To: Chair Brotman and Members of the Planning Commission

Prepared by: Abigail Harwell, Associate Planner

Approved by: Bonnie Blue, AICP, Planning Director

Date prepared: August 6, 2015

Meeting date: August 17, 2015

Subject: Coastal Development Permit No. 14-035 - An application for a new alternative onsite wastewater treatment system, a new leach bed dispersal area under Bayshore Drive, a new dewatering well, and the abandonment of the existing onsite wastewater treatment system and dewatering well

Location: 25321 Malibu Road, within the appealable coastal zone

APN: 4459-014-002

Zoning: Rural Residential–Two Acre (RR-2)

Applicant: EPD Consultants

Owners: Joseph Arenson and Steve Adelson

Application Filed: February 2, 2012

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 15-77 (Attachment 1) determining the project categorically exempt from the California Environmental Quality Act (CEQA), and approving Coastal Development Permit (CDP) No. 14-035 to allow the abandonment of an existing onsite wastewater treatment system (OWTS) and dewatering well, and installation of a new alternative onsite wastewater treatment system (AWTS), and a new dewatering well in the Rural Residential–Two Acre zoning district located at 25321 Malibu Road (Arenson and Adelson).

DISCUSSION: This agenda report provides an overview of the project including a background of the access easements associated with the subject property, summary of the surrounding land use, description of the proposed project and a summary of staff's analysis of the project's consistency with the applicable provisions of the Malibu Local Coastal Program (LCP) and the CEQA. The analysis and findings discussed herein demonstrate that the project is consistent with the LCP.
**Project Overview**

The scope of the proposed project includes abandonment of a failed OWTS and dewatering well, and installation of a new AOWTS, with a leach bed dispersal area under Bayshore Drive, and relocation of the dewatering well. The existing OWTS is located at the rear of the residence, downslope of the existing structure. In order to provide better maintenance access, the project involves installing an AOWTS at the front of the residence between the structure and the road. The new dispersal area is proposed under Bayshore Drive, a private driveway easement that runs along the front of the residences through the middle of the subject property and neighboring properties, providing access to Malibu Drive both to the east and west of the properties served by the easement. The subject property is located within the Malibu Road Landslide Assessment District, and the property is served by a dewatering well that is currently located under Bayshore Drive. As the new dispersal area is proposed to occupy the majority of the area under Bayshore Drive on the subject property, which is directly adjacent to the proposed new AOWTS location, the existing dewatering well will be abandoned and the new dewatering well will be relocated upslope of Bayshore Drive on a slope between Bayshore Drive and Pacific Coast Highway (PCH). No construction is proposed for the existing residence and the driveway easement of Bayshore Drive is proposed to remain at the same location, with any removal of the asphalt driveway replaced at the same size and area (Attachment 2 – Project Plans).

Figure 1 – Aerial Photo
Surrounding Land Uses and Project Setting

The project site is a legal parcel located on the landward side of Malibu Road, just south of PCH. The neighboring properties, including the subject site, are located within the RR-2 zoning district, and have Malibu Road addresses, but are exclusively accessed via Bayshore Drive. Across Malibu Road from the subject property are beachfront properties along Puerco Beach that are located in the Multi-family Beach Front (MFBF) zoning district.

As previously mentioned, the subject property and neighboring properties along Bayshore Drive are located within the Malibu Road Landslide Assessment District. The assessment district was established in 1981 by the County of Los Angeles, following the activation of a landslide on the west end of Malibu Road in 1978. The subject property has an existing dewatering well, identified as W-11 on the site plan (Attachment 2), that periodically releases stormwater as necessary for a dewatering discharge system. The new dewatering well will be tied to the existing dewatering well discharge system.

The project site is located within the Appeal Jurisdiction as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map, as the property is located within 300 feet of the beach. There is no designated environmentally sensitive habitat area (ESHA) based on the LCP ESHA and Marine Resources Map.

Project Description

The proposed project includes the following scope of work:

1. Abandonment of the existing septic tank and three seepage pits in the rear yard;
2. Removal and destruction of the existing dewatering well and vault under Bayshore Drive;
3. A new 1,360 gallon MicroSepTec AOWTS with tertiary treatment encased in a below grade vault at the front of the property;
4. A new 1,321 square foot pressure dosed leach bed dispersal area below Bayshore Drive;
5. A new dewatering well located 20 feet upslope of the driveway area, to be tied into the existing discharge system; and
6. Removal and replacement of existing asphalt concrete pavement on Bayshore Drive in the area of the proposed new leach bed.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the Local Implementation Plan (LIP). The LUP contains programs and policies to implement the Coastal Act in Malibu. The purpose of the LIP is to carry out the policies of the LUP. The LIP contains specific
policies and regulations to which every project requiring a coastal development permit must adhere.

There are 14 sections within the LIP that potentially require specified findings to be made, depending on the nature and location of the proposed project. Of these 14, five sections are for conformance review only and require no findings. These five sections include Zoning, Grading, Archaeological / Cultural Resources, Water Quality, and OWTS, and are discussed under the LIP Conformance Analysis section. The nine remaining LIP sections that potentially require specific findings to be made are found in the following LIP Chapters: 1) Coastal Development Permit findings; 2) ESHA; 3) Native Tree Protection; 4) Scenic, Visual and Hillside Resource Protection; 5) Transfer of Development Credits; 6) Hazards; 7) Shoreline and Bluff Development; 8) Public Access; and 9) Land Division. Of these nine, the General Coastal Development Permit and Hazards findings apply to this project. Consistency review with these sections is discussed later in the LIP Findings section.

Based on the project site, the scope of work, and substantial evidence contained within the record, the ESHA, Native Tree Protection, Scenic, Visual and Hillside Resource Protection, Transfer of Development Credits, Shoreline and Bluff Development, Public Access and Land Division findings are not applicable or required for the project for the reasons described herein.

LIP Conformance Analysis

The proposed project has been reviewed by Planning Department, City Biologist, City Environmental Health Administrator, City Geologist and the City Public Works Department for conformance with the LCP. Since the project does not include development of a new residence, or modifications to an existing residence, the Los Angeles County Fire Department (LACFD) did not provide a formal review of the project. The review sheets are attached hereto as Attachment 3. The project, as proposed and conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals and policies.

Zoning (LIP Chapter 3)

LIP Chapter 3 requires conformance to zoning standards. The project proposes the proper abandonment of an existing septic system, seepage pits and dewatering well, and installation of a new AOWTS, and new dewatering well. No permanent above-ground structures are proposed. Any existing pavement and curbs to be removed for construction will be replaced at the same size and location, and all proposed new equipment are located away from the property boundaries. Therefore, the project conforms to the development standards as set forth under LIP Chapter 3.
Grading (LIP Chapter 8)

The proposed project does not require any non-exempt grading. The project will require only minor excavation for the abandonment of an existing OWTS and dewatering well, and installation of the new AOWTS. This excavation is exempt from the grading requirements contained in the LIP, which ensures that the new development minimizes the visual and resource impacts of grading and landform alteration by restricting the amount of non-exempt grading to a maximum of 1,000 cubic yards for a residential parcel. Therefore, the project conforms to the grading requirements as set forth under LIP Section 8.3.

Archaeological / Cultural Resources (LIP Chapter 11)

A Cultural Resources Assessment was prepared by Robert Wlodarski of H.E.A.R.T. in May 2015 for this project. The study of the subject site found that any proposed improvements within the study area surveyed should have no adverse impacts on known cultural resources. Nevertheless, a condition has been included which states that in the event that potentially important cultural resources are found in the course of geologic testing, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information.

Water Quality (LIP Chapter 17)

The City Public Works Department reviewed and approved the project for conformance to LIP Chapter 17 requirements for water quality protection. Standard conditions of approval are required to be implemented prior to the issuance of a grading permit and during construction. These conditions require the preparation and approval of a Grading and Drainage Plan, a Storm Water Pollution Prevention Plan, prior to the issuance of grading permits, and inspection of the dewatering well during construction to meet City design specifications. With the implementation of these conditions, the project conforms to the Water Protection standards of LIP Chapter 17.

Onsite Wastewater Treatment Systems (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.7 includes specific siting, design, and performance requirements. The existing system consists of a septic tank and three seepage pits located downslope of the rear of the residence. This system will be properly abandoned, as it is no longer functioning efficiently due to effects from the active landslide in the area. The new AOWTS will incorporate a 1,360 gallon MicroSepTec ES6 treatment tank with a Salcor 3-g UV disinfection unit located at the front of the residence between the structure and the road, and a 1,031 square foot 1,321 square foot pressure dosed leach bed dispersal area below Bayshore Drive.
The new AOWTS has been reviewed by the City Environmental Health Administrator and found to meet the minimum requirements of the Malibu Plumbing Code, the M.M.C. and the LCP. The subject system will meet all applicable requirements and an operating permit will be required. An operation and maintenance contract and recorded covenant covering such shall be in compliance with City Environmental Health requirements. Conditions of approval are included which require continued operation, maintenance, and monitoring of onsite facilities as well as proper abandonment of the dewatering well.

**LIP Findings**

A. **General Coastal Development Permit (LIP Chapter 13)**

LIP Section 13.9 requires that the following four findings be made for all CDPs.

*Finding A1.* That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Malibu Local Coastal Program.

The project has been reviewed for conformance with the LCP by Planning Department staff, City Biologist, City Environmental Health Administrator, City Geologist, and the City Public Works Department. As discussed herein, based upon submitted reports, project plans, and detailed site investigation, the proposed project, as conditioned conforms to the LCP in that it meets all applicable residential development standards.

*Finding A2.* If the project is located between the first public road and the sea, that the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

As the project is not located between the first public road and the sea, the proposed scope of work will have no impact on public beach access, parks and recreational trails. As depicted on the pending LCP Parklands and Trails System Map or the LCP Parklands Map. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).

*Finding A3.* The project is the least environmentally damaging alternative.

According to the project consulting engineer, the existing septic system is a threat to the property and is being replaced to stabilize the property. The proposed AOWTS is sited in areas of existing development at the front of the residence, including utilization of the driveway easement. As the existing dewatering well is under the existing driveway easement, the relocation of the dewatering well will be in close proximity to its original location. The new location will still allow the well to capture water that will help with stabilization of the slope. Alternative locations were considered, but the proposed
option results in the least amount of impact to the existing hillside, while also working to best protect the property and area for slope stabilization. A “no project” consideration is not feasible, as the new AOWTS is needed due to damage from the landslide, and the slope stabilization is a priority for this area.

Finding A4. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action.

The City Biologist has determined that the project location is not in an ESHA or ESHA buffer. Therefore, the proposed project is not subject to review by the Environmental Review Board.

B. Environmentally Sensitive Habitat Area (LIP Chapter 4)

As noted in Finding A4, there is no ESHA or ESHA buffer on the subject property. The proposed project is not anticipated to result in impacts to ESHA.

C. Native Tree Protection (LIP Chapter 5)

No protected native trees are proposed to be removed or encroached upon as part of the proposed project. Therefore, the native tree protection findings are not applicable.

D. Scenic, Visual and Hillside Resource Protection Chapter (LIP Chapter 6)

The Scenic, Visual and Hillside Resource Protection Chapter governs those coastal development permit applications concerning any parcel of land that is located along, within, provides views to or is visible from any scenic area, scenic road or public viewing area. The project site is within the vicinity of a LUP identified scenic road (PCH) and a scenic area (the beach). However, the proposed development does not include any above grade structures or landform alteration. Therefore, the Scenic, Visual and Hillside Resource Protection Chapter does not apply.

E. Transfer of Development Credits (LIP Chapter 7)

Pursuant to LIP Section 7.2, the requirement for the transfer of development credit only applies to land divisions and/or new multi-family development in specified zoning districts. The project does not involve land division or multi-family development. Therefore, LIP Chapter 7 does not apply.
F. Hazards (LIP Chapter 9)

Pursuant to LIP Section 9.3, written findings of fact, analysis and conclusions addressing geologic, flood and fire hazards, structural integrity or other potential hazards must be included in support of all approvals, denials or conditional approvals of development located in or near an area subject to these hazards. The project has been analyzed for the hazards listed in LIP Sections 9.2(A)(1-7) by the City Geologist and City Public Works Department, and has been reviewed and approved for conformance with all relevant policies and regulations of the LCP and Malibu Municipal Code (M.M.C.).

Finding F1. The project, as proposed will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons.

The City Geologist determined that the proposed project is not anticipated to result in potential adverse impacts on site stability or structural integrity and the Public Works Department determined the project is not in a flood hazard area. Based on review of the reports by consulting geologist, Mountain Geology, Inc., dated May 4, 2012, March 20, 2012, and November 7, 2011, and by the consulting geotechnical engineer, Calwest Geotechnical, dated April 20, 2012, March 27, 2012, and March 28, 2012, in addition to the project plans, by the City Geologist and the City Public Works Department, the proposed project, as conditioned, does not have an adverse impact on the subject site or surrounding properties. Specifically, the geology and geotechnical reports find that the location of the new dewatering well needs to be in close proximity to the existing dewatering well in order to provide the same level of slope stabilization and service. Due to site constraints and the location of the existing residence, the dewatering well will be located 20 feet upslope from the new leach bed, meeting the setback requirement as well as allowing the new dewatering well to connect with an existing drainage system that carries the water collected from the dewatering well away from the area.

The consultant reports conclude that the proposed development is suitable for the site and, if their recommendations are followed, the development will be safe from geologic hazard. Based on review of the project and associated technical submittals, on September 15, 2014, the City Geologist approved the project, subject to conditions. All recommendations of the consulting Certified Engineering Geologist or Geotechnical Engineer and/or the City Geologist 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 Geologist prior to the issuance of a grading permit.

Fire Hazard

The entire city limits of Malibu are located within a high fire hazard area. The City is served by the LACFD, as well as the California Department of Forestry, if needed.
event of major fires, the County has “mutual aid agreements” with cities and counties throughout the state so that additional personnel and fire-fighting equipment can augment the LACFD.

Nonetheless, a condition of approval has been included in the resolution which requires that the property owner indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs, and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The project, as conditioned, will incorporate all recommendations of the City Geologist, Environmental Health Administrator, and the City Public Works Department.

Finding F2. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood or fire hazards due to required project modifications, landscaping or other conditions.

As stated in Finding F1, the project as designed, conditioned, and approved by the City Geologist and the City Public Works Department, does not have any significant adverse impacts on the site stability or structural integrity from geologic, flood or fire hazards due to the project design.

Finding F3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Finding A3, the project as designed and conditioned is the least environmentally damaging alternative.

Finding F4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

As stated in Finding F1, the project as designed, and conditioned, and approved by the City Geologist and the City Public Works Department does not have any significant adverse impacts on site stability or structural integrity.

Finding F5. Development in a specific location on the site may have adverse impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified Malibu LCP.

As discussed in Finding A3, the development is the least environmentally damaging alternative and no adverse impacts to sensitive resources are anticipated.
G. Shoreline and Bluff Development (LIP Chapter 10)

The project area is not located along the shoreline, a coastal bluff, or bluff-top fronting the shoreline. Therefore, LIP Chapter 10 is not applicable.

H. Public Access (LIP Chapter 12)

LIP Chapter 12 requires public access for lateral, bluff-top, and vertical access, as well as recreational trail access when applicable. The project site is not located near the shore; therefore, no lateral or vertical access is required. The LCP Park Lands Map does not identify trails in the vicinity of the project site. Since the proposed project does not impact the opportunity for the public to access to the ocean, trails, or recreational areas, the project conforms to LIP Chapter 12 and the findings do not apply.

I. Land Division (LIP Chapter 15)

This project does not involve a division of land as defined in LIP Section 15.1. Therefore, this section does not apply.

ENVIRONMENTAL REVIEW: Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the Planning Department has analyzed the proposed project. The Planning Department found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Section 15302(c) – Replacement or Reconstruction, and 15303(d) – New Construction or Conversion of Small Structures. The Planning Department has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CORRESPONDENCE: To date, staff has not received any correspondence regarding the proposed project.

PUBLIC NOTICE: On July 23, 2015, a Notice of Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property (Attachment 6).

SUMMARY: The proposed project has been reviewed and conditionally approved for conformance with the LCP by City staff. The required CDP findings can be made. Further, the Planning Department’s findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report, staff is recommending approval of this project subject to the conditions of approval contained in Section 5 of Planning Commission Resolution No. 15-77.
ATTACHMENTS:

1. Planning Commission Resolution No. 15-77
2. Project Plans
3. Department Review Sheets
4. Public Hearing Notice

All referenced reports not included in the attachments can be viewed in their entirety in the project file located at Malibu City Hall.
CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 15-77

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 14-035 TO ALLOW THE ABANDONMENT OF AN EXISTING ONSITE WASTEWATER TREATMENT SYSTEM AND DEWATERING WELL, AND INSTALLATION OF A NEW ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM, AND A NEW DEWATERING WELL IN THE RURAL RESIDENTIAL–TWO ACRE ZONING DISTRICT LOCATED AT 25321 MALIBU ROAD (ARENSON AND ADELSON)

THE PLANNING COMMISSION OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

Section 1. Recitals.

A. On February 2, 2012, an application for Administrative Coastal Development Permit (ACDP) No. 12-006 was submitted to the Planning Department by the applicant, Kevin Poffenbarger, on behalf of the property owners, Joseph Arenson and Steve Adelson. The application was routed to the City Geologist, City Environmental Health Administrator, City Biologist, and the City Public Works Department for review.

B. On May 27, 2014, the applicant amended the application to include a new dewatering well, and the application was changed to Coastal Development Permit (CDP) No. 14-035.

C. On December 3, 2014, Planning Department staff conducted a site visit to document site conditions, the property and surrounding area.

D. On June 9, 2015, a courtesy notice of the proposed project was mailed to all property owners and occupants within a 500-foot radius of the subject property.

E. On May 19, 2015, a Notice of Coastal Development Permit Application was posted on the subject property.

F. On July 23, 2015, a Notice of Planning Commission Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all property owners and occupants within a 500-foot radius of the subject property.

G. On August 17, 2015, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the staff report, reviewed and considered written reports, public testimony, and other information in the record.

ATTACHMENT 1
Section 2. Environmental Review.

Pursuant to the authority and criteria contained in CEQA, the Planning Commission has analyzed the proposed project. The Planning Commission found that this project is listed among the classes of projects that have been determined not to have a significant adverse effect on the environment. Therefore, the project is categorically exempt from the provisions of CEQA pursuant to Section 15302(c) — Replacement or Reconstruction, and 15303(d) — New Construction or Conversion of Small Structures. The Planning Commission has further determined that none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Section 3. Coastal Development Permit Findings.

Based on substantial evidence contained within the record and pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 13.7(B) and 13.9, the Planning Commission adopts the analysis in the agenda report, incorporated herein, the findings of fact below, CDP No. 14-035 to allow the abandonment of an existing onsite wastewater treatment system (OWTS) and dewatering well, and installation of a new alternative onsite wastewater treatment system (AOWTS), and a new dewatering well in the Rural Residential — Two Acre (RR-2) zoning district located at 25321 Malibu Road.

The project is consistent with the zoning, grading, cultural resources, water quality, and OWTS requirements. The project, as conditioned, has been determined to be consistent with all applicable LCP codes, standards, goals, and policies. The required findings are made herein.

A. General Coastal Development Permit (LIP Chapter 13)

1. The project has been reviewed for conformance by the Planning Department, City Biologist, City Environmental Health Administrator, City Geologist, and City Public Works Department and was found to conform with the LCP.

2. The project is not located between the first public road and the sea and therefore, complies with public access and recreation policies.

3. Evidence in the record demonstrates that as conditioned, the project will not result in biological impacts, has been designed to minimize grading, maximize water quality, and maintain public safety by enhancing slope stability. There is no evidence that an alternative project would substantially lessen any potential significant adverse impacts of the development on the environment.

4. The project is not located in or adjacent to an environmentally sensitive habitat area (ESHA) or ESHA buffer.

B. Hazards (LIP Chapter 9)

1. The project consists of structures located underground. The project will not result in potential adverse impacts on site stability or structural integrity. The record demonstrates that the project, as proposed and conditioned, will not decrease stability of the site or structure integrity from geologic, flood or fire hazards.
2. The project has been conditioned to ensure it will have no significant adverse impacts on site stability or structural integrity.

3. The proposed project has been demonstrated to be the least environmentally damaging alternative.

4. There are no alternatives that would avoid or substantially reduce impacts to site stability or structural integrity because no such adverse impacts are expected.

5. There are no siting alternatives that would further reduce sensitive resources impacts because no such adverse impacts are expected.

Section 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby approves CDP No. 14-035, subject to the following conditions.

Section 5. Conditions of Approval.

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City’s actions concerning this project.

2. Approval of this application is to allow for the following:
   
   a. Abandonment of the existing septic tank and three seepage pits in the rear yard;
   b. Removal and destruction of the existing dewatering well and vault under Bayshore Drive;
   c. 1,360 gallon MicroSepTec Alternative Onsite Wastewater Treatment System (AOWTS) with tertiary treatment encased in a below grade vault at the front of the property;
   d. 1,321 square foot pressure dosed leach bed dispersal area below Bayshore Drive;
   e. Install a new dewatering well located 20 feet upslope of the driveway area, to be tied into the existing discharge system; and
   f. Removal and replacement of the existing asphalt concrete pavement on Bayshore Drive in the area of the proposed new leach bed.

3. Subsequent submittals for this project shall be in substantial compliance with plans on-file with the Planning Department, date-stamped May 20, 2015. In the event the project plans conflict with any condition of approval, the condition shall take precedence.

4. Pursuant to LIP Section 13.18.2, this permit and rights conferred in this approval shall not be effective until the property owner signs and returns the Acceptance of Conditions Affidavit accepting the conditions set forth herein. The applicant shall file this form with the Planning Commission.
Department within 10 days of this decision and/or prior to issuance of any development permits.

5. The applicant shall submit three (3) complete sets of plans to the Planning Department for consistency review and approval prior to plan check and again prior to the issuance of any building or development permits.

6. This resolution, signed Acceptance of Conditions Affidavit and all Department Review Sheets attached to the August 17, 2015 Planning Commission agenda report for this project shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans submitted to the City of Malibu Environmental Sustainability Department for plan check.

7. This CDP shall expire if the project has not commenced within three (3) years after issuance of the permit. Extension of the permit may be granted by the approving authority for due cause. Extensions shall be requested in writing by the applicant or authorized agent prior to expiration of the three-year period and shall set forth the reasons for the request.

8. Any questions of intent or interpretation of any condition of approval will be resolved by the Planning Director upon written request of such interpretation.

9. All development shall conform to requirements of the City of Malibu Environmental Sustainability Department, City Geologist, City Biologist, City Public Works Department, and City Environmental Health Administrator, as applicable. Notwithstanding this review, all required permits shall be secured.

10. Minor changes to the approved plans or the conditions of approval may be approved by the Planning Director, provided such changes achieve substantially the same results and the project is still in compliance with the M.M.C. and the LCP. Revised plans reflecting the minor changes and additional fees shall be required.

11. Pursuant to LIP Section 13.20, development pursuant to an approved CDP shall not commence until the CDP is effective. The CDP is not effective until all appeals, including those to the California Coastal Commission (CCC), have been exhausted. In the event that the CCC denies the permit or issues the permit on appeal, the CDP approved by the City is void.

12. The applicant must submit payment for any outstanding fees payable to the City prior to issuance of any building or grading permit.

Cultural Resources

13. In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in M.M.C. Section 17.54.040(D)(4)(b) shall be followed.

14. If human bone is discovered, the procedures described in Section 7050.5 of the California Health
and Safety Code shall be followed. These require notification of the coroner. If the coroner
determines that the remains are those of a Native American, the applicant shall notify the Native
American Heritage Commission by phone within 24 hours. Following notification of the Native
American Heritage Commission, the procedures described in Section 5097.94 and Section
5097.98 of the California Public Resources Code shall be followed.

**Biology/Landscaping**

15. No new landscaping is proposed with this project. Therefore, none is approved. Should the
applicant intent to plant any new vegetation with a potential to exceed six (6) feet in height or to
exceed 5,000 square feet in area, a detailed landscape plan shall be submitted for review and
approval prior to any planting.

**Environmental Health**

16. A final plot plan shall be submitted showing an AOWTS design meeting the minimum
requirement of the Malibu Plumbing Code and the LCP and LIP, including necessary construction
details, the proposed drainage plan for the developed property, and the proposed landscape plan
for the developed property. The AOWTS plot plan shall show essential features of the AOWTS,
existing improvements, and proposed improvements. The plot must fit on an 11 inch by 17 inch
sheet leaving a five inch left margin clear to provide space for a City-applied legend. If the plan
scale is such that more space is needed to clearly show construction details and/or all necessary
setbacks, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch for
review by Environmental Health).

17. All project architectural plans and grading/drainage plans shall be submitted for Environmental
Health review and approval. These plans must be approved by the Building Safety Division prior
to receiving Environmental Health final approval.

18. Show on the final OWTS plan the locations of all underground utilities within the parcel
boundary. Provide with the OWTS plan check submittal approved plans to move conflicting
underground utility lines, if any.

19. The OWTS construction drawings must bear evidence of approval by the Fire Department local
station Captain, including his/her signature and any conditions of approval.

20. A final AOWTS design report and construction drawings with system specifications (four sets)
shall be submitted to describe the AOWTS design basis and all components proposed for use in
the construction of the AOWTS. All plans and reports must be signed by the California-registered
civil engineer, registered environmental health specialist, or professional geologist who is
responsible for the design. The final AOWTS design report and construction drawings shall be
submitted with the designer’s signature, professional registration number, and stamp (if
applicable).

21. The final AOWTS design submittal shall contain the following information (in addition to the
items listed above):
a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture schedule, and the subsurface effluent dispersal system acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.

b. Sewage and effluent pump design calculations.

c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for “package” systems; and the design basis for engineered systems.

d. Specifications, supporting geology information, and percolation tests results for the subsurface effluent dispersal portion on the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drain field, trench, seepage pit, subsurface drip, etc.) as well as the system’s geometric dimensions and basic construction features. Supporting calculations shall be presented that related the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The project subsurface effluent acceptance rate shall be reported in units of total gpd and gallons per square foot per day (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

e. All AOWTS design drawings shall be submitted with the wet signature and typed name of the AOWTS designer.

22. All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in Malibu Plumbing Code Table H 1.7) must be supported by a letter from the project structural engineer and a letter from the project soils engineer (i.e., a geotechnical engineer or civil engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the OWTS, and will adversely affect the structural integrity of the structures for which the Table H 1.7 setback is reduced.

23. All proposed reductions in setbacks from the OWTS to buildings (i.e., setbacks less than those shown in Malibu Plumbing Code Table H 1.7) also must be supported by a letter from the project architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California licensed architect, then the required architect’s certification may be supplied by an engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setback to the wastewater system; in this case the engineer must include in his letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback(s), then the architect (or engineer) must provide associated construction documents for review and approval during building plan check.
24. The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by the City of Malibu Building Safety Division prior to Environmental Health final approval. The architectural and/or structural plans submitted for Building Safety Plan Check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives, etc.). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. The architectural/structural/waterproofing plans must show the location of OWTS components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

25. Proof of ownership of subject property shall be submitted.

26. An operations and maintenance manual specified by the AOWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.

27. A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. Please note only original “wet signature” documents are acceptable.

28. A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder’s Office. Said covenant shall serve as construction notice to any future purchaser for value that the OWTS serving subject property is an alternative method of onsite wastewater disposal pursuant to the City of Malibu Plumbing Code, Appendix H, Section H 1.10. Said covenant shall be provided to the Environmental Health Administrator. Please submit a certified copy issued by the Los Angeles County Recorder.

29. A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder’s Office. Said covenant shall serve as constructive notice to any successors in interest that 1) the private sewage disposal system serving the development on the property does not have a one hundred percent expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)), and 2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modification to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to the City Attorney and approved by the Environmental Sustainability Department. Please submit a certified copy issued by the Los Angeles County Recorder.

30. City of Malibu Department of Public Works final approval of the de-watering well abandonment and relocation (final construction) shall be submitted.
31. City of Malibu Geologist and Geotechnical Engineer final approval of the AOWTS plan, and the
de-watering well abandonment and relocation (final construction), shall be submitted.

32. In accordance with M.M.C. Chapter 15.14, an application shall be made to Environmental Health
office for an AOWTS operating permit. An operating permit in accordance with the adopted fee
schedule at the time of final approval shall be submitted with the application.

Geology

33. All recommendations of the consulting certified engineering geologist or geotechnical engineer
and/or the City Geologist 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 Geologist prior to the issuance of a grading permit.

34. Final plans approved by the City Geologist shall be in substantial conformance with the approved
CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes
may require amendment of the CDP or a new CDP.

Public Works

35. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the
Grading/Building permits for the project. This plan shall include an erosion and sediment control
plan (ESCP) that includes, but is not limited to the following:

<table>
<thead>
<tr>
<th>Erosion Controls</th>
<th>Scheduling</th>
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<tbody>
<tr>
<td>Preservation of Existing Vegetation</td>
<td></td>
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<tr>
<td>Sediment Controls</td>
<td>Silt Fence</td>
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<td>Sand Bag Barrier</td>
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<td>Stabilized Construction Entrance</td>
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<tr>
<td>Non-Storm Water Management</td>
<td>Water Conservation Practices</td>
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<tr>
<td>Dewatering Operations</td>
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<td>Waste Management</td>
<td>Material Delivery and Storage</td>
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<td>Stockpile Management</td>
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<td>Spill Prevention and Control</td>
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<td>Solid Waste Management</td>
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<td>Concrete Waste Management</td>
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<tr>
<td>Sanitary/Septic Waste Management</td>
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</table>

All best management practices (BMP) shall be in accordance to the latest version of the California
Stormwater Quality Association (CASQA) BMP handbook. Designated areas for the storage of
construction materials, solid waste management, and portable toilets must not disrupt drainage
patterns or subject the material to erosion by site runoff.

36. Installation of the replacement dewatering well shall be inspected during construction by the City
Geologist to verify that the installation meets the City's design specifications.

37. The applicant shall not block Bayshore Drive during construction. Prior to the issuance of the
grading and/or building permit, the applicant shall submit a detailed construction traffic control plan. At a minimum, one travel lane shall be open at all times and no lane closures will be allowed.

38. The developers consulting engineer shall sign the final plans prior to the issuance of permits.

**Grading and Drainage**

39. Grading permits shall not be issued between November 1 and March 31 of each year per LIP Section 8.4. Projects approved for grading shall not receive grading permits unless the project can be rough graded before November 1. A note shall be placed on the project plans that address this condition.

40. Exported soil from the site shall be taken to the County landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City’s LIP Section 8.3. A note shall be placed on the project site addresses this condition.

**Deed Restrictions**

41. The property owners of 25321 Malibu Road are required to execute and record a deed restriction which shall indemnify and hold harmless the City, its officers, agents, and employees against any and all claims, demands, damages, costs and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property. The property owner shall provide a copy of the recorded document to Planning Department staff prior to final Planning approval.

**Construction / Framing**

42. The applicant/property owner shall contract with a City approved hauler to facilitate the recycling of all recoverable/recyclable material. Recoverable material shall include but shall not be limited to: asphalt, dirt and earthen material, lumber, concrete, glass, metals, and drywall.

43. 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.

44. Construction management techniques, including minimizing the amount of equipment used simultaneously and increasing the distance between emission sources, shall be employed as feasible and appropriate. All trucks leaving the construction site shall adhere to the California Vehicle Code. In addition, construction vehicles shall be covered when necessary; and their tires will be rinsed off prior to leaving the property.

**Prior to Final Sign-Off**

45. The applicant shall request a final Planning Department inspection prior to final inspection by the City of Malibu Environmental and Sustainability Department. A final approval shall not be
issued until the Planning Department has determined that the project complies with this CDP.

46. Any construction trailer, storage equipment or similar temporary equipment not permitted as part of the approved scope of work shall be removed prior to final inspection and approval, and if applicable, the issuance of the certificate of occupancy.

Fixed Conditions

47. This coastal development permit shall run with the land and bind all future owners of the property.

48. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted there under.

Section 6. Certification.

The Planning Commission shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 17th day of August 2015.

DAVID BROTMAN, Planning Commission Chair

ATTEST:

KATHLEEN STECKO, Recording Secretary

LOCAL APPEAL - Pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.20.1 (Local Appeals) a decision made by the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 days and shall be accompanied by an appeal form and filing fee, as specified by the City Council. Appeal forms may be found online at www.malibucity.org, in person at City Hall, or by calling (310) 456-2489, ext. 245.

COASTAL COMMISSION APPEAL – An aggrieved person may appeal the Planning Commission’s decision to the Coastal Commission within 10 working days of the issuance of the City’s Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City.
I CERTIFY THAT THE FOREGOING RESOLUTION NO. 15-77 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 17th day of August 2015 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________________________
KATHLEEN STECKO, Recording Secretary
ON-SITE WASTEWATER SYSTEM (OWS) SITE PLAN

KEYNOTES:
1. GRAY ELIMINATED TO SCALE.
2. N) MICROSCOPIC ENDWATER S-PROCESSOR, MOUNTED IN 2.0-5 G.P.F. PRESSURE TANK. W/COOLING RINGS, EXCELLENT IONICITY, TECPITY TEST BOARD AND WASTE PUMP SPECIFIED WATER/FOOD SIZE: TOP VENT TO ROOF PER IPC.
3. (N) JUNIOR LOW-CAST NON-MULLITE DUTY DISTRIBUTION BOX. SEE DETAIL 2/SHEET NO. 0.5.
4. PROPOSED (NP) 1-2/1-5 FT. DRAUGHT LEACH BED DEEP. AREA (N-2-2/2) N-3-2 FT. OF ROOM. (3.0-2/1-5 FT. AREA FOR "PRESENT USE")
5. (N) MICROSCOPIC ALUMINUM COMPRESSION):
6. MICROSCOPIC TESTING CONTROL PANEL. METAL WORKS "ENDWATER" JOB: POWER TO PANEL, LACQUERED ELECTRIC TO DETERMINE THE NUMBER & SORT OF WHEELS.
7. (N) ENDWATER AIR VENT TO ROOF PER IPC.
8. LOCATION OF (E) (DE-WATERING WELL) (K-1) AND (K-11) WALLS TO BE ABANDONED PER PER. LOCAL REQUIREMENTS.
9. PROPOSED REDUCTION IN SETBACK FROM TANK TO STRUCTURE/LEACH FIELD. CONTRACTOR TO ENSURE THAT ALL REQUIREMENTS OF THE SOILS ENGINEER AND O.S. ENGINEER ARE FOLLOWED.
10. TREATMENT TANK ENCLOSURE (10-1/1-5 FT. AREA) FOR "PRESENT USE".
11. TREATMENT TANK ENCLOSURE WALL (1/1" THICK) DESIGNED BY ORTHER.
12. NOT USED.
13. PROPOSED LOCATION OF REPLACEMENT DE-WATERING WELL, (REPLACEMENT OF (O) WELL K-11.) TO BE CONSTRUCTED BY OTHERS PER DRAWING WELL PLAN REVISION 2, DATED 01/17/14.
14. APPROXIMATE LOCATION OF EXISTING SEPTIC TANK (NO. 1) PER EPS CONSULTANTS, INC. FIELD MEASUREMENT.

NOTES:
1. THESE PLANS ARE FOR ON-SITE WASTEWATER TREATMENT SYSTEM ONLY. TOPOGRAPHIC SURVEY PLAN DATED FEBRUARY 28, 2012 PROPOSED BY LC ENGINEERING GROUP & ORION SURVEYING RESPECTIVELY.
2. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FULL SIZE PLANS & SPECIFICATIONS. IT IS THE CONTRACTORS RESPONSIBILITY TO OBTAIN THE FINAL FULL SIZE PLANS & SPECIFICATIONS FROM THE SYSTEM MANAGER PRIOR TO WORKS WITH WORK.
3. PROJECT ENGINEERING CONSULTANT SHALL OBSERVE THE LEACH BED EXCAVATION TO VERIFY THAT THE CONDITION ENCOUNTERED AND AS DETERMINED FOR THE WASTE PUMP SPECIFIES N-2/1-1-5 FT. AND WASTE PUMPS HAVE BEEN IMPLEMENTED.
4. ANGEL COUNTY DEPARTMENT OF PUBLIC WORKS ENVIRONMENTAL HEALTH DEPARTMENT AND SHALL FOLLOW ALL OF THE APPLICATION REQUIREMENTS OF THE ENDWATER LIFTS IN ACCORDANCE WITH APPLICABLE CANADIAN AND CALIFORNIA STANDARDS. AN "ENDWATER WELL ABANDONMENT PERMIT" SHALL BE OBTAINED FROM THE CITY OF MALIBU. ALL WORK PERFORMED ON THE ENDWATER WELL ABANDONMENT, REMOVAL, OR REPLACEMENT AREA SHALL BE PERFORMED IN PURSUANCE OF ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL, OCCUPATIONAL SAFETY AND HEALTH REQUIREMENTS. THE CONTRACTOR OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.

ADDRESS:
25321 MALIBU ROAD
MALIBU, CA 90265

REVISIONS:
1. RESPONSE TO CITY CONNECTIONS
   DATE: 03/02
   KB
2. DE-WATERING WELL TO REMAIN IN PLACE
   DATE: 09/12
   KB
3. DE-WATERING WELL TO BE ABANDONED, (N) LEACH FIELD AREA
   DATE: 09/12
   KB
4. ADDRESS PLANNING REVIEW
   DATE: 09/12
   KB

PROJECT:
OWS FOR 25321 MALIBU ROAD

DATE: 12/05/11
DRAWN BY: AS SHOWN

PROJECT NO.
W0.01
DRAWING NO.
W0.01
SHEET 1 OF 3 SHEETS
WATERPROOFING NOTES:

1. NEW CONCRETE WITHIN 3'-FT FROM LEACH BED AND 5'-FT FROM TREATMENT TANK SHALL INCLUDE:
   a. KRYSTOL INTERNAL MEMBRANE, 2" BY WEIGHT OR XYPEX admixtures.
   b. FILTERWEAVE 404 OR EQUIVALENT, GEOGRID TYP. OF ROCKS ONLY.
   c. LANDSCAPING DEBRIS (RAGS).

2. CONTRACTOR SHALL FURNISH REQUIRED SUBMITTALS AND INSPECTIONS:
   a. CONSTRUCTION SHALL ARRANGE PRE-CONSTRUCTION MEETING AT THE PLACES WHERE SPECIFIC INSPECTIONS REQUIRED.
   b. POISONING OF NEW CONCRETE. W/ KRYSTOL INTERNAL MEMBRANE OR XYPEX admixtures.
   c. PLACEMENT OF CETCO VOLTEX OS WATERPROOFING MEMBRANE.

3. CONTRACTOR SHALL FOLLOW THIS PLAN & SPECIFICATIONS FROM PROJECT ENGINEERING GROUP.

4. PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE LEACH FIELD EXCAVATIONS TO VERIFY THAT THE CONSTRUCTION ENGINEERS ARE AS ANTICIPATED AND THE PROPER CONSTRUCTION & SEALING PRACTICES HAVE BEEN IMPLEMENTED.

REFERENCES:
2. LA COUNTY HEALTH DEPARTMENT REJEC TIVE PERM. DATED 03-22-2012.
3. F&O CONSULTANTS INC. PERCOLATION TEST REPORT DATED 10-20-11, ENGINEERING REPORT DATED 12-16-11.
4. MACNAMARA GEOLOGY INC. REPORT OF ENG. GEOL. STUDY DATED 11-7-11, ADDENDUM DATED 11-7-11.
5. CITY OF MALIBU ENVIRONMENTAL CORRECTION LETTER DATED 2-29-12, PLANNING DEPT. GEOLOGIC STUDY DATED 11-17-11, ENTRACT LETTER DATED 02-03-12, PLANNING REVIEW 12-07-14.
6. CALIFORNIA GEOLOGICAL ADDBENDUM REPORT B DATED 3-25-12, SUPPLEMENTAL LETTER DATED 3-27-2012, ADDENDUM REPORT B DATED 4-20-12, NOVEMBER 2013.
7. S. DIVISION SURVEYING TOPO. MAP DATED 03-11-12.
8. HISTORICAL, ENVIRONMENTAL, ARCHAEOLOGICAL, RESEARCH TEAM ARCHAEOLOGICAL STUDY DATED MAY, 2013.

NOTES:
1. THIS PLAN IS ACCURATE ON THE MASTER DRAWING SHEET AND FOR WATERPROOFING SYSTEM ONLY.
2. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF PROJECT FINAL FLOOR PLANS.
3. THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THE FINAL FLOOR PLANS & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.
4. CONTRACTOR SHALL PROMISE REQUIRED SUBMITTALS AND INSPECTIONS.
5. CONSTRUCTION SHALL MARR MultE-CONSTRUCTION MEETING AT THE PLACES WHERE SPECIAL INSPECTIONS REQUIRED.
6. POISONING OF NEW CONCRETE. W/ KRYSTOL INTERNAL MEMBRANE OR XYPEX admixtures.
7. PLACEMENT OF CETCO VOLTEX OS WATERPROOFING MEMBRANE.
8. PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE LEACH FIELD EXCAVATIONS TO VERIFY THAT THE CONSTRUCTION ENGINEERS ARE AS ANTICIPATED AND THE PROPER CONSTRUCTION & SEALING PRACTICES HAVE BEEN IMPLEMENTED.
WATERPROOFING NOTES:

1. CONCRETE WITHIN 5'-0" FROM LEACH BED AND 3'-0" FROM TREATMENT TANK SHALL INCLUDE MATERIALS WATER-BASED OR HYDROPHILIC. WATERPROOFING SPECIFICATIONS ON THIS SHEET WILL BE PROVIDED PRIOR TO ISSUANCE OF FINAL APPROVAL, SELECTION OF CONSTRUCTION.

2. CONCRETE BOUNDARIES ARE TO BE FACTORED IN DESIGN TO ALLOW FOR WATER-PROOFING DETAIL HEREIN.

3. CONCRETE FOUNDATIONS WITHIN 5'-0" FROM TREATMENT TANK ARE TO BE PROTECTED BY THE PROPOSED EXCAVATION WALL FOR STABILITY AS WELL AS PROVIDING WATERPROOFING FOR DETAILS ON THIS SHEET.

NOTES:

1. PRE-PLANNED ASSUMED INSTALLED WATERPROOFING SYSTEM AND FOR WATERPROOFING DETAILS ONLY.
2. CONSTRUCTION CONTRACTOR MUST FOLLOW ALL REQUIREMENTS OF PROJECT PLAN & SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN THE FINAL PLAN & SPECIFICATIONS FROM THE SYSTEM ENGINEER PRIOR TO PROCEEDING WITH WORK.
3. CONTRACTOR SHALL PROVIDE REQUIRED SUBMITTALS AND INSPECTIONS:
   a. CONTRACTOR SHALL ARRANGE CONSTRUCTION MEETING AT THE PLACES WHERE SPECIAL INSPECTION REQUIRED.
   b. PLACING OF CONCRETE POUR UNDERWATER OR HYDROPLASTIC OR HYDRO INSULATION.
   c. PLACEMENT OF CETCO VULTEX WATERPROOFING MEMBRANE.
4. PROJECT ENGINEERING GEOLOGIST SHALL OBTAIN THE LEACH FIELD EXCAVATIONS TO VERIFY THAT THE CONDITION ENCOUNTERED ARE AS ANNOTATED AND THE PROPER CONSTRUCTION & SEALING PRACTICES HAVE BEEN IMPLEMENTED.

REFERENCES:

2. LA COUNTY HEALTH DEPARTMENT: REPORT DATED 08-24-2011.
3. ENVIRONMENTAL SPECIALIST: REPORT DATED 10-17-2011.
4. MOUNTAIN GEOL. INC: REPORT DATED 09-01-2011.
5. CITY OF MALIBU ENVIRONMETAL HEALTH CORRECTION LETTER DATED 12-29-2011.
6. PLANNING DEPT: REPORT DATED 01-24-2012.
7. SMS REPORT DATED 02-27-2012.
8. HISTORICAL ENVIRONMENTAL, ARCHAEOLOGICAL RESEARCH TEAM: ARCHAEOLOGICAL STUDY DATED 01-01-2012.
TO: City of Malibu Environmental Health Administrator
FROM: City of Malibu Planning Department

PROJECT NUMBER: ACDP 12-006
JOB ADDRESS: 25321 MALIBU RD
APPLICANT / CONTACT: Kevin Poffenbarger, EPD Consultants
APPLICANT ADDRESS: 411 N Harbor Blvd, Ste 304, San Pedro, CA 90731
APPLICANT PHONE #: (310) 241-6565
APPLICANT FAX #: (310) 241-6566
APPLICANT EMAIL: kevin@epd-net.com

PROJECT DESCRIPTION: (N) OWTS

TO: Malibu Planning Department and/or Applicant
FROM: Andrew Sheldon, City Environmental Health Administrator

An Onsite Wastewater Treatment System (OWTS) Plot Plan approval IS NOT REQUIRED for the project.

An OWTS Plot Plan approval IS REQUIRED for the project. DO NOT grant your approval until an approved Plot Plan is received.

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not a Private Sewage Disposal System Plot Plan approval is required.

Andrew Sheldon, Environmental Health Administrator may be contacted Tuesday and Thursday from 8:00 am to 11:00 am, or by calling (310) 456-2489, extension 364.

OWTS plot plan and conditions attached here.

Rev 121009
ATTACHMENT 3
ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

| Applicant: Kevin Poffenbarger (name and email address) | kevin@epd-net.com |
| Project Address: 25321 Malibu Road Malibu, California 90265 |
| Planning Case No.: ACDP 12-006 |
| Project Description: New onsite wastewater treatment system |
| Date of Review: October 6, 2014 |
| Reviewer: Andrew Sheldon Signature: A. Sheldon |
| Contact Information: Phone: (310) 456-2489 ext. 364 Email: asheldon@malibucity.org |

SUBMITTAL INFORMATION

| Architectural Plans: N/A |
| Grading Plans: N/A |
| OWTS Plan: EPD Consultants (12-5-2011; Rev 3, issued on 7/17/2014) |
| Geology Report: Mountain Geology (5-4-2012); Calwest Geotechnical (3-28-2012) |
| Miscellaneous: N/A |
| Previous Reviews: Environmental Health correction sheet issued 2-29-2012 |

REVIEW FINDINGS

| Planning Stage: CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Plumbing Code (MPC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval. |
| Plan Check Stage: APPROVED |
| OWTS Plot Plan: NOT REQUIRED |

Based upon the project description and submittal information noted above, a conformance review was completed for a new alternative onsite wastewater treatment system (AOWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed AOWTS meets the minimum requirements of the City of Malibu Plumbing Code, i.e. Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2013 Edition with City of Malibu local amendments (Malibu Municipal Code Section 12.12; hereinafter MPC), and the City of Malibu Local Coastal Program/Local Implementation Plan (LIP). Please distribute this review sheet to all of the project consultants and, prior to final approval, provide a coordinated submittal addressing all conditions for final approval and plan check items.
The conditional conformance findings hereby transmitted complete the Planning stage Environmental Health review of the subject development project. In order to obtain Environmental Health final approval of the project AOWTS Plot Plan and associated construction drawings (during Building Safety plan check), all conditions and plan check items listed below must be addressed through submittals to the Environmental Health office.

**Conditions of Planning Conformance Review**

1) **Final AOWTS Plot Plan:** A final plot plan shall be submitted showing an AOWTS design meeting the minimum requirements of the MPC, and the LCP/LIP, including necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The AOWTS Plot Plan shall show essential features of the AOWTS, existing improvements, and proposed/new improvements. The plot must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend. If the plan scale is such that more space is needed to clearly show construction details and/or all necessary setbacks, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health).

2) **Building Plans:** All project architectural plans and grading/drainage plans shall be submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

3) **Existing Utilities:** Show on the final OWTS plan the locations of all underground utilities within the parcel boundary. Provide with the OWTS plan check submittal approved plans to move conflicting underground utility lines, if any.

4) **Easements:** Public noticing by the Planning Department for the Coastal Development Permit shall include notification of all holders to ingress/egress and public utility easements. The applicant must provide mailing labels for all of the easement holders. This notification must specifically communicate that the City is providing an opportunity for all easement holders to object to the subject property owners’ proposed use of land within the existing easement(s).

5) **Local Fire Captain Approval:** The OWTS construction drawings must bear evidence of approval by the Fire Department local station Captain, including his/her signature and any conditions of approval.

6) **Final AOWTS Design Report, Plans, and System Specifications:** A final AOWTS design report and construction drawings with system specifications (four sets) shall be submitted to describe the AOWTS design basis and all components proposed for use in the construction of the AOWTS. All plans and reports must be signed by the California-registered Civil Engineer, Registered Environmental Health Specialist, or Professional Geologist who is responsible for the design. The final AOWTS design report and construction drawings shall be submitted with the designer’s signature, professional registration number, and stamp (if applicable).

The final AOWTS design submittal shall contain the following information (in addition to the items listed above).

a. Required treatment capacity for wastewater treatment and disinfection systems. The treatment capacity shall be specified in terms of flow rate, gallons per day (gpd), and shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing fixture schedule, and the subsurface effluent dispersal system.
acceptance rate. The drainage fixture unit count must be clearly identified in association with the design treatment capacity, even if the design is based on the number of bedrooms. Average and peak rates of hydraulic loading to the treatment system shall be specified in the final design.

b. Sewage and effluent pump design calculations.

c. Description of proposed wastewater treatment and/or disinfection system equipment. State the proposed type of treatment system(s) (e.g., aerobic treatment, textile filter, ultraviolet disinfection, etc.); major components, manufacturers, and model numbers for “package” systems; and the design basis for engineered systems.

d. Specifications, supporting geology information, and percolation test results for the subsurface effluent dispersal portion of the onsite wastewater disposal system. This must include the proposed type of effluent dispersal system (drainfield, trench, seepage pit, subsurface drip, etc.) as well as the system’s geometric dimensions and basic construction features. Supporting calculations shall be presented that relate the results of soils analysis or percolation/infiltration tests to the projected subsurface effluent acceptance rate, including any unit conversions or safety factors. Average and peak rates of hydraulic loading to the effluent dispersal system shall be specified in the final design. The projected subsurface effluent acceptance rate shall be reported in units of total gallons per day (gpd) and gallons per square foot per day (gpf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak AOWTS effluent flow, reported in units of gpd). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units, and building occupancy characteristics.

e. All AOWTS design drawings shall be submitted with the wet signature and typed name of the AOWTS designer. If the plan scale is such that more space than is available on the 11" x 17" plot plan is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18" x 22" for review by Environmental Health). [Note: For AOWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]

7) Architect / Engineer Certification for Reduction in Setbacks to Buildings or Structures:

All proposed reductions in setback from the onsite wastewater treatment system to structures (i.e., setbacks less than those shown in Malibu Plumbing Code Table H 1.7) must be supported by a letter from the project Structural Engineer and a letter from the project Soils Engineer (i.e., a Geotechnical Engineer or Civil Engineer practicing in the area of soils engineering). Both engineers must certify unequivocally that the proposed reduction in setbacks from the treatment tank and effluent dispersal area will not adversely affect the structural integrity of the onsite wastewater treatment system, and will not adversely affect the structural integrity of the structures for which the Table H 1.7 setback is reduced.

All proposed reductions in setback from the onsite wastewater treatment system to buildings (i.e., setbacks less than those shown in Table H 1.7) also must be supported by a letter from the project Architect, who must certify unequivocally that the proposed reduction in setbacks will not produce a moisture intrusion problem for the proposed building(s). If the building designer is not a California licensed architect, then the required Architect’s certification may be supplied by an Engineer who is responsible for the building design with respect to mitigation of potential moisture intrusion from reduced setback to the wastewater system; in this case the Engineer must include in
his letter an explicit statement of responsibility for mitigation of potential moisture intrusion. If any specific construction features are proposed as part of a moisture intrusion mitigation system in connection with the reduced setback(s), then the Architect (or Engineer) must provide associated construction documents for review and approval during Building Plan Check.

The wastewater plans and the construction plans must be specifically referenced in all certification letters. The construction plans for all structures and/or buildings with reduced setback must be approved by City of Malibu Building and Safety prior to Environmental Health final approval. The plans architectural and/or structural plans submitted for Building and Safety plan check must detail methods of construction that will compensate for the reduction in setback (e.g., waterproofing, concrete additives, etc.). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. The architectural/structural/waterproofing plans must show the location of onsite wastewater treatment system components in relation to those structures from which the setback is reduced, and the plans must be signed and stamped by the architect, structural engineer, and geotechnical consultants (as applicable).

8) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.

9) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the AOWTS designer shall be submitted. This shall be the same operations and maintenance manual proposed for later submission to the owner and/or operator of the proposed alternative onsite wastewater disposal system.

10) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed alternative onsite wastewater disposal system after construction shall be submitted. *Please note only original “wet signature” documents are acceptable.*

11) **AOWTS Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the Los Angeles County Recorder’s Office. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an alternative method of onsite wastewater disposal pursuant to the City of Malibu Uniform Plumbing Code, Appendix H, Section H 1.10. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. *Please submit a certified copy issued by the Los Angeles County Recorder.*

12) **Covenant to Forfeit 100% Expansion Effluent Disposal Area:** A covenant running with the land shall be executed by the property owner and recorded with the Los Angeles County Recorder’s Office. Said covenant shall serve as constructive notice to any successors in interest that (1) the private sewage disposal system serving the development on the property does not have a 100% expansion effluent dispersal area (i.e., replacement disposal field(s) or seepage pit(s)) and (2) if the primary effluent dispersal area fails to drain adequately, the City of Malibu may require remedial measures including, but not limited to, limitations on water use enforced through an operating permit and/or repairs, upgrades or modifications to the private sewage disposal system. The recorded covenant shall state and acknowledge that future maintenance and/or repair of the private sewage disposal system may necessitate interruption in use of the private sewage disposal system and, therefore, any building(s) served by the private sewage disposal system may become non-habitable during any required future maintenance and/or repair. Said covenant shall be in a form acceptable to
the City Attorney and approved by the Environmental Sustainability Department. *Please submit a certified copy issued by the Los Angeles County Recorder.*

13) **City of Malibu Public Works Approval:** City of Malibu Department of Public Works final approval of the de-watering well abandonment and relocation (final construction) shall be submitted.

14) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu Geologist and Geotechnical Engineer final approval of the AOWTS plan, and the de-watering well abandonment and relocation (final construction), shall be submitted.

15) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the AOWTS plan shall be obtained.

16) **Environmental Health Final Review Fee:** A final fee in accordance with the adopted fee schedule at the time of final approval shall be paid to the City of Malibu for Environmental Health review of the AOWTS design and system specifications.

17) **Operating Permit Application and Fee:** In accordance with M.M.C. Chapter 15.14, an application shall be made to the Environmental Health office for an AOWTS operating permit. An operating permit fee in accordance with the adopted fee schedule at the time of final approval shall be submitted with the application.

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If you have any questions regarding the above requirements, please contact the Environmental Health office at your earliest convenience.

cc: Environmental Health file  
Planning Department
1. This conformance review is for renovation of the onsite wastewater treatment system. The new alternative onsite wastewater treatment system shown conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).

2. Conditions for final approval are shown on the Environmental Health review sheet dated 10-4-2014.

3. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of wastewater treatment.

4. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

NOTE: This is not an Approval. Final Approval is required prior to issuance of any construction permits.

PROJECT: ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN

ADDRESS: 25321 MALIBU ROAD
MALIBU, CA 90265

DRAFTING NO. W0.01
DATE: 12/05/2011

REFERENCE: CDP 14-035
PROJECT: OWS FOR 25321 MALIBU ROAD

SHEET TITLE: ONSITE WASTEWATER SYSTEM (OWS) SITE PLAN

NOTES:

1. This plan prepared for existing onsite wastewater system demolition only. Existing septic components shall be repositioned for MPC review. All existing septic components shall be repositioned for MPC review. The new septic components shall be repositioned for MPC review. The new septic components shall be repositioned for MPC review.

2. All existing septic components shall be repositioned for MPC review. All existing septic components shall be repositioned for MPC review. All existing septic components shall be repositioned for MPC review.

CONCLUSION:

This conclusion is for the purpose of the review by the City of Malibu. The conclusion is for the purpose of the review by the City of Malibu. The conclusion is for the purpose of the review by the City of Malibu.
Notes:

1. This plan is accurate only for the wastewater system and the waterproofing system only.
2. Contractor shall follow all requirements of project final full size plans & specifications as to the contractor's responsibility to design the final waterproofing for the residence.
3. Contract is to be completed in accordance with the specifications from the system engineer prior to proceeding with work.
4. Contractor shall provide required submittals and inspections.
5. Contractor shall arrange pre-construction meeting at the places where special inspections are required.
6. Contractor shall arrange pre-construction meeting at the places where special inspections are required.
8. Project engineer shall observe the excavation to verify that the condition encountered are as anticipated and the proper construction & sealing practices have been implemented.

Address:
25321 Malibu Road
Malibu, CA 90265

Sheet Title:
Cross Section Detail

Project:
OWS FOR 25321 MALIBU ROAD

Drawing No.
W0.02

Sheet 2 of 3 Sheets
GEOTECHNICAL REVIEW SHEET

**Project Information**

- **Date:** September 15, 2014
- **Review Log #:** 3338
- **Site Address:** 25321 Malibu Road
- **Lot/Tract/PM #:** n/a
- **Planning #:** CDP 14-035
  - CDP 12-006
- **Applicant/Contact:** Kevin Poffenbarger, Kevin@epd-net.com
- **Contact Phone #:** 310-241-6565
- **Project Type:** Revised project-Replace Onsite Wastewater Treatment System (OWTS) for an existing 3-bedroom single-family residence; replace de-watering well for the Malibu Road Landslide Assessment District

**Submittal Information**

- **Consultant(s) / Report Date(s):**
  - Mountain Geology, Inc. (Holt, CEG 2282; CHG 816): 5-4-12, 3-20-12, 11-7-11
  - Calwest Geotechnical (Liston, RCE 31902): 4-20-12, 3-28-12, 3-27-12
  - OWTS Plans prepared by EPD Consultants dated July 17, 2014, three sheets.
  - EPD Consultants (Poffenbarger, RCE 69089): 7-17-14, 12-10-11, 10-25-11

- **Previous Reviews:**
  - 7-6-12, 4-17-12, 2-21-12, Geotechnical Review Referral Sheet dated 2-6-12

**Review Findings**

- **Coastal Development Permit Review for OWTS and De-Watering Well Replacement**
  - The project is **APPROVED** from a geotechnical perspective.
  - The project is **NOT APPROVED** from a geotechnical perspective. The listed ‘Review Comments’ shall be addressed prior to approval.

**Building Plan-Check Stage Review**

- **Awaiting Building plan check submittal.** Please respond to the listed ‘Building Plan-Check Stage Review Comments’ AND review and incorporate the attached ‘Geotechnical Notes for Building Plan Check’ into the plans.

- **APPROVED** from a geotechnical perspective. Please review the attached ‘Geotechnical Notes for Building Plan Check’ and incorporate into Building Plan-Check submittals.

- **NOT APPROVED** from a geotechnical perspective. The listed ‘Building Plan-Check Stage Review Comments’ shall be addressed prior to Building Plan-Check Stage approval.

**Remarks**

The referenced addendum OWTS report and plans have been reviewed by the City. The property is underlain by recently active and ancient landslides, and is within the Malibu Road Landslide Assessment District. The applicant is proposing to replace the existing OWTS with a new OWTS consisting of a treatment tank system...
and a 1,321 square foot pressure-fed leach bed with 3 feet of rock on the north side of the residence in Bayshore Drive, outside the area of the recent landslide. The existing OWTS (septic tank and seepage pits), located in the recent landslide, will be properly abandoned. The existing de-watering well in Bayshore Drive, W-11, will be properly abandoned as per the requirements of the Los Angeles Department of Public Works Environmental Health. A new de-watering well will be installed at the homeowner’s expense on the ascending slope northwest of Bayshore Drive as a replacement well for W-11. Reduced setbacks between the tank and leach field and residence will be mitigated by constructing a 12” concrete encasement wall around the tank, and the concrete will include an anti-corrosion and waterproofing admixture. The non-structural concrete curb wall on the north side of Bayshore Drive will need to be re-built after the installation of the leach field. The wall will be constructed of concrete with the anti-corrosion and waterproofing admixture, and will be underlain by a layer(s) of geogrid for structural reinforcement to protect it from the leach field.

No grading or improvements to the residence are proposed as part of this project.

**Building Plan-Check Stage Review Comments:**

1. The homeowners must sign, record at the County of Los Angeles Recorders office, and submit to City geotechnical staff a certified copy of an “Assumption of Risk and Release” for geotechnical hazards prior to permit issuance.

2. Recommendations to abandon the existing OWTS and dewatering well must be included as notes on the OWTS plans.

3. Please contact the undersigned Engineering Geologic Reviewer and Public Works Department (Rob Duboux) regarding properly abandoning the de-watering well (W-11) and replacing the well in the designated location that has been accepted by the Landslide Assessment District Engineers. The costs of the abandonment of the existing well and new replacement well will be absorbed by the property owners. The applicant will be responsible for installing the new well with the City’s geotechnical Consultant; Fugro Consultants, on site to provide full-time inspections to verify that the installation of the well meets the City’s design specifications.

4. The procedures for the project need to be included on the plans, as follows: 1) Obtain the necessary permits and install and complete the replacement dewatering well as per the City’s specifications. 2) Abandon the existing de-watering well, W-11, as per the requirements of the Los Angeles Department of Public Works Environmental Health and City of Malibu Public Works Department. 3) Install the new OWTS as per the City’s permitted plans. 4) Replace the concrete curb wall on the north side of Bayshore Drive as per the plans.

5. Please include a note on the OWTS plans that states that the Project Engineering Geologist will observe the leach field excavations to verify that the conditions encountered are as anticipated and the proper construction and sealing practices have been implemented.

6. Waterproofing/geogrid placement details for the areas with reduced setbacks between the existing OWTS components and structures, including the existing curb wall, shall be provided on the plans.

7. Two sets of final OWTS plans (Approved by the City Environmental Health Administrator) incorporating the Project Geotechnical Consultant’s recommendations must be reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical Engineer. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants’ recommendations and items in this review sheet over the counter at City Hall. Appointments for final review and approval of the plans may be made by calling or emailing City Geotechnical staff.
TO: Public Works Department
FROM: City of Malibu Planning Department

PROJECT NUMBER: ARC 15-018, CDP 14-035, CE 15-075
JOB ADDRESS: 25321 MALIBU RD
APPLICANT / CONTACT: Kevin Poffenbarger, EPD Consultants
APPLICANT ADDRESS: 20722 Main Street
Carson, CA 90745
APPLICANT PHONE #: (310) 241-6585
APPLICANT FAX #: (310) 241-6566
APPLICANT EMAIL: kevin@epd-net.com

PROJECT DESCRIPTION: (N) OWTS, abandon existing dewatering well and construct new dewatering wall

THE FOLLOWING ITEMS DESCRIBED ON THE ATTACHED MEMORANDUM SHALL BE ADDRESSED AND RESUBMITTED:

1. The project was reviewed and found to be in conformance with the City's Public Works and LCP policies and CAN proceed through the Planning process.

SIGNATURE: [Signature]
DATE: 8/6/15
The Public Works Department has reviewed the plans submitted for the above referenced project. Based on this review sufficient information has been submitted to confirm that conformance with the Malibu Local Coastal Plan (LCP) and the Malibu Municipal Code (MMC) can be attained. Prior to the issuance of building and grading permits, the applicant shall comply with the following conditions.

**GRADING AND DRAINAGE**

1. Exported soil from a site shall be taken to the County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with the City’s Local Implementation Plan (LIP), Section 8.3. **A note shall be placed on the project that addresses this condition.**

**STORMWATER**

1. A Local Storm Water Pollution Prevention Plan shall be provided prior to the issuance of the Grading/Building permits for the project. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but not limited to:

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<th>Erosion Controls</th>
<th>Scheduling</th>
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<td>Preservation of Existing Vegetation</td>
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<td>Sediment Controls</td>
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<td>Stabilized Construction Entrance</td>
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All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.

MISCELLANOUS

2. Installation of the replacement dewatering well shall be inspected on site during construction by the City's Geologist to verify that the installation meets the City's design specifications.

3. The applicant shall not block Bayshore Drive during construction. Prior to the issuance of the grading and or building permit, the applicant shall submit a detailed construction traffic control plan. At a minimum, one travel lane shall be open at all times and no lane closures will be allowed.

4. The Developers Consulting Engineer shall sign the final plans prior to the issuance of permits.
TO: City of Malibu City Biologist  
FROM: City of Malibu Planning Department  
DATE: 2/2/2012  

PROJECT NUMBER: CDP 12-006  
JOB ADDRESS: 25321 MALIBU RD  
APPLICANT / CONTACT: Kevin Poffenbarger, EPD Consultants  
APPLICANT ADDRESS: 411 N Harbor Blvd, Ste 304  
San Pedro, CA 90731  
APPLICANT PHONE #: (310)241-6565  
APPLICANT FAX #: (310) 241-6566  
PROJECT DESCRIPTION: New OWTS  

TO: Malibu Planning Division and/or Applicant  
FROM: Dave Crawford, City Biologist  

The project review package is INCOMPLETE and; CANNOT proceed through Final Planning Review until corrections and conditions from Biological Review are incorporated into the proposed project design (See Attached).  

The project is APPROVED, consistent with City Goals & Policies associated with the protection of biological resources and CAN proceed through the Planning process.  

The project may have the potential to significantly impact the following resources, either individually or cumulatively: Sensitive Species or Habitat, Watersheds, and/or Shoreline Resources and therefore Requires Review by the Environmental Review Board (ERB).  

Additional requirements/conditions may be imposed upon review of plan revisions. City Biologist may be contacted Tuesday and Thursday between 8:00 am and 11:00 am, by leaving an email at dcrawford@malibucity.org or by leaving a detailed voice message at (310) 456-2489, extension 277.
BIOLOGICAL REVIEW

Site Address: 25321 Malibu Road
Applicant/Phone: Kevin Poffenbarger/310.241.6565
Project Type: NOWTS
Project Number: CDP 12-006
Project Planner: Joseph Lezama

REFERENCES: Site plan

RECOMMENDATIONS:

1. The project is APPROVED with the following conditions:

   A. No new landscaping is proposed with this project. Therefore, none is approved. Should the applicant intend to plant any new vegetation with a potential to exceed six (6) feet in height or to exceed 5000 sqft in area, a detailed landscape plan shall be submitted for review and approval prior to any planting.

Reviewed By: ___________________________  Date: __/__/12

Dave Crawford, City Biologist
310-456-2489 ext.277 (City of Malibu); e-mail dcrawford@malibucity.org
Available at Planning Counter Tuesdays and Thursdays 8:00 to 10:00 a.m.
Notice Continued...

A written staff report will be available at or before the hearing for the project. All persons wishing to address the Commission regarding this matter will be afforded an opportunity in accordance with the Commission’s procedures.

Copies of all related documents are available for review at City Hall during regular business hours. Written comments may be presented to the Planning Commission at any time prior to the beginning of the public hearing.

LOCAL APPEAL - A decision of the Planning Commission may be appealed to the City Council by an aggrieved person by written statement setting forth the grounds for appeal. An appeal shall be filed with the City Clerk within 10 working days of the issuance of the City’s Notice of Final Action. Appeal forms may be found online at www.malibucity.org/planning forms or in person at City Hall, or by calling (310) 456-2489, extension 245.

COASTAL COMMISSION APPEAL - An aggrieved person may appeal the Planning Commission’s decision to the Coastal Commission within 10 working days of the issuance of the City’s Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling 805-585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

IF YOU CHALLENGE THE CITY’S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, AT OR PRIOR TO THE PUBLIC HEARING.

If you have questions regarding this notice, please contact Abigail Harwell, Associate Planner, at (310) 456-2489, extension 250.

Signed: July 23, 2015

Joyce Blue, AICP, Planning Director