structure is at the northern portion of the project site, immediately adjacent to PCH. The northernmost portion of the wastewater treatment plant contains the Ovivo water recycling plant.

The pipeline is completely underground and is not visible. the project would have a less than significant effect on scenic vistas. The project would not substantially degrade the existing visual character of public views of the project site and its surroundings.

South-facing (seaward) views from PCH of the project site consist of a screened chain link fence along the property line, mobile homes, and mature trees. Prior to the construction of the structures, there were no ocean views over the project site from PCH. A street view of the project site from PCH prior to construction is shown in Figure 8.

Mature trees contribute to the site's rural character and soften views of development along PCH. Based on a native tree survey conducted in 2017, the pipeline route was selected to have the lowest potential to impact protected coast live oak (*Quercus agrifolia*) trees present in the area. No native trees were removed for the project, although hand trenching was conducted around two trees close to the route, Therefore, these trees will be monitored for a ten-year period to document their health and vigor. An

additional, non-native eucalyptus tree that was potentially impacted by the pipeline installation will be monitored for future stability issues. Thus, preventative measures were implemented during the construction phase to reduce potential impacts to scenic resources on the project site that are visible from a state scenic highway.

Figure 8. Photographs From PCH Prior to Construction (January 2019)



The new structures replaced a building that was partially obscured by vegetation. The top of the recycled water plant and the retaining wall enclosing the electrical alcove are visible from PCH, but the structures are obscured by an earthen berm, mature trees, and fencing. In addition, the elevation of the project site is lower than the PCH grade, and the structures appear lower in height from PCH. A view from PCH is shown in Figure 9.

Figure 9. Photographs From PCH Post Construction (February 2020)



- d. **Less than significant impact.** The upgraded wastewater treatment plant would add a negligible amount of light to the area and would not be a source of significant light and glare. Conditions of approval will require compliance with the Dark Sky Ordinance (MMC Chapter 17.41) to minimize light pollution through the use of directional lighting, fixture location, height and the use of shields and/or motion sensors and timers. In addition, reflective glossy, polished and/or roll-formed type metal siding and other reflective materials are prohibited, with the exception of solar energy panels or cells. Therefore, a less than significant impact would occur in terms of light and glare.

Standard Conditions of Approval

- The project is partially visible from scenic roads or public viewing areas, and therefore shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
- Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Planning Director and clearly indicated on the building plans.
- The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
- All windows shall be comprised of non-glare glass.
- All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Planning Director and clearly indicated on all grading, improvement and/or building plans.
- Exterior lighting shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
 - Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward, and limited to 850 lumens (equivalent to a 60 watt incandescent bulb);
 - Security lighting controlled by motion detectors may be attached to the structure provided it is directed downward and is limited to 850 lumens;
 - Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens;
 - Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens;
 - Site perimeter lighting shall be prohibited; and
 - Outdoor decorative lighting for aesthetic purposes is prohibited.
- No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the project site shall not produce an illumination level greater than one foot candle.
- Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. High intensity lighting of the shore is prohibited.
- Prior to final Planning Department approval, the applicant shall be required to execute and record a deed restriction reflecting lighting requirements set forth in above restrictions. The property owner shall provide a copy of the recorded document to the Planning Department prior to final Planning Department approval.

IV. Agriculture and Forestry Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; California Department of Conservation, Farmland Mapping and Monitoring Program; California Public Resources Code; and California Government Code.

Impact Discussion

- a-e. **No impact.** The proposed project would not result in the conversion of farm or forest land to non-agricultural or forestry uses. There is no land designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance within the City of Malibu. Additionally, there are no lands under a Williamson Act contract, forest land (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) located on or near the project site. Therefore, the proposed project would not impact agriculture or forestry resources.

V. Air Quality

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; and Air Quality Management Plan for the South Coast Air Quality Management District.

Impact Discussion

- a. **No impact.** Paradise Cove and all of the City of Malibu are located in the South Coast Air Basin. The South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments are responsible for developing and implementing the South Coast Air Quality Management Plan (AQMP) for the Basin. The primary purpose of an AQMP is to bring the area into compliance with federal and state air quality standards. The current plan is the 2016 AQMP.

The AQMP is based on SCAG land use assumptions, which in turn are based on city and county general plan and zoning designations. Projects that are consistent with the underlying general plan and zoning designations are generally considered to be consistent with the AQMP. The Paradise Cove mobile home park is designated and zoned Mobile Home Residential (MH) and the Beach Café is designated and zoned Commercial Visitor Serving 1 (CV-1). The upgraded wastewater treatment plant and pipeline will serve the existing mobile home and restaurant uses and thus are consistent with the general plan and zoning designations. Thus, no impact would result.

- b. **Less than significant impact.** The South Coast Air Basin is in a non-attainment status for state and/or federal ozone (1-hour and 8-hour) and particulate matter (PM_{2.5} and PM₁₀) standards. The AQMP outlines measures that should be undertaken to achieve attainment with state and federal targets by certain target dates. The upgraded wastewater treatment plant and pipeline would generate modest amounts of ozone and particulate matter during construction and operation. Emissions would primarily be generated through the consumption of electricity and from construction equipment and vehicles. However, the quantity of emissions would be quite low due to the small size and scope of the project and would not result in a cumulatively considerable net increase of any pollutant of concern. Thus, a less than significant impact would result.
- c. **Less than significant impact.** As outlined above, the project is expected to generate very limited amounts of air pollution during construction and operation. As such, the project would not expose sensitive receptors, such as nearby residences, to substantial pollutant concentrations and a less than significant impact would result.
- d. **Less than significant impact.** Odors generated during the project's construction phase would be primarily due to exhaust fumes from construction equipment. According to the SCAQMD CEQA Air Quality Handbook, construction equipment is not a listed source of odors. Compliance with existing regulations, including the CARB anti-idling regulation that limits idling to five minutes or less at any

location would minimize the potential for odorous emissions. These activities would be of short duration and emissions would not be persistent or lingering due to the high air circulation in Paradise Cove.

On an operational basis, the wastewater treatment plant has the potential to produce foul odors. However, the project will include odor scrubbers to neutralize odors emanating from the operation, and the sludge and disinfection building will be enclosed. In addition, the wastewater treatment plant is required to comply with AQMD Rule 402 regarding nuisance odors and would have a less than significant impact.

Standard Conditions of Approval

- All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions by using water, covering with tarp, or using non-toxic soil stabilizers, or other suitable cover or vegetative ground cover quickly.
- After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated. Treatment, which will also occur during non-work days if necessary, will include watering, re-vegetation or spreading non-toxic soil binders to prevent wind pick-up of the soil until the area is paved or otherwise developed.
- The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained.
- All on- and off-road construction vehicles shall adhere to the following criteria:
 - Use aqueous diesel fuel,
 - Be equipped with a diesel particulate filter,
 - Use cooled exhaust gas recirculation (EGR), and
 - Maintain a speed less than 15 miles per hour on unpaved roads.
 - Minimize vehicle idling time to 10 minutes to save fuel and reduce emissions.
- A maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the upgraded wastewater treatment plant after construction shall be submitted to the Environmental Health Administrator.
- In accordance with Section 103.5.2.1 of the MPC, an application shall be made to the Environmental and Building Safety Division for an OWTS operating permit.

VI. Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use and Conservation Elements; City of Malibu Local Coastal Program Environmentally Sensitive Habitat Area and Marine Resources Map; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; and Biological Review Sheet, December 19, 2017; Paradise Cove Biological Assessment Report and Native Tree Survey Report, November 15, 2017; Completion Report for Tree Protection Project, February 27, 2019.

Impact Discussion

- a-e. **Less than significant impact with mitigation.** A Biological Assessment Report, Native Tree Report and Completion Report for Tree Protection were prepared for the project by Wildscape Restoration in 2017 and 2019. The Paradise Cove Wastewater Treatment Plant itself is located on a previously graded and developed pad that does not contain biological resources. The pipeline alignment traverses approximately 1,400 feet of vegetated slope area in the northeast quadrant of the site. The City's ESHA maps show Ramirez Canyon Creek, a designated blueline stream and ESHA corridor, extending from the northern property line, in the eastern portion of the site, south to the Pacific Ocean, near the Beach Café, crossing the pipeline corridor. Ramirez Canyon Creek runs well below grade under PCH and the northernmost 125 feet of the Paradise Cove property until it daylights into an open concrete lined channel and flows south to the Pacific Ocean. The pipeline has been installed approximately 50 feet south of PCH in the area where Ramirez Canyon Creek runs underground. Two variances are required for this project. VAR No. 20-005 would allow installation of a pipeline to extend into ESHA mapped on the project site.

The oak woodland vegetation in the northeastern quadrant of the site is considered undesignated ESHA. The habitat is dominated by coast live oaks (*Quercus agrifolia*) and eucalyptus (*Eucalyptus* sp.), with little understory. Native plant species observed in this area include western sycamore (*Platanus*

racemosa), toyon (*Heteromeles arbutifolia*), laurel sumac (*Malosma laurina*) and other species. Based on a native tree survey conducted in 2017, the pipeline route was selected to have the lowest potential to impact protected coast live oak (*Quercus agrifolia*) trees present in the area. Prior to trenching for the pipeline, the contractor and wildlife biologists marked the route and installed protective fencing around native oak trees along the route. No native trees were removed for the project, although hand trenching was conducted around two trees close to the route. These trees, as well as a non-native eucalyptus tree that was potentially impacted by the pipeline installation, will be monitored for a ten-year period to document their health and vigor.

The City of Malibu's Native Tree Protection Ordinance includes policies to protect native trees. Trees must have at least one trunk with a diameter measuring 6 inches or more or a combination of two trunks with diameters totaling 8 inches or more as measured 4.5 feet above the natural grade. Based on the Native Tree Report prepared by Wildscape Restoration, there are 94 coast live oaks in varying degrees of health and maturity, 2 western sycamores and 8 toyons in or near a 50-foot buffer from the pipeline. In compliance with Chapter 5.5 of the Local Implementation Plan, the project biologist coordinated with the engineer to route the pipeline and trench to minimize impacts to native trees. In addition, the contractor and biologist fenced native trees along the corridor prior to pipeline installation to ensure the route avoided trees. Hand digging was conducted for two coast live oak trees near the pipeline to minimize potential root damage. These two trees will be monitored annually for a period of ten years to ensure their health and vigor. In the event that the trees show signs of failure, the mitigation measures outlined below require replacement at a ratio of 10 new trees for each tree lost or payment of an in-lieu fee. With implementation of these measures, project impacts to biological resources would be less than significant.

- f. ***No impact.*** There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan in effect in the immediate project vicinity and no impacts would occur.

Mitigation Measures

The following mitigation measures are required to reduce impacts to biological resources to a less than significant level:

- BIO-1: The project consulting biologist or arborist will visit the site after construction is complete to document the condition of the trees and submit a report to the Malibu Planning Department for review.
- BIO-2: The project consulting biologist or arborist will monitor each of the two trees closest to the pipeline annually for a period of ten years and submit an annual monitoring report by the City of Malibu's Planning Department for each of the ten years.
- BIO-3: Should any of the protected trees die, or have reduced health or vigor, the applicant shall mitigate the impacts by planning replacement trees on-site at a ratio of no less than 10 replacement trees for every tree affected. The proposed location of the new tree plantings shall be reviewed and approved by the Malibu Planning Department and a report by a qualified biologist or arborist shall be submitted to the City outlining the species, size and locations of each tree planted.
- BIO-4: Where on-site mitigation through planting replacement trees is not feasible, an in-lieu fee, shall be provided for the unavoidable impacts of the loss of native tree habitat. The fee shall be based on the type, size, and age of the tree(s) removed.

VII. Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: *Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program Land Use Plan and Local Implementation Plan; City of Malibu Cultural Resource Sensitivity Map; Phase I Cultural Resources Report for the Paradise Cove Wastewater Treatment Yard Project, Chambers Group, Inc., 2019.*

Impact Discussion

- a. **No impact.** The project site does not contain any structures or buildings which could be considered historically significant as defined in CEQA Guidelines Section 15064.5 (PRC § 5024.1) or by a local register of historical resources. As such, no impact to historic resources would result and no mitigation is required.
- b-c. **Less than significant impact.** There is documented evidence for human occupation of Southern California mainland areas for at least 11,000 years. However, many ancient sites may have been lost, inundated, or deeply buried as a result of marine transgression, erosion, aggradations, and other natural forces. Approximately 3,000 years ago, a transfer from mobile populations to stationary groups began, bringing a change in subsistence strategies and specialized labor. Trade and technological advances altered the Southern Californian Native American communities to resemble contemporary ethnographic populations encountered by the Spanish. The Chumash and Tongva were the primary populations established within the Malibu region.

The project area was completely disturbed and highly developed prior to construction of the current project. These previous disturbances included grading and construction of concrete pads for water treatment basins, retaining walls and underground tanks in the street directly adjacent to the current project area. The previous disturbances listed above were completed well before the initiation of this current project. In addition, the project site is adjacent to PCH, which appears to have been cut into the natural grade when constructed, which likely resulted in ground disturbance near and at the project site.

In order to determine whether impacts to cultural resources occurred as a result of the Paradise Cove Wastewater Treatment Plant and pipeline, a Cultural Resources analysis was conducted for the project site by Chambers Group, Inc. in September 2019, subsequent to ground disturbance activities. The analysis is available for review by qualified archaeologists and tribal representatives at Malibu City Hall. The analysis included a records search and field survey. The records search was obtained from the South Central Coastal Information Center at California State University, Fullerton for the property within a 0.25-mile radius of the wastewater treatment site and pipeline. The records search identified 5 previously recorded cultural resources in this area, including on the Paradise Cove property itself. These previously recorded resources indicate that the Native American tribal population occupied the property and considered the area spiritually important, however, none of the previously recorded resources are within the boundaries of the current project.

On August 13, 2019, a reconnaissance level field survey was conducted for the 0.14-acre project area, including the trenching area for the pipeline connection, by a qualified archaeologist. The archaeologist examined the ground surface for artifacts, ecofacts, soil discoloration and debris that may be indicative of cultural resources. No historic or prehistoric resources or human remains were identified within the project site including the pipeline excavation area. In addition, no resources were discovered during installation of the treatment plant and pipeline. Thus, given the absence of resources within the project area, it is believed that no impacts to cultural resources occurred during construction. The project would have a less than significant impact on cultural resources or human remains and no mitigation is required.

VIII. Energy

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan,

Impact Discussion

- a-b. **Less than significant impact.** During construction, the project is using utilizing energy in the form of construction vehicles and temporary electrical power. However, the construction process is not expected to utilize significant amounts of energy and would not result in a potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption. During operation of the site, the upgraded wastewater treatment plant will utilize electricity with a calculated load of 151 amps of electricity to run basic operations. This is considered nominal use and the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with a state or local plan for renewable energy or energy efficiency. Additionally, the use of recycled water for irrigation will reduce the dependence on municipal potable water supplies and contribute to groundwater recharge as recycled water percolates into the groundwater system. Thus, a less than significant impact would result.

IX. Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use and Safety & Health Elements; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; Geotechnical Review Sheet, March 20, 2018.

Impact Discussion

- a. **Less than significant impact.** Southern California is an active seismic region and moderate to strong earthquakes can occur on numerous faults. However, the project site is not located within a currently-designated Alquist-Priolo Earthquake Zone or the Malibu Coast fault. However, numerous smaller faults are located throughout the City of Malibu and the project site will likely be shaken by future earthquakes produced on these or other local or regional faults. However, secondary effects, such as surface rupture, lurching or flooding are not considered probable. Paradise Cove is within the tsunami inundation zone and liquefaction zone (Geohub 2018). However, the proposed project will be conditioned to remove and recompact loose native soils, utilize appropriate footings and incorporate other measures to stabilize the proposed sludge and disinfection building. The project would not result in any new habitable structures or other structures that would exacerbate landslide risk, could collapse as a result of groundshaking or surface rupture, or which would otherwise directly or indirectly subject people to substantial adverse effects involving liquefaction, landslides, or rupture of a known earthquake fault. The project will not be regularly staffed by people that could be affected by shaking. As such, the exposure of people to seismic related hazards would be minimized and the impact would be less than significant.

- b-e. **Less than significant impact.** Paradise Cove is located within the tsunami inundation zone and liquefaction zone, on younger Quaternary alluvium, which consists of loose unconsolidated soil or sediment that has been shaped by water over time (Geohub 2018). Soil in the vicinity of the wastewater treatment plant primarily consists of light brown reddish sandy fill soils most likely left over from construction of PCH and the wastewater treatment plant is located on a previously graded and developed pad, requiring little grading. The pipeline was installed in sloping areas in the northeastern quadrant of the site with medium brown silty clay terrestrial soils and sedimentary rocks. Following installation of the pipeline, the slope was restored to preexisting conditions and the project would not cause erosion or the loss of topsoil or contribute to soil instability. Standard conditions of approval would ensure that the project would not cause or contribute to soil instability.
- f. **No impact.** There are no known unique geologic or paleontologic resources located on the project site. In addition, grading that could have potentially uncovered paleontological resources has been accomplished and no resources were encountered. The project would not directly or indirectly destroy any unique geologic or paleontologic resources and no impact would result.

Standard Conditions of Approval

- All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical staff shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical staff prior to the issuance of a grading permit.

X. Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan; Air Quality Management Plan for the South Coast Air Quality Management District; and California Code of Regulations.

Impact Discussion

- a. **Less than significant impact.** The earth's atmosphere is a collection of atmospheric gases, known as greenhouse gases (GHGs) that trap a sufficient amount of solar energy to keep the global average temperature in a suitable range. These gases, mainly water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃) and chlorofluorocarbons (CFCs) all act as effective global insulators reflecting back to earth visible light and infrared radiation. Human activities such as producing electricity and driving vehicles have contributed to the elevated concentration of these gases in the atmosphere. This, in turn, is causing the earth's temperature to rise. A warmer earth may lead to changes in rainfall patterns, much smaller polar ice caps, a rise in sea level, and a wide range of impacts on plants, wildlife, and humans.

An individual project cannot generate enough GHG emissions to influence global climate change. The proposed project will produce an incremental amount of emissions due to vehicle trips and energy use during the construction phase. Long-term, operational GHG emissions related would be generated by the upgraded wastewater treatment plant through the consumption of electricity to run the upgraded plant, and by trucks and other vehicles traveling to the site to maintain and service the wastewater treatment plant. However, these would be minor in scope and the project would generate a relatively low level of GHG emissions that would not result in a cumulative impact when combined with other sources. Additionally, the use of recycled water for irrigation will reduce the dependence on municipal potable water supplies and contribute to groundwater recharge as recycled water percolates into the groundwater system. Thus, a less than significant impact would result.

- b. **Less than significant impact.** California passed Assembly Bill No. 32 (a.k.a., California Global Warming Solution Act), which required the California Air Resources Board (CARB) to design and implement GHG emission limits and other related regulations. On December 12, 2008, CARB adopted its Climate Change Scoping Plan pursuant to AB 32. The scoping plan was then reapproved in 2011 and indicates how GHG emission reductions will be achieved through regulations, market mechanisms and other actions.

SCAQMD has adopted interim CEQA GHG significance thresholds for projects where SCAQMD is the lead agency. In the absence of other thresholds, these will be used to consider the GHG effects of the proposed project. Tier 3 of the SCAQMD thresholds identifies screening thresholds of 10,000 metric tons per year (MT/yr) of CO₂e for stationary source industrial projects and 3,000 MT/year of CO₂e for commercial and residential projects. As a small infrastructure project, CO₂e emissions resulting from construction and operation of the Paradise Cove Wastewater Treatment Plant would be minor in nature and would fall well below these screening thresholds. As such, the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions and a less than significant impact would result.

IX. Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan, Safety & Health Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; Air Quality Management Plan for the South Coast Air Quality Management District; County of Los Angeles Very High Fire Hazard Severity Zone Map, Incorporated City of Malibu; LACFD Review Sheet; 11/15/2017, and California Code of Regulations.

Impact Discussion

- a-c. **Less than significant impact.** Construction of the wastewater treatment plant and pipeline would involve the use of diesel fuel, hydraulic fluids and other substances which are generally regarded as hazardous. There is one school located within a quarter-mile of the wastewater treatment plant. Wagon Wheel Preschool is located approximately 500 feet northeast of the site at 28211 PCH. However, the risks to the school and nearby residents from the transport, storage and potential release of these substances are considered relatively small due to the limited scope of the project and small amount of substances anticipated to be used.

Long term operation and maintenance of the wastewater treatment plant would not involve the use of substances classified as hazardous. Per the United States Environmental Protection Agency (U.S. EPA), municipal sewage, wastewater, and biosolids (sludge) are all excluded from the definition of hazardous waste/hazardous materials. In addition, sludge generated by the wastewater treatment plant is not classified as hazardous by the U.S. Environmental Protection Agency. That is not to say that they could not pose hazard if mishandled; however, the project design and operations have been configured to minimize the potential for wastewater spills, releases, or mismanagement. Thus, the routine storage and transport of sludge off site to landfills would not create a hazard to the public in the unlikely event of a spill or accidental release and a less than significant impact would result.

- d. **No impact.** The project site is not included on a list of hazardous materials sites (Cortese List¹). Therefore, the project would not create significant hazards to the public or environment and no impact would occur.
- e. **No impact.** The project site is not located within two miles of a public airport and is not included within an airport land use plan. The closest airport to the project site is the Santa Monica Airport, which is located approximately 26 miles to the southeast. No impacts to airport safety hazards would occur as a result of the project.
- f. **Less than significant impact.** The proposed project involves the development of an upgraded wastewater treatment plant and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan as it does not affect access driveways. Therefore, a less than significant impact would occur.
- g. **Less than significant impact.** The General Plan shows the entire City of Malibu located within an extreme fire hazard area, identified as a Very High Fire Hazard Severity Zone (VHFHSZ) by the Los Angeles County Fire Department (LACFD). The LACFD serves the City, as well as the California Department of Forestry, if needed. In the event of major fire, Los Angeles County has mutual aid agreements with cities and counties throughout the State of California so that additional personnel and firefighting equipment can augment the LACFD.

The project site is located within a developed mobile home park. The project site is adjacent to the seaward side of Pacific Coast Highway and is not located at the wildland interface. The site is located just half a mile east of Fire Station No. 71 at 28722 Pacific Coast Highway which would allow for a reasonable response time from the LACFD in case of an emergency. Thus, the project would have a less than significant impact related to exposing people or structures to a significant risk of loss due to wildfire.

Standard Conditions of Approval

Conditions of approval addressing clear to sky access, fuel modification, fire prevention, and building construction methods would be required, pursuant to the LCP.

1 The Cortese List is a list of Hazardous Waste and Substances Sites in California that is used by the state, local agencies and developers to comply with the CEQA requirements in providing information about the location of hazardous materials release sites.

X. Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Result in a substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; City of Malibu, Emergency Response Plan for Tsunami Operations, Addendum to Malibu Standardized Emergency Management System; Public Works Review Sheet, May 22, 201.

Impact Discussion

- a. **No impact.** According to Los Angeles Regional Water Quality Control Board Cease and Desist Order No. R4-2016-0311-A1, Paradise Cove is potentially discharging waste in violation of the established effluent limits. The project is being undertaken to comply with the Cease and Desist Order by consolidating and improving wastewater treatment in Paradise Cove and installing a water recycling plant. The water recycling plant includes a blending and polishing treatment consisting of a two-stage ammonia reduction and denitrification, disinfection, and filtration treatment system, which will produce graywater for landscape irrigation. The project will have to demonstrate consistency with the Regional Board's requirements. Thus, the project will improve surface and groundwater quality in the area and no adverse impact will result.
- b. **No impact.** As outlined above, the project includes a recycled water system that will convert treated effluent into recycled water, which would be used for landscape irrigation. The use of recycled water for irrigation will reduce the dependence on municipal potable water supplies and contribute to groundwater recharge as recycled water percolates into the groundwater system. In addition, the upgraded wastewater treatment plant will reduce the potential for contaminants to be released into groundwater supplies and no impact will result.

- c. **Less than significant impact.** The proposed project will not alter the drainage pattern within Paradise Cove. The wastewater treatment plant is located on a level pad in the north-central portion of the site and will not affect the drainage pattern of the area. The pipeline was installed on a sloping area that was restored to preexisting conditions following installation with no changes to the drainage pattern of the area. In addition, although the City's ESHA maps indicate that Ramirez Canyon Creek exists in the eastern third of the property and bisects the pipeline, the creek actually flows well underground at this location and the pipeline would not affect Ramirez Canyon Creek. Thus, a less than significant impact would result related to drainage patterns in the area.
- d. **Less than significant impact.** Paradise Cove is located adjacent to the Pacific Ocean, and within the tsunami inundation zone (GeoHub 2018). However, the portion of Paradise Cove affected by this application sits well above sea level and would not be subject to inundation in the event of a flood, tsunami or seiche. The wastewater treatment plant is located at the north central limit of the site at an elevation of approximately 100 feet above sea level and the pipeline is located on a sloping area approximately 80 to 100 feet above sea level. In addition, Ramirez Canyon Creek flows underground in the vicinity of the pipeline and would not inundate the pipeline area in the event of a flooding event. Thus, the project would not be subject to inundation of flood waters and a less than significant impact would result.
- e. **No impact.** As outlined in the Description of Project, the project is being carried out in response to a Cease and Desist Order from the Los Angeles Regional Water Quality Control Board. The project would improve wastewater treatment within Paradise Cove thereby reducing and/or eliminating the discharge of pollution into the water system. In addition, the project would include a water recycling plant that would produce graywater that can safely be used to irrigate landscaping and reduce the need for potable water supplies. Thus, the project is serving to implement water quality goals for the area and no impact would result.

Standard Conditions of Approval

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- A Water Quality Mitigation Plan (WQMP) is required for this project. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage of the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
- Site Design Best Management Practices (BMPs)
- Source Control BMPs
- Treatment Control BMPs that retains onsite the Stormwater Quality Design Volume (SWQDv). Or where it is technically infeasible to retain onsite, the project must biofiltrate 1.5 times the SWQDv that is not retained onsite.
- Drainage improvements
- A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure
- A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measures installed during construction prior to the issuance of grading or building permits.

- The WQMP shall be submitted to Public Works and the fee applicable at time of submittal for the review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior to the Public Works Department's approval of the grading and drainage plan and/or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMPs, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the certificate of occupancy.

XI. Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

- a. **No impact.** The upgraded wastewater treatment plant would replace two existing OWTs, serving Paradise Cove with a new state-of-the-art system that would be connected through a new pipeline, treat wastewater and generate recycled water. The project would not physically divide an established community or otherwise alter the land use pattern in the area and no impact would result.
- b. **Less than significant impact.** The 0.14-acre project site is designated Mobile Home Residential (MH) and Commercial Visitor Serving 1 (CV-1) by the City of Malibu General Plan and Zoning Map. The upgraded wastewater treatment plant and pipeline are consistent with this designation as supportive uses to the mobile home park and Beach Cafe. As outlined in Section V, the pipeline would cross the alignment of Ramirez Canyon Creek which is a designated ESHA in the City's LCP ESHA Overlay Map. However, the stream is not exposed at the surface where the pipeline crosses it and daylights approximately 75 feet south of the pipeline through a box culvert creek outlet south of the site where it continues to the south in an open concrete drainage pipe. The pipeline alignment includes disturbed oak woodland dominated by coast live oaks and eucalyptus and has been sited to avoid protected oak trees. In addition, two trees close to the pipeline will be monitored for health and vigor for a period of ten years. In the event that the trees show signs of failure, they will be replaced at a ratio of 10:1 consistent with the LCP's Native Tree Protection standards or payment of in-lieu fees. Thus, the project would not conflict with any plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect and a less than significant impact would result.

Standard Conditions of Approval

- All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan comprised of native plant species, to the satisfaction of the Planning Director.
- Native species of the Santa Monica Mountains, characteristic of the local habitat, shall be used on graded slopes and where slope plantings are required for slope stabilization, erosion control, and watershed protection. Plants should be selected to have a variety of rooting depths. A spacing of 15 feet between large woody (≥ 10 -foot canopy) shrubs is recommended by the LACFD. Lawns are prohibited on slopes greater than 5 percent.
- Slope planting measures such as contour planting and terracing or other techniques shall be incorporated on slopes to interrupt the flow and rate of surface runoff in order to prevent surface soil erosion.

The biologist(s), upon notification, will inspect the project site once construction has concluded for final approval.

XII. Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local Comprehensive Plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: *City of Malibu General Plan, Land Use and Conservation Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan, State of California Department of Conservation.*

Impact Discussion

- a-b. **No impact.** Sand and gravel resources are the only mineral resources that have been mapped in western Los Angeles County. According to the State of California Department of Land Conservation, the project site and much of the Malibu coastline are designated Mineral Resource Zone-3 (MRZ-3) which refers to “areas containing mineral deposits the significance of which cannot be evaluated from available data.” However, there are no known locally important mineral resources on the site and mineral extraction would not be permitted onsite by City regulations. Therefore, no impact to mineral resources would occur.

XIII. Noise

Would the proposed project result in:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive ground borne vibration or noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use and Noise Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

- a-b. **Less than significant impact.** The project site and surrounding area are part of Paradise Cove which has relatively low levels of ambient noise and vibration. The upgraded wastewater treatment plant would replace two existing OWTs serving Paradise Cove with a new state-of-the-art system that would be connected through a new pipeline, treat wastewater and generate recycled water. During construction, the project is generating short-term noise and vibration, typically associated with building activities during construction. However, the project complies with the MMC Chapter 8.24 requirements for construction noise and vibration, including a limitation on construction hours of operation to avoid sensitive times of the day and night.

Long-term use and operation of the upgraded wastewater treatment plant would generate minimal levels of noise and vibration. The primary source of noise would be from two blowers on a platform connected to the Ovivo Treatment membrane, which will be used to aerate the wastewater to encourage the growth of beneficial bacteria that consume the wastewater and convert it to harmless substances. The two blowers would be enclosed in the upgraded wastewater treatment plant. One blower would run at a time and produce 77 decibels at the equipment. An AcoustiBlok noise reducing padded barrier will surround the rail where the blowers are located to reduce noise at the nearest mobile homes to acceptable levels. Thus, a less than significant noise impact would result.

An emergency generator would also be located on the concrete pad of the wastewater treatment plant. The generator would be used to run the water recycling plant in the event of a power outage. The generator would generate 73 to 84 decibels and will be tested monthly during the day for less than 30 minutes. Due to the short-term and intermittent nature of this noise, it would have a less than significant impact.

- c. **No impact.** The project site is not located within two miles of an airport or near an airstrip; therefore, no impact would occur.

Standard Conditions of Approval

- Construction hours shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. No construction activities shall be permitted on Sundays or City-designated holidays.

XIV. Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use and Housing Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion:

- a. **Less than significant impact.** The upgraded wastewater treatment plant has a capacity of 100,000 gpd which is 15,000 gpd more than the current wastewater generation of 85,000 per day. The excess capacity would provide a safety buffer in the event that actual future flows exceed current levels. The additional capacity could also be used for limited additional development in the park (i.e., additional mobile home units); however, none are currently proposed. Any proposal for additional development within Paradise Cove would need to obtain approval from the City of Malibu and be evaluated for potential environmental effects. Thus, although the project could potentially accommodate limited additional development, its likelihood is uncertain and the project would have a less than significant impact.
- b. **No impact.** The proposed project would not displace any housing or residents or necessitate the construction of replacement housing elsewhere. Thus, no impact would occur.

XV. Public Services

Would the project	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Public Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan Local Implementation Plan, and Park Land Map.

Impact Discussion

- a-e. **No Impact.** The upgraded wastewater treatment plant would not increase the need for public services in the area. The project would not generate calls for emergency service and would not negatively affect emergency response times from the LACFD or Los Angeles County Sheriff's Department for properties in the project area. Likewise, the project would have no effect on schools, parks and other public services. Thus, the project would have no impact on fire and police protection, schools, parks and other public services.

XVI. Recreation

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Include recreational facilities or require the construction of expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

- a-b. **No impact.** The upgraded wastewater treatment plant would replace two existing OWTs serving Paradise Cove with a new state-of-the-art system that would be connected through a new pipeline, treat wastewater and generate recycled water. The project does not additional residential development and would not increase demand on local or regional parks. Thus, no impact would result.

XVII. Transportation

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan, Land Use and Circulation Elements; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; City of Malibu Trails System Maps.

Impact Discussion

- a-c. **No impact.** The project site and all of Paradise Cove is located adjacent to PCH, which is a 4-lane State highway. Paradise Cove Road, a local private road, intersects PCH and traverses the site. In addition, the LCP Park Lands Map designates the Paradise Cove Trail along Paradise Cove Road. The project would not alter the circulation network or create a hazardous geometric design feature. During construction, the project is generating a small number of construction trips per day which are considered to be negligible. In addition, the project would not result in any new habitable structures or other structures that would generate trips during operation, except for periodic maintenance and sludge clean-out trips. Thus, the project would not affect transportation or conflict with any program, plan, ordinance or policy addressing the circulation network and no impact would result.
- d. **Less than significant impact.** The City of Malibu has adopted an Emergency Operations Plan (2018) to address the City's response to natural disasters, technological incidents and national security emergencies. PCH serves a major role in the City's ability to evacuate in the event of an emergency, being the primary roadway connecting Malibu to the north and south. Paradise Cove and the proposed project site are located immediately adjacent to PCH. However, the project would generate only a small number of maintenance trips per month and would not impede or affect emergency operations in and around Malibu. Thus, a less than significant impact would result.

XVIII. Tribal Cultural Resources

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
<p>a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or</p> <p>ii. A resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision © of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision © of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu General Plan, Land Use and Conservation Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan, AB 52 tribal consultation, archaeological resources study, records search, Phase I Cultural Resources Report, Chambers Group, 2019.

Impact Discussion

- a. **Less than significant impact.** As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

As outlined in Section V, Cultural Resources, the potential to discover an unknown tribal cultural resource within the project site is highly unlikely given the prior disturbance of the existing mobile home park OWTS , and given the steepness of the pipeline route. In addition, all grading and ground disturbance for the project have already occurred and no tribal cultural resources were found during these activities. Thus, no impacts to tribal cultural resources would result from project implementation.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency. On December 9, 2019, the City of Malibu prepared and mailed formal notification letters in accordance with the provisions of AB 52 to five Native American tribes who have requested notification of projects in the City. The Fernandeno Tataviam Band of Mission Indians responded within the 30-day invitation period. City staff completed tribal consultation on February 14, 2020. The Barbareno/Ventureno Band of Mission Indians responded subsequent to the 30-day timeline, and as of February 14, 2020, City staff is continuing to coordinate with tribal representatives to review the project and its potential impacts on tribal cultural resources.

XIX. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider, which serves or may serve the projects that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: County of Los Angeles Code, City of Malibu Plumbing Code; City of Malibu Local Coastal Program, and Land Use Plan and Local Implementation Plan.

Impact Discussion

- a. **Less than significant impact.** As outlined in the project description, the proposed project involves the replacement of two existing OWTs with the addition of a pipeline and a new upgraded wastewater treatment plant to serve all of Paradise Cove. The project is being implemented in response to a Cease and Desist Order by the Regional Water Quality Control Board to better treat wastewater and meet effluent standards. With implementation, the wastewater treatment plant will comply with the requirements of the Water Board and a less than significant impact would occur.
- b. **No impact.** The project includes implementation of a new wastewater treatment plant and pipeline. The project also includes installing a water recycling plant, which consists of a blending and polishing treatment, including a two-stage ammonia reduction and denitrification, disinfection, and filtration treatment system. Thus, the project would treat wastewater to recycled water standards that would be used to irrigate landscaped areas within the mobile home park and potentially other graywater uses in the future. In this manner, the project would conserve potable municipal water supplies that are presently being used for irrigation. Thus, the project would have a beneficial effect would result related to water supplies and no impact would occur.
- c. **No impact.** The upgraded wastewater treatment plant would replace two existing OWTs serving Paradise Cove with a new state-of-the-art system that would be connected through a new pipeline, treat wastewater and generate recycled water. The upgraded wastewater treatment plant has the ability to treat 100,000 gallons per day (gpd) which is more than enough to treat the existing load of 85,000 gpd. The excess capacity provides a safety buffer in the event that actual flows exceed estimates in future years. Thus, no impact related to wastewater would occur.
- d-e. **Less than significant impact.** Implementation of the proposed project will result in a minimal amount of construction debris that would not significantly affect the capacity of local landfills. During operation, the new wastewater treatment plant would generate the same amount of sludge that is

generated on-site by the existing OWTSS. The sludge would be stored in tanks and regularly hauled out to local landfills by private vendors. The project would not generate solid waste in excess of infrastructure capacity or impede the attainment of local, state and federal rules, regulations and goals related to solid waste and a less than significant effect would result.

Standard Conditions of Approval

- Prior to a final building inspection, the applicant shall provide a final Waste Reduction and Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. The final Summary Report shall designate all material that were land filled or recycled, broken down by material types.

XX. Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: City of Malibu Emergency Operations Plan, 2018; State of California, Department of Forestry and Fire Protection (CAL FIRE), Fire Hazard Severity Zones Maps; Wildscape Restoration, Biological Assessment Report, Pacific Cove Land Company, November 15, 2017; Wildscape Restoration, Native Tree Survey Report, Pacific Cove Land Company, November 15, 2017.

Impact Discussion

- a. **Less than significant impact.** The City of Malibu has adopted an Emergency Operations Plan (2018) to address the City's response to natural disasters such as fire and flooding, as well as technological incidents and national security emergencies. PCH serves a major role in the City's ability to evacuate in the event of an emergency, being the primary roadway connecting Malibu to the east and west. Paradise Cove, including the wastewater treatment plant, including the upgraded OWTS treatment plant and pipeline are located immediately adjacent to PCH. However, the project would generate very little traffic and would not impede or affect evacuation out of Malibu. Thus, the project's impact on the City's emergency response plan would be less than significant.
- b. **Less than significant impact.** The entire City of Malibu is located in a Very High Fire Hazard Severity Zone (VHFHSZ) and has been subject to numerous wildfires in the past including the 2018 Woolsey Fire. Paradise Cove has been subject to some of these past events. The project involves installation of a wastewater treatment plant and related pipeline and would not increase the risk of wildfire or increase the population of the site which could be subject to wildfire risk. In addition, the project would comply with LACFD requirements pertaining to fire safety. Thus, the project would have a less than significant impact related to wildfire risk.
- c. **Less than significant impact.** Installation of a wastewater treatment plant and related pipeline would not require the installation or maintenance of associated infrastructure that could exacerbate fire risk or cause impacts to the environment. The pipeline route has been revegetated and a tree maintenance plan will ensure the health and/or mitigation for two trees that may have been impacted along the route. Thus, the project would have a less than significant impact regarding infrastructure related wildfire risks.
- d. **Less than significant impact:** The project would not increase the population of the site which could be subject to risks such as flooding and landslides. In addition, the upgraded wastewater treatment plant is located on a previously developed pad and the pipeline trench was recompacted and revegetated

following installation of the pipeline. Thus, the project would not expose people or structures to significant risks, as a result of runoff, post-fire slope instability, or drainage changes and a less than significant impact would result.

XXI. Mandatory Findings of Significance

Does the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate plant or animal community, substantially reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have impacts that are individually limited, but cumulatively considerable (<i>"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

- a. **Less than significant impact.** As outlined in the previous discussion and analysis in this Initial Study, the proposed project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Thus, a less than significant impact would result.
- b. **No impact.** The upgraded wastewater treatment plant and pipeline would enhance the environment by providing improved and more reliable wastewater treatment and generating a source of safe gray water for irrigation that would reduce dependence on potable water supplies. In addition, the project is consistent with the underlying General Plan, LCP/LIP and Zoning designations and would have a less than significant cumulative impact.
- c. **No impact.** The proposed project would not have adverse environmental effects and would not cause substantial adverse effects on human beings, either directly or indirectly. Thus, no impact would result.

References

These references and those previously cited within the text of this Initial Study are intended to provide a list of supporting information sources and/or evidence Planning Department staff has relied upon in completing this document and in reaching the conclusions contained herein. In addition, the materials that were submitted by the applicant have also been used in completing this document.

If any person or entity reviewing this Initial Study has a question regarding the supporting information source and/or evidence, they may contact the staff planner at the address and telephone number noted on the front page of this document during the public review period.

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