



Commission Agenda Report

To: Chair Mazza and Members of the Planning Commission

Prepared by: Philip Coronel, Planning Technician

Approved by: Bonnie Blue, Planning Director

Date prepared: October 8, 2020 Meeting date: October 19, 2020

Subject: De Minimis Waiver No. 20-010 — An application for a new onsite wastewater treatment system

Location: 29825 Cuthbert Road, not within the appealable coastal zone

APN: 4469-008-003

Owners: James and Melinda M Zanoni

RECOMMENDED ACTION: Receive Planning Director's report on De Minimis Waiver (DMW) No. 20-010 for a new onsite wastewater treatment system (OWTS) to replace one existing septic tank and three seepage pits.

DISCUSSION: This agenda item is for informational and reporting purposes only. Pursuant to Malibu Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.4.11, the requirement for a coastal development permit may be waived through a De Minimis Waiver issued by the Planning Director for the items described in General Requirements for De Minimis Waiver below that are not located within the Appealable Jurisdiction of the California Coastal Commission as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map of the City of Malibu.

On October 8, 2020, the Planning Director will issue DMW No. 20-010. Pursuant to LIP Section 13.4.11(A), the Director's decision on whether to issue a De Minimis Waiver is not locally appealable.

LIP Section 13.4.11(C) further states that the Planning Director shall report in writing to the Planning Commission any DMW that has been issued by the City.

If, after consideration of the De Minimis Waiver and any public objections to it, the Planning Commission requests that the waiver not be effective, then the applicant shall be advised that a coastal development permit is required if the applicant wishes to pursue the application.

LIP Sections 13.4.11(A) (General Requirements for De Minimis Waiver)

Where the improvements are not otherwise exempt pursuant to LIP Section 13.4 and the required findings of LIP Section 13.4.11(B) are met, the Planning Director may issue a de minimis waiver for: 1) improvements to an OWTS serving a structure that was damaged or destroyed as a result of a natural disaster where the improvements involve installing a new system or upgrading an existing system to an advanced system on the same lot; and 2) minor improvements to existing driveways or access roads that are required by the Los Angeles County Fire Department after a natural disaster, such as minor changes to the width or grade of driveways or access roads.

The project and required findings are more specifically described in the Planning Director's decision (DMW No. 20-010) attached hereto.

PUBLIC NOTICE: A Notice of De Minimis Waiver Application was posted on the subject property.

ATTACHMENT: DMW No. 20-010



City of Malibu

23825 Stuart Ranch Road • Malibu, California • 90265
Phone (310) 456-2489 • Fax (310) 456-3356 • www.malibucity.org

PLANNING DEPARTMENT

De Minimis Waiver - OWTS

De Minimis Waiver No. 20-010
Categorical Exemption No. 20-137
29825 Cuthbert Road
APN 4469-008-003

NOTICE IS HEREBY GIVEN that the City of Malibu has **APPROVED** an application from Burdge and Associates Architects, Inc. on behalf of the property owner, James and Melinda M Zanoni, for a De Minimis Waiver (DMW) for a new onsite wastewater treatment system (OWTS).

Proposed Project Description

Planning Verification – Woolsey Fire (PVWF) No. 19-214 was issued on September 19, 2019, to allow for the reconstruction of the previously existing single-family residence and garage which was destroyed by the 2018 Woolsey Fire. Administrative Plan Review – Woolsey Fire (APRWF) No. 19-068 is currently under review for an expansion of the approved PVWF by 10% with an addition of a new pool and spa and decking. The existing septic tank and seepage pits were also damaged and are need of replacement. The existing septic tank and seepage pits will be removed. The new system is described in detail below (Attachment 1 – Department review sheets including OWTS plot plan):

- 3,634-gallon MicroSepTec ES12 tank with Ultraviolet (UV) Disinfection Unit;
- Two six-foot x 35-foot seepage pits capped 15 feet below grade; and
- Two future seepage pit dedications.

The new OWTS and seepage pits will be located south of the previously existing single-family residence. The proposed OWTS will not result in any non-exempt grading.

Local Coastal Program (LCP)

The Malibu LCP consists of a Land Use Plan (LUP) and Local Implementation Plan (LIP). The LUP contains programs and policies to implement the California 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 an entitlement must adhere.

De Minimis Waiver Requirements

The Planning Director may waive the LCP's requirement for a coastal development permit (CDP) for a project that is not otherwise exempt from a CDP under LIP Section 13.4 and process a DMW. The DMW findings discussed below can be made, if the development is not in a location where an action on the development would be appealable to the California Coastal Commission (CCC) (See LIP Chapter 2 – Definitions) and the proposed project consists of:

- a. Improvements to an OWTS serving a structure that was damaged or destroyed as a result of a natural disaster, where the improvements involve installing a new system or upgrading an existing system to an advanced system on the same lot, or
- b. Minor improvements to existing driveways or access roads that are required by the fire department after a natural disaster, such as minor changes to the width or grade of driveways or access roads.

The subject project is eligible for a DMW in that it is a replacement for an OWTS that was serving a structure destroyed as a result of a natural disaster that is not otherwise exempt from a CDP under LIP Section 13.4, it is not located in the CCC appeal zone, and the required DMW findings are made below.

De Minimis Waiver Findings

Based on the foregoing evidence contained within the record and pursuant to LIP Section 13.4.11, the Planning Director hereby makes the following findings of fact.

Onsite Wastewater Treatment System De Minimis Waiver (LIP Section 13.4.11)

Finding 1. That the OWTS or driveway/road improvements have no potential for adverse effects, either individually or cumulatively, on coastal resources.

The Planning Department, City geotechnical staff, the City Environmental Health Administrator, and the City Public Works Department have reviewed the proposed OWTS and found it to meet the requirements of the Malibu Municipal Code (MMC) and LCP. The proposed project is for the abandonment of an existing septic tank and three seepage pits and installation of a new 3,634-gallon MicroSepTec ES12 tank with UV Disinfection Unit, two six-foot x 35-foot seepage pits, and two new future seepage pit dedications. The project will upgrade and improve treatment effectiveness compared to the existing system. The applicant is required to record a covenant requiring the proper operation and maintenance of the OWTS. In addition, conditions of approval have been included to require continued operation, maintenance and monitoring of the subject system. The conditions and requirements will ensure that the new OWTS does not have the potential for adverse effects, either individually or cumulatively, on coastal resources.

Finding 2. That the OWTS or driveway/road improvements are consistent with the certified Malibu Local Coastal Program, including the resource protection policies, as applicable.

As discussed in Finding 1, the project as conditioned has been found to meet the requirements of the MMC and LCP. The project is consistent with the certified LCP, including the resource protection policies, in that no native trees, environmentally sensitive habitat area, public scenic views or cultural resources will be affected by the project.

Finding 3. If an OWTS is to be relocated on the lot, that the Director, in consultation with Environmental Health Administrator, has determined the relocation is necessary to better protect coastal resources.

The site of the existing OWTS does not provide the required space, necessitating the new, upgraded OWTS to be relocated on the subject property. The proposed OWTS is proposed at the southern portion of the existing building pad in the front yard driveway which provides an adequate area that has been previously disturbed and would not result in any new or more significant impacts to natural or cultural resources, and which has the necessary percolation conditions.

Finding 4. If driveway/road improvements are proposed, that: a) they are in the same general alignment as the existing road, b) they are not located in environmentally sensitive habitat area (ESHA), c) they do not remove or encroach within the protected zone of native trees, and d) they do not adversely impact visual resources.

There are no driveway/road improvements necessary to accommodate the proposed work. Furthermore, none of the work proposed encroaches into environmentally sensitive habitat area, nor does it impact any native trees or visual resources.

Finding 5. That the development is not in a location where an action on the development would be appealable to the Coastal Commission (See Chapter 2 – Definitions).

The subject property is not located within the CCC Appeal Jurisdiction and therefore action on the development would not be appealable to the CCC.

Project Timeline: De Minimis Waiver Application

- Application Date: June 26, 2020
- Posting of Property: September 28, 2020
- Notice of Determination: October 8, 2020
- Planning Commission Reporting: October 19, 2020

Public Notice Requirements

At the time the application is submitted for filing, the applicant must post, at a conspicuous place as close to the site as possible that is easily accessible by the public and approved by the city, notice that an application for a DMW has been submitted to the city on a form containing a general description of the proposed development. The applicant submitted evidence of posting the required notice at a location approved by the City on September 28, 2020.

The Planning Director shall issue a notice of determination on the application which shall be reported to the Planning Commission. The notice of determination shall be provided to all known interested parties, including the executive director of the coastal commission, at least ten (10) days prior to the waiver determination being reported to the planning commission. The notice of determination of this application was issued on October 8, 2020.

Approval of DMW No. 20-010

Based on the foregoing findings and evidence contained within the record, the Planning Director hereby approves DMW No. 20-010, subject to the conditions of approval.

Conditions of Approval

Standard Conditions

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. This approval is for the abandonment of an existing OWTS and installation of a new 3,634-gallon MicroSepTec ES12 tank with UV Disinfection Unit, two six-foot x 35-foot seepage pits, and two new future seepage pit dedications located on the south side of the new proposed single family residence. This approval does not involve any non-exempt grading.
3. Subsequent submittals for this project shall be in substantial compliance with plans on file with the Planning Department, dated as received on **June 26, 2020**. 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, notarizes, and returns the **Acceptance of Conditions Affidavit** accepting the conditions set forth herein. The applicant shall file this form with the Planning Department within 10 working days of this decision and/or prior to issuance of any development permit.
5. The applicant shall submit a complete digital copy of the plans to the Planning Department for consistency review and approval prior to the issuance of an OWTS permit.
6. This decision, signed Affidavit of Acceptance of Conditions, and all attached Department Review Sheets 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 Building Safety Division for plan check.

7. A de minimis waiver shall expire and be of no further force and effect if the authorized OWTS or driveway or access road improvements are not commenced pursuant to a valid grading and/or building permit, as applicable, within five years of the effective date of the waiver. If expired, a coastal development permit or another waiver shall be required.
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 Environmental Sustainability Department, City geotechnical staff, City Environmental Health Administrator, City Planning Department, and City Public Works Department, 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 MMC and the LCP. An application with all required materials and fees may be required.
11. Pursuant to LIP Section 13.4.11, this permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission does not request that the project be processed as a CDP.
12. The property owner must submit payment for all outstanding fees payable to the City prior to issuance of any building permit, including grading or demolition.
13. The use of pesticides, including insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade biological resources shall be prohibited throughout the City of Malibu. The eradication of invasive plant species or habitat restoration shall consider first the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls. Herbicides may be selected only after all other non-chemical methods have been exhausted. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and use for a limited time.

Cultural Resources

14. 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 MMC Section 17.54.040(D)(4)(b) shall be followed.
15. If human bone is discovered during geologic testing or during construction, work shall immediately cease and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires 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.

Environmental Health

16. A Final Onsite Wastewater Treatment System (OWTS) Plot Plan: A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and

proposed/new improvements. The plot plan 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"x22" for review by Environmental Health). A final plot plan will be required if any changes have been made from the conformance review stage.

17. Final OWTS Design Report, Plans, and System Specifications: A final OWTS design report and large set of construction drawings with system specifications (four sets) shall be submitted to describe the OWTS design basis and all components proposed for use in the construction of the OWTS. All plans and reports must be signed by a City Registered OWTS Designer and the plans stamped by the project Geologist, Coastal Engineer, and Structural Engineer as applicable. The final OWTS design report and construction drawings shall be submitted with the designer's signature, professional registration number, and stamp (if applicable). A final design report will be required if any changes have been made from the conformance review stage.

The final OWTS 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 drainage fixture units, 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 (as applicable).
 - 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 (gpsf). Specifications for the subsurface effluent dispersal system shall be shown to accommodate the design hydraulic loading rate (i.e., average and peak OWTS 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 OWTS design drawings shall be submitted with the wet signature and typed name of the OWTS 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 OWTS final designs, full-size plans for are also required for review by Building & Safety and Planning.]
18. Existing OWTS to be Abandoned: Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the Malibu Municipal Code.
19. Worker Safety note and Abandonment of Existing OWTS: The following note shall be added to the plan drawings included with the OWTS final design: "Prior to commencing work to abandon, remove, or

replace existing Onsite Wastewater Treatment System (OWTS) components an "OWTS Abandonment Permit" shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents."

20. Traffic-Rated Slab Plan(s): All project traffic rated slab 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.
21. Notice of Decision: The final onsite wastewater treatment system plans shall include the Conditions of Approval sections of the Notice of Decision (NOD) from the Planning Department.
22. Proof of Ownership: Proof of ownership of subject property shall be submitted.
23. Operations & Maintenance Manual: An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.
24. 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 advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. Please note only original "wet signature" documents are acceptable.
25. Advanced Onsite Wastewater Treatment System (OWTS) 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 City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. Please submit a certified copy issued by the City of Malibu Recorder.
26. Project Geologist/Geotechnical Consultant Approval: Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.
27. City of Malibu Geologist/Geotechnical Approval: City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.
28. City of Malibu Planning Approval: City of Malibu Planning Department final approval of the OWTS plan shall be obtained.
29. 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 OWTS design and system specifications.
30. Operating Permit Application and Fee: In accordance with Malibu Municipal Code, an application shall be made to the Environmental Health office for an Onsite Wastewater Treatment System 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.

Geology

31. Include the following note on the OWTS plans: "The Project Engineering Geologist shall observe and approve the installation of the seepage pits and provide the City inspector with a field memorandum(s) documenting and verifying that the seepage pits were installed per the approved OWTS plans."

32. Two sets of final OWTS plans (APPROVED BY BUILDING AND SAFETY) incorporating the Project Geotechnical and Environmental Health Specialists' recommendations and items in this review sheet must be reviewed and wet stamped and manually signed by the Project Engineering Geologist. 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.

Public Works

33. 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:

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

34. All Best Management Practices (BMPs) 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.

35. The developer's consulting engineer shall sign the final plans prior to the issuance of permits.

Construction

36. 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.

37. 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 rinsed prior to leaving the property.

Prior to Final Inspection

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

39. The applicant shall request a final Planning Department inspection prior to final inspection by the Building Safety Division.

Deed Restrictions

40. The property owner is 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.

Fixed Conditions

41. This DMW runs with the land and binds all future owners of the property.
42. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.

Appeals and Reporting

APPEALS – The planning director’s decision on whether to issue a de minimis waiver is not locally appealable. If, after consideration of the waiver and any public objections to it, the Planning Commission requests that the waiver not be effective, then the applicant shall be advised that a Coastal Development Permit is required for the OWTS or road improvements. Otherwise, the waiver is effective immediately after the Planning Commission meeting where the matter is heard.

REPORTING – Pursuant to LIP Section 13.4.11, this permit shall be reported to the Planning Commission and is tentatively scheduled to be reported at the **October 19, 2020** Regular Planning Commission meeting. Copies of this report will be available at the meeting and to all those wishing to receive such notification by contacting the Case Planner. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to California Code of Regulations Section 13153.

Please contact Philip Coronel in the Planning Department at (310) 456-2489, extension 373, for further information. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

Date: October 8, 2020

Prepared by:

Approved by:

Philip Coronel

Bonnie Blue

Philip Coronel
Planning Technician

Bonnie Blue
Planning Director

Attachments:

1. Department Review Sheets including OWTS Plot Plan

All reports referenced are available for review at City Hall.

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu's decision of approval and agrees to abide by all terms and conditions for **De Minimis Waiver No. 20-010**, dated **October 8, 2020** for the project located at **29825 Cuthbert Road, Malibu, CA 90265**. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Department within ten (10) working days of the decision and/or prior to issuance of any development permit.

Date

Signature of Property Owner

Print Property Owner Name

Date

Signature of Property Owner

Print Property Owner Name

ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
County of Los Angeles } SS

On _____, before me, Notary Public, personally appeared _____, who
proved (date) (name)

to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Notary Public's signature in and for said County and State)

(seal)