



Commission Agenda Report

To: Chair Smith and Members of the Planning Commission

Prepared by: Mary Wright, Contract Planner

Approved by: Richard Mollica, Planning Director

Date prepared: June 8, 2023

Meeting date: June 19, 2023

Subject: Lechuza Beach Public Access Improvements Project - Coastal Development Permit No. 07-087, Mitigated Negative Declaration No. 19-001 and Initial Study No. 19-001, Conditional Use Permit No. 21-010, Variance Nos. 21-022 and 21-023, and Sign Permit No. 19-004 – An application for public access improvements at Lechuza Beach to improve accessibility consistent with the Americans with Disability Act (ADA) including installation of a new ADA accessible single-stall restroom, onsite wastewater treatment system (OWTS), gate, access improvements, ADA van parking space and access aisle, and reconstruction of existing view platforms and staircases; including a conditional use permit for an OWTS to be located on separate properties, variances for locating improvements on a steep slope and for a reduction in the blufftop setback, and a sign permit for the installation of information signs

Location: 31720.5 Broad Beach Road, within the appealable Coastal Zone

APNs/Owners: 4470-026-003 / Kiefer Family Trust
4470-021-008 / Malibu Encinal Homeowners Association (MEHOA)
4470-021-007 / Alibrandi Family Trust
4470-021-900 / Mountains Recreation and Conservation Authority (MRCA)
4470-028-918 / MRCA
4470-028-917 / MRCA
4470-028-915 / MRCA
4470-021-009 / MEHOA
4470-024-901 / MRCA

RECOMMENDED ACTION: Adopt Planning Commission Resolution No. 23-33 (Attachment 1) determining the proposed project is consistent with Negative Declaration (ND) No. 19-001 and Initial Study (IS) No. 19-001 previously adopted by the MRCA Governing Board, and approving Coastal Development Permit (CDP) No. 07-087 for the construction and installation of public access improvements at Lechuza Beach to improve accessibility consistent with the Americans with Disabilities Act (ADA) including installation of a new ADA accessible single-stall restroom, onsite wastewater treatment system (OWTS), gates, pathways, signs, access improvements, ADA van parking spaces and access aisles, reconstruction of existing view platforms and staircases, and modifications to two Fire Department turnarounds; a Conditional Use Permit (CUP) No. 21-010 for an OWTS and leachfields to be located on separate properties; including Variance (VAR) No. 21-022 for construction on steep slopes, VAR No. 21-023 for a reduction in the blufftop setback; and Sign Permit (SP) No. 19-004 for informational signs; located in the Single Family Medium (SFM) zoning district at 31720.5 Broad Beach Road.

DISCUSSION: This agenda report provides a project overview, a summary of the project setting and surrounding land uses, a description of the project, an analysis of the project's consistency with applicable Malibu Local Coastal Program (LCP) and Malibu Municipal Code (MMC) provisions, and environmental review pursuant to the California Environmental Quality Act (CEQA). The analysis and findings contained herein demonstrate the project is consistent with the LCP and MMC.

As discussed in this report, as the agency implementing the project, the MRCA served as the Lead Agency under CEQA Guidelines Sections 15082 and 15096 for the Lechuza Beach Public Access Improvements Project. MRCA prepared Initial Study (IS) No. 19-001 and Negative Declaration (ND) No. 19-001 for the project in consultation with Responsible Agencies, including the City of Malibu (Attachment 5). The IS determined the proposed project would not have a significant impact on the environment and thus, an ND was prepared and circulated pursuant to CEQA Guidelines Section 15071. On May 1, 2019, in compliance with CEQA, the MRCA Governing Board adopted the IS and Final ND for the project.

The City of Malibu is a Responsible Agency under CEQA for the project because it is a decision-making body for the CDP and other entitlements. As such, the Planning Commission must determine whether the proposed project is consistent with the Final ND prior to acting upon or approving the proposed project.

Project Overview

The proposed Lechuza Beach Public Access Project includes four separate project areas in the Broad Beach area (Figure 1 – Site Location Map). The project involves the construction of public access improvements at Lechuza Beach to improve accessibility consistent with ADA, including installation of a new ADA accessible single-stall restroom, OWTS, gates, pathways, signs, access improvements, ADA van parking spaces and access aisles, reconstruction of existing view platforms and staircases, and modifications to two Fire Department turnarounds (Attachment 2 – Project Plans). The objectives of the proposed Lechuza Beach Public Access Improvements Project are to: 1) improve accessibility for people with disabilities, and 2) meet building code requirements and enhance safety by improving existing and providing new facilities at Lechuza Beach. The project site is located in the SFM zoning district. The proposed project does not constitute a use but rather improvements which are permitted in the SFM zone.

Figure 1 – Site Location Map



Source: MRCA, Final IS/ND, April 26, 2019

In 2002, MRCA acquired an approximate one-quarter mile stretch of Lechuza Beach, including access easements. Two of the access easements are over East Sea Level Drive and West Sea Level Drive which are owned by MEHOA. Additional access easements are over privately-owned lots.

Following acquisition of the property and easements, MRCA subsequently began planning for public access improvements along the beach in order to improve accessibility for people with disabilities and to meet code requirements at a public beach. In 2007, MRCA submitted an application for CDP No. 07-087 for the proposed project to the City of Malibu. The project proceeded through several rounds of review but was put on hold for several years due to litigation filed by MEHOA against MRCA over access, easements, use of the beach and other issues. Negotiations ensued over the following years involving multiple stakeholders including MRCA, MEHOA, the Deputy Attorney General, City of Malibu, California Coastal Commission (CCC) and others.

In 2018, MRCA and MEHOA reached a settlement agreement which included easements necessary to implement the improvements and a Beach Management Plan (Attachment 6) to outline the operation and maintenance plan for the beach and improvements. MRCA subsequently prepared an IS/ND for the project as described above. On March 24, 2021, MRCA submitted revised plans and a project description for the project to the City of Malibu and review of the project resumed.

A CDP and CUP are required to permit the project. The project also requires approval of two variances from development standards established under the LCP Local Implementation Plan (LIP) and a sign permit. With City approval of the requested entitlements, including the CDP, CUP, VARs, and SP, the project would be consistent with the MMC and LCP. Table 1 below outlines the required entitlements for the project.

Table 1 – Required Project Entitlements	
Application	Description
CDP No. 07-087	Required for development in the Coastal Zone
CUP No. 21-010	For an OWTS and leachfield to be located on separate properties
VAR No. 21-022	For construction on steep slopes
VAR No. 21-023	For a reduction in the blufftop setback
SP No. 19-004	For the installation of informational signs
IS/ND No. 19-001	Adoption as required by CEQA

When the project was previously submitted, staff believed that a second CUP was required to approve the use of a beach park on properties designated with single-

family zoning designations. However, the Planning Department subsequently determined that since the proposed project is not a formal public park, and since public access improvements are allowed in all land use and zoning designations pursuant to LIP Section 2.7, a second CUP would not be required.

The project site's land use designation pursuant to the Malibu General Plan is SFM, and the zoning designation pursuant to the MMC and LCP is also SFM. The SFM district is intended to provide for single-family residential uses that are consistent with the rural character and environmental setting. Public accessways, trails to the shoreline and related access improvements are permitted uses in all land use and zoning designations.

Project Jurisdiction: The project site is located within the Appeal Jurisdiction of the CCC as depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map, so the project is appealable to the CCC. The project site is not in a mapped Environmentally Sensitive Habitat Area (ESHA) or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. The project site includes the California Coastal Trail along the length of the beach according to the LCP Park Lands Map. The project site also contains several public access pathways as discussed elsewhere in this report.

Environmental Review Board (ERB): On February 12, 2019, the project was reviewed by ERB because an IS/ND was prepared for the project. As outlined in this report, ERB made four recommendations including the recommendation to process the application with CDP No. 14-012, an application to widen an existing private road connecting Broad Beach Road and West Sea Level Drive to meet LACFD requirements. CDP No. 14-012 was approved by the Planning Commission on March 2, 2020 (Resolution No. 20-22) but has not been implemented. CDP No. 14-012 expired on March 2, 2023 and a new CDP application will be required for the project.

The proposed access improvements project was not processed concurrently with CDP No. 14-012 because the latter project was approved in 2020. However, when scheduling the proposed project for Planning Commission, staff did not realize that CDP No. 14-012 had expired. It is up to the Planning Commission to decide whether to continue the proposed project to be processed concurrently with the road widening project, as recommended by ERB. Factors to be considered may include whether the road widening project is critical for the safety of the members of the public who will utilize the access improvements project, including the restroom. Staff believes the projects may be processed separately because most of the access improvements are already in place and used by the public. In addition, as shown in Attachment 3, the Los Angeles County Fire Department (LACFD) reviewed the project, determined it does not require Fire Department plan review, and did not require the projects to be processed concurrently.

Project Setting and Surrounding Land Uses

The project site is situated on the south side of PCH, north of the Pacific Ocean between West Sea Level Drive and East Sea Level Drive. The area includes single-family homes along Broad Beach Road, West Sea Level Drive, East Sea Level Drive and other local streets. West Sea Level Drive and East Sea Level Drive are private gated roads within the Malibu-Encinal neighborhood and are owned by MEHOA.

As stated above, the project site has been depicted into four project areas as shown on Figure 1 above. The project setting and surrounding land uses for each area are described below.

Project Area I

Project Area I includes the intersection of West Sea Level Drive and Broad Beach Road, existing vehicular and pedestrian gates at West Sea Level Drive, and portions of West Sea Level Drive on either side of the access gates. From Broad Beach Road to the gates, West Sea Level Drive is a private access road providing the only means of ingress and egress to properties on West Sea Level Drive. A Coastal Development Permit (CDP No. 14-012) was approved in 2021 to allow widening of this segment to 20 feet as required by the Los Angeles County Fire Department (LACFD) and to install other improvements such as a walls, fences and bicycle racks. As outlined above in *Project Overview*, CDP No. 14-012 recently expired.

West Sea Level Drive and the gates are owned by MEHOA and MRCA has an access easement over the property to maintain and manage public access. The pedestrian gate provides access to the public from 30 minutes before sunrise to 30 minutes after sunset. A large sign is posted on the gate to inform the public about the rules of use. To the right of the pedestrian gate is a vehicular gate that permits MEHOA residents and guests to enter the gate via a key punch pad. South of the gates, West Sea Level Drive extends approximately 800 feet to its terminus in Project Area II.

Land uses surrounding Project Area I include single-family residences along Broad Beach Road and West Sea Level Drive within the SFM zoning district.

Project Area II

Project Area II is located at the beach terminus of West Sea Level Drive as shown on Figure 1. MRCA has an access easement over the MEHOA-owned West Sea Level Drive and a privately-owned lot and the terminus presently contains a substandard Fire Department turnaround. Beyond the turnaround, there is a pedestrian gate, a viewing platform with chairs and umbrellas and a beach staircase located on property owned by MRCA.

Land uses surrounding Project Area II include single-family residences along West Sea Level Drive and Seaford Drive within the SFM zoning district as well as Lechuza Beach and the Pacific Ocean.

Project Area III

Project Area III includes an area extending from Broad Beach Road at Bunnie Lane down to Lechuza Beach and the terminus of East Sea Level Drive. The site includes a pedestrian only access gate at Broad Beach Road located on what is referred to by MRCA as 'Lot 1'. Similar to Project Area I, MRCA maintains and operates the access point which allows public access from 30 minutes before sunrise to 30 minutes after sunset with a large sign with rules posted on the gate. A dirt path extends south from the gate with a series of turns and steps eventually becoming a wood path and railing with a series of stairs leading down to the East Sea Level Drive terminus and beach. The upper path includes MRCA and a sliver of a privately-owned property over which MRCA has a vertical access easement. The lower portions of the project area are owned by MRCA up to East Sea Level Drive which is owned by MEHOA with an access easement for MRCA.

Land uses surrounding Project Area III include single-family residences on Broad Beach Road, Bunnie Lane and East Sea Level Drive within the SFM zoning district. In addition, Lechuza Beach and the Pacific Ocean are located to the south.

Project Area IV

Project Area IV contains a pedestrian and vehicular gate located at the intersection of Broad Beach Road and East Sea Level Drive. Like the Project Area I gates, the vehicular gate is owned by MEHOA and contains a key punch pad to allow members and their guests to enter. The adjoining public access pedestrian gate is owned by MEHOA but managed and maintained by MRCA and includes a sign indicating the rules for using the accessway.

Land uses surrounding Project Area IV include single-family residences on Broad Beach Road and East Sea Level Drive within the SFM zoning district.

Project Description

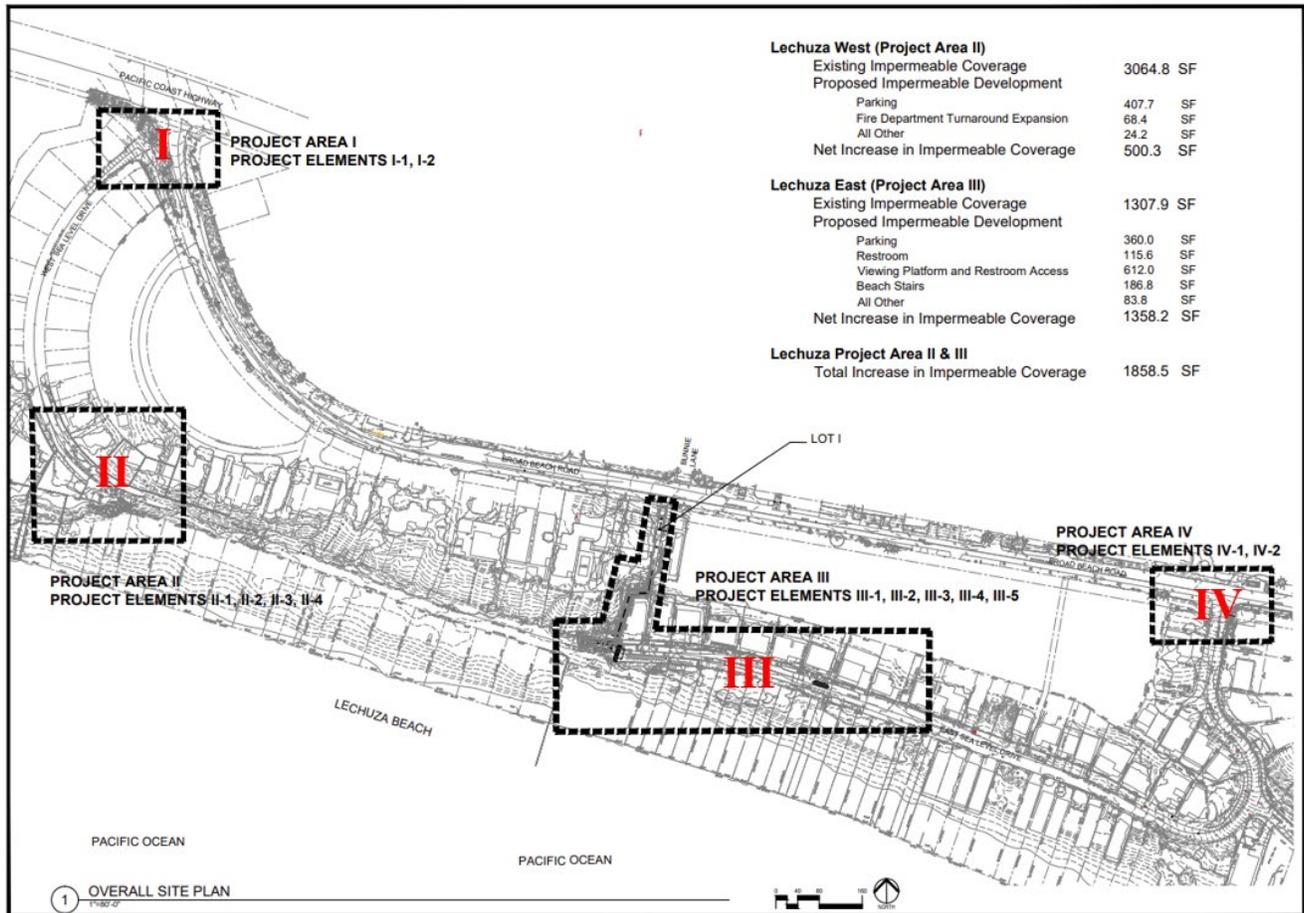
The project involves the construction and reconstruction of public access improvements in the four project areas as shown on Figure 2 - Overall Site Plan.

Proposed improvements include the following:

Project Area I: West Sea Level Drive/Broad Beach Road Intersection

- Retain existing vehicle gate
- Retain existing key punch pad for MEHOA members vehicular access
- Install a key punch pad for vehicles displaying disabled placards with reservations
- Retain existing pedestrian gate (open to the public)
- Install signage

Figure 2 – Overall Site Plan

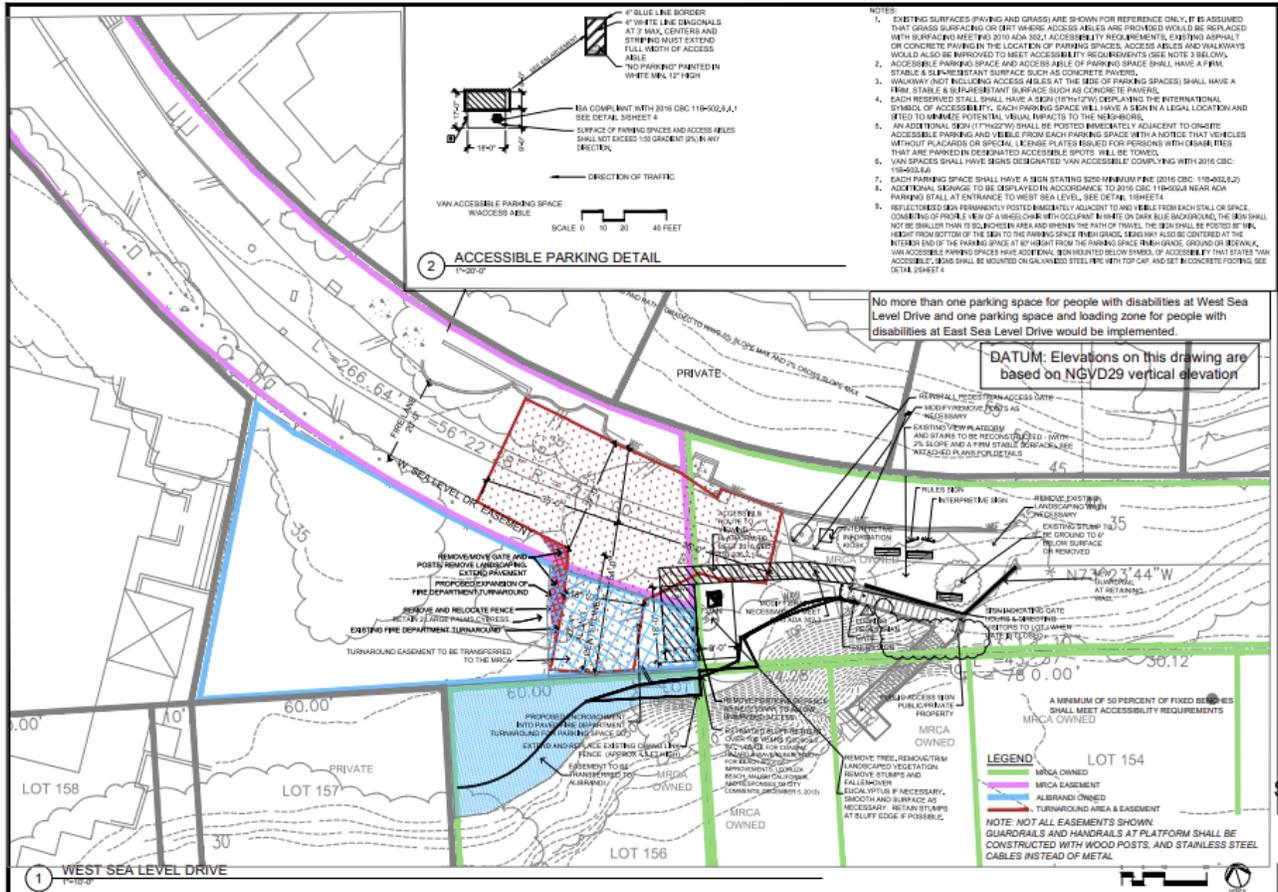


Source: Project Plans

Project Area II: Beach Terminus of West Sea Level Drive (Figure 2)

- Reconstruct existing viewing platform
- Reconstruct beach staircase
- Install a pedestrian gate (near the view platform)
- Construct a new van-accessible disabled parking place and access aisle
- Modify an existing fire department turnaround
- Install signage

Figure 2 – Project Area III Improvements

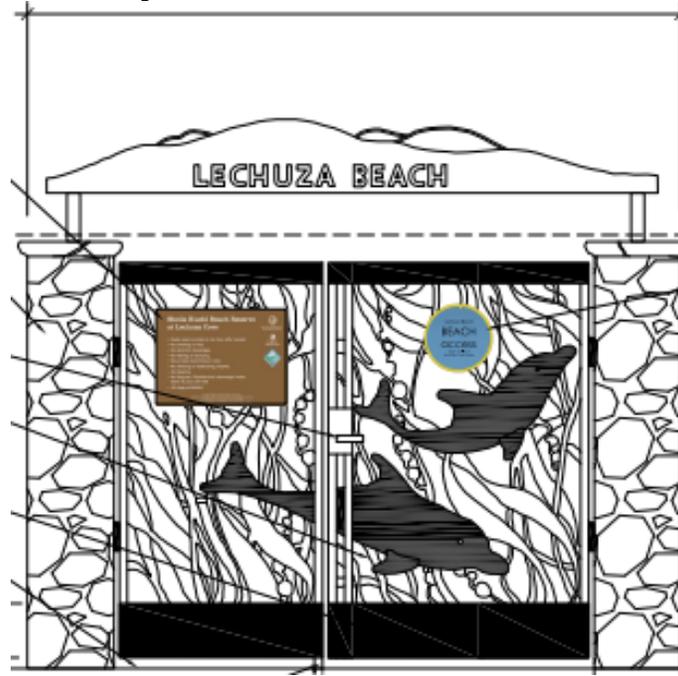


Source: Project Plans

Project Area III: Lot 1 and Beach Terminus of East Sea Level Drive (Figure 3)

- Reconstruct pathway and staircase
- Install a new decorative pedestrian gate (at entrance along Broad Beach Road) (Figure 4)
- Install bicycle rack on beach side of pedestrian gate
- Relocate beach staircase
- Install a new single-stall accessible restroom and ramp
- Install an OWTS and leachfields on separate parcels

Figure 4 – Project Area III Decorative Pedestrian Gate



Source: Project Plans

Project Area IV: East Sea Level Drive/Broad Beach Road Intersection

- Install two key punch pads (one for MEHOA members' vehicular access and one for vehicles displaying disabled placards with reservations)
- Install signage

Beach Management Plan

The project also includes a Beach Management Plan (Attachment 6) which has been mutually agreed to by MRCA and MEHOA as part of the MRCA/MEHOA Settlement Agreement. As stated in the document, the purpose of the Beach Management Plan is to: “provide a plan of operation and improvements that facilitates public access and enjoyment of the coastal resources of the MRCA Lots consistent with protection of environmental resources and respect for the residential community in which the MRCA lots are located.” The management plan outlines the rules of use for the access improvements, details management, maintenance and repair responsibilities, and provides detailed information on signage, and other items. Conformance with the

Beach Management Plan has been made a condition of Project approval as outlined in Planning Commission Resolution No. 23-33.

Grading/Lighting

The project will only involve minimal surface clearing and demolition as well as borings for caissons and no grading is proposed. In addition, the project would have no lighting or other illumination.

Hours of Operation/Egress

The hours of public access for the three pedestrian access gates will be between 7:00 a.m. and 9:00 p.m. from March 1st through September 30th, and between 7:00 a.m. and 6:00 p.m. from October 1st through February 28th. The gates will be controlled by automatic locks and shall only allow entrance during daily access hours. However, the pedestrian access gate in Project Area III shall remain unlocked from the beach side to allow after hours exiting at all times. The West Sea Level Drive and East Sea Level Drive pedestrian access gates will be automatically locked from the beach side to prevent exiting after 10 p.m. from March 1st through September 20th and after 7:00 p.m. from October 1st through February 28th. The public restroom will be open during the daily access hours and shall be locked by automatic timer at all other times.

Disabled van accessible vehicular access at the West Sea Level Drive and East Sea Level Drive vehicular gates will be by reservation and only available during daylight hours. Reservations will be managed by MRCA.

Maintenance

The Beach Management Plan outlines MRCA's maintenance and repair responsibilities for the project (Attachment 6). A uniformed MRCA employee will monitor the beach, restroom and other facilities twice per day during the peak season and once per day during the non-peak season. The employee will clean the restroom, remove trash from the MRCA trash cans and check all facilities to make sure they are free from debris and defacement and are in good working order. MRCA will also be responsible for maintenance and repair of facilities, as outlined in the Beach Management Plan.

Signage

As detailed in the project plans and Beach Management Plan, the project includes several non-illuminated signs to provide information on rules, directions, safety and funding. Thus, the project requires approval of SP No. 19-004. All signs will be mounted on wooden posts or on wood wrapped around steel posts. Signage will be

provided at the Project Area I, III and IV access gates on Broad Beach Road, at the Project Area II parking space/viewing platform, and at the Project Area III restroom and beach staircase. Proposed signage includes the following signs:

- Lechuza Beach Access Logo Sign
- Proposition 12 Sign
- MRCA Rules Sign
- MRCA Site Map
- MRCA Help Keep Your Beaches Clean Sign
- Watch Your Step Sign
- Fire Lane and Required ADA Signage for Parking
- Required ADA Signage for Parking and Loading
- Restroom Signage

ERB Review

The project site is not located in an ESHA Overlay or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. In 2019, the Planning Director forwarded the project to the Environmental Review Board (ERB) because the project requires an IS/ND. The Planning Director requested that ERB review the IS/ND for compliance with CEQA and make recommendations on the project's conformance with the LCP. On February 12, 2019, ERB reviewed the project and made the following recommendations:

1. *Recommendation: Process CDP No. 07-087 in conjunction with CDP No. 14-012 (an application to widen the existing private road at 31848 Broad Beach Road and 31885 Sea Level Drive).*

Response: CDP No. 14-012 was an application by MEHOA and two property owners to widen the segment of West Sea Level Drive between Broad Beach Road and the vehicular and pedestrian access gate in Planning Area I to 20 feet and make related improvements. As CDP No. 14-012 was approved by the Planning Commission on March 2, 2020, staff did not consider it possible to process the projects together. In addition, staff did not realize that CDP No. 14-012 recently expired until after scheduling the public access project for hearing. Nonetheless, staff believes the projects may be processed separately because most of the access improvements are already in place and used by the public. In addition, LACFD reviewed the project, determined it does not require Fire Department Plan Review, and did not require concurrent processing of the projects.

2. *Recommendation: Request the Fire Department review CDP No. 07-087 in conjunction with CDP No. 14-012.*

As outlined above, staff did not consider it possible to process the proposed Project with CDP No. 14-012 as the latter was approved in 2020.

3. *Recommendation: If the removal of any native plants species is necessary for the installation of the proposed OWTS, mitigation occurs by planting the species elsewhere within the project site (if possible).*

Response: The area proposed for installation of the restroom and OWTS contains ornamental plant species dominated by iceplant. Thus, installation of the OWTS would not remove any native plant species and no planting is proposed. In addition, the City Biologist has approved the project as being consistent with City goals and policies associated with the protection of biological resources.

4. *Request that the City Environmental Health Administrator review the project for perch water associated with the existing residential development along East Sea Level Drive.*

Response: The project has been conditioned to require that the City Environmental Health Administrator review the project for perch water associated with the existing residential development along East Sea Level Drive prior to the issuance of grading/building permits.

LCP Analysis

The LCP consists of the Land Use Plan (LUP) and the LIP. The LUP contains programs and policies implementing the Coastal Act in Malibu. The LIP contains provisions to carry out the policies of the LUP to which every project requiring a coastal development permit must adhere.

There are 14 LIP chapters that potentially apply depending on the nature and location of the proposed project. Of these, five are for conformance review only and contain no findings: 1) Zoning, 2) Grading, 3) Archaeological/Cultural Resources, 4) Water Quality, and 5) OWTS. These chapters are discussed in the *LIP Conformance Analysis* section.

The nine remaining LIP chapters contain required findings: 1) Coastal Development Permit; 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.

For the reasons described in this report, only the following chapters and associated findings are applicable to the Project: Coastal Development Permit (including the

required findings for the VARs), Scenic, Visual and Hillside Resource Protection, Hazards, and Shoreline and Bluff Development. These chapters are discussed in the *LIP Findings* section of this report.

The findings required by MMC Section 17.66.080 for the conditional use permit are also discussed later in this report.

LIP Conformance Analysis

The project has been reviewed by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal consultant reviewers and LACFD (Attachment 3 – Department Review Sheets). The project, as proposed and conditioned, has been found to be consistent with all applicable LCP codes, standards, goals and policies, inclusive of the requested VARs, and SP.

Zoning (LIP Chapter 3)

The subject property is zoned SFM. Pursuant to LIP Section 2.7, public accessways and trails to the shoreline are permitted uses in all land use and zoning designations. Because the project is intended to provide public access, standard setback requirements are not applicable to the project. However, the installation of an accessible restroom in Planning Area III requires variances for a reduced blufftop setback and for construction on slopes steeper than 2.5:1 due to the site's topography and other physical constraints. As discussed throughout this report, the proposed development has been determined to be consistent with all applicable LCP codes, standards, goals, and policies with the inclusion of the requested variances.

As outlined in the *Project Description* section above, the proposed project includes several non-illuminated signs in five different locations and requires approval of SP No. 19-004 subject to MMC Section 3.15.4. Sign permits are normally approved by the Planning Director but have been consolidated with the other requested entitlements for the purpose of this application. There are no findings required for sign permits but signs must meet eleven criteria addressing the design and compatibility of the signs in the locations they are proposed. The Planning Department has reviewed the proposed signs and determined that the signs meet the requirements of the sign code and that all of the applicable criteria can be met.

Grading (LIP Chapter 8)

The project is for the construction of various public access trails, platforms and improvements. The improvements will involve only minimal surface demolition and clearing as well as borings for caissons and no other grading is proposed. As

development has been designed to minimize the need for grading and fit the conditions of the site to the extent possible, the project conforms to LIP Chapter 8.

Archaeological / Cultural Resources (LIP Chapter 11)

LIP Chapter 11 requires that certain procedures be followed to determine potential impacts on archaeological resources. Much of the project site is in a shoreline setting that has been subject to erosion through coastal processes (e.g., wave action, beach scour), and is therefore unlikely to contain subsurface cultural resources. However, as noted in the IS/ND, a Phase I Cultural Resources Survey and Record Search was conducted for the site by Knight and Paramoure Cultural Resources Consultants in in 2015. The Records Search indicated that Project Area II is located within the regionally important Encinal Canyon Site (CA-LAN-114). A field reconnaissance of Project Area II conducted by Albert Knight in 2015 confirmed that portions of the CA-LAN-114 archaeological site are present in the area.

Previous research including subsurface testing on the west edge of CA-LAN-114 in the vicinity of Project Area II indicated that archaeological resources in this area are minor in nature and have been greatly disturbed and dispersed by various grading and filling activities. In addition, development of the Project Area II improvements will only require minimal clearance and disturbance. Nonetheless, a condition has been added to the resolution requiring the presence of a Native American monitor and an archaeological monitor during all ground disturbing activities associated with development of the view platform, ADA parking space, access aisle and Fire Department turnaround in Project Area II. If resources are found, work shall immediately cease until a qualified archaeologist can evaluate the resources and all normal documentation and recovery protocols will be followed. Monitoring will not be required with other portions of the project site. However, if cultural resources are encountered during implementation, standard conditions of approval will require that proper actions be taken to evaluate and preserve the resources.

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. The project has been conditioned to require that, prior to the issuance of any grading or building permits for the project, a Local Storm Water Pollution Prevention Plan incorporating a construction-phase Erosion and Sediment Control Plan must be approved by the City Public Works Department. With the implementation of this condition, the project conforms to the water quality protection standards of LIP Chapter 17.

Wastewater Treatment System Standards (LIP Chapter 18)

LIP Chapter 18 addresses OWTS. LIP Section 18.8 includes specific siting, design, and performance requirements. As outlined in the *Project Description*, the project includes a new accessible restroom, OWTS and leachfields in Project Area III. The single-stall restroom would be located on a bluff near the beach stairway and would be connected to a viewing platform above the OWTS via a concrete pathway. The leachfields would be located further to the east on the south side of the Fire Department turnaround on East Sea Level Drive and requires approval of a CUP to be located a separate property from the OWTS.

The proposed OWTS was reviewed and approved by the City Environmental Health Administrator. Conditions of approval require the applicant to submit a final design report, plans and system specifications during Building Safety plan check to ensure the subject OWTS will meet all applicable requirements. In addition, conditions will require continued maintenance and monitoring of onsite facilities. With the required conditions of approval, the project will be consistent with the Wastewater Treatment System Standards of LIP Chapter 18.

LIP Findings

A. Coastal Development Permit (LIP Chapter 13)

LIP Section 13.9 requires that the following four findings be made for all coastal development permits.

Finding 1. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified Malibu Local Coastal Program.

The project is located in the SFM zoning district in a single-family residential area with existing public accessways to the shore. The proposed public access improvements are permitted in all land use and zoning designations pursuant to LIP Section 2.7.

The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the project, as conditioned, complies with all applicable provisions of the MMC and the LCP, inclusive of the VARs.

Finding 2. If the Project is located between the first public road and the sea, that the Project is in conformity to the public access and recreation policies of Chapter 3 of the Coastal Act of 1977 (commencing with Sections 30200 of the Public Resources Code).

The project is located on the ocean side of Broad Beach Road, the first public road. The purpose of the project is to improve and enhance public access to the shoreline. Existing pathways, staircases, viewing platforms, gates and signs will be improved and new amenities, including ADA vehicular access, parking spaces and an accessible restroom will be added. The project has been designed to minimize effects on the environment and facilitate public beach access. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976.

Finding 3. The project is the least environmentally damaging alternative.

As outlined in the IS/ND prepared for the project, the project would not result in any potentially significant environmental impacts. Nonetheless, the following paragraphs address whether there are any alternatives to the proposed project which would significantly lessen effects on the environment.

No Project – The no project alternative would result in no improvements to the Lechuza Beach accessways. Eroded pathways would continue to degrade, and the ADA, Fire, restroom and other improvements would not be provided. Effects on coastal bluffs would be minimized but none of the project goals would be achieved. Thus, the no project alternative would not be an environmentally superior alternative.

Reduced Project – A smaller or alternative project could be proposed on the project site that would only improve existing gates, trails, viewing platforms, stairways and facilities, but not add the two ADA van parking spaces, access aisles, improved fire access turnarounds, or the restroom, leachfield and OWTS. Like the proposed project, this alternative would provide enhanced pedestrian access to the beach by improving paths, gates, staircases, signs and viewing platforms.

The elimination of the ADA parking spaces, access aisles, Fire Department turnarounds and restroom/OWTS would reduce the amount of site disturbance and vegetation removal required within Project Areas II and III. However, caissons for the viewing platforms and staircases would still be required and there were no potentially significant impacts associated with these improvements. In addition, the reduced project alternative would not facilitate increased general and ADA access to the beach which is a major project objective. Furthermore, a reduced project would not expand the Fire Department turnarounds which have been requested by the Fire Department and could potentially limit safety operations.

Proposed Project – The proposed project provides the least amount of environmental effects while still achieving the goals to provide general and ADA public beach access and meet codes. The project would improve existing access pathways and stairways which have become eroded and degraded over time. In addition, a new restroom and ADA parking would be provided which would facilitate general and disabled access to the beach. The Fire Department turnarounds would also be expanded which would enable Fire vehicles to efficiently operate in the area.

The project has been reviewed and conditionally approved by the City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering consultant reviewers, and the LACFD and meets the policies of the LCP and MMC. The project, as conditioned, will comply with all applicable requirements of State and local law. The project has been determined not to result in adverse biological, scenic or visual resource impacts and represents the least environmentally damaging alternative that would meet project objectives.

Finding 4. 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.

As outlined previously under *Project Jurisdiction*, the Project Site is not in an ESHA Overlay or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Due to the preparation of an IS/ND for the project, it was reviewed by the ERB. ERB had four recommendations for the project. Two recommended that the project be processed with CDP 14-012, a related road widening project. However, that project was approved in 2020 and concurrent processing was not considered feasible. A third recommendation to replace any native plants displaced by the OWTS is not needed as no native plants exist on the OWTS site. The final recommendation that the City Environmental Health Administrator review the project for perch water associated with development along East Sea Level Drive has been made a condition of project approval.

B. Variance for Improvements Construction on Slopes in Excess of 2.5 to 1 (LIP Section 13.26)

The applicant is requesting a variance from LIP Section 13.27.1(A)(4) which allows construction to be located on slopes flatter than 2.5 to 1 with a site plan review. The proposed project includes construction of a restroom and OWTS and given the steep topography which runs parallel to the shoreline, it is not possible to develop the facilities without construction on steep slopes. Given the site does not offer any

alternative locations for development where steep slopes can be avoided, the required findings in support of VAR 21-022 can be made as follows.

Finding 1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classification.

The proposed project includes beach access improvements including pathways, stairways, view platforms, ADA parking spaces and a restroom. Other property in the vicinity and under the SFM zoning classification consists of privately-owned single-family homes which are different in nature. The proposed project seeks to improve and enhance public access to the coast within the existing neighborhood while minimizing impacts to surrounding homes. In addition, the restroom is considered an essential public access facility that will enable beach visitors to use an appropriate restroom and not have to find other makeshift restroom facilities on the beach or in the neighborhood that could potentially impact the surrounding neighborhood.

By its very nature, the project is sited along the beach and up slopes to the roadway access points. In addition, strict application of the zoning ordinance would prevent the construction of the restroom and OWTS because there are no flat areas in which the facilities could be located. The site currently offers beach access but no restroom facilities. Due to the topography and location of the site, and the objective to provide an accessible restroom at Lechuza Beach, there are no other options for providing the facilities.

Finding 2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

The proposed project includes the installation of 13 concrete caissons into the bluff for the Project Area III restroom, OWTS, view platform and staircase and would not result in instability to the site. The project has been reviewed and approved by the City geotechnical consultant reviewers and the City coastal engineering consultant reviewers for consistency with all applicable regulations and policies. Therefore, the granting of the variance would not be detrimental or injurious to the property or improvements in the same vicinity in which the property is located through the granting of a variance for construction on steep slopes.

Finding 3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

As outlined in Finding No. 1, the proposed access uses are very different in nature than the surrounding neighborhood that consists of single-family homes. Granting of the variance will permit construction of a public beach restroom for beach visitors that will give the public access to an essential beach amenity and prevent the use of other surrounding properties for restroom uses.

The subject site is a coastal bluff with steep slopes descending to the beach below and it is not possible to avoid construction on slopes in excess of 2.5 to 1. The granting of this variance will allow for construction on a slope steeper than 2.5 to 1. Furthermore, the granting of the variance will not constitute a special privilege to the applicant because it would allow for the construction of a beach restroom and OWTS accessible to the public.

Finding 4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

The granting of the variance will not be contrary to or in conflict with the general provisions and intent, nor the goals, objectives and policies of the LCP and the General Plan as the variance will allow the subject property to be developed in a manner consistent with the LCP. The LCP allows the construction of public beach access improvements and facilities on a coastal bluff.

Finding 5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

The project site does not contain ESHA and the variance is not to ESHA or other environmentally sensitive habitat area protection standards.

Finding 6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 12 of the Malibu LIP.

The proposed variance is not for a deviation of stringline standards; therefore, this finding is not applicable.

Finding 7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel or property.

The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the SFM zoning designation.

Finding 8. The subject site is physically suitable for the proposed variance.

The project site is physically suitable for the variance because development of a restroom and OWTS cannot avoid steep slopes. The project has been reviewed and approved by applicable agencies. Prior to the issuance of a building permit, the project would be reviewed and approved for structural integrity and stability. All final recommendations of the applicant's structural and coastal engineer, as well as those recommendations of the City Environmental Sustainability Department, the City Biologist, City Public Works Department, City geotechnical consultant reviewers and City coastal engineer consultant reviewers, would be incorporated into the project.

Finding 9. The variance complies with all requirements of state and local law.

The variance complies with all requirements of State and local law. Construction of the proposed improvements on a steep slope would comply with all building code requirements and would incorporate all recommendations from applicable City and County agencies.

Finding 10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails, or parklands.

The proposed project does not include any reduction or elimination of public parking for access to the beach. However, the project would provide two new ADA accessible van parking spaces which would facilitate disabled access to the shoreline. The spaces would be located within Project Areas II and III at the terminuses of West Sea Level Drive and East Sea Level Drive. Improvements at these locations would include accessible parking spaces, ADA access aisles, and signage. As the project would not result in the reduction or elimination of public parking, this finding can be met.

C. Variance for Construction on a Coastal Bluff (LIP Section 13.26)

The applicant is requesting a variance from LIP Section 10.4(D) which requires that development be set back at least 50 feet from the top of bluff. Due to the topography of the area and the objective to develop an accessible beach restroom, the project site does not offer any alternative locations for where coastal bluff can be avoided. Thus, the required findings in support of VAR 21-023 can be made as follows:

Finding 1. There are special circumstances or exceptional characteristics applicable to the subject property, including size, shape, topography, location, or surroundings such that strict application of the zoning ordinance deprives such property of

privileges enjoyed by other property in the vicinity and under the identical zoning classification.

The proposed project includes beach access improvements including pathways, stairways, view platforms, ADA parking spaces and a restroom. Other property in the vicinity and under the SFM zoning classification consists of privately-owned single-family homes which are different in nature. The proposed project seeks to improve and enhance public access to the coast within the existing neighborhood while minimizing impacts to surrounding homes. In addition, the restroom is considered an essential public access facility that will enable beach visitors to use an appropriate restroom and not have to find other makeshift restroom facilities on the beach or in the neighborhood that could potentially impact the surrounding neighborhood.

By its very nature, the project is sited along the beach and on coastal bluffs up to the roadway access points. In addition, strict application of the zoning ordinance would prevent the construction of the restroom and OWTS because there are no flat areas in which the facilities could be located. The site currently offers beach access but no restroom facilities. Due to the topography and location of the site, and the objective to provide an accessible restroom at Lechuza Beach, there are no other options for providing the facilities.

Finding 2. The granting of such variance will not be detrimental to the public interest, safety, health or welfare, and will not be detrimental or injurious to the property or improvements in the same vicinity and zone(s) in which the property is located.

In order to safely develop a restroom, OWTS, viewing platform and staircase on the site, the applicant must anchor the facilities into the coastal bluff. The proposed project includes the installation of 13 concrete caissons into the bluff and would not result in instability to the site. The project has been reviewed and approved by the City geotechnical consultant reviewers and City coastal engineering consultant reviewers for consistency with all applicable regulations and policies. Therefore, the granting of the variance would not be detrimental or injurious to the property of improvements in the same vicinity in which the property is located through the granting of a variance for construction on a coastal bluff.

Finding 3. The granting of the variance will not constitute a special privilege to the applicant or property owner.

As outlined in Finding No. 1, the proposed access uses are very different in nature than the surrounding neighborhood that consists of single-family homes. Granting of the variance will permit construction of a public beach restroom for beach visitors that will give the public access to an essential beach amenity and prevent the use of other surrounding properties for restroom uses.

The granting of the variance will not constitute a special privilege to the applicant or property owner as it would facilitate public access improvements at Lechuza Beach in conformance with State and local coastal policies. The project is unique in that it includes public access improvements which would facilitate general and disabled access to the beach while surrounding properties consist of privately-owned single-family homes. The project would improve existing public accessways, gates, view platforms and signs and would provide new facilities including a public restroom, ADA parking spaces and enhanced Fire Department turnarounds. The improvements, including the restroom, would complement public access to and along the shoreline as called for in the Coastal Act and by LUP Policies 2.52 and 2.67.

Finding 4. The granting of such variance will not be contrary to or in conflict with the general purposes and intent of this Chapter, nor to the goals, objectives and policies of the LCP.

The granting of the variance would not be in conflict with the LCP. In addition, the variance would facilitate implementation of a public restroom at Lechuza Beach which would conform with LCP policies related to maximizing public access to the shoreline (LUP Policy 2.63) and developing facilities to complement public access to the shoreline (LUP Policies 2.52 and 2.67).

Finding 5. For variances to environmentally sensitive habitat area buffer standards or other environmentally sensitive habitat area protection standards, that there is no other feasible alternative for siting the structure and that the development does not exceed the limits on allowable development area set forth in Section 4.7 of the Malibu LIP.

The project site does not contain ESHA and the variance is not to ESHA or other environmentally sensitive habitat area protection standards.

Finding 6. For variances to stringline standards, that the project provides maximum feasible protection to public access as required by Chapter 12 of the Malibu LIP.

The proposed variance is not for a deviation of stringline standards; therefore, this finding is not applicable.

Finding 7. The variance request is consistent with the purpose and intent of the zone(s) in which the site is located. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel or property.

The project site is within the SFM zone which permits public access improvements pursuant to LIP Section 2.7. The requested variance is for relief from a specific

development standard and does not authorize a use not otherwise permitted within the SFM zoning designation.

Finding 8. The subject site is physically suitable for the proposed variance.

The project site is physically suitable for the variance because development of a restroom and OWTS, which would support public access to the beach, cannot avoid the bluff slope. The bluff does not contain designated ESHA or native plant species and an appropriate foundation system has been designed for the project. Prior to the issuance of a building permit, the project would be reviewed and approved for structural integrity and stability. All final recommendations of the applicant's structural and coastal engineer, as well as those recommendations of the City Departments and LACFD, would be incorporated into the project.

Finding 9. The variance complies with all requirements of state and local law.

The variance complies with all requirements of state and local law. Construction plans must comply with all building code requirements and would incorporate all recommendations from applicable City and County agencies.

Finding 10. A variance shall not be granted that would allow reduction or elimination of public parking for access to the beach, public trails, or parklands.

As outlined under B, Finding 10, above, the proposed project does not include any reduction or elimination of public parking for access to the beach; therefore, this finding is not applicable. In addition, the project would provide two new accessible van parking spaces which are not currently available.

D. Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)

The project site does not contain ESHA and the variance is not to ESHA or other environmentally sensitive habitat area protection standards. Therefore, the findings contained in LIP Chapter 4 do not apply.

E. Native Tree Protection (LIP Chapter 5)

Based on the IS/ND and biological resource studies prepared for the project, there are no native trees on or adjacent to the project site. Therefore, the findings contained in LIP Chapter 5 do not apply.

F. Scenic, Visual and Hillside Resource Protection (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,

with, provides views to or is visible from any scenic area, scenic road or public viewing area. LIP Section 6.4 requires that the following five findings be made because the subject properties are available from scenic viewing areas and the beach. Therefore, the required findings can be made as follows:

Finding 1. The project, as proposed, will have no significant adverse scenic or visual impacts due to project design, location on the site or other reasons.

Many of the project improvements include replacement of, or improvement to, pathways, stairs, gates and signs in place. As such, they would not appreciably change existing available views in the area and would have no adverse scenic or visual effects. Implementation of the restroom, OWTS, viewing platform and relocated staircase in Project Area III would introduce new facilities to the coastal bluff and shoreline area which would be visible from the beach. However, they would be small in scale and located adjacent to existing access improvements to minimize their effect on scenic and coastal views. Thus, visual impacts would be minimized.

Finding 2. The project, as conditioned, will not have significant adverse scenic or visual impacts due to required project modifications, landscaping or other conditions.

The project will not have significant scenic or visual impacts as new facilities have been minimized in size and scope to have a minimal effect on scenic views. In addition, they would utilize earth-tone colors and non-reflective materials and would not include lighting or other illumination.

Finding 3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

The IS/ND prepared for the project determined there would be no potentially significant impacts associated with project implementation. In addition, as outlined in Section A, Finding 3, the proposed project is the least environmentally damaging alternative that meets the project objectives to provide enhanced general and disabled access to Lechuza Beach.

Finding 4. There are no feasible alternatives to development that would avoid or substantially lessen any significant adverse impacts on scenic and visual resources.

As outlined in Findings 1 and 2 above, and in the IS/ND, the project would not result in any significant adverse impacts to scenic and visual resources. In addition, there are no feasible alternatives that would meet the project objectives to provide enhanced general and disabled access to Lechuza Beach.

Finding 5. Development in a specific location on the site may have adverse scenic and visual impacts but will eliminate, minimize or otherwise contribute to conformance to sensitive resource protection policies contained in the certified LCP.

The project will not have adverse scenic and visual impacts and is consistent with the goals and policies in the certified LCP for sensitive resource protection.

G. Transfer of Development Credit (LIP Chapter 7)

The proposed project does not include a land division or multi-family development. Therefore, the findings of LIP Chapter 7 are not applicable.

H. 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 listed in LIP Sections 9.2(A)(1-7) must be included in support of all approvals, denials or conditional approvals of development located on a site or in an area where it is determined that the project causes the potential to create adverse impacts upon site stability or structural integrity.

The proposed project has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering reviewers and LACFD. The required findings can be made as follows:

Finding 1. The Project, as proposed will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards do to Project design, location on the site or other reasons.

Geologic/Flood Hazards

A Coastal Hazards and Wave Run-Up study was originally prepared for the project in 2007 by GeoSoils and updated in 2013 and 2016. However, in 2021, the City's coastal engineering reviewers requested additional analysis to satisfy City requirements and comply with recent State guidance on sea level rise. The new study, entitled 'Lechuza Beach Coastal Hazards Study' and prepared by AECOM, was submitted to the City on March 2, 2023. The Study was approved by the City coastal engineering reviewers and focused on proposed shoreline improvements in Project Areas II and III.

Project Area II would have no shoreline protection device, and the staircase has been designed to be supported independent of shoreline position, wave action or erosion.

The staircase will extend from approximately 10 to 34.42 feet NAVD88¹ and the parking space, gate and viewing platform will be located at approximately 32.42 to 37.42 feet NAVD88, and. Based on current conditions, there is a 1 percent annual chance of wave uprush in this area of 20 to 21 feet and the lower portion of the staircase will occasionally experience inundation. Although MRCA considers these improvements to have only a 20-to-25-year lifespan, in the event these improvements last into the future, the level of uprush is anticipated to increase to 23 feet in the year 2075 and 25 feet in 2125 with sea level rise. This will affect more of the staircase but not the parking space, gate and viewing platform. However, as shoreline position advances due to sea level rise, it will encroach on the road and parking space, gate and viewing platform sometime between 2075 and 2100 and may cut off access to the stairs themselves. In this case, removal or removal and reconstruction would be the only options, unless shoreline protection is allowed with a CDP in the future in order to maintain public access.

The restroom, ramp, OWTS, viewing platform and beach staircase in Project Area III will be supported by 13 caissons anchored into bedrock. The restroom will have a finished floor elevation of 20.44 feet NAVD88, the OWTS will be in a vault with the bottom of the tank vault at elevation 12.67 feet NAVD88 and the top of tank vault at elevation 21.92 ft NAVD88 (also serving as the view platform) and the lower beach staircase will descend from the viewing platform to a pile supported base at the beach at elevation 7.42 to 10.42 ft. NAVD88. The restroom, OWTS, viewing platform, and staircase are designed to be protected and supported independent of shoreline position.

Based on current conditions, there is a 1 percent annual chance of wave uprush in this Project Area III of 18 to 22 feet and the lower beach staircase, restroom and OWTS vault will occasionally experience the effects of wave action. If the facilities last longer than the 20-to-25-year lifespan anticipated by MRCA, levels of uprush in this area are anticipated to increase to 21 to 24 feet in the year 2075, and to 23 to 27 feet in 2125.

The proposed leachfields in Project Area III will consist of two new 88-foot-long new leachfields located on the southern side of the Fire Department turnaround and parking space immediately north of the existing rock revetment on East Sea Level Drive (crest elevation at 22.2 feet NAVD88). The leachfields will be located below ground and would be protected by the existing revetment, erosion resistant fabric and parking pavers. The bottom of the leachfield will be 6.83 feet above the highest tide. If the leachfields outlast their projected 20-to-25-year lifespans, AECOM recommends the implementation of adaptive strategies to protect them from flooding from 100-year storm conditions in the future. Adaptive strategies would include

¹ North American Vertical Datum 1988 (NAVD88) is the vertical control datum of height established for surveying in the US.

raising the existing rock revetment, providing scour protection and adding improved drainage.

In summary, due to the objective to provide general and ADA access to the coast, some of the proposed facilities would be located in areas subject to wave action, erosion and flooding. Where they cannot be located outside of these areas, they have been vertically elevated or otherwise protected by design of the project. In addition, if the leachfields outlast their projected 20–25-year lifespan, adaptive strategies may be needed to protect the system.

Fire Hazards

The entire City of Malibu is designated as a Very High Fire Hazard Severity Zone, a zone defined by a more destructive behavior of fire and a greater probability of flames and embers threatening buildings. The subject property is currently subject to wildfire hazards. The scope of work proposed as part of this application is not expected to have an adverse impact on wildfire hazards. The project includes public access improvements and does not include structures for human occupancy or other improvements that could exacerbate fire risk. In addition, the project includes the expansion of two Fire Department turnarounds which would enhance the ability to fight fires.

The City is served by the LACFD, as well as the California Department of Forestry, if needed. In the event of major fires, the County has “mutual aid agreements” with cities and counties throughout the State so that additional personnel and firefighting equipment can augment the LACFD. Conditions of approval have been included in the resolution to require compliance with all LACFD development standards. As such, the project, as designed, constructed, and conditioned, will not be subject to nor increase the instability of the Project Site or structural integrity involving wildfire hazards.

Finding 2. 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 1, the project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on site stability or structural integrity from geologic or flood hazards due to Project modifications, landscaping or other conditions.

Finding 3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As previously stated in LIP Findings, Section A, Finding 3, the project, as designed and conditioned, is the least environmentally damaging alternative.

Finding 4. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.

The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering reviewers, and LACFD. These specialists and agency determined that the project does not impact site stability or structural integrity. In addition, and as previously discussed in Section A, there are no feasible alternatives to the proposed development that would result in less site disturbance.

Finding 5. 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 outlined in Section A, Finding 3, the proposed project, as designed and conditioned, is the least environmentally damaging alternative that meets all the project's access goals and no adverse impacts to sensitive resources are anticipated.

I. Shoreline and Bluff Development (LIP Chapter 10)

The Shoreline and Bluff Development Chapter governs those coastal development permit applications that include development on a parcel located along the shoreline as defined by the LCP. In accordance with LIP Section 10.2, the requirements of LIP Chapter 10 are applicable to the project and the required findings are made as follows:

Finding 1. The project, as proposed, will have no significant adverse impacts on public access, shoreline sand supply or other resources due to project design, location on the site or other reasons.

The subject site is located between the first public road and the sea and the public currently uses the site to access the beach from Broad Beach Road. Currently, there are three public access points to the beach. The project is set forth to improve and enhance these public access points, together with pathways, viewing platforms, turnarounds, stairways and other improvements. In addition, the project would add two ADA van parking spaces and an accessible restroom/OWTS to further enhance general and disabled access to the beach. In addition, the project would not add any shoreline protection devices that could impact shoreline sand supply.

The project has been approved by the City Planning Department, City Biologist, City Public Works Department City Coastal engineering reviewers and City geotechnical consultant reviewers and will not have any significant adverse impacts on public access or shoreline sand supply due to project design, location on the site or other reasons.

Finding 2. The project, as conditioned, will not have significant adverse impacts on public access, shoreline sand supply or other resources due to required project modifications or other conditions.

As discussed in Finding 1, the proposed project, as designed and conditioned, and approved by the City Public Works Department, City coastal engineering reviewers, and City geotechnical consultant reviewers, will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

Finding 3. The project, as proposed or as conditioned, is the least environmentally damaging alternative.

As discussed in Section A, Finding 3, the IS/ND prepared for the project determined that the proposed improvements would not have any potentially significant effects on the environment. In addition, the project has been determined to conform the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering reviewers, and LACFD. The proposed project, as designed and conditioned, is the least environmentally damaging alternative that meets the goals of the project to improve general and ADA access to Lechuza Beach.

Finding 4. There are no alternatives to the proposed development that would avoid or substantially lessen impacts on public access, shoreline sand supply or other resources.

As discussed in Section A, Finding 3, all other alternatives considered were either infeasible or did not meet the project objectives.

Finding 5, The shoreline protective device is designed or conditioned to be sited as far landward as feasible to eliminate or mitigate to the maximum feasible extent adverse impacts on local shoreline sand supply and public access, and there are no alternatives that would avoid or lessen impacts on shoreline sand supply, public access or coastal resources and it is the least damaging alternative.

The project would not introduce a new shoreline protective device although the proposed leachfields in Project Area III would be protected by an existing rock revetment. As no new shoreline protection devices are proposed, this finding is not applicable.

J. Public Access (LIP Chapter 12)

LIP Chapter 12.4 requires public access for lateral, bluff-top, and vertical access near the ocean, trails, and recreational access for the following cases:

- A. New development on any parcel or location specifically identified in the Land Use Plan or in the LCP zoning districts as appropriate for or containing a historically used or suitable public access trail or pathway.
- B. New development between the nearest public roadway and the sea.
- C. New development on any site where there is substantial evidence of a public right of access to or along the sea or public tidelands, a blufftop trail or an inland trail acquired through use or a public right of access through legislative authorization.
- D. New development on any site where a trail, bluff top access or other recreational access is necessary to mitigate impacts of the development on public access where there is no feasible, less environmentally damaging project alternative that would avoid impacts to public access.

The intent of Chapter 12.4 is to ensure that new development preserves public recreational access to coastal resources. As a public access improvement project, the proposed Project will preserve, improve and expand public access opportunities in the Lechuza Beach area. Therefore, the requirements of LIP Section 12.4 do not apply and further findings are not required.

K. Land Division (LIP Chapter 15)

This project does not include a division of land per LIP Section 15.1.

L. Conditional Use Permit for an OWTS and Leachfield to be Located on Separate Properties (MMC Section 17.66.080)

Due to the configuration of the bluff and shoreline, the proposed restroom, OWTS and leachfield would be located on separate parcels. The restroom and OWTS would be located on APN 4470-021-900 and the leachfield would be located on APN 4470-021-009. MMC Section 15.40.070 states: "No onsite wastewater treatment system, or part thereof, shall be located on any other property other than the property where the building or structure served by such OWTS is located." Thus, the proposed Project requires a CUP to locate the leachfield on a separate property.

Pursuant to MMC Section 17.66.080, the Planning Commission may approve, deny and/or modify an application for a CUP in whole or in part, with or without conditions, provided that it makes all of the following findings of fact. The CUP findings can be supported based on the findings below:

Finding 1. The proposed use is one that is conditionally permitted within the subject zone and complies with the intent of all of the applicable provisions of Title 17 of the Malibu Municipal Code.

The proposed leachfields are located in an area zoned SFM and are required for the operation of the beach restroom. Pursuant to Section 2.7 of the LCP, public accessways, trails to the shoreline and related access improvements are permitted use in all land use and zoning designations. In addition, the project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering reviewers, and LACFD. As discussed herein, based on submitted reports, project plans, visual analysis and site investigation, the Project, as conditioned, complies with all applicable provisions of the MMC and the LCP.

Finding 2. The proposed use would not impair the integrity and character of the zoning district in which it is located.

The proposed leachfields would be located within the Broad Beach area and the surrounding development includes the terminus of East Sea Level Drive, single-family homes and an existing beach revetment. The proposed leachfields would be located underground on the south side of East Sea Level Drive outside the path of travel and behind the existing rock revetment. The leachfields would be covered with grasscrete, tufftrack or other permeable paving at ground level. Pumping of the leachfields would occur infrequently on an as needed basis. The leachfields would be minimally visible from the surrounding area and would not impair the integrity or character of the zoning district in which they are located.

Finding 3. The subject site is physically suitable for the type of land use being proposed.

The leachfields have been designed to be part of the beach restroom restroom/OWTS and have been located within the southern portion of East Sea Level Drive and designed to accommodate all location and drainage requirements of a leachfield. The project has been reviewed and conditionally approved by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering and LACFD. The project would be operated in compliance with all applicable regulations and the subject site is physically suitable for the proposed use.

Finding 4. The proposed use is compatible with the land uses, if any, presently on the subject property and in the surrounding neighborhood.

The proposed leachfields would be located along an existing private road in the Broad Beach area and would be compatible with uses presently on and near the subject property. The leachfields would be located below ground and would be operated in conformance with all applicable regulations and requirements. The proposed use would not negatively affect existing uses in the vicinity.

Finding 5. The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.

As outlined above, the proposed use would be compatible with surrounding uses. In addition, the neighborhood is substantially built out and will remain a single-family area. The proposed leachfields would operate compatibly with existing and future uses in the area and no adverse effects would result.

Finding 6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety and the project does not affect solar access or adversely impact existing public and private views, as defined by the staff.

The proposed leachfields would support an accessible single-stall accessible restroom/OWTS on an adjacent property. Together, the facilities would enhance sanitation in the area by providing the public with restroom facilities and reduce the likelihood that members of the public would utilize the beach or environs for restroom uses. The leachfields would operate in conformance with all applicable regulations and requirements and would not be detrimental to the public health and safety. In addition, the leachfields would be at and below ground and would not affect solar access or adversely impact existing public and private views.

Finding 7. There would be adequate provisions for public access to serve the subject proposal.

The proposed leachfields would support a public access project, intended to provide general and disabled access to Lechuza Beach. The leachfields would support an accessible beach restroom, which would provide a needed amenity to visitors to Lechuza Beach. The leachfields would operate in compliance with all applicable rules and regulations would enhance public access to the coast.

Finding 8. The proposed use is consistent with the goals, objectives, policies, and general land uses of the General Plan.

The General Plan is a policy document that contains policy measures, while the specific development standards to implement these policy measures are located in the MMC. The site of the proposed leachfields is designated as SFM in the General Plan which is intended for single-family residential development at a density up to 4

dwelling units per acre. Public access improvements are permitted in the SFM designation and in all General Plan designations in the City and the leachfields would support a public access restroom at Lechuza Beach.

The proposed use is also subject to the Public Access and Recreation goals and policies of the General Plan. The General Plan promotes maximum public access to the coast in a manner which minimizes conflicts with other uses (Policy 2.73) and the restoration of public accessways which have been degraded (Policy 2.75), among other policies. The proposed leachfields would support the provision of a publicly-accessible beach restroom and is consistent with the public access policies of the General Plan.

Finding 9. The proposed project complies with all applicable requirements of state and local law.

The proposed use will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu.

Finding 10. The proposed use would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed leachfields would be beneficial to the public interest, health, safety, convenience and welfare as they would support the installation of an accessible beach restroom which would serve the general public and prevent visitors from finding alternative restroom facilities. The leachfields would operate with all health and safety requirements and would not be detrimental to the public interest.

Finding 11. If the project is located in an area determined by the City to be at risk from earth movement, flooding or liquefaction, there is clear and compelling evidence that the proposed development is not at risk from these hazards.

Due to the objective to provide general and disabled access to the coast, the proposed leachfields would be located in areas subject to wave action, erosion and flooding. However, in order to meet the project objective of providing an accessible beach restroom, there are no other feasible locations for the leachfields. In addition, the leachfields have been designed to withstand natural hazards by the materials to be used and by the existing rock revetment at the beach.

ENVIRONMENTAL REVIEW: Pursuant to CEQA Guidelines Section 15070, an Initial Study and IS/ND was prepared by MRCA (SCH#2019011015) (Attachment 5). The MRCA Governing Board acted as Lead Agency pursuant to CEQA Guidelines Sections 15300.2(c) and 15051 with the City acting as a Responsible Agency. The IS analyzed the proposed Lechuza Beach Public Improvements Project and

determined that the project will not have a potentially significant impact on the environment. Subsequently, ND No. 19-001 was prepared and circulated pursuant to CEQA Guidelines Section 15070.

On January 10, 2019, MRCA made IS/ND No. 19-001 available to the public for a 45-day public review period from January 10, 2019 through February 24, 2019. A Notice of Intent (NOI) to adopt the IS/ND was sent to local and State agencies, filed with the State Clearinghouse and the County Clerk, posted on the MRCA website, and mailed to residents within 500 feet of the project site. In addition, Notice of Availability of the IS/ND was published in the Malibu Surfside News on January 10, 2019. However, due to a publishing error, the notice was not published in the Malibu Times until January 17, 2019. Thus, public review was extended from March 14, 2019 through April 13, 2019 and notices to this effect were sent to residents within 500 feet and published in the Malibu Surfside News and Malibu Times on March 14, 2019.

MRCA received a total of 10 emails, letters and referral sheets commenting on the draft IS/ND from public agencies and members of the public (Attachment 5). The following comments were received:

Table 2 – CEQA Public Comments		
Number	Name of Commenter	Date Received
1	Sean Murphy	January 10, 2019
2	Susan Saul	January 18, 2019
3	Robert K. Ryan	January 31, 2019
4	City of Malibu, Environmental Health Department	February 6, 2019
5	City of Malibu, Public Works Department	February 6, 2019
6	City of Malibu, City Biologist	February 7, 2019
7	Loeb & Loeb, LLP	February 24, 2019
8	City of Malibu, Planning Department	March 1, 2019
9	George Merritt	March 22, 2019
10	City of Malibu, Planning Department	April 22, 2019

MRCA responded to each comment on the IS/ND as outlined in Attachment 5. MRCA determined that none of the comments required any substantial changes to the document and thus recirculation of the draft IS/ND was not required pursuant to CEQA Guidelines Section 15073.5. However, MRCA did provide additional information and clarification of project impacts in several sections of the document. The MRCA Governing Board adopted the Final IS/ND on May 1, 2019.

Regarding comments submitted by the City of Malibu, all comments have since been resolved through revisions to the Final ND, project plans and/or Beach Management Plan and each department has since approved the project. Staff finds that through

feasible conditions placed on the project, less that significant impacts on the environment are expected. In addition, based on the record as a whole, there is no substantial evidence that the project, as conditioned, will have a significant effect on the environment.

As the decision-making body for CDP No. 07-087, the Planning Commission is tasked with considering the Final IS/ND, as adopted by MRCA, prior to acting upon or approving the project, and shall certify that the information contained in the IS/ND is adequate for such approval.

CORRESPONDENCE: Correspondence received on the subject application is included in Attachment 4. Correspondence includes emails received from Tom Van Daele on May 11 and 12, 2023 objecting to the location of the proposed restroom. In addition, a letter was received from Allan Abshez representing MEHOA on May 29, 2023 in support of the project.

PUBLIC NOTICE: On May 25, 2023, staff published a Notice of Public Hearing in a newspaper of general circulation within the City of Malibu and mailed the notice to all property owners and occupants within a 500-foot radius of the subject property (Attachments 7 and 8).

SUMMARY: The required findings can be made that the Project complies with the LCP and MMC. Further, the Planning Department's findings of fact are supported by substantial evidence in the record. Based on the analysis contained in this report and the accompanying resolution, staff recommends approval of this Project, subject to the conditions of approval contained in Section 4 (Conditions of Approval) of Planning Commission Resolution No. 23-33 (Attachment 1). The proposed project has been reviewed and conditionally approved for conformance with the LCP by Planning Department staff and appropriate City and County departments.

ATTACHMENTS:

1. Planning Commission Resolution No. 23-33
2. Project Plans
3. Department Review Sheets
4. Public Correspondence
5. Final Initial Study / Negative Declaration (SCH#2019011015)
6. Beach Management Plan
7. Radius Map
8. Public Hearing Notice

CITY OF MALIBU PLANNING COMMISSION
RESOLUTION NO. 23-33

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MALIBU, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, DETERMINING THE PROPOSED PROJECT IS CONSISTENT WITH NEGATIVE DECLARATION NO. 19-001 AND INITIAL STUDY NO. 19-001 PREVIOUSLY ADOPTED BY THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY GOVERNING BOARD, AND APPROVING COASTAL DEVELOPMENT PERMIT NO. 07-087 FOR PUBLIC ACCESS IMPROVEMENTS AT LECHUZA BEACH TO IMPROVE ACCESSIBILITY CONSISTENT WITH THE AMERICANS WITH DISABILITIES ACT (ADA) INCLUDING THE CONSTRUCTION AND INSTALLATION OF A NEW ADA ACCESSIBLE SINGLE-STALL RESTROOM, ONSITE WASTEWATER TREATMENT SYSTEM AND LEACHFIELD, GATES, PATHWAYS, SIGNS, ACCESS IMPROVEMENTS, ADA VAN PARKING SPACES, RECONSTRUCTION OF VIEW PLATFORMS AND STAIRCASES, AND MODIFICATIONS TO TWO FIRE DEPARTMENT TURNAROUNDS; CONDITIONAL USE PERMIT NO. 21-010 FOR AN ONSITE WASTEWATER TREATMENT SYSTEM AND LEACHFIELDS TO BE LOCATED ON SEPARATE PROPERTIES; INCLUDING VARIANCE NO. 21-022 FOR CONSTRUCTION ON STEEP SLOPES; VARIANCE 21-023 FOR A REDUCTION IN THE BLUFFTOP SETBACK, AND SIGN PERMIT NO. 19-004 FOR INFORMATIONAL SIGNS, LOCATED IN THE SINGLE FAMILY MEDIUM ZONING DISTRICT AT 31720.5 BROAD BEACH ROAD (MOUNTAINS RECREATION AND CONSERVATION AUTHORITY)

The Planning Commission of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. In May of 2002, the Mountains Recreation and Conservation Authority (MRCA) acquired property in the Lechuza Beach area, including pedestrian access and Americans with Disabilities (ADA) parking easements over West and East Sea Level Drive and other private property.

B. On July 16, 2007, MRCA filed an application for Coastal Development Permit (CDP) No. 07-087 for the Lechuza Beach Public Improvements Access Project, for the construction of several public access improvements in the vicinity of Lechuza Beach, located at 31720.5 Broad Beach Road in the Single Family Medium (SFM) zoning district. The application was routed to the City geotechnical consultant reviewers, City coastal engineering consultant reviewers, City Environmental Health Administrator, City Biologist, City Public Works Department, and Los Angeles County Fire Department (LACFD).

C. On April 30, 2009, MRCA submitted revised plans for the Lechuza Beach Public Access Project, including two new parking spaces.

D. On January 8, 2010, MRCA submitted revised project information and a draft Beach Management Plan.

E. From approximately 2010 through 2018, work on CDP No. 07-087 stalled as MRCA engaged in litigation with the Malibu Encinal Homeowners Association (MEHOA) regarding public access improvements.

F. On October 3, 2018, the MRCA Governing Board authorized entering into a settlement agreement with MEHOA.

G. In 2018 and 2019, MRCA prepared an Initial Study (IS) and draft Negative Declaration (ND) for the project, documenting that the project would have no potentially significant effects on the environment.

H. From January 10, 2019 through February 24, 2019, and from March 14, 2019 through April 13, 2019, MRCA circulated the IS/ND for the Lechuza Beach Access Improvements Project for public review.

I. On February 12, 2019, the Environmental Review Board (ERB) reviewed and considered the project, written reports, IS No. 19-001/ND No. 19-001 and provided recommendations to the Planning Commission.

J. On May 1, 2019, the MRCA Governing Board, acting as the Lead Agency, pursuant to CEQA Guidelines Sections 15300.2(c) and 15051, adopted the IS/ND No. 19-001 (State Clearinghouse [SCH] No. 2019011051).

K. On March 24, 2021, MRCA submitted revised project plans and information to the City.

L. On October 21, 2021, a Notice of Coastal Development Permit Application was posted on the subject property.

M. On March 2, 2023, MRCA submitted a the Lechuza Beach Coastal Hazards Study to the City.

N. On May 11, 2023, story poles were installed for the proposed restroom building.

O. On May 17, 2023, staff deemed the application complete.

P. On May 24, 2023, Planning Department staff conducted a site visit to document site conditions on the property and in the surrounding area.

Q. On May 25, 2023, 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.

R. On June 19, 2023, 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.

SECTION 2. Adoption of Negative Declaration

Pursuant to CEQA Guidelines Section 15070, an IS/ND was prepared by MRCA and adopted by the MRCA Governing Board on May 1, 2015 (SCH No. 2019011015). MRCA acted as the Lead Agency pursuant to CEQA Guidelines Sections 15300.2(c) and 15051 with the City acting as a Responsible Agency. The environmental document was circulated for public review from January 10, 2019 through February 24, 2019 and again from March 14, 2019 through April 13, 2019. The IS/ND determined that the project would not have a potentially significant impact on the environment.

As the decision-making body for CDP 07-087, the Planning Commission considered the final ND, as adopted by MRCA, and certifies that the information contained in the IS/ND is adequate for such approval.

The Planning Commission has considered IS/ND No. 19-001 together with the comments received during the public review process. The Planning Commission finds the document has been completed in compliance with CEQA, reflects the independent judgment of the Planning Commission and is adequate for the project.

The Planning Commission further finds that the project does not have the potential to significantly degrade the quality of the environment, nor does it have impacts which are individually limited but cumulatively considerable. Based on the record as a whole, there is no substantial evidence that the project, as conditioned, will have a significant effect on the environment.

SECTION 3. Coastal Development Permit Findings.

Based on the evidence contained within the record, including the agenda report for the project and the hearing on June 19, 2023, and pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP), including Sections 13.7(B) and 13.9, and the Malibu Municipal Code (MMC), the Planning Commission makes the findings of fact below, and approves CDP No. 07-087 for public access improvements at Lechuza Beach to improve accessibility consistent with ADA including the construction and installation of a new ADA accessible single-stall restroom, onsite wastewater treatment system (OWTS) and leachfields, gates, pathways signs, access improvements, ADA van parking spaces, reconstruction of view platforms and staircases, and modifications to two Fire Department turnarounds; including Conditional Use Permit (CUP) No. 21-010 for an OWTS and leachfield to be located on separate properties, VAR No. 21-022 for construction on steep slopes, VAR No. 21-023 for a reduction in the blufftop setback, and Sign Permit No. 19-004 for informational signs, located in the SFM zoning district at 31720.5 Broad Beach Road.

The project is consistent with the LCP's zoning, grading, cultural resources, water quality, and wastewater treatment system standards requirements. With the inclusion of the proposed discretionary requests, 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. Evidence in the record, including submitted reports, project plans, visual analysis and site investigation, demonstrates that the project, as conditioned, conforms to the LCP and MMC in that it meets all applicable development standards inclusive of the requested discretionary

requests. The project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City geotechnical consultant reviewers, City coastal engineering consultant reviewers, City Public Works Department, and LACFD.

2. The subject site contains the California Coastal Trail and non-mapped trails and pathways. The purpose of the project is to improve and enhance public access to the shoreline. Existing pathways, staircases, viewing platforms, gates and signs will be improved and new amenities, including ADA vehicular access, parking spaces and an accessible restroom will be added. The project has been designed to minimize effects on the environment and facilitate public beach access. Therefore, the Project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act of 1976.

3. Evidence in the record demonstrates that as conditioned, the project will not result in any significant environmental impacts and the Project has been designed to limit disturbance to the site. The project would improve existing access pathways and stairways which have become eroded and degraded over time and add new facilities to accommodate enhanced general and ADA access to the coast. There is no evidence that an alternative project would substantially lessen any effects on the environment.

4. The Site is not in an Environmentally Sensitive Habitat Area (ESHA) Overlay or ESHA buffer as shown on the LCP ESHA and Marine Resources Map. Due to the preparation of an IS/ND for the Project, the ERB reviewed the project and had four recommendations for the project. Two recommendations involved processing the proposed entitlements with a related road widening project. However, the later project was approved in 2020 and concurrent processing was not considered possible. A third recommendation suggested replanting native species displaced by construction of the OWTS but none would be displaced. A final recommendation to have the City Environmental Health Administrator review proposed improvements on East Sea Level Drive for perch water has been made a condition of project approval.

B. Variance for Improvements Construction on Slopes in Excess of 2.5 to 1 (LIP Section 13.26)

1. Strict application of the zoning ordinance would prevent the construction of the restroom and OWTS along the shoreline because there are no flat areas in which the facilities could be located. The site currently offers beach access but no restroom facilities. Due to the topography and location of the site, and the objective to provide an accessible restroom at Lechuza Beach, there are no other options for providing the facilities.

2. The proposed project includes the installation of 13 concrete caissons into the bluff for the Project Area III restroom, OWTS, view platform and staircase and would not result in instability to the site. The project has been reviewed and approved by the City geotechnical consultant reviewers and the City coastal engineering reviewers for consistency with all applicable regulations and policies. Therefore, the granting of the variance would not be detrimental or injurious to the property or improvements in the same vicinity in which the property is located through the granting of a variance for construction on steep slopes.

3. The subject site is a coastal bluff with steep slopes descending to the beach below and it is not possible to avoid construction on slopes in excess of 2.5 to 1. The granting of this

variance will allow for construction on slopes steeper than 2.5 to 1. Furthermore, the granting of the variance will not constitute a special privilege to the applicant because it would allow for the construction of a beach restroom and OWTS accessible to the public and prevent surrounding properties from being used for restroom purposes.

4. The granting of the variance will not be contrary to or in conflict with the general provisions and intent, nor the goals, objectives and policies of the LCP and the General Plan as the variance will allow the subject property to be developed in a manner consistent with the LCP. The LCP allows the construction of public beach access improvements and facilities on a coastal bluff.

5. The project does not contain mapped ESHA or ESHA buffer. In addition, there are no feasible alternatives for siting the structure that would meet the Project objective of improving and enhancing general and disabled access to Lechuza Beach.

6. The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the SFM zoning designation. The proposed project is for the development of a public restroom and OWTS, which is permitted in the subject zone and on a coastal bluff.

7. The project site is physically suitable for the variance because development of a restroom and OWTS cannot avoid steep slopes. The project has been reviewed and approved by applicable agencies. Prior to the issuance of a building permit, the project would be reviewed and approved for structural integrity and stability. All final recommendations of the applicant's structural and coastal engineer, as well as those recommendations of the City Environmental Sustainability Department, the City Biologist, City Public Works Department, City geotechnical staff and City coastal engineering reviewers, would be incorporated into the Project.

8. The variance complies with all requirements of state and local law. Construction of the proposed improvements on a steep slope would comply with all building code requirements and would incorporate all recommendations from applicable City and County agencies.

C. Variance for Construction on a Coastal Bluff (LIP Section 13.26)

1. Strict application of the LIP would prevent the construction of an accessible restroom at Lechuza Beach. The entire shoreline area between the Project Area III beach access staircase and the West Sea Level Drive staircase contains a coastal bluff slope and it would be impossible to develop a beach restroom without construction on the coastal bluff.

2. The proposed project includes the installation of 13 concrete caissons into the bluff and would not result in instability to the site. The project has been reviewed and approved by the City geotechnical staff and the City coastal engineering reviewers for consistency with all applicable regulations and policies. Therefore, the granting of the variance would not be detrimental or injurious to the property of improvements in the same vicinity in which the property is located through the granting of a variance for construction on a coastal bluff.

3. The granting of the variance will not constitute a special privilege to the applicant or property owner as it would facilitate public access improvements at Lechuza Beach in conformance with State and local coastal policies.

4. The granting of the variance would not be in conflict with the LCP. In addition, the variance would facilitate implementation of a public restroom at Lechuza Beach which would conform with LCP policies related to maximizing public access to the shoreline, Land Use Plan Policy (LUP) 2.63, and developing facilities to complement public access to the shoreline (LUP Policy 2.67).

5. The project does not contain mapped ESHA or ESHA buffer. In addition, there are no feasible alternatives for siting the structure that would meet the project objective of improving and enhancing general and disabled access to Lechuza Beach.

6. The project site is within the SFM zone which permits public access improvements pursuant to Section 2.7 of the LCP. The requested variance is for relief from a specific development standard and does not authorize a use not otherwise permitted within the SFM zoning designation.

7. The project site is physically suitable for the variance because development of a restroom and OWTS cannot avoid the bluff slope. The bluff does not contain designated ESHA or native plant species and an appropriate foundation system has been designed for the project. Prior to the issuance of a building permit, the project would be reviewed and approved for structural integrity and stability. All final recommendations of the applicant's structural and coastal engineer, as well as those recommendations of the City Departments and LACFD, would be incorporated into the project.

8. The variance complies with all requirements of state and local law. Construction plans must comply with all building code requirements and would incorporate all recommendations from applicable City and County agencies.

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

1. Many of the Project improvements include replacement of, or improvement to, pathways, stairs, gates and signs in place. As such, they would not appreciably change existing available views in the area and would have no adverse scenic or visual effects. Implementation of the restroom, OWTS, viewing platform and relocated staircase in Project Area III would introduce new facilities to the coastal bluff and shoreline area which would be visible from the beach. However, they would be small in scale and located adjacent to existing access improvements to minimize their effect on scenic and coastal views. Thus, visual impacts would be minimized.

2. The Project will not have significant scenic or visual impacts as new facilities have been minimized in size and scope to have a minimal effect on scenic views.

3. The proposed project is the least environmentally damaging alternative that meets the project objectives to provide enhanced general and disabled access to Lechuza Beach. In addition, improvements would utilize earth tone colors and non-reflective materials and would not include lighting or other illumination.

4. The project would not result in any significant adverse impacts to scenic and visual resources. In addition, there are no feasible alternatives that would meet the project objectives to provide enhanced general and disabled access to Lechuza Beach.

5. The project will not have adverse scenic and visual impacts and is consistent with the goals and policies in the certified LCP for sensitive resource protection.

E. Hazards

1. As a beach access improvements project, many of the proposed structures will be located along the shoreline and coastal bluff area by necessity. As such, they will be exposed to wave action, erosion and flooding which are projected to increase with sea level rise. However, improvements have been vertically elevated or otherwise protected by the materials and design of the project and/or by an existing beach revetment along the coast. As such, the project would not be unduly affected by increased instability of the site or structural integrity from geologic, flood or fire hazards.

2. As outlined above, the project, as designed, conditioned and approved by the applicable departments and agencies, will not have any significant adverse impacts on site stability or structural integrity from geologic or flood hazards due to Project modifications, landscaping or other conditions.

3. The project, as proposed and conditioned, represents the least environmentally damaging alternative. The Final IS/ND prepared for the project determined it would not result in any potentially significant environmental impacts. In addition, of the alternatives addressed, the proposed project is the only alternative that would minimize effects on the environment while achieving all of the stated objectives.

4. The proposed development has been analyzed for the hazards listed in LIP Chapter 9 by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering reviewers, and LACFD. These specialists and agency determined that the Project does not impact site stability or structural integrity. In addition, there are no feasible alternatives to the proposed development that would result in less site disturbance.

5. The proposed project, as designed and conditioned, is the least environmentally damaging alternative that meets all the project's access goals and no adverse impacts to sensitive resources are anticipated.

F. Shoreline and Bluff Development (LIP Chapter 10)

1. The subject site is located between the first public road and the sea and the public currently uses the site to access the beach from Broad Beach Road. Currently, there are three public access points to the beach. The project proposes to improve and enhance these public access points, with pathways, viewing platforms, turnarounds, stairways and other improvements. In addition, the project would add two ADA van parking spaces and an accessible restroom/OWTS to further enhance general and accessible access to the beach.

2. The proposed project, as designed and conditioned, and approved by the City Public Works Department, City coastal engineering reviewers, and City geotechnical staff will not have any significant adverse impacts on public access or shoreline sand supply or other resources.

3. The IS/ND prepared for the project determined that the proposed improvements would not have any potentially significant effects on the environment. In addition, the proposed project, as designed and conditioned, is the least environmentally damaging alternative that meets the goals of the project to improve general and ADA access to Lechuza Beach.

4. There are no alternatives to the proposed project that would avoid or substantially lessen impacts on public access, shoreline sand supply or other resources. As outlined in the IS/ND, the project would have no potentially significant impacts on the environment and is the only alternative that would meet the project objectives.

G. Conditional Use Permit for an OWTS and Leachfields to be Located on Separate Properties (MMC Section 17.66.080)

1. The proposed leachfields are located in an area zoned SFM and are required for operation of the beach restroom which will enhance public access to the shoreline. Pursuant to Section 2.7 of the LCP, public accessways and related access improvements are permitted use in all land use and zoning designations. In addition, the project has been reviewed for conformance with the LCP by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering reviewers, and LACFD. Based on submitted reports, project plans, visual analysis and site investigation, the Project, as conditioned, complies with all applicable provisions of the MMC and the LCP.

2. The proposed leachfields would be located within the Broad Beach area in a single-family residential neighborhood and would be located underground on the south side of East Sea Level Drive outside the path of travel and behind the existing rock revetment. The leachfields would be covered with permeable materials, would be minimally visible from the surrounding area and would not impair the integrity or character of the zoning district in which they are located.

3. The leachfields have been designed to accommodate all appropriate location and drainage requirements and have been reviewed and conditionally approved by the Planning Department, City Biologist, City Environmental Health Administrator, City Public Works Department, City geotechnical consultant reviewers, City coastal engineering reviewers and LACFD. The facilities would be operated in compliance with all applicable regulations and the subject site is physically suitable for the proposed use.

4. The leachfields would be located along an existing private road in the Broad Beach area and would be compatible with uses presently on and near the subject property. The leachfields would be located below ground and would be operated in conformance with all applicable regulations and requirements.

5. The neighborhood is substantially built out and will remain a single-family area. The proposed leachfields would operate compatibly with existing and future residential uses in the area and would support a needed restroom use which will prevent the use of inappropriate areas for restroom purposes.

6. The proposed leachfields would support an accessible single-stall accessible restroom/OWTS on an adjacent property. Together, the facilities would enhance sanitation in the area by providing the public with restroom facilities and reduce the likelihood that inappropriate

areas would be used for restroom purposes. The leachfields would operate in conformance with all applicable regulations and requirements and would not be detrimental to the public health and safety.

7. The proposed development would support a public access project, intended to provide general and disabled access to Lechuza Beach. The project would improve and enhance coastal access in the are for the general public, including the disabled community, by allowing the installation of a needed restroom facility.

8. The subject site is designated as SFM in the General Plan which is intended for single-family residential development at a density up to 4 dwelling units per acre. Public access related improvements are permitted in the SFM designation and in all General Plan designations in the City. In addition, the project would support the Public Access and Recreation goals and policies of the General Plan.

9. The proposed use will comply with all applicable requirements of state and local law and is conditioned to comply with any relevant approvals, permits and licenses from the City of Malibu.

10. The proposed leachfields would be beneficial to the public interest, health, safety, convenience and welfare because they would support the installation of an accessible beach restroom which would serve the general public and prevent visitors from finding alternate restroom facilities.

11. The leachfields would be subject to wave action, erosion and flooding but have been designed to withstand natural hazards by the nature of the materials to be used and by the existing beach rock revetment.

SECTION 4. Planning Commission Action.

Based on the foregoing findings and evidence contained within the record, the Planning Commission hereby considers IS/ND No. 19-001 and approves CDP No. 07-087, CUP No. 21-010, VAR Nos. 21-022, and 21-023, and SP No. 19-004, subject to the following conditions.

SECTION 5. 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. Approval of this application is to allow for the project described herein. The scope of work approved includes:

- a. ADA accessible single-stall restroom;
 - b. Onsite wastewater treatment system and leachfields;
 - c. Pathways;
 - d. Gates;
 - e. Signs;
 - f. Access improvements;
 - g. ADA van parking spaces;
 - h. Reconstruction of view platforms and staircases;
 - i. Modifications of two Fire Department turnarounds; and
 - j. Discretionary Requests:
 - i. CDP No. 07-087 for construction in the Coastal Zone;
 - ii. CUP No. 21-010 for a proposed OWTS and leachfield to be located on separate properties;
 - iii. VAR No. 21-022 for construction on steep slopes;
 - iv. VAR No. 21-023 for a reduction in the blufftop setback;
 - v. SP No. 19-004 for informational signs.
3. Except as specifically changed by conditions of approval, the proposed development shall be constructed in substantial compliance with plans on-file with the Planning Department, date-stamped **March 24, 2021**. The proposed development shall further comply with all conditions of approval stipulated in this resolution and Department Review Sheets attached hereto. 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 of approval set forth herein. The applicant shall file this form with the Planning Department prior to the issuance of any development permits.
5. This coastal development permit, conditional use permit, variances and sign permit shall not be effective until all appeals are exhausted and the property owner, applicant and the business operator execute the Affidavit of the Acceptance of Conditions. Said documents shall be recorded with the Los Angeles County Recorder and a certified copy of said recordation shall be filed with the Planning Department within 10 days of the effective date of the approval.
6. The applicant shall digitally submit a complete set 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.
7. The CDP shall expire if the project has not commenced within three (3) years after issuance of the permit, unless a time extension has been granted. 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. In the event of an appeal, the CDP shall expire if the project has not commenced within three years from the date the appeal is decided by the decision-making body or withdrawn by the appellant.

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 Biologist, City coastal engineering reviewers, City Environmental Health Administrator, City geotechnical consultant reviewers, City Public Works Department, Los Angeles County Waterworks District No. 29 and LACFD, 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 Malibu Municipal Code and the Local Coastal Program. Revised plans reflecting the minor changes and additional fees shall be required.
11. This permit shall not become effective until the project is reported to the Planning Commission, pursuant to LIP Section 13.13.6.
12. 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 coastal development permit approved by the City is void.
13. 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.
14. The property owner shall comply with all provisions of the MMC and LIP.

Site Specific Conditions

15. No exterior lighting is proposed as part of this project; therefore, no new exterior lighting is permitted as part of this project.
16. No other new signage is permitted other than those shown on the project plans, dated March 24, 2021, and the Beach Management Plan, dated February 22, 2021. A sign permit shall be submitted and approved by the Planning Department prior to installation of any other new signs not explicitly permitted under the subject application.
17. Pursuant to a recommendation of the ERB, the City Environmental Health Administrator shall review the project for perch water associated with existing residential development along East Sea Level Drive prior to the issuance of building permits.
18. All provisions of the Beach Management Plan, included as part of the MEHOA/MRCA Settlement Agreement dated February 22, 2021, are included as conditions of this project.

Cultural Resources

19. For the rebuilding of the Project Area II view platform on the terrace and its retaining wall, construction of the ADA van parking space, access aisle and Fire Department turnaround,

the following applies and do not apply to the reconstruction of the beach staircase in Project Area II.

- a. A Native American monitor and an archaeological monitor will be retained and both monitors will be present during all ground-disturbing activities. This includes demolition of old pavement and any other natural or man-made objects whose removal has the potential to disturb any under-lying native soil. This task to be performed until such time that both monitors agree that bedrock or sterile soil has been reached and there is no longer any possibility of disturbing intact midden deposits; the excavation of bedrock will not be monitored. Monitoring will also be performed during the removal of any fill soils, to ensure that this process does not disturb any underlying midden deposits; the placement of new fill will not be monitored.
 - b. If any new, previously unrecorded, archaeological deposit or feature is discovered, the monitors will immediately halt the work. Arrangements to formally record the deposit or feature will then be made by the applicant, and the deposit or feature will be recorded and/or mitigated, according to applicable statutes, before work is permitted to resume.
 - c. If human bone is discovered during the project, the work in the area that the remains are discovered shall cease immediately and the Los Angeles County coroner and the Planning Director will be immediately notified. Work in that area will not proceed until the coroner determines that the remains are those of a Native American, or not. In the case where the remains are identified as being those of one or more Native Americans, the applicant will notify the State of California Native American Heritage Commission as soon as possible. Sections 5097.94 and 5097.98 of the Public Resources Code describe the procedures to be followed after the Native American Heritage Commission is notified.
 - d. Upon completion of site testing and/or construction monitoring, the consulting archaeologist will prepare and submit a report to the City Planning Director, which will document the results of the monitoring, to demonstrate evidence of cultural resource compliance during the project, and to establish a database suitable for referencing by any archaeologists doing work in the project area in the future.
20. For all other project areas not addressed in Condition No. 18, 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.
21. For all other project areas not addressed in Condition No. 18, 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.

Fencing and Walls

22. The height of fences and walls shall comply with LIP Section 3.5.3(A). No retaining wall shall exceed six feet in height or 12 feet in height for a combination of two or more walls.

Construction / Framing

23. Prior to the commencement of work, the applicant shall submit a copy of their Construction Management Plan. The Construction Management Plan shall include a dedicated parking location for construction workers, not within the public right of way.
24. A construction staging plan shall be reviewed and approved by the Planning Director prior to plan check submittal.
25. 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.
26. 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.
27. All new development, including construction, grading, and landscaping shall be designed to incorporate drainage and erosion control measures prepared by a licensed engineer that incorporate structural and non-structural Best Management Practices (BMPs) to control the volume, velocity and pollutant load of storm water runoff in compliance with all requirements contained in LIP Chapter 17, including:
 - a. Construction shall be phased to the extent feasible and practical to limit the amount of disturbed areas present at a given time.
 - b. Grading activities shall be planned during the southern California dry season (April through October).
 - c. During construction, contractors shall be required to utilize sandbags and berms to control runoff during on-site watering and periods of rain in order to minimize surface water contamination.
 - d. Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the project site.
28. When framing is complete, a site survey shall be prepared by a licensed civil engineer or architect that states the finished ground level elevation and the highest roof member elevation. Prior to the commencement of further construction activities, said document shall be submitted to the assigned Building Inspector and Planning Department for review and sign off on framing.
29. The applicant/property owner shall obtain all required permits, including approval for mechanized equipment to access to the beach, from Beaches and Harbor prior to commencement of construction.

30. The applicant/property owner shall obtain all required permits, if any, including any necessary permits from the U.S. Army Corps of Engineers, prior to commencement of construction.
31. For the transportation of heavy construction equipment and/or material, which requires the use of oversized-transport vehicles on State highways, the applicant / property owner is required to obtain a transportation permit from the California Department of Transportation.

Colors and Materials

32. The project is visible from scenic roads or public viewing areas, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
 - a. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray, with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Planning Director and clearly indicated on the building plans.
 - b. The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
 - c. All windows shall be comprised of non-glare glass.

Department Conditions

Biology/Landscaping

33. Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. 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 used for a limited time.
34. Grading/excavation shall be scheduled only during the dry season from April 1 - October 31. If it becomes necessary to conduct grading activities from November 1 – March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.
35. Grading/excavation/vegetation removal scheduled between February 1 - September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than five days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that

the nest is no longer active. A report discussing the results of the surveys shall be turned in to the City within two business days of completion of surveys.

36. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Department for review by the City Biologist and approval by the Planning Department prior to any planting. Should the applicant intend to plant any new or altered vegetation with a potential to grow over six feet in height at full maturity for an area of 500 square feet or more of landscaping for a new residence, or 2,500 square feet or more of landscaping for an existing residence, a detailed Landscape Documentation Package is required.
37. The use of wood chips and shredded rubber is prohibited anywhere on the site. Flammable mulch material, including shredded bark, pine needles, and artificial turf, are prohibited between zero and five feet of a structure. Non-continuous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between 5 and 30 feet from the eave/overhang of a structure with limited application areas. Any mulch materials (excluding wood chips and shredded rubber) are allowed 30 feet or more from a structure with no limitation on application area.

Public Works

38. The applicant shall obtain encroachment permits from the Public Works Department prior to the commencement of any work within the public right-of-way. The driveway shall be constructed of either six inches of concrete over four inches of aggregate base, or four inches of asphalt concrete over six inches of aggregate base. The driveway shall be flush with the existing grades with no curbs.
39. A digital drawing (AutoCAD) of the project's private storm drain system, public storm drain system within 250 feet of the property limits, and post-construction BMPs shall be submitted to the Public Works Department prior to the issuance of grading or building permits. The digital drawing shall adequately show all storm drain lines, inlets, outlets, post-construction BMPs and other applicable facilities. The digital drawing shall also show the subject property, public or private street, and any drainage easements.

Grading/Drainage/Hydrology (Public Works)

40. The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
 - a. Installation of BMPs that are designed to treat the potential pollutants in the stormwater runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.
 - b. Prohibits the discharge of trash.
 - c. Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to

existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e., no additional pollutant loading).

- d. Elimination of non-storm water discharges.
41. A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The following elements shall be included within the WQMP:
- a. Site Design Best Management Practices (BMPs);
 - b. Source Control BMPs;
 - c. Treatment Control BMPs that retain on-site Stormwater Quality Design Volume (SWQDv). Or where it is technically infeasible to retain on-site, the project must biofiltrate 1.5 times the SWQDv that is not retained on-site;
 - d. Drainage improvements;
 - e. A plan for the maintenance and monitoring of the proposed treatment BMPs for the expected life of the structure;
 - f. Methods of onsite percolation, site re-vegetation and an analysis for off-site project impacts;
 - g. Measures to treat and infiltrate runoff from impervious areas;
 - h. A copy of the WQMP shall be filed against the property to provide constructive notice to future property owners of their obligation to maintain the water quality measure installed during construction prior to the issuance of grading or building permits; and
 - i. The WQMP shall be submitted to the Public Works Department and the fee applicable at the time of submittal for review of the WQMP shall be paid prior to the start of the technical review. The WQMP shall be approved prior the Public Works Department's approval of the grading and drainage plan and/or building plans. The Public Works Department will tentatively approve the plan and will keep a copy until the completion of the project. Once the project is completed, the applicant shall verify the installation of the BMP's, make any revisions to the WQMP, and resubmit to the Public Works Department for approval. The original signed and notarized document shall be recorded with the Office of the Los Angeles County Recorder. A certified copy of the WQMP shall be submitted to the Public Works Department prior to the issuance of the certificate of occupancy.
42. A grading and drainage plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project:
- a. Public Works Department general notes;
 - b. The existing and proposed square footage of impervious coverage on the property shall be shown on the grading plan (including separate areas for buildings, driveways, walkways, parking, tennis courts and pool decks);
 - c. The limits of land to be disturbed during project development shall be delineated and a total area shall be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading, areas disturbed for the installation of the septic system, and areas disturbed for the installation of the detention system shall be included within the area delineated;

- d. The limits to land to be disturbed during project development shall be delineated and a total area of disturbance should be shown on this plan. Areas disturbed by grading equipment beyond the limits of grading shall be included within the area delineated;
 - e. If the property contains rare, endangered or special status species as identified in the Biological Assessment, this plan shall contain a prominent note identifying the areas to be protected (to be left undisturbed). Fencing of these areas shall be delineated on this plan is required by the City Biologist;
 - f. The grading limits shall include the temporary cuts made for retaining walls, buttresses and over excavations for fill slopes; and
 - g. Private storm drain systems shall be shown on this plan. Systems greater than 12 inch in diameter shall also have a plan and profile for the system included with this plan.
43. A Local Storm Water Pollution Prevention Plan (LSWPPP) shall be provided prior to issuance of grading/building permits. This plan shall include an Erosion and Sediment Control Plan (ESCP) that includes, but is not limited to:

Erosion Controls Scheduling	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

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.

44. Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner / applicant shall submit the Public Works Department an ESCP for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil engineer. The ESCP must address the following elements:
- a. Methods to minimize the footprint of the disturbed area and to prevent soil compaction outside the disturbed area
 - b. Methods used to protect native vegetation and trees
 - c. Sediment / erosion control
 - d. Controls to prevent tracking on- and off-site

- e. Non-stormwater control
- f. Material management (delivery and storage)
- g. Spill prevention and control
- h. Waste management
- i. Identification of site risk level as identified per the requirements in Appendix 1 of the Construction General Permit
- j. Landowner must sign the following statement on the ESCP:

“I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that quality personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate and complete. I am aware that submitting false and/or inaccurate information, failing to properly and/or adequately implement the ESCP may result in revocation of grading and/or other permits or other sanctions provided by law.”

- 45. Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within LIP Section 17.3.2.B.2.
- 46. A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.
- 47. Clearing and grading during the rainy season (extending from November 1 to March 31) shall be prohibited for development that:
 - a. Is located within or adjacent to ESHA, or
 - b. Includes grading on slopes greater than 4 to 1.

Approved grading for development that is located within or adjacent to ESHA or on slopes greater than 4 to 1 shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 31, unless the City determines that completion of grading would be more protective of resources.

- 48. The Building Official may approve grading during the rainy season to remediate hazardous geologic conditions that endanger public health and safety.
- 49. Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.

50. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.

Geology

51. All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical consultant reviewers shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical consultant reviewers prior to the issuance of a grading permit.
52. Final plans approved by the City geotechnical consultant reviewers shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

Onsite Wastewater Treatment System (OWTS)

53. Prior to the issuance of a building permit the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of MMC Chapters 15.40, 15.42, 15.44, and LIP Chapter 18 related to continued operation, maintenance and monitoring of the OWTS.
54. Final OWTS Plot Plan: Prior to final Environmental Health approval, a final OWTS plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the MMC and the LCP, including 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 and must fit onto an 11-inch by 17-inch sheet leaving a five-inch margin clear to provide space for a City applied legend. If the scale of the plans 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 inches by 22 inches).
55. Final OWTS Design Report, Plans, and System Specifications: If the OWTS design and/or bedroom/drainage fixture unit counts are modified in any way subsequent to the Planning-stage review, then 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 (i.e., alarm system, pumps, timers, flow equalization devices, backflow devices, etc.) proposed for use in the construction of the proposed OWTS. For all OWTS, final reports must be signed by a City registered OWTS Designer, and the plans stamped by a California Geologist. The final OWTS design report and construction drawings shall be submitted to the City Environmental Health Administrator with the designer's wet signature, professional registration number and stamp (if applicable).
56. The final design report 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, and

shall be supported by calculations relating the treatment capacity to the number of bedroom equivalents, plumbing drainage fixture equivalents, 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 conceptual design for custom 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 and gallons per square foot per day. 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 gallons per day). The subsurface effluent dispersal system design must take into account the number of bedrooms, fixture units and building occupancy characteristics; and
 - e. All final design drawings shall be submitted with the wet signature and typed name of the OWTS designer. If the scale of the plan is such that more space is needed to clearly show construction details, larger sheets may also be provided (up to a maximum size of 18 inch by 22 inch, for review by Environmental Health). Note: For OWTS final designs, full-size plans are required for review by the Building Safety Division and/or the Planning Department.
57. 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 MMC.
58. 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 the 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."

59. Proof of Ownership: Proof of ownership of subject property shall be submitted to the City Environmental Health Administrator.
60. Operations and 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 OWTS.
61. Maintenance Contract: A maintenance contract executed between the owner of the subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed onsite wastewater disposal system after construction shall be submitted. Note only original “wet signature” documents are acceptable.
62. Advanced OWTS Covenant: Prior to final Environmental Health approval, 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 Office of the Los Angeles County Recorder. Said covenant shall serve as constructive notice to any future purchaser for value that the onsite wastewater treatment system serving subject property is an advanced method of sewage disposal pursuant to the City of MMC. Said covenant shall be provided by the City of Malibu Environmental Health Administrator.
63. A covenant running with the land shall be executed by the property owner and recorded with the Office of the Los Angeles County Recorder. 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 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 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 the 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 City Environmental Sustainability Department.
64. Project Geologist/Geotechnical Consultant Approval: Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.
65. City of Malibu Public Works Approval: City of Malibu Public Works final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.
66. City of Malibu Geologist/Geotechnical Approval: City of Malibu geotechnical consultant reviewers final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.
67. The City Biologist’s final approval shall be submitted to the City Environmental Health Administrator. The City Biologist shall review the OWTS design to determine any impact on Environmentally Sensitive Habitat Area if applicable.

68. City of Malibu Planning Approval: City of Malibu Planning Department final approval of the OWTS plan shall be obtained.
69. Environmental Health Final Review Fee: A final fee in accordance with the adopted fee schedule at the time of the final approval shall be paid to the City of Malibu for Environmental Health review of the OWTS design and system specification.
70. Operating Permit Application and Fee: In accordance with MMC, 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.
71. Prior to final Environmental Health approval, the construction plans for all structures and/or buildings with reduced setbacks must be approved by the City Building Safety Division. The architectural and/or structural plans submitted to 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 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).
72. Prior to final Environmental Health approval, the applicant shall provide engineer's certification for reduction in setbacks to buildings or structures: All proposed reductions in setback from the OWTS to structures (i.e., setbacks less than those shown in MMC Table 15.42.030(E)) 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 not adversely affect the structural integrity of the structures for which the Table 15.42.030(E) setback is reduced. Construction drawings submitted for plan check must show OWTS components in relation to those structures from which the setback is reduced. All proposed reductions in setback from the OWTS to buildings (i.e., setbacks less than those shown in Table 15.42.030(E)) 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 setbacks to the wastewater system. In this case, the engineer must include in his/her 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, then the architect or engineer must provide associated construction documents for review and approval during Building Safety Division plan check. The wastewater plans and the construction plans must be specifically referenced in all certification letters.

73. Any above-ground equipment associated with the installation of the OWTS shall be screened from view by a solid wall or fence on all four sides. The fence or walls shall not be higher than 42-inches tall.

Water Quality/ Water Service

74. A State Construction Activity Permit is required for this project due to the disturbance of more than one acre of land for development. Provide a copy of the letter from the State Water Quality Control Board containing the Waste Discharge Identification (WDID) number prior to the issuance of grading or building permits.
75. Prior to the issuance of a building permit, the applicant shall submit an updated Will Serve Letter from Los Angeles County Waterworks District No. 29 to the Planning Department indicating the ability of the property to receive adequate water service.
76. Prior to final inspection (or project sign off, as applicable) by the Planning Department, the applicant shall demonstrate that all requirements of Los Angeles County Waterworks District No. 29 have been met, including installation of a meter, if applicable.

Shoreline Protection (Coastal Engineer)

77. All construction debris shall be removed from the beach daily and at the completion of development.
78. No stockpiling of dirt or construction materials shall occur on the beach.
79. Measures to control erosion, runoff, and siltation shall be implemented at the end of each day's work.
80. The applicant shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion.
81. No machinery shall be placed, stored or otherwise located in the intertidal zone at any time, unless necessary for protection of life and/or property.
82. Construction equipment shall not be cleaned on the beach.
83. Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking.

Prior to Final Building Inspection

84. Prior to, or at the time of a Planning final inspection, the property owner / applicant shall submit to the Planning Department the plumbing permit for the OWTS signed off by the Building Safety Division.
85. Prior to a final Building inspection, the City Biologist shall inspect the project site and determine that all Planning Department conditions to protect natural resources are in compliance with the approved plans.
86. Prior to a final Building inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Department. Applicant must provide haul tickets and diversion information. The final Summary Report shall designate the specific materials that were land filled or recycled, and state the facilities where all materials were taken.
87. 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

88. This coastal development permit shall run with the land and bind all future owners of the property.
89. 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 7. The Planning Commission shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 19th day of June 2023.

DENNIS R. SMITH, Planning Commission Chair

ATTEST:

REBECCA EVANS 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 approval 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 by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City.

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 1.12.010 of the MMC and Code of Civil Procedure. Any person wishing to challenge the above action in Superior Court may be limited to raising only those issues they or someone else raised at the public hearing, or in written correspondence delivered to the City of Malibu at or prior to the public hearing.

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 22-33 was passed and adopted by the Planning Commission of the City of Malibu at the Regular meeting held on the 19th day of June 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

REBECCA EVANS, Recording Secretary

**LECHUZA BEACH
PUBLIC ACCESS
IMPROVEMENTS**

Malibu, California
A PROJECT OF:
**Mountains Recreation
and Conservation
Authority**
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944

SITE DESIGN:
**Mountains Recreation
and Conservation
Authority**
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944

SURVEYOR:
Land & Air Surveying
22741 Pacific Coast Highway
Suite 400A
Malibu, CA 90265
(310) 456-9381

**NOT FOR
CONSTRUCTION**

ISSUED:
4/25/2012
2/7/2017
7/21/2017
12/12/2018
5/23/2019 2/3/2020

DRAWN: GG
CHECKED: JT
PROJECT: 24.404.444.3221.261
SCALE: As noted

**OVERALL
SITE PLAN**

See detailed
concept plans

Lechuza West (Project Area II)

Existing Impermeable Coverage	3064.8	SF
Proposed Impermeable Development		
Parking	407.7	SF
Fire Department Turnaround Expansion	68.4	SF
All Other	24.2	SF
Net Increase in Impermeable Coverage	500.3	SF

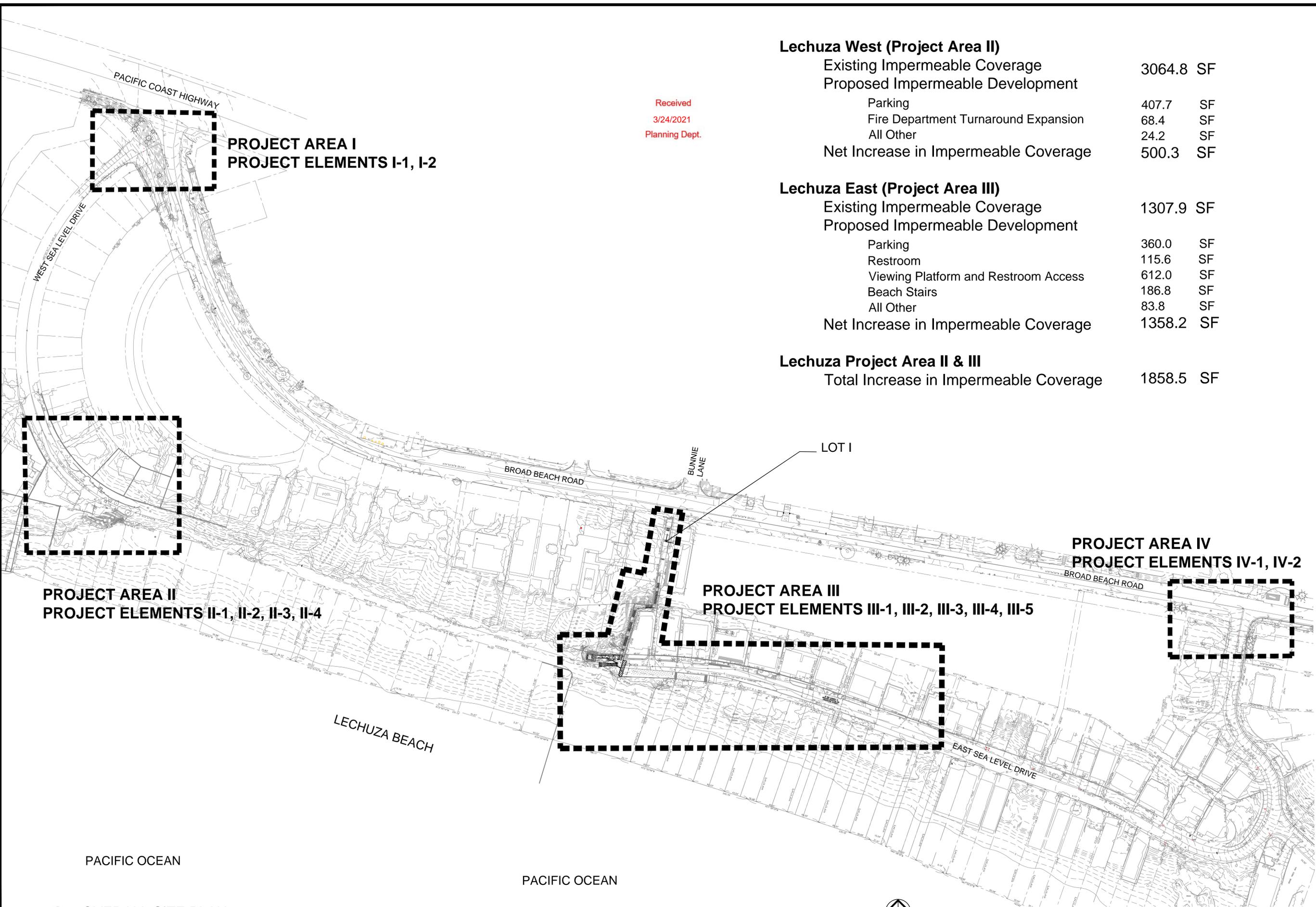
Lechuza East (Project Area III)

Existing Impermeable Coverage	1307.9	SF
Proposed Impermeable Development		
Parking	360.0	SF
Restroom	115.6	SF
Viewing Platform and Restroom Access	612.0	SF
Beach Stairs	186.8	SF
All Other	83.8	SF
Net Increase in Impermeable Coverage	1358.2	SF

Lechuza Project Area II & III

Total Increase in Impermeable Coverage	1858.5	SF
--	--------	----

Received
3/24/2021
Planning Dept.



PACIFIC OCEAN

PACIFIC OCEAN



**LECHUZA BEACH
PUBLIC ACCESS
IMPROVEMENTS**

West Sea Level Drive

Malibu, California

A PROJECT OF:
**Mountains Recreation
and Conservation
Authority**

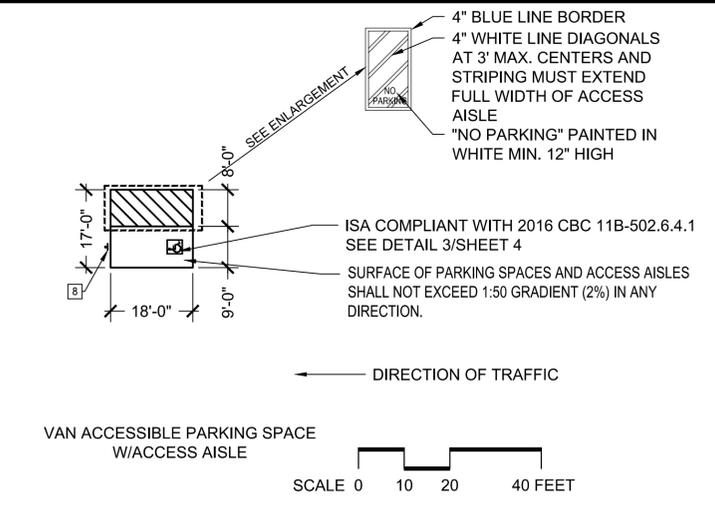
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944

SITE DESIGN:
**Mountains Recreation
and Conservation
Authority**

570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944

SURVEYOR:
Land & Air Surveying
22741 Pacific Coast Highway
Suite 400A
Malibu, CA 90265
(310) 456-9381

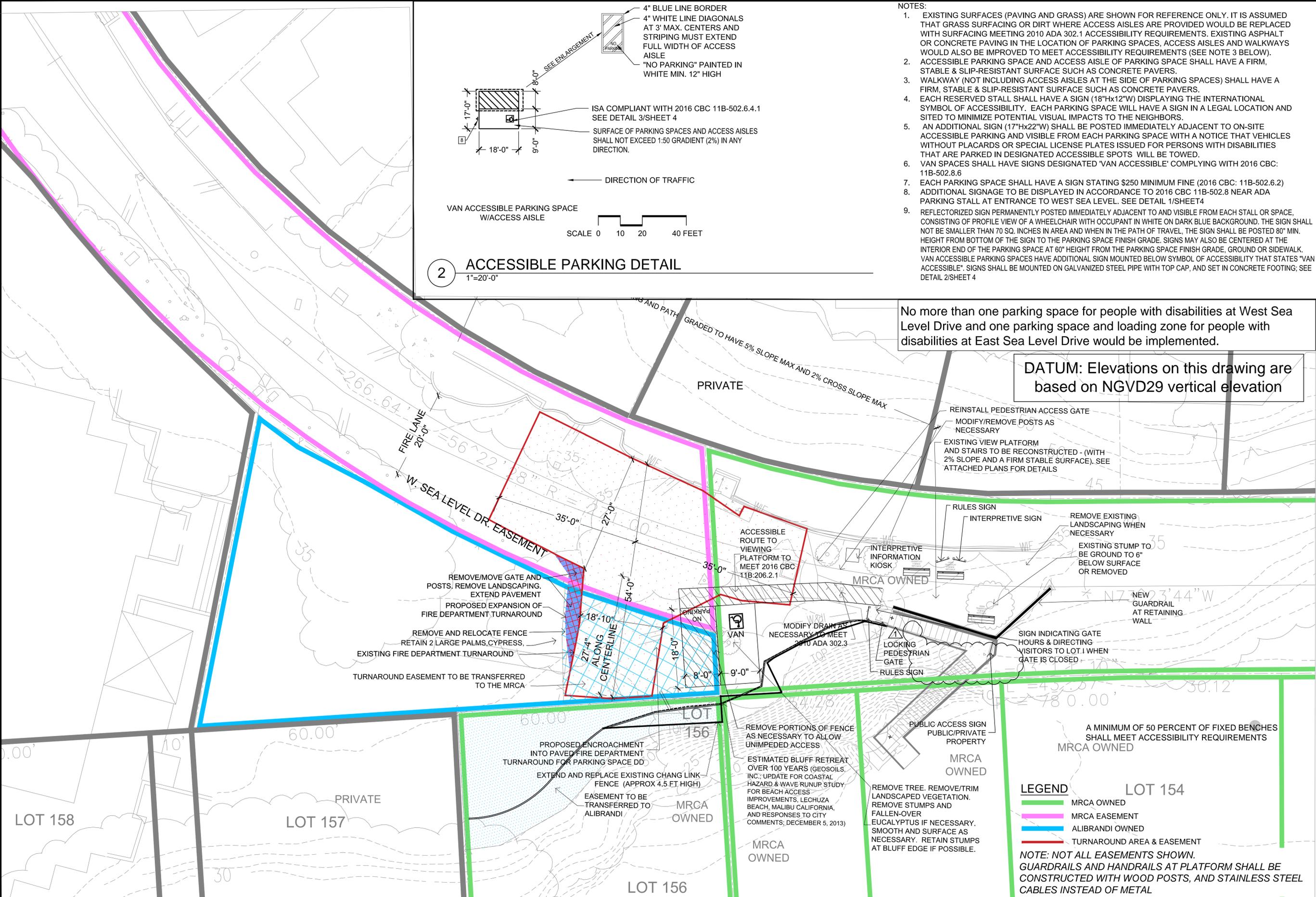
- NOTES:
- EXISTING SURFACES (PAVING AND GRASS) ARE SHOWN FOR REFERENCE ONLY. IT IS ASSUMED THAT GRASS SURFACING OR DIRT WHERE ACCESS AISLES ARE PROVIDED WOULD BE REPLACED WITH SURFACING MEETING 2010 ADA 302.1 ACCESSIBILITY REQUIREMENTS. EXISTING ASPHALT OR CONCRETE PAVING IN THE LOCATION OF PARKING SPACES, ACCESS AISLES AND WALKWAYS WOULD ALSO BE IMPROVED TO MEET ACCESSIBILITY REQUIREMENTS (SEE NOTE 3 BELOW).
 - ACCESSIBLE PARKING SPACE AND ACCESS AISLE OF PARKING SPACE SHALL HAVE A FIRM, STABLE & SLIP-RESISTANT SURFACE SUCH AS CONCRETE PAVERS.
 - WALKWAY (NOT INCLUDING ACCESS AISLES AT THE SIDE OF PARKING SPACES) SHALL HAVE A FIRM, STABLE & SLIP-RESISTANT SURFACE SUCH AS CONCRETE PAVERS.
 - EACH RESERVED STALL SHALL HAVE A SIGN (18"Hx12"W) DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. EACH PARKING SPACE WILL HAVE A SIGN IN A LEGAL LOCATION AND SITED TO MINIMIZE POTENTIAL VISUAL IMPACTS TO THE NEIGHBORS.
 - AN ADDITIONAL SIGN (17"Hx22"W) SHALL BE POSTED IMMEDIATELY ADJACENT TO ON-SITE ACCESSIBLE PARKING AND VISIBLE FROM EACH PARKING SPACE WITH A NOTICE THAT VEHICLES WITHOUT PLACARDS OR SPECIAL LICENSE PLATES ISSUED FOR PERSONS WITH DISABILITIES THAT ARE PARKED IN DESIGNATED ACCESSIBLE SPOTS WILL BE TOWED.
 - VAN SPACES SHALL HAVE SIGNS DESIGNATED 'VAN ACCESSIBLE' COMPLYING WITH 2016 CBC: 11B-502.8.6
 - EACH PARKING SPACE SHALL HAVE A SIGN STATING \$250 MINIMUM FINE (2016 CBC: 11B-502.6.2)
 - ADDITIONAL SIGNAGE TO BE DISPLAYED IN ACCORDANCE TO 2016 CBC 11B-502.8 NEAR ADA PARKING STALL AT ENTRANCE TO WEST SEA LEVEL. SEE DETAIL 1/SHEET 4
 - REFLECTORIZED SIGN PERMANENTLY POSTED IMMEDIATELY ADJACENT TO AND VISIBLE FROM EACH STALL OR SPACE, CONSISTING OF PROFILE VIEW OF A WHEELCHAIR WITH OCCUPANT IN WHITE ON DARK BLUE BACKGROUND. THE SIGN SHALL NOT BE SMALLER THAN 70 SQ. INCHES IN AREA AND WHEN IN THE PATH OF TRAVEL, THE SIGN SHALL BE POSTED 80" MIN. HEIGHT FROM BOTTOM OF THE SIGN TO THE PARKING SPACE FINISH GRADE. SIGNS MAY ALSO BE CENTERED AT THE INTERIOR END OF THE PARKING SPACE AT 60" HEIGHT FROM THE PARKING SPACE FINISH GRADE, GROUND OR SIDEWALK. VAN ACCESSIBLE PARKING SPACES HAVE ADDITIONAL SIGN MOUNTED BELOW SYMBOL OF ACCESSIBILITY THAT STATES "VAN ACCESSIBLE". SIGNS SHALL BE MOUNTED ON GALVANIZED STEEL PIPE WITH TOP CAP, AND SET IN CONCRETE FOOTING; SEE DETAIL 2/SHEET 4



2 ACCESSIBLE PARKING DETAIL
1"=20'-0"

No more than one parking space for people with disabilities at West Sea Level Drive and one parking space and loading zone for people with disabilities at East Sea Level Drive would be implemented.

DATUM: Elevations on this drawing are based on NGVD29 vertical elevation



**NOT FOR
CONSTRUCTION**

ISSUED: 6/12/2012,
3/15/2013; 9/11/2013
5/2/2014; 5/15/2015
7/23/2015; 8/9/2016
2/7/2017; 7/14/2017
8/2/2018; 8/23/2018
12/12/2018; 5/23/2019
DRAWN: CM 2/3/2020
CHECKED: JT
PROJECT: 24.404.444.3221.261
SCALE: As noted

**WEST
SEA LEVEL**

Project Area II
Project Elements
II-1 to II-4

1 WEST SEA LEVEL DRIVE
1"=10'-0"



**LECHUZA BEACH
PUBLIC ACCESS
IMPROVEMENTS**

West Sea Level Drive
East Sea Level Drive
Malibu, California

A PROJECT OF:
**Mountains Recreation
and Conservation
Authority**

570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944

**SITE DESIGN:
Mountains Recreation
and Conservation
Authority**

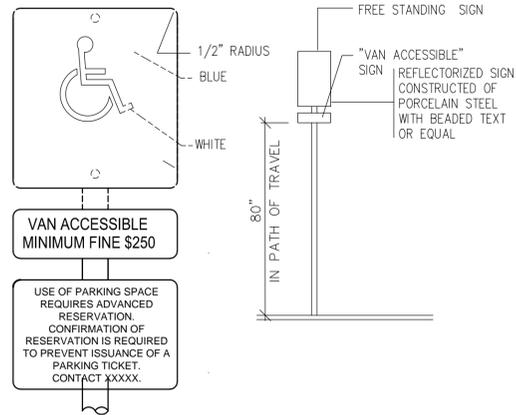
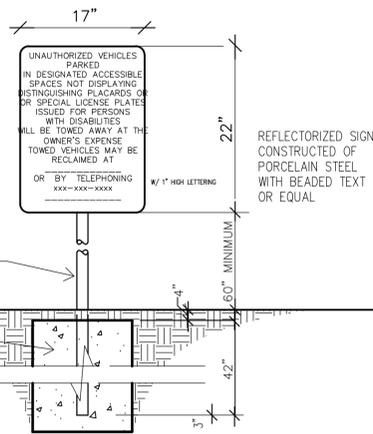
570 West Avenue 26, Suite 100
Los Angeles, CA 90065
(323) 221-9944

AT EACH ENTRANCE OR ACCESSIBLE SPACE
TOW-AWAY SIGN

CBC 11B-502.8 ADDITIONAL
TOW-AWAY SIGNAGE
AN ADDITIONAL SIGN SHALL BE
POSTED EITHER 1) IN A CONSPICUOUS
PLACE AT EACH ENTRANCE TO AN
OFF STREET PARKING FACILITY OR
2) IMMEDIATELY ADJACENT TO
ON-SITE ACCESSIBLE PARKING AND
VISIBLE FROM EACH PARKING SPACE

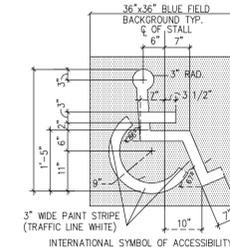
WOOD WRAPPED
2" DIA. GALV. STD. STL. PIPE

12" DIA. CONC. FOOTING
BURIED 4" MIN.



CBC 11B-502.6.2 PARKING IDENTIFICATION
MINIMUM FINE

11B-502.6. 502.6.1, 502.6.2 AND 502.6.3 IDENTIFICATION. PARKING SPACE IDENTIFICATION SIGNS SHALL INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY COMPLYING WITH SECTION 703.7.2.1. SIGNS IDENTIFYING VAN PARKING SPACES SHALL CONTAIN ADDITIONAL LANGUAGE OR AN ADDITIONAL SIGN WITH THE DESIGNATION "VAN ACCESSIBLE". SIGNS SHALL BE 60 INCHES MIN. ABOVE FLOOR FINISH OR ON GROUND SURFACE MEASURED TO THE BOTTOM OF THE SIGN. FINISH AND SIZE. PARKING IDENTIFICATION SIGNS SHALL BE REFLECTORIZED WITH A MINIMUM AREA OF 70 SQ. INCHES. MINIMUM FINE ADDITIONAL LANGUAGE OR AN ADDITIONAL SIGN BELOW THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL STATE "MINIMUM FINE \$250." LOCATION A PARKING SPACE IDENTIFICATION SIGN SHALL BE VISIBLE FROM EACH PARKING SPACE. SIGNS SHALL BE POSTED EITHER IMMEDIATELY ADJACENT TO THE PARKING SPACE OR WITHIN THE PROJECTED PARKING SPACE WIDTH AT THE HEAD END OF THE PARKING SPACE.

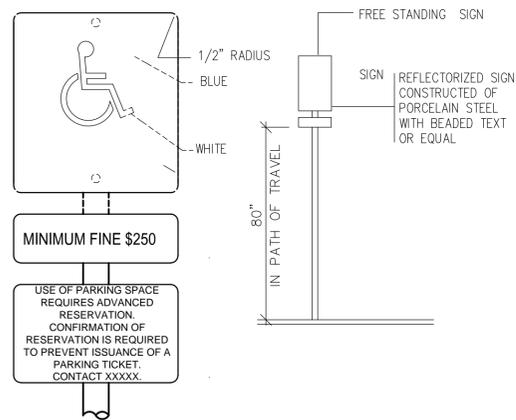


11B-502.6.4 MARKING EACH ACCESSIBLE CAR AND VAN SPACE SHALL HAVE SURFACE IDENTIFICATION COMPLYING WITH EITHER SECTION 11B-502.6.1.1 OR 502.6.4.2. SIZE: 36 INCHES WIDE BY 36 INCHES HIGH. THE CENTERLINE OF THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE A MAXIMUM OF 6 INCHES FROM THE CENTERLINE OF THE PARKING SPACE AND ITS LOWER CORNER AT OR LOWER SIDE ALIGNED WITH THE END OF THE PARKING SPACE LENGTH.

1 TOW INFORMATION SIGN
NTS

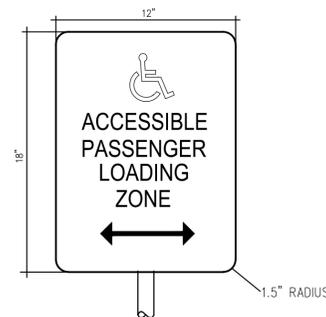
2 VAN ACCESSIBLE SIGN
NTS

3 ISA SYMBOL
NTS



CBC 11B-502.6.2 PARKING IDENTIFICATION
MINIMUM FINE

11B-502.6. 502.6.1, 502.6.2 AND 502.6.3 IDENTIFICATION. PARKING SPACE IDENTIFICATION SIGNS SHALL INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY COMPLYING WITH SECTION 703.7.2.1. SIGNS IDENTIFYING ACCESSIBLE PARKING SPACES SHALL BE 60 INCHES MIN. ABOVE FLOOR FINISH OR ON GROUND SURFACE MEASURED TO THE BOTTOM OF THE SIGN UNLESS IN PATH OF TRAVEL. FINISH AND SIZE. PARKING IDENTIFICATION SIGNS SHALL BE REFLECTORIZED WITH A MINIMUM AREA OF 70 SQ. INCHES. MINIMUM FINE ADDITIONAL LANGUAGE OR AN ADDITIONAL SIGN BELOW THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL STATE "MINIMUM FINE \$250." LOCATION A PARKING SPACE IDENTIFICATION SIGN SHALL BE VISIBLE FROM EACH PARKING SPACE. SIGNS SHALL BE POSTED EITHER IMMEDIATELY ADJACENT TO THE PARKING SPACE OR WITHIN THE PROJECTED PARKING SPACE WIDTH AT THE HEAD END OF THE PARKING SPACE.



NOTES

1. MATERIAL: 5052 REFLECTIVE ALUMINUM
2. SHEETING COLOR: REFLECTIVE BLUE WITH WHITE LETTERING AND BORDER
3. SHEETING TYPE: ENGINEER GRADE PRISMATIC

4 ACCESSIBLE SIGN
NTS

5 LOADING ZONE SIGN
NTS

NOT FOR
CONSTRUCTION

ISSUED:

7/14/2017

8/23/2018

12/12/2018

5/23/2019

2/3/2020

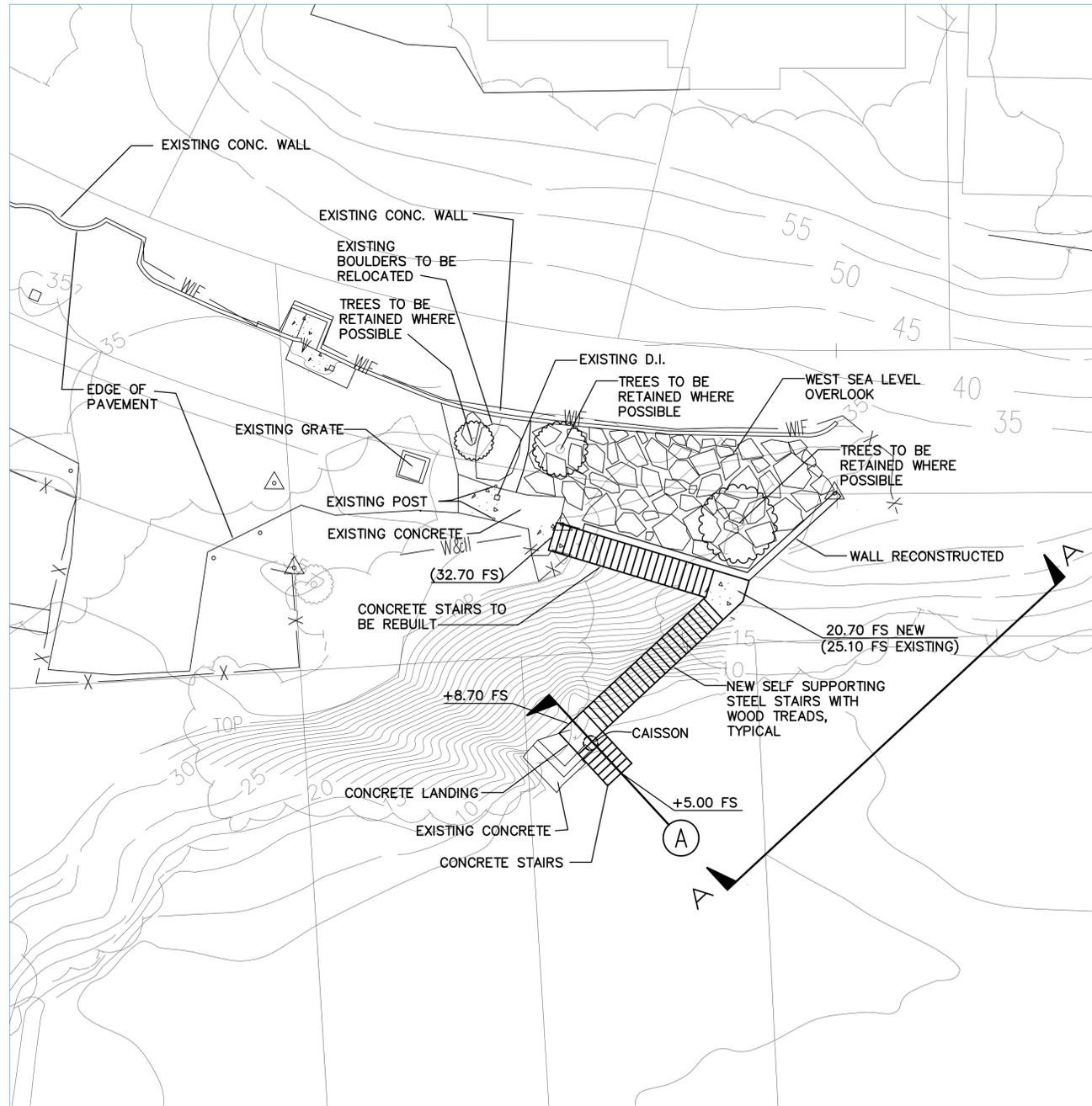
DRAWN: GG

CHECKED: JT

PROJECT: 24.404.444.3221.261

SCALE: As noted

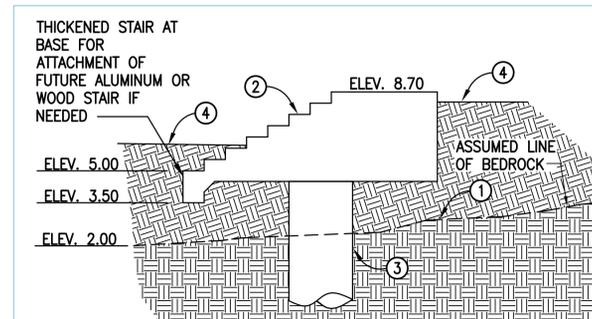
**PARKING
SIGN
DETAILS**



PLAN VIEW
 SCALE: 1"=10'



ELEVATION A-A
 SCALE: NONE



SECTION A
 SCALE: 1/4"= 1'-0"

PILES:
 THE PROJECT GEOTECHNICAL ENGINEER SHALL PREPARE AN AS-BUILT REPORT DOCUMENTING THE INSTALLATION OF THE PILE FOUNDATION ELEMENTS FOR REVIEW BY CITY GEOTECHNICAL STAFF. THE REPORT SHALL INCLUDE TOTAL DEPTHS OF PILES, DEPTH INTO RECOMMENDED BEARING MATERIAL, MINIMUM DEPTH INTO RECOMMENDED BEARING MATERIAL, DEPTH BELOW GROUND WATER AND A MAP DEPICTING THE LOCATIONS OF THE PILES.

FOUNDATIONS:
 ALL FOUNDATION EXCAVATIONS MUST BE OBSERVED AND APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT OF REINFORCING STEEL.

- NOTES:**
- LOCATION OF BEDROCK SHOWN IS APPROXIMATE. CONTRACTOR SHALL VERIFY LOCATION DURING CONSTRUCTION. DURING CONSTRUCTION, GEOTECHNICAL ENGINEER SHALL OBSERVE THE WORK AND UPDATE ANY RECOMMENDATIONS AS APPROPRIATE.
 - CONCRETE STAIR LANDING SUPPORTED BY CAISSON. CAISSON SHALL BE EMBEDDED INTO BEDROCK AS RECOMMENDED BY GEOTECHNICAL ENGINEER.
 - CONCRETE CAISSON. SIZE AND LOCATION OF CAISSONS WILL BE DETERMINED BY STRUCTURAL ENGINEER DURING DESIGN DEVELOPMENT STAGE.
 - APPROXIMATE LOCATION OF SAND

MATERIALS:
 LANDINGS: CONCRETE
 VIEW PLATFORM: CONCRETE AND DECOMPOSITION GRANITE

DATUM:
 ELEVATIONS SHOWN ON THIS DRAWING ARE BASED ON NGVD29 VERTICAL ELEVATION.



SEE ADDITIONAL PLANS FOR OTHER IMPROVEMENTS ALONG WEST SEA LEVEL DRIVE

January 23, 2017



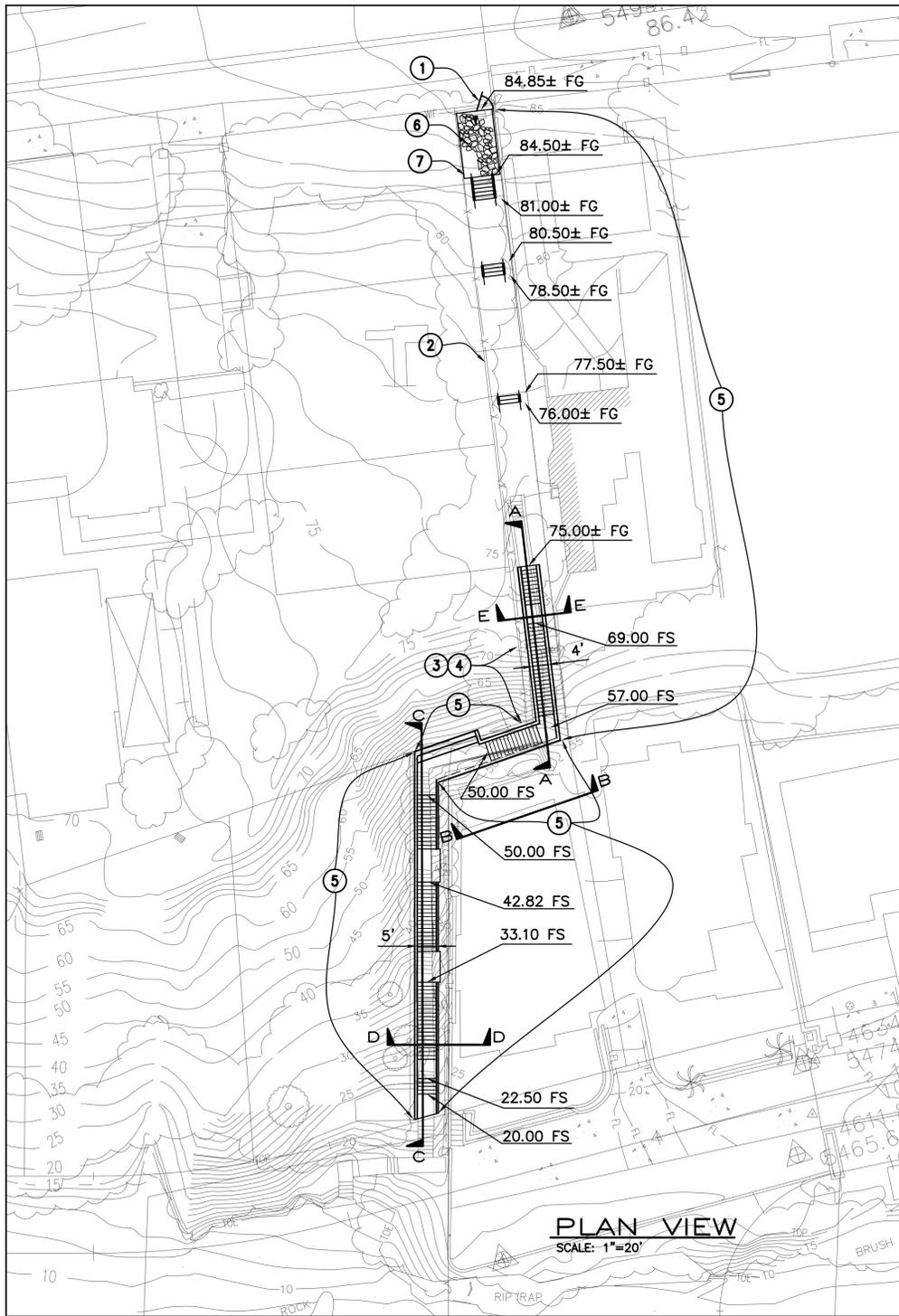
URS
 Golden Shore, Suite 100
 Long Beach, CA 90802
 Tel: (562) 308-2311
 Fax: (562) 256-7905

THIS EXHIBIT IS ISSUED FOR CONCEPTUAL PLANNING ONLY, NOT FOR CONSTRUCTION. CONSTRUCTIBILITY OF ALL IMPROVEMENTS SHOWN SHALL BE DETERMINED AFTER DETAILED SURVEY, GEOTECHNICAL INVESTIGATION AND DURING DESIGN DEVELOPMENT STAGE.

WEST SEA LEVEL DRIVE

LECHUZA BEACH
 MALIBU, CALIFORNIA

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
 LOS ANGELES, CALIFORNIA



KEYNOTES:

- ① TRIM LANDSCAPING. NEW SELF CLOSING GATE (APPROX. 4 FT. WIDE)
- ② EXISTING FENCE TO REMAIN, PROTECT IN PLACE.
- ③ NATIVE LANDSCAPING
- ④ REMOVE PORTIONS OF FENCE ON MRCA PROPERTY AS NECESSARY TO CONSTRUCT STAIRS
- ⑤ POTENTIAL NATIVE LANDSCAPING
- ⑥ BIKE RACK
- ⑦ INTERPRETIVE EXHIBIT

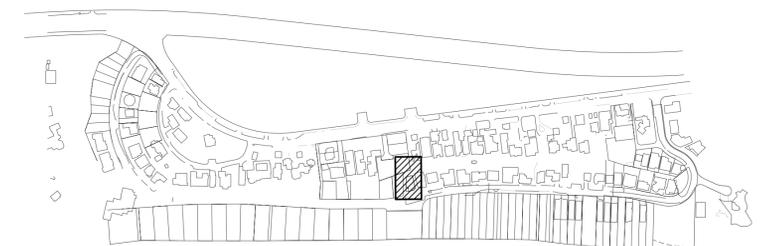
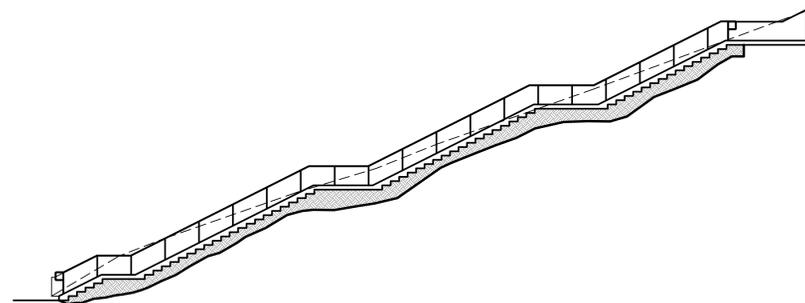
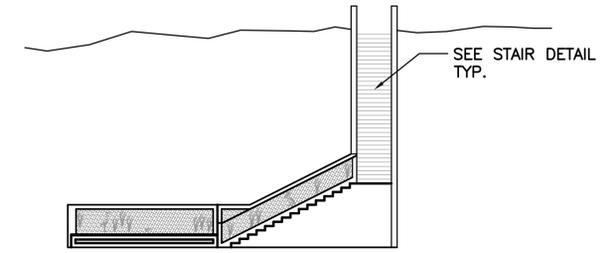
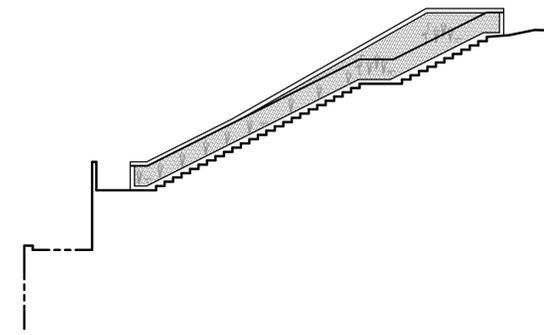
SEE ADDITIONAL PLANS FOR IMPROVEMENTS IN THIS AREA ALONG EAST SEA LEVEL DRIVE

JANUARY 23, 2017



NOTE:
WIDTH OF STAIRS TO BE 5 FEET WIDE WHERE POSSIBLE. WIDTH OF STAIRS MAY BE 4 FEET WIDE IN SOME AREAS, TO BE DETERMINED DURING CONSTRUCTION.

DATUM:
ELEVATIONS SHOWN ON THIS DRAWING ARE BASED ON NGVD29 VERTICAL ELEVATION.



Golden Shore, Suite 100
Long Beach, CA 90802
Tel: (562) 308-2311
Fax: (562) 256-7905

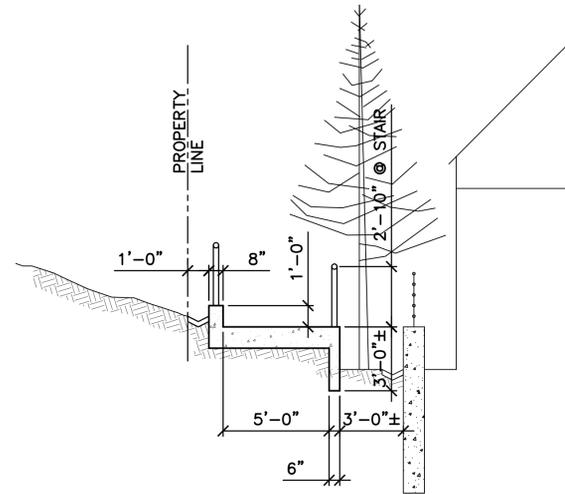
THIS EXHIBIT IS ISSUED FOR CONCEPTUAL PLANNING ONLY, NOT FOR CONSTRUCTION. CONSTRUCTIBILITY OF ALL IMPROVEMENTS SHOWN SHALL BE DETERMINED AFTER DETAILED SURVEY, GEOTECHNICAL INVESTIGATION AND DURING DESIGN DEVELOPMENT STAGE.

LOT I STAIRS EXHIBIT

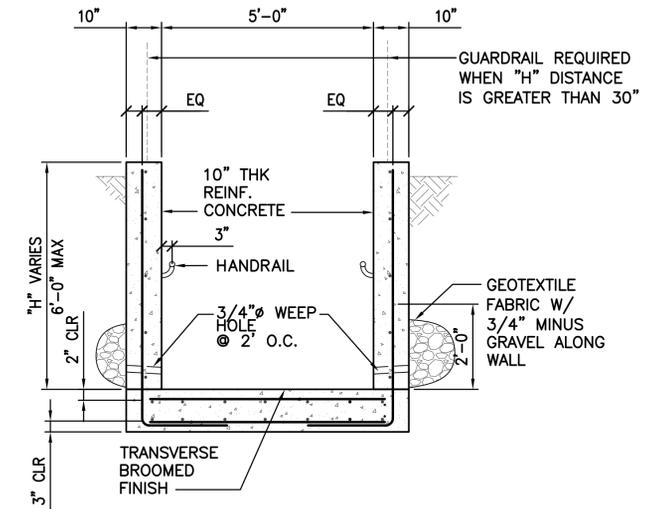
SHEET 1 OF 2

**LECHUZA BEACH
MALIBU, CALIFORNIA**

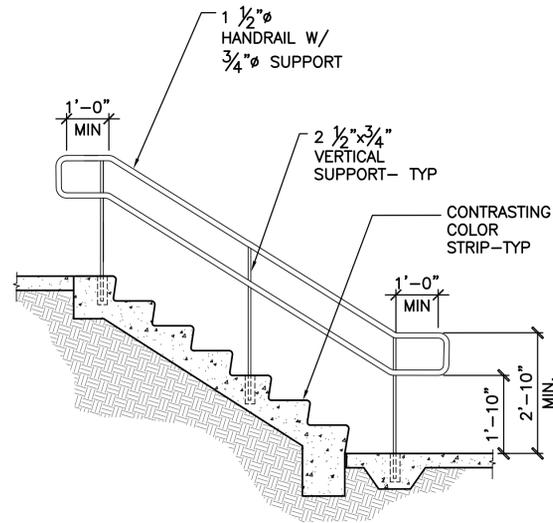
**MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
LOS ANGELES, CALIFORNIA**



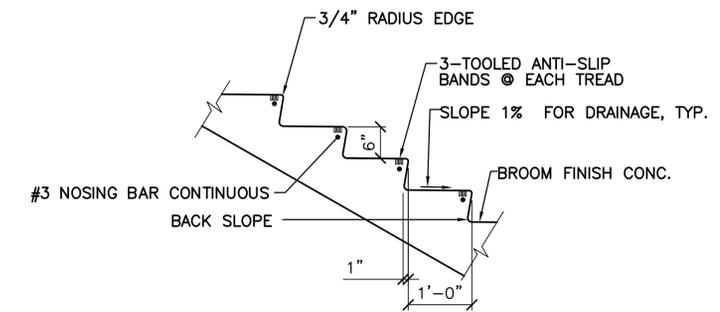
SECTION D-D
SCALE: NTS



SECTION E-E
SCALE: NTS



HANDRAIL DETAIL
SCALE: NTS



STAIR DETAIL
SCALE: NTS

SEE ADDITIONAL PLANS FOR IMPROVEMENTS IN THIS AREA ALONG EAST SEA LEVEL DRIVE

JANUARY 23, 2017



Golden Shore, Suite 100
Long Beach, CA 90802
Tel: (562) 308-2311
Fax: (562) 256-7905

THIS EXHIBIT IS ISSUED FOR CONCEPTUAL PLANNING ONLY, NOT FOR CONSTRUCTION. CONSTRUCTIBILITY OF ALL IMPROVEMENTS SHOWN SHALL BE DETERMINED AFTER DETAILED SURVEY, GEOTECHNICAL INVESTIGATION AND DURING DESIGN DEVELOPMENT STAGE.

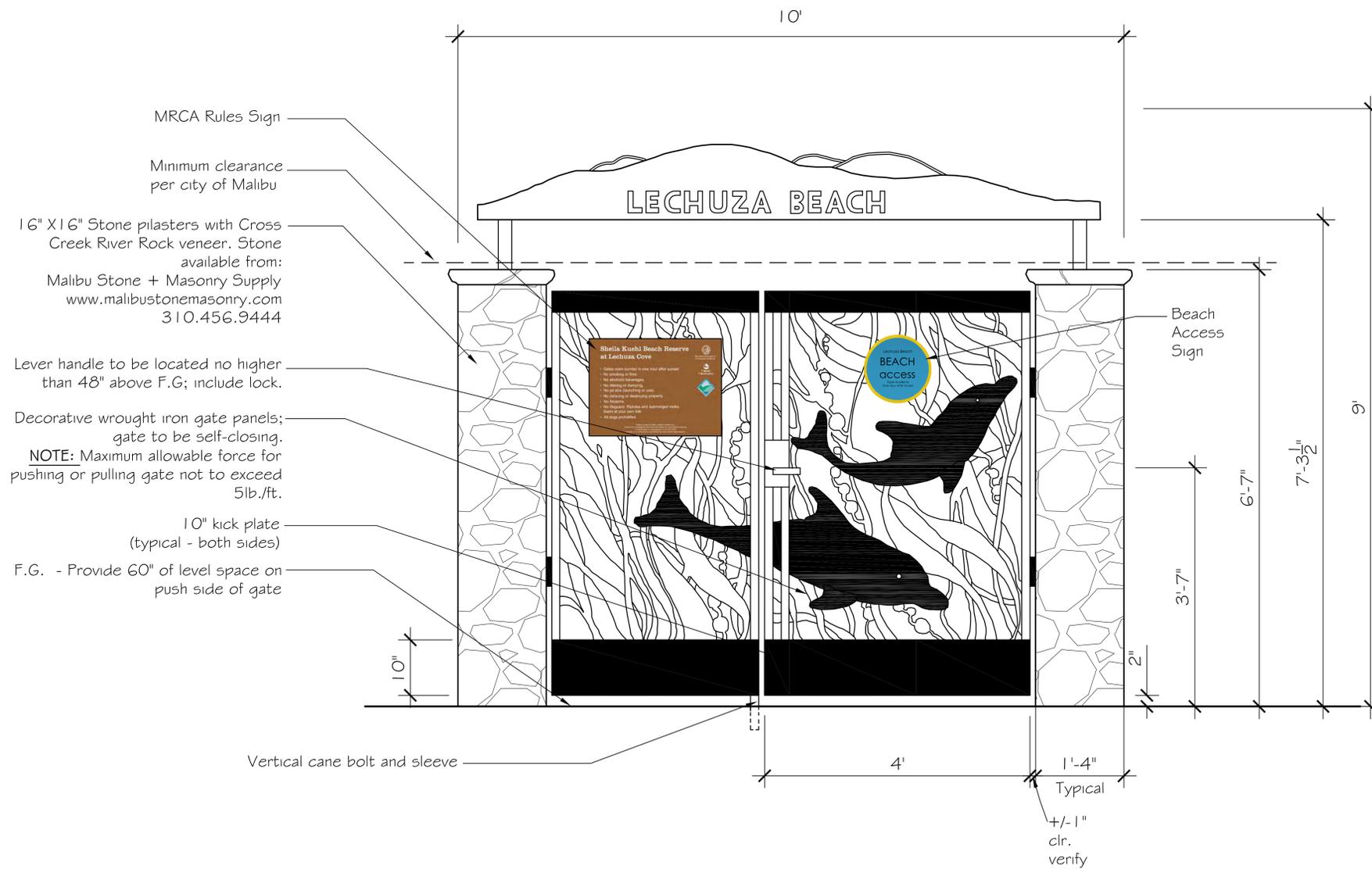
LOT I STAIRS EXHIBIT

SHEET 2 OF 2



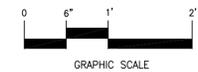
LECHUZA BEACH
MALIBU, CALIFORNIA

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
LOS ANGELES, CALIFORNIA



NOTE: Sweep period for gate closer to be adjusted so that gate will take at least 3 seconds to move from an open position of 70 degrees to a point 3 inches from the latch, measured to the leading edge of the gate.

ENTRY GATE
SCALE: (see graphic scale)
FILE: D_ENTRY_GATE_WITH_PILASTERS



REVISIONS	DATE
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
570 WEST AVENUE TWENTY-SIX
LOS ANGELES, CALIFORNIA

ENTRY GATE DETAILS

LECHUZA BEACH
Malibu California
PROJECT LOCATION:
Lot 1, at Broad Beach Road, across Bunnie Lane

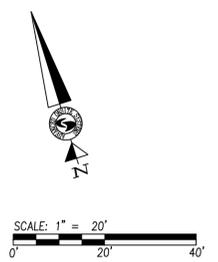
DRAWN BY: LAS
CHECKED BY: LAS
PROJECT NO. Not Applicable
DATE: 04.06.2020



SITE PLAN
SCALE: 1"=20'

- INDEX**
1. G-1 PLOT PLAN
 2. C-1 DISPOSAL AOWTS TREATMENT AND PLAN
 3. C-2 PROPOSED AOWTS TANK PLAN
 4. C-3 PROPOSED LEACH FIELD AND EFFLUENT BARRIER PLAN
 5. C-4 SECTIONS AND DETAILS
 6. M-1 1,000 GALLON BIOBARRIER 1.0N TREATMENT SYSTEM

DATUM:
ELEVATIONS SHOWN ON THESE PLANS ARE BASED ON NGVD29 VERTICAL ELEVATION.



NOT FOR CONSTRUCTION

Revisions:

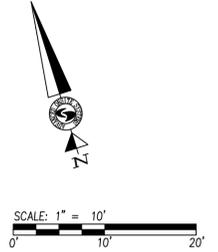
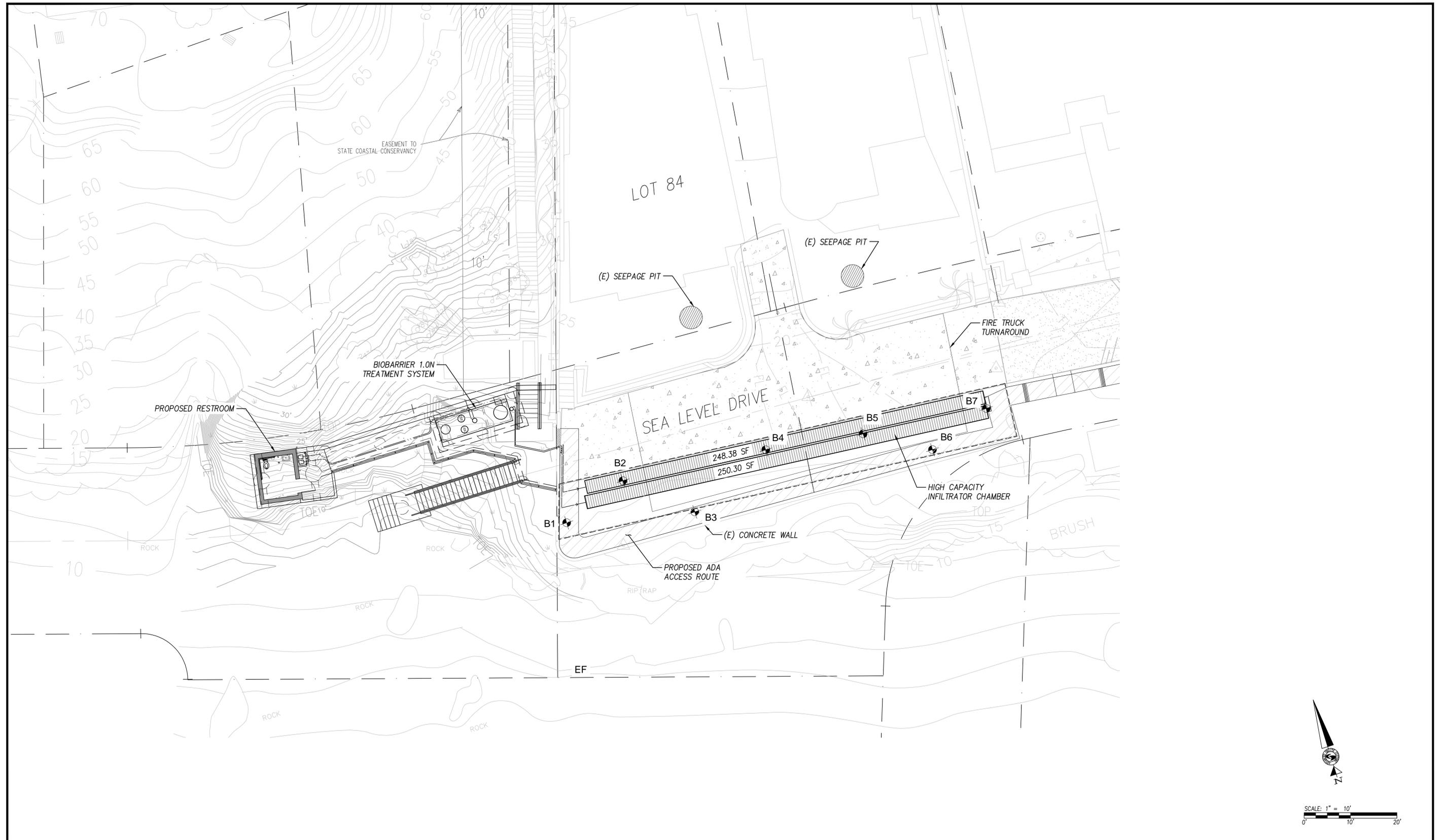
**ADVANCED
ONSITewater**
WWW.ADVANCEDONSITewater.COM
1704 SUMMIT DRIVE
ESCONDIDO, CA 92027
(760) 743-8777

Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	1"=20'

**MOUNTAINS RECREATION AND
CONSERVATION AUTHORITY**
5810 RAMIREZ CANYON ROAD
MALIBU, CA 90265

**PLOT PLAN
LECHUZA BEACH AOWTS**
31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA

Sheet
G-1
1 OF 6



NOT FOR CONSTRUCTION

Revisions:


**ADVANCED
ONSITewater**
 WWW.ADVANCEDONSITewater.COM
 1704 SUMMIT DRIVE
 ESCONDIDO, CA 92027
 (760) 743-8777

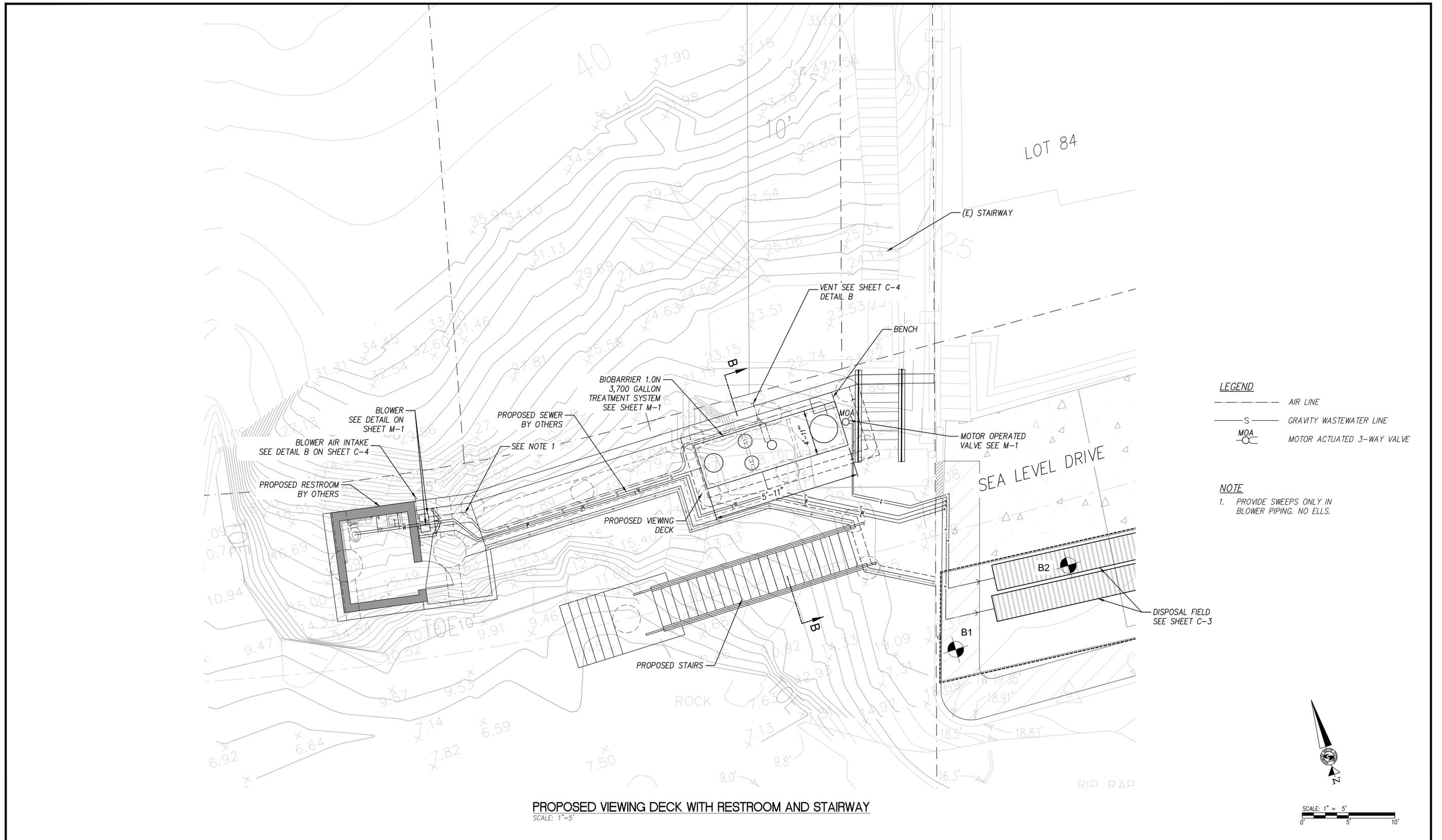


Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	1"=10'

MOUNTAINS RECREATION AND
 CONSERVATION AUTHORITY
 5810 RAMIREZ CANYON ROAD
 MALIBU, CA 90265

AOWTS TREATMENT AND DISPOSAL PLAN
 LECHUZA BEACH AOWTS
 31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA

Sheet
C-1
 2 OF 6



NOT FOR CONSTRUCTION

Revisions:					

ADVANCED ONSITewater
 WWW.ADVANCEDONSITewater.COM
 1704 SUMMIT DRIVE
 ESCONDIDO, CA 92027
 (760) 743-8777

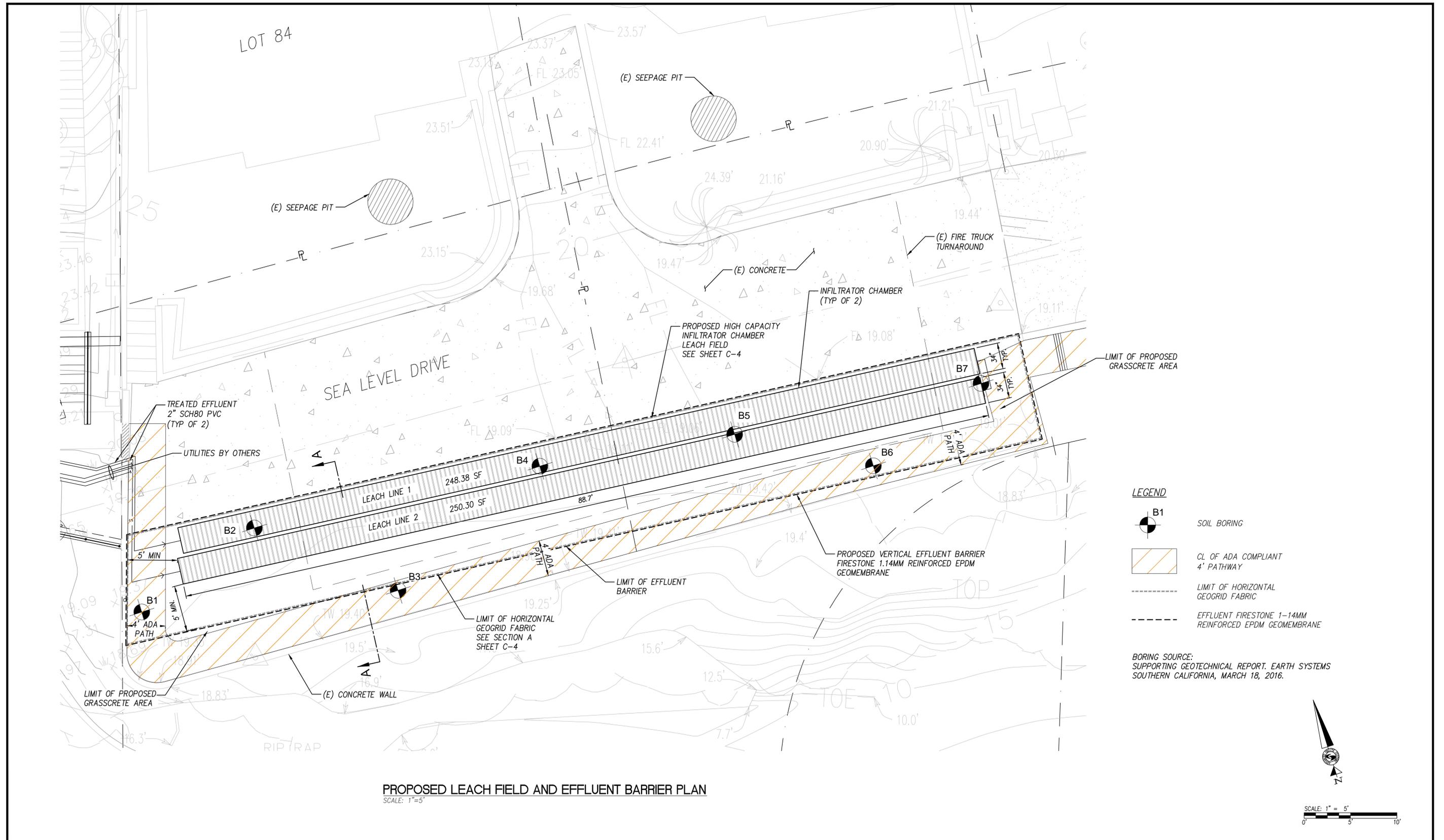


Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	1"=5'

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
 5810 RAMIREZ CANYON ROAD
 MALIBU, CA 90265

PROPOSED AOWTS TANK PLAN
LECHUZA BEACH AOWTS
 31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA

Sheet
C-2
 3 OF 6



NOT FOR CONSTRUCTION

Revisions:					

ADVANCED ONSITewater
WWW.ADVANCEDONSITewater.COM
1704 SUMMIT DRIVE
ESCONDIDO, CA 92027
(760) 743-8777

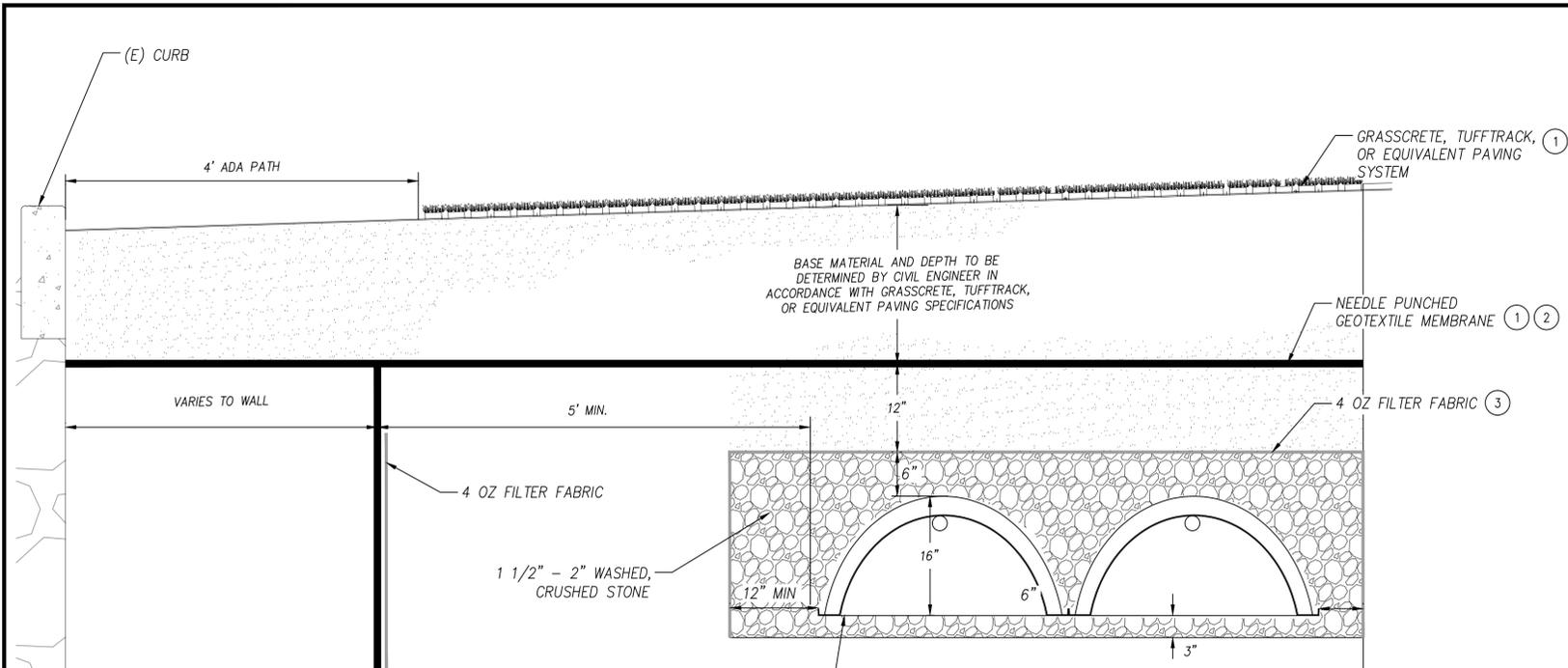


Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	1"=5'

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
5810 RAMIREZ CANYON ROAD
MALIBU, CA 90265

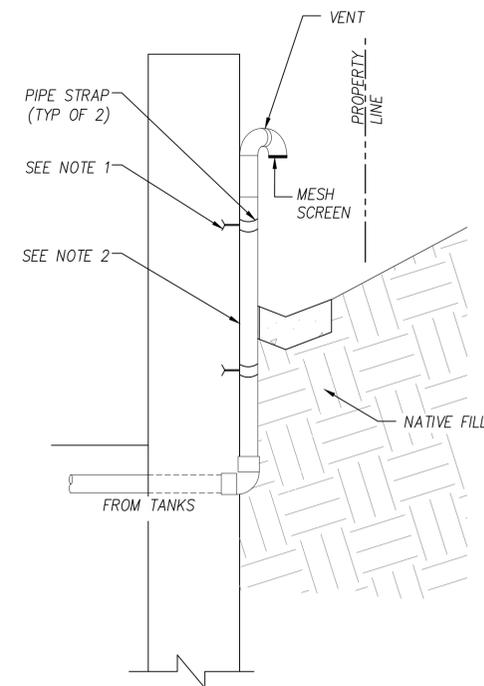
PROPOSED LEACH FIELD AND EFFLUENT BARRIER PLAN
LECHUZA BEACH AOWTS
31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA

Sheet
C-3
4 OF 6



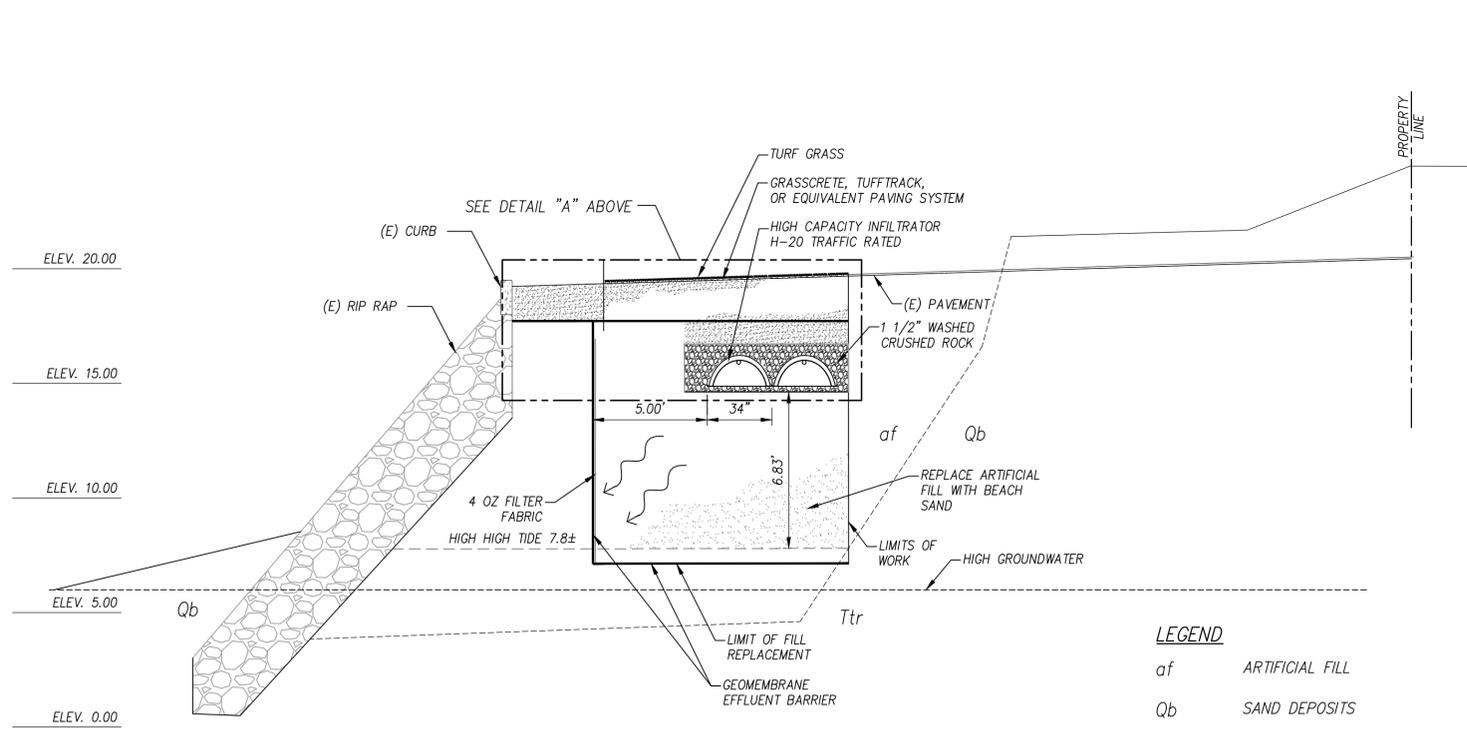
- NOTES**
- PAVING SYSTEM DESIGN BY OTHERS.
 - EXTEND GEOGRID 5' BEYOND THE FOOTPRINT OF THE CHAMBERS
 - WRAP SIDES AND TOP OF GRAVEL BACKFILL.

DETAIL A
SCALE: 1"=1'



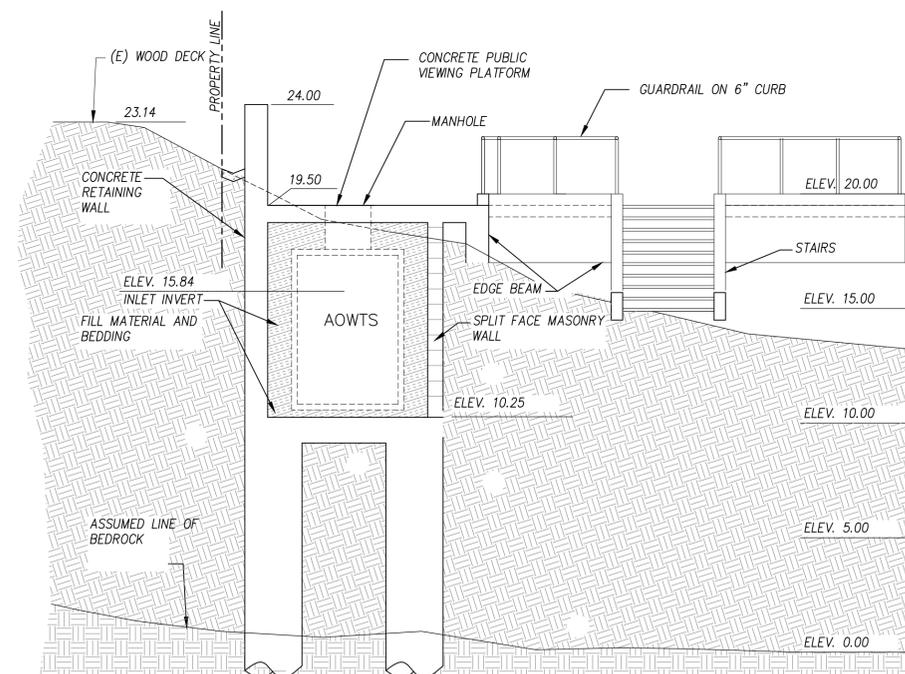
- NOTES**
- LAGBOLT PIPE STRAPPING INTO WALL.
 - CORE DRILL THROUGH SIDE OF V-DITCH. PROVIDE WATER TIGHT SEAL IN ANNULAR SPACE BETWEEN CONCRETE AND PIPE.

VENT DETAIL
SCALE: 1"=1'
BLOWER DETAIL SIM.



- LEGEND**
- af ARTIFICIAL FILL
 - Qb SAND DEPOSITS
 - Ttr TRANCAS FORMATION BEDROCK
 - ~ PATH OF EFFLUENT DRAINAGE

SECTION A (NORTH)
SCALE: 1"=4'



- NOTES**
- STRUCTURAL FEATURES ARE CONCEPTUAL AND SHOWN FOR AOWTS CONFORMANCE REVIEW ONLY. SOURCE: URS, OCTOBER 26, 2016
 - SEE M-1 FOR BEDDING AND BACKFILL MATERIAL.

SECTION B (SOUTH)
SCALE: 1"=4'

DATUM:
ELEVATIONS SHOWN ON THIS DRAWING ARE BASED ON NGVD29 VERTICAL ELEVATION.

NOT FOR CONSTRUCTION

Revisions:					

ADVANCED ONSITEWATER
WWW.ADVANCEDONSITEWATER.COM
1704 SUMMIT DRIVE
ESCONDIDO, CA 92027
(760) 743-8777

REGISTERED PROFESSIONAL ENGINEER
No. C-53105
Exp. 6/30/17
CIVIL
STATE OF CALIFORNIA

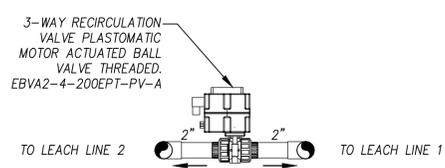
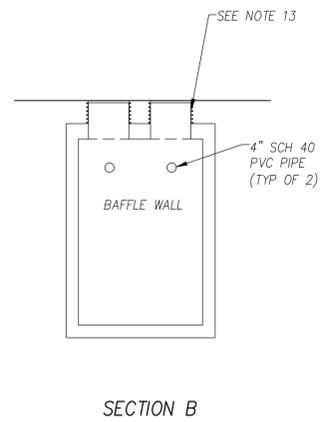
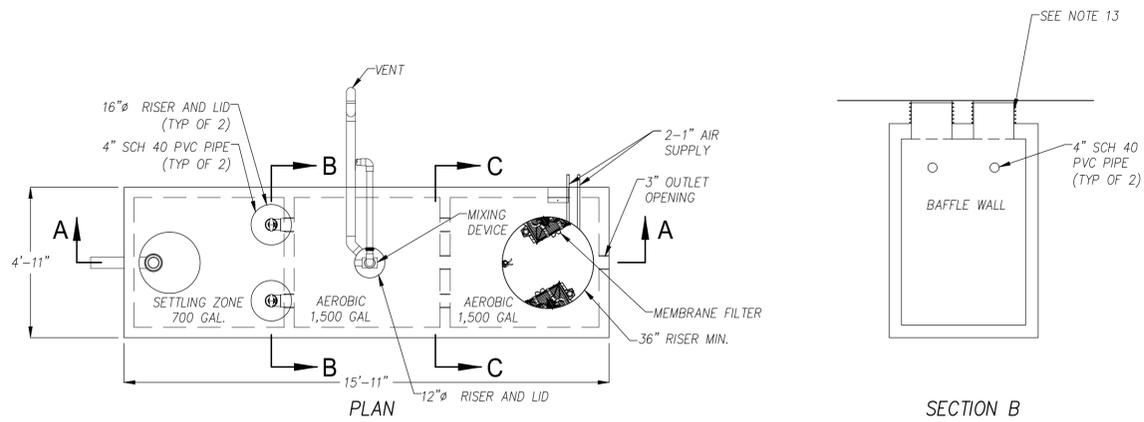
Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	AS NOTED

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
5810 RAMIREZ CANYON ROAD
MALIBU, CA 90265

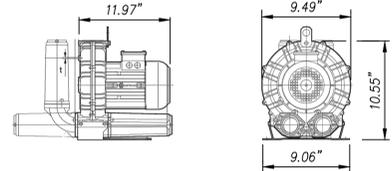
AOWTS AND LEACH FIELD SECTIONS
LECHUZA BEACH AOWTS
31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA

Sheet
C-4
5 OF 6

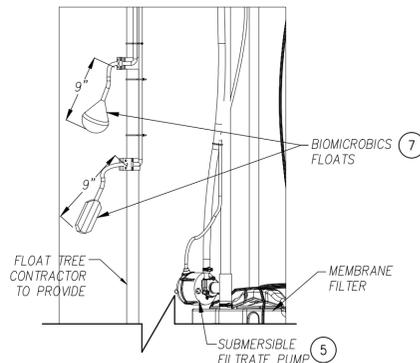
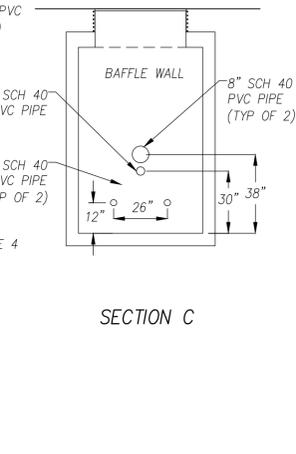
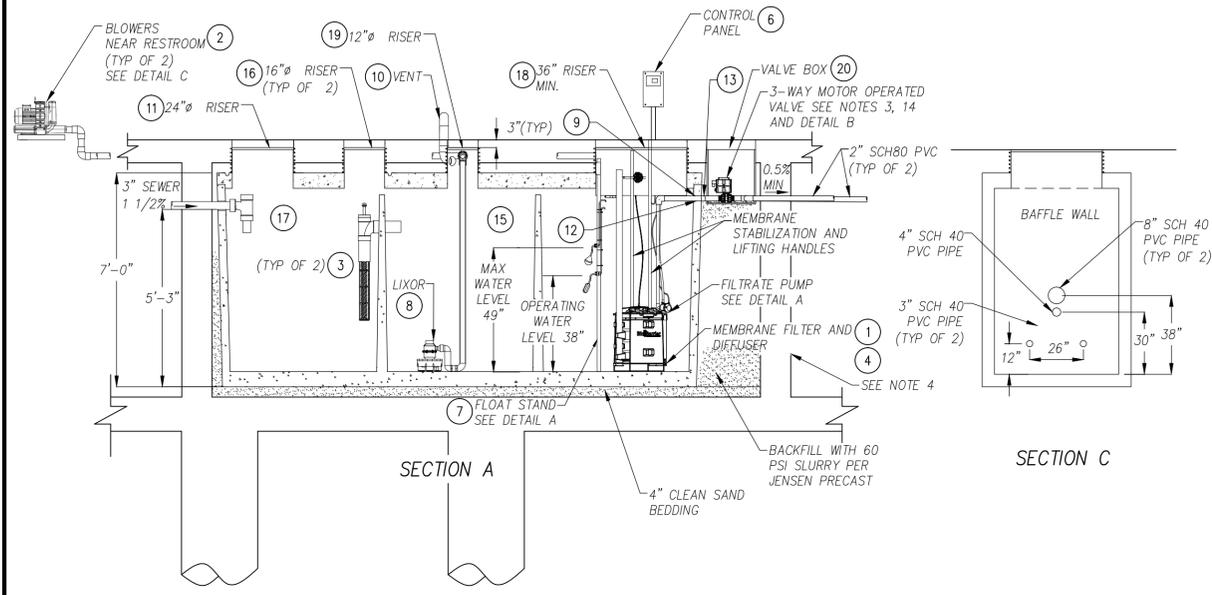
TREATMENT SYSTEM EQUIPMENT LIST				
Item	Equipment	Supplier	Model	Qty
1	BioMicrobics MBR®	BioMicrobics		1
2	Blower and Housing	BioMicrobics		2
3	SaniTee® 818-B Filter Screen	BioMicrobics		2
4	Diffuser	BioMicrobics		1
5	Filtrate Pump	BioMicrobics		1
6	Control Panel	BioMicrobics	BioBarrier 1.0-N	1
7	Floats	BioMicrobics		1 each
8	LIXOR Aerator	BioMicrobics		1
9	3:1/2 Reducer	BioMicrobics		1
10	3" Vent	BioMicrobics		1
11	24" Diameter (min.) Riser and Lid, cast in factory	Jensen Precast	Rise length depends on tank depth, which varies by distance from the source water.	1
12	3" Tank Outlet	Jensen Precast	3" opening	1
13	3:2 Reducer	Spears or Equal	per installation manual	1
15	Concrete Tank with bituminous or pvc lining	Jensen Precast	Jensen Precast KJP2000 with Custom Depth and baffle walls	1
16	16" Diameter (min.) Risers and Lids, cast in factory	Jensen Precast		2
17	Sanitary Tee Inlet	Jensen Precast	3" SCH 80 PVC	1
18	36" Diameter (min.) Riser and Lid, cast in factory	Jensen Precast	1	1
19	12" Diameter (min.) Riser and Lid, cast in factory	Jensen Precast		1
20	Valve Box and Lid	Oldcastle	1730-24" "valve"	1



DETAIL B 3-WAY ELECTRIC DISTRIBUTION VALVE
SCALE: 1"=1'



FPZ BLOWER MODEL KOS-MS-1
SCALE: 1"=1'



DETAIL A
SCALE: NTS

GREYWATER BIOBARRIER 1.0N TANK
SCALE: 1"=3'

NOTES

- ALL APPURTENANCES TO BIOBARRIER® (E.G. TANK PUMP OUTS, ETC.) MUST CONFORM TO ALL COUNTRY, STATE, PROVINCE, AND LOCAL PLUMBING AND ELECTRICAL CODES.
- RUN VENT TO DESIRED LOCATION ABOVE FINISH GRADE AND COVER OPENING WITH VENT GRATE(S) W/AT LEAST 12 SQ IN. [77 SQ. CM] OF TOTAL OPEN SURFACE AREA. SECURE WITH STAINLESS STEEL SCREWS. VENT PIPING MUST NOT ALLOW EXCESS MOISTURE BUILD UP OR BACK PRESSURE. ALL INSPECTION, VIEWING, ACCESS, AND PUMP OUT PORTS MUST BE SECURED, TO PREVENT ACCIDENTAL OR UNAUTHORIZED ACCESS.
- ALL PIPING AND ANCILLARY EQUIPMENT INSTALLED AFTER BIOBARRIER®, MUST NOT IMPEDE OR RESTRICT FREE FLOW OF EFFLUENT.
- BLOWER PIPING TO BIOBARRIER® MBR MAY NOT EXCEED 40 FT [12 M] TOTAL LENGTH AND USE 4 ELBOWS MAXIMUM PER TRAIN. FOR DISTANCES GREATER THAN 40 FT [12 M] - CONSULT FACTORY. BLOWERS MUST BE LOCATED ABOVE FLOOD/STANDING WATER LEVELS ON CONCRETE BASES 26" X 20" X 2" [65 X 50 X 5CM] MINIMUM.
- THE BIOBARRIER® MBR CONTROL SYSTEMS ARE PROVIDED BY BIO-MICROBICS, INC.
- IF LESS THAN ANY OF THE SPECIFIED MINIMUMS IS CONSIDERED NECESSARY, CONSULT FACTORY FOR GUIDANCE.
- THE BAFFLE SEPARATING THE SETTLING AND THE TREATMENT CHAMBERS SHALL BE SEALED TO THE TOP OF THE TANK, AS SHOWN ON THE DRAWING. VENTILATION FOR THE SETTLING ZONE SHALL BE PROVIDED FOR IN THE SAME MANNER AS A TRADITIONAL SEPTIC TANK.
- ALL INSPECTION, VIEWING, ACCESS, AND PUMP OUT PORTS MUST BE SECURED, TO PREVENT ACCIDENTAL OR UNAUTHORIZED ACCESS.
- FOR ENHANCED NITROGEN REMOVAL, ANOXIC ZONE
 - BAFFLE WALL SHOULD EVENLY DISTRIBUTE THE VOLUME IN THE TREATMENT
 - ZONE BETWEEN THE ANOXIC AND AEROBIC ZONE. LIXOR MIXING DEVICE IS REQUIRED.
- FLOAT STAND NOT A PART OF BIOBARRIER PACKAGE.
- FIRMLY SEAT VALVE BOX ON COMPACTED SAND.
- ADA COMPLIANT GRATING OR EQUIVALENT COVERING OVER RISER LIDS PER STRUCTURAL ENGINEER
- ADJUST RISER HEIGHT PER INSTALLED DEPTH OF TANK VAULT ENCLOSURE. MAINTAIN 4" SAND BEDDING.

NOTES

- FLOAT STAND SHOULD BE LOCATED AWAY FROM THE MBR MODULES WITHIN THE TREATMENT ZONE TO PREVENT FLOAT CHATTER.
- SUPPLEMENTAL AERATION WITH LIXOR REQUIRED FOR WASTEWATER WITH HIGHER THAN 300MG/L BOD.
- SEE LIXOR DRAWINGS FOR MORE DETAILS.
- PROVIDE ADDITIONAL VENTILATION AS REQUIRED PER LIXOR SPECIFICATIONS.
- CONCRETE STRUCTURES ARE CONCEPTUAL. STRUCTURAL DESIGN AND DRAWINGS PROVIDED BY OTHERS.
- FIRMLY SEAT VALVE ON SAND BEDDING.

1. GENERAL
THE CONTRACTOR SHALL FURNISH AND INSTALL (1) BIOBARRIER MBR 1.0 TREATMENT SYSTEM AS MANUFACTURED BY BIO-MICROBICS, INC. THE TREATMENT SYSTEM SHALL BE COMPLETE WITH ALL NEEDED EQUIPMENT AS SHOWN ON THE DRAWINGS AND SPECIFIED HEREIN. THE PRINCIPAL ITEMS OF EQUIPMENT SUPPLIED BY BIO-MICROBICS, INC. SHALL INCLUDE TWO (2) BIOBARRIER MBR ASSEMBLIES, ALL CONTROLS, FILTRATE PUMPS, AIR, BLOWER ASSEMBLIES, MIXING DEVICE IF APPLICABLE AND A SANITEE 818-B PRE-SCREEN DEVICE. THE BIOBARRIER MBR 1.0-N SYSTEM SHALL BE SUPPLIED WITH A MIXING DEVICE PROVIDED BY BIO-MICROBICS. OTHER ITEMS WILL BE PROVIDED BY OTHERS. THE BIOBARRIER 1.00 UNIT SHALL BE SITUATED WITHIN A 3,000 GALLON [11,400 L] MINIMUM SINGLE COMPARTMENT TANK OR IN A 3700 GALLON [14,000 L] MINIMUM MULTIPLE COMPARTMENT TANK WITH OR WITHOUT THE OPTIONAL MIXING DEVICE. SUGGESTED MAXIMUM SETTLING ZONE IS (1) X THE DAILY FLOW. TANK(S) MUST PROVIDE ADEQUATE PUMP OUT ACCESS AND CONFORM TO LOCAL, STATE, AND ALL OTHER APPLICABLE CODES. THE CONTRACTOR SHALL PROVIDE COORDINATION WITH TANK SUPPLIER WITH REGARDS TO FABRICATION OF THE TANK, INSTALLATION OF THE BIOBARRIER UNIT AND DELIVERY TO THE JOB SITE.

2. OPERATING CONDITIONS
THE BIOBARRIER MBR 1.0 TREATMENT SYSTEM SHALL BE CAPABLE OF TREATING UP TO 1,000 GPD WASTEWATER FROM ALL FACILITIES PRODUCING APPROPRIATE WASTE TO DEVELOP AND SUSTAIN A VIABLE BIOMASS. WASTE CONTAINING INHIBITORY SUBSTANCES FOR THE BIOLOGICAL PROCESSES OR MEMBRANE FILTRATION OPERATION IS NOT RECOMMENDED FOR TREATMENT IN THE BIOBARRIER MBR SYSTEM. CONSULT FACTORY FOR PROPER SIZING AND USAGE.

3. MEMBRANE
THE MEMBRANE IS A COMBINATION OF ULTRAFILTRATION AND MICROFILTRATION USING PVDF AND PES CAST MATERIAL. THE MEMBRANE SHEET IS SUPPORTED BY HDPE OR ABS AND LASER WELDED TO THE PLATE. THE HALL BIOBARRIER MBR MEMBRANE MODULE SHALL CONSIST OF FLAT SHEET MEMBRANES ARRANGED IN A CARTRIDGE WHICH IS AERATED VIA SUBHOUSING AIR GRID. THE BIOBARRIER MBR MEMBRANE ASSEMBLY BE FIXED IN POSITION AND SHALL USE NON CORROSIVE PARTS. THE MEMBRANE SYSTEM SHALL BE DESIGNED AND INSTALLED TO ENSURE THAT ADEQUATE TURBULENCE IS PROVIDED BY THE AERATION SYSTEM TO INSURE EASY MOVEMENT OF MLSS WITHIN THE MEMBRANE SYSTEM.

4. BLOWER
THE BIOBARRIER MBR 1.0 SYSTEM SHALL COME EQUIPPED WITH A ONE (1) BLOWER CAPABLE OF DELIVERING 10-40 CFM [20-60 M3/HR]. THE BLOWER ASSEMBLY SHALL INCLUDE AN INLET FILTER WITH METAL FILTER ELEMENT. BLOWERS SHALL BE MOUNTED, UP TO 40 FEET [12 METERS] MAXIMUM, FROM THE BIOBARRIER MBR ASSEMBLY ON A CONTRACTOR SUPPLIED CONCRETE BASE. BLOWERS MUST NOT SET IN STANDING WATER AND THEIR ELEVATION MUST BE HIGHER THAN THE NORMAL FLOOD LEVEL. A TWO-PIECE, RECTANGULAR HOUSING SHALL BE PROVIDED. THE DISCHARGE AIR LINE FROM BLOWER TO THE BIOBARRIER MBR ASSEMBLY SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.

5. SUBMERSIBLE FILTRATE PUMP
THE SUBMERSIBLE PUMP MUST BE SECURED TO THE MBR HOUSING TO PREVENT DAMAGE TO THE TREATMENT SYSTEM. THE DISCHARGE LINE MUST NOT EXCEED FOUR FEET ABOVE THE PUMP DURING OPERATIONS. THE INSTALLATION DOWNSTREAM OF THE BIO-MICROBICS SUPPLIED EFFLUENT LINE MUST NOT CREATE ANY BACKPRESSURE ON THE PUMP. THE SUBMERSIBLE PUMP IS NOT INTENDED AS DOSING PUMP FOR FINAL DISPOSAL OF THE EFFLUENT.

6. ELECTRICAL
THE ELECTRICAL SOURCE SHOULD BE WITHIN 150 FEET [45.7 METERS] OF THE BLOWER CONSULT LOCAL CODES FOR LONGER WIRING DISTANCES. ALL WIRING MUST CONFORM TO ALL APPLICABLE CODES (IEC, NEC, ETC.). WIRING DISTANCES MUST PREVENT SIGNIFICANT VOLTAGE LOSS. INPUT POWER ON 60HZ ELECTRICAL SYSTEM IS 110/220 VAC, SINGLE PHASE, 15/20 AMPS. INPUT POWER ON 50HZ ELECTRICAL SYSTEMS 127/230 VAC, SINGLE PHASE 15/20 AMPS. ALL CONDUIT AND WIRING SHALL BE SUPPLIED BY CONTRACTOR.

7. CONTROLS
THE BIOBARRIER MBR 1.0 SYSTEM SHALL COME EQUIPPED WITH ONE (1) CONTROL PANEL. THE CONTROL PANEL PROVIDES POWER TO THE BLOWER, THE FILTRATE PUMP, THE OPTIONAL MIXING DEVICE, AND THE WATER LEVEL FLOATS WITH VISUAL AND AUDIBLE ALARMS CAPABLE OF SIGNALING BLOWER CIRCUIT FAILURE AND HIGH WATER CONDITIONS. THE CONTROL PANEL IS EQUIPPED WITH SFR (SEQUENCING FIXED REACTOR) TIMED CONTROL FEATURE. A MANUAL SILENCE BUTTON IS INCLUDED.

8. INSTALLATION AND OPERATING INSTRUCTIONS
ALL INSTALLATION AND CONNECTIONS WORK OF THE BIOBARRIER MBR 1.0 SHALL BE DONE IN ACCORDANCE WITH THE WRITTEN INSTRUCTIONS PROVIDED BY THE MANUFACTURER AND IN ACCORDANCE WITH ALL APPLICABLE LOCAL CODES AND REGULATIONS. OPERATIONS MANUALS SHALL BE FURNISHED WHICH WILL INCLUDE A DESCRIPTION OF INSTALLATION, OPERATION, AND SYSTEM MAINTENANCE PROCEDURES.

9. FLOW AND DOSING
BIOBARRIER MBR SYSTEMS HAVE BEEN SUCCESSFULLY DESIGNED, TESTED AND CERTIFIED RECEIVING GRAVITY, DEMAND-BASED INFLUENT FLOW. WHEN INFLUENT FLOW IS CONTROLLED BY PUMP OR OTHER MEANS TO HELP WITH HIGHLY VARIABLE FLOW CONDITIONS, THEN MULTIPLE DOSING EVENTS SHOULD BE USED TO HELP ENSURE EVEN FLOW.

10. WARRANTY
BIO-MICROBICS, INC. WARRANTS ALL NEW RESIDENTIAL BIOBARRIER MODELS (BIOBARRIER 0.50, 1.0, AND 1.5) AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP FOR A PERIOD OF TWO YEARS AFTER INSTALLATION OR THREE YEARS FROM DATE OF SHIPMENT WHICH EVER OCCURS FIRST, SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS, (ALL OTHER BIOBARRIER SYSTEM MODELS ARE WARRANTED FOR A PERIOD OF ONE YEAR AFTER INSTALLATION OR EIGHTEEN MONTHS FROM DATE OF SHIPMENT, WHICHEVER OCCURS FIRST, SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS): DURING THE WARRANTY PERIOD, IF ANY PART IS DEFECTIVE OR FAILS TO PERFORM AS SPECIFIED WHEN OPERATING AT DESIGN CONDITIONS, AND IF THE EQUIPMENT HAS BEEN INSTALLED AND IS BEING OPERATED AND MAINTAINED IN ACCORDANCE WITH THE WRITTEN INSTRUCTIONS PROVIDED BY BIO-MICROBICS, INC., BIO-MICROBICS, INC. WILL REPAIR OR REPLACE AT ITS DISCRETION SUCH DEFECTIVE PARTS FREE OF CHARGE. DEFECTIVE PARTS MUST BE RETURNED BY OWNER TO BIO-MICROBICS, INC.'S FACTORY POSTAGE PAID, IF SO REQUESTED. THE COST OF LABOR AND ALL OTHER EXPENSES RESULTING FROM REPLACEMENT OF THE DEFECTIVE PARTS AND FROM INSTALLATION OF PARTS FURNISHED UNDER THIS WARRANTY AND REGULAR MAINTENANCE ITEMS SUCH AS FILTERS OR BULBS SHALL BE BORNE BY THE OWNER. THIS WARRANTY DOES NOT COVER GENERAL SYSTEM MISUSE, AERATOR COMPONENTS WHICH HAVE BEEN DAMAGED BY FLOODING OR ANY COMPONENTS THAT HAVE BEEN DISASSEMBLED BY UNAUTHORIZED PERSONS, IMPROPERLY INSTALLED OR DAMAGED DUE TO ALTERED OR IMPROPER WIRING OR OVERLOAD PROTECTION. THIS WARRANTY APPLIES ONLY TO THE TREATMENT PLANT AND DOES NOT INCLUDE ANY OF THE STRUCTURE WIRING, PLUMBING, DRAINAGE, SEPTIC TANK OR DISPOSAL SYSTEM. BIO-MICROBICS, INC. IS RESERVES THE RIGHT TO REVISE, CHANGE OR MODIFY THE CONSTRUCTION AND/OR DESIGN OF THE BIOBARRIER SYSTEM, OR ANY COMPONENT PART OR PARTS THEREOF, WITHOUT INCURRING ANY OBLIGATION TO MAKE SUCH CHANGES OR MODIFICATIONS IN PRESENT EQUIPMENT. BIO-MICROBICS, INC. IS NOT RESPONSIBLE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES OF ANY NATURE RESULTING FROM SUCH THINGS AS, BUT NOT LIMITED TO, DEFECT IN DESIGN, MATERIAL, OR WORKMANSHIP, OR DELAYS IN DELIVERY, REPLACEMENTS OR REPAIRS. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES EXPRESS OR IMPLIED. BIO-MICROBICS SPECIFICALLY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. NO REPRESENTATIVE OR PERSON IS AUTHORIZED TO GIVE ANY OTHER WARRANTY OR TO ASSUME FOR BIO-MICROBICS, INC., ANY OTHER LIABILITY IN CONNECTION WITH THE SALE OF ITS PRODUCTS. CONTACT YOUR LOCAL DISTRIBUTOR FOR PARTS AND SERVICE.

Revisions:					

ADVANCED ONSITEWATER
WWW.ADVANCEDONSITEWATER.COM
1704 SUMMIT DRIVE
ESCONDIDO, CA 92027
(760) 743-8777



Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	AS NOTED

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
5810 RAMIREZ CANYON ROAD
MALIBU, CA 90265

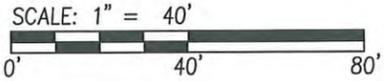
1,000 GALLON BIOBARRIER 1.0N TREATMENT SYSTEM
LECHUZA BEACH AOWTS
31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA

NOT FOR CONSTRUCTION



LOT 84

SITE PLAN
SCALE: 1"=40'



Revisions:

**ADVANCED
ONSITEWATER**
WWW.ADVANCEDONSITEWATER.COM
1704 SUMMIT DRIVE
ESCONDIDO, CA 92027
(760) 743-8777



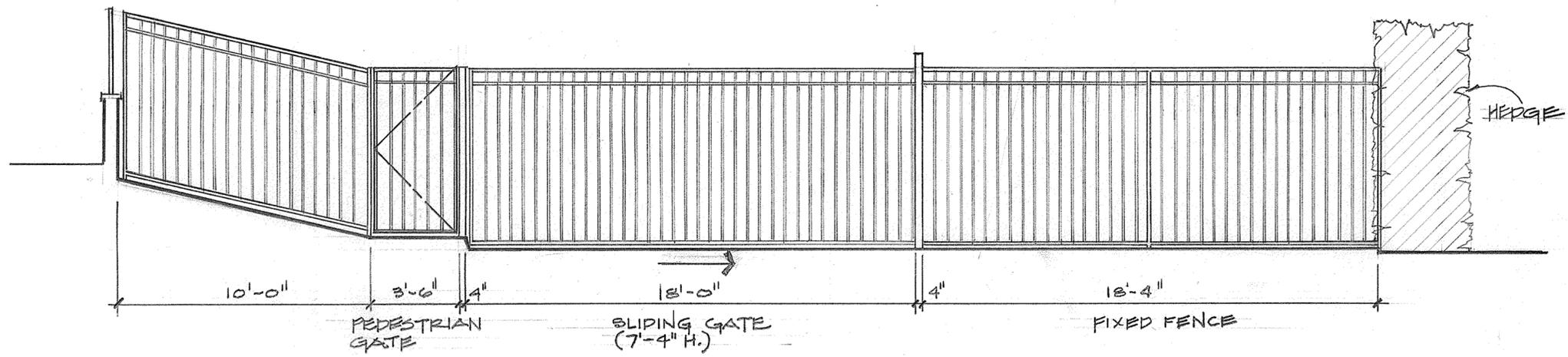
Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	1"=40'

**MOUNTAINS RECREATION AND
CONSERVATION AUTHORITY**
5810 RAMIREZ CANYON ROAD
MALIBU, CA 90265

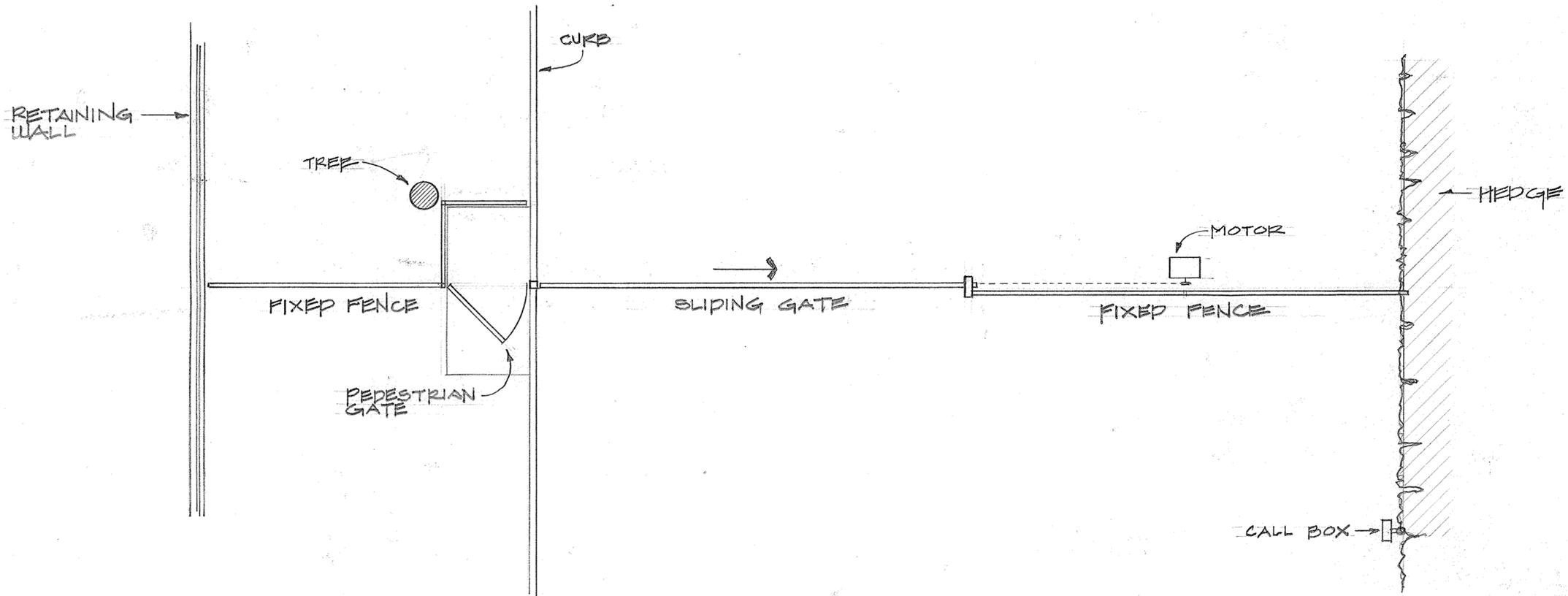
PLOT PLAN
LECHUZA BEACH AOWTS
31725.5 EAST SEA LEVEL DRIVE, MALIBU CA

Sheet
1
1 OF 1

C:\VAOS\Projects\Lechuzo\01_CAD\LB-Plot_Plan.dwg



ELEVATION



PLAN

SEA LEVEL DRIVE GATE (EXISTING)



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

BIOLOGY REVIEW REFERRAL SHEET

TO: City of Malibu Biologist
FROM: City of Malibu Planning Department REVISED DATE 03/24/2021

PROJECT NUMBER: CDP 07-087
JOB ADDRESS: 31720.5 BROAD BEACH RD
APPLICANT / CONTACT: Mountains Recreation and Conservation Authority
APPLICANT ADDRESS: 5810 Ramirez Canyon Road
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-3230
APPLICANT FAX #: _____
APPLICANT EMAIL: edelman@smmc.ca.gov
PLANNER: Mary Wright
PROJECT DESCRIPTION: Lechuza Beach public access and disabled parking spaces

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Dave Crawford

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).


Signature

9/22/21
Date

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:

Dave Crawford, City Biologist, dcrawford@malibucity.org, (310) 456-2489, extension 277



City of Malibu

Biology • Planning Department
 23825 Stuart Ranch Road · Malibu, California · 90265-4861
 Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email)	Mountains Recreation and Conservation Authority edelman@smmc.ca.gov	
Project Address:	31720.5 BROAD BEACH RD Malibu, CA 90265	
Planning Case No.:	CDP 07-087	
Project Description:	Lechuza Beach public access and disabled parking spaces	
Date of Review:	September 22, 2021	
Reviewer:	Dave Crawford	Signature: 
Contact Information:	Phone: (310) 456-2489 ext 277	Email: dcrawford@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	3/24/21
Site Survey:	3/24/21
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	3/24/21
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	

REVIEW FINDINGS

Review Status:	<input type="checkbox"/>	<u>INCOMPLETE</u> : Additional information and/or a response to the listed review comments is required.
	<input checked="" type="checkbox"/>	<u>APPROVED</u> : The project has been approved with regards to biological impacts.
	<input type="checkbox"/>	<u>CANNOT APPROVE AS SUBMITTED</u> : The proposed project does not conform to the requirements of the MMC and/or LCP.
	<input type="checkbox"/>	<u>ERB</u> : This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4



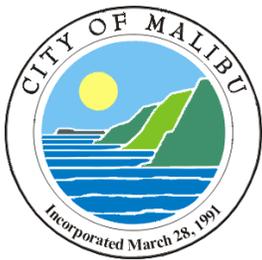
RECOMMENDATIONS:

1. The project is recommended for **APPROVAL** 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 a detailed landscape/restoration plan shall be submitted for review and approval prior to any planting.
 - B. Grading shall be scheduled only during the dry season from April 1 - October 31. If it becomes necessary to conduct grading activities from November 1 – March 31, a comprehensive erosion control plan shall be submitted for approval prior to issuance of a grading permit and implemented prior to initiation of vegetation removal and/or grading activities.
 - C. Grading/excavation/vegetation removal scheduled between February 1 - September 15 will require nesting bird surveys by a qualified biologist prior to initiation of such activities. Surveys shall be completed no more than five days from proposed initiation of site preparation activities. Should active nests be identified, a buffer area no less than 150 feet (300 feet for raptors) shall be fenced off until it is determined by a qualified biologist that the nest is no longer active. A report discussing the results of the surveys shall be turned in to the City within two business days of completion of surveys.
 - D. Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded so it is directed downward and inward so that there is no offsite glare or lighting of natural habitat areas. Up-lighting is prohibited.

-000-

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

cc: Planning Project file
Planning Department



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

COASTAL ENGINEERING REVIEW SHEET

Project Information

Date: May 8, 2023
Site Address: 31720.5 Broad Beach Road **Lat:** 34° 2.10' N **Lon:** 118° 51.58' N
Lot/Tract/PM #: 4470-024-901 **Planning #:** CDP 07-087
Applicant/Contact: Elena Eger, MRCA **BPC/GPC #:** N/A
Contact Phone #: (310) 589-3230 **Email:** elena.eger@mrca.ca.gov **Planner:** Mary Wright
Project Type: Lechuza Beach Recreational facilities: public access stairway and disabled parking spaces, NAOWTS

Submittal Information

Consultant(s): AECOM (Oi, RCE 94603): 2-17-2023
Report Date(s): Previous: GeoSoils, Inc. 08-03-2007, 12-05-2013, 8-10-16, 11-9-16; 3-18-16 (Earth Systems Southern California); 8-9-16, 11-8-16 (Advanced Onsite Water); 11-16-16 (MRCA Memorandum)
Project Plan(s): Planning Submittal: MRCA Revised Document Submittal dated March 2, 2023; Site plans dated 2-3-20 (submitted 3-24-21) Previous: (8-12-16); URS (Restroom Option An Exhibit), 8-2-16, revised 10-26-16. All plans are in NGVD29, NOT NAVD88.
Previous Reviews: 4-7-2022, 11-18-21 (referral sheet), 1-11-17, 9-22-16, 1-30-14
FEMA BFE: 19.6 ft. NAVD88 (East Location), 17.4 ft. NAVD88 (West Location)

Review Findings

Planning Stage

- ACCEPTABLE** in **PLANNING**-stage from a coastal engineering perspective. The listed Building Plan-Check Coastal Review Comments shall be addressed prior to Building Plan-Check approval.
- NOT ACCEPTABLE** in **PLANNING**-stage from a coastal engineering perspective. The listed Planning Stage Coastal Review Comments shall be addressed prior to Planning-stage approval.

Remarks:

The referenced revised plans and coastal engineering report were reviewed by the city from a coastal engineering perspective relative to the requirements of the following City codes and guidelines:

- City of Malibu Local Coastal Program – Land Use Plan and Local Implementation Plan (LCP-LUP and LCP-LIP)
- Malibu Municipal Code – Title 15, Buildings and Construction
- City of Malibu Guidelines for the Preparation of Coastal Engineering Reports and Procedures for Report Submittal (referred to herein as *Coastal Engineering Report Guidelines*), and

- California Coastal Commission Sea Level Rise Policy Guidance, Final Adopted Science Update, November 7, 2018

Project Description: Based on the submitted information, the project consists of reconstruction of existing improvements and new improvements to existing public beach access at LeChuzza Beach. The designs include a new access gate, reconstructed staircases, new path, new restrooms, drainage and new parking. The project scope is divided into West Sea Level Drive and East Sea Level Drive access improvements. West Sea Level Drive improvements consist of new parking spaces and reconstruction of the existing view platform and existing beach access stairs. East Sea Level Drive improvements include a new restroom, new alternative onsite wastewater treatment system and leach field, public viewing area, reconstruction of existing stairs to Broad Beach Road, and new parking spaces along the existing road.

Project Discussion: Project Plans were presented in NGVD29, despite repeated requests for plans in NAVD88 as required by the City of Malibu. To convert from NGVD29 to NAVD88, add 2.42 feet to all elevations shown in NGVD29. This project has evolved over time and standards for coastal design have also changed since the project was first presented.

East Sea Level Drive: Revised project plans depict a proposed caisson-supported restroom with a FFE of +18.02 ft NGVD29 or 20.44 feet NAVD88, a subsurface treatment tank vault supported on a caisson foundation system, with the bottom of the tank vault at elevation 12.67 ft NAVD88 and the top of tank vault at elevation 21.92 ft NAVD88, the top of vault also serves as the viewing platform elevation. The beach staircase descends from the viewing platform to a pile supported base at the beach at elevation 7.42 to 10.42 ft. NAVD88. Two new 88-foot-long new leach fields are located on the southern side of the parking lot, immediately north of the existing rock revetment on East Sea Level Drive (crest elevation at 22.2 feet NAVD88).

West Sea Level Drive: Existing access is located at the southern end of West Sea Level Drive. Parking and gates are located at approximately elevation 30 to 35 ft NGVD29) or 32.42 to 37.42 ft NAVD88. The existing stairs will be rebuilt and descend from Elevation 32 ft NGVD29 (34.42 ft NAVD88) to the beach at approximately elevation 10 ft NAVD88.

Previous evaluations by GSI (2016) resulted in a wave runup to elevation 21.8 feet, less than the existing permitted revetment crest elevation of 22.2 feet. GSI’s analysis utilized a high tide elevation of 8.2 feet, sea level rise (SLR) of 1.2 feet, resulting in a wave uprush elevation of 21.8 feet for 100-year storm wave runup.

Revised uprush analysis presented by AECOM indicates that wave uprush resulting from 100-year flood is at elevation 19.6 ft NAVD88 for the east location and 17.4 ft NAVD88. The analysis utilized a 50-year and 100-year project life (year 2075 and year 2125, respectively), and analyzed the low risk and medium to high-risk scenarios under high emissions (3.3 feet and 6.6 feet of SLR respectively) (**see Note 2 below**). The results are presented on Tables 3 and 4 in the AECOM study (2023, page 14). AECOM does not provide a recommended risk aversion scenario, however, given that these are not habitable structures or critical facilities, a low risk aversion sea level rise scenario appears appropriate. Using the low risk aversion sea level rise scenario, wave uprush elevations are presented in Table 3 and 4 for each location as below:

Table 3. 1% Annual Chance Total Water Level Results at Project Site (ft NAVD88)

Year	Current	2075	2125	2075	2125
Future Risk Level	-	Low	Low	Med-High	Med-High
West Staircase		50 yr.	100 yr.		
Transects 1-3	20 to 21	23	25	25	31
East Staircase, Overlook & Bathroom					
Transects 7-8	18 to 22	21 to 24	23 to 27	22 to 26	28 to 33
Leach Field					
Transects 9-11	19 to 23	21 to 26	24 to 28	23 to 28	28 to 33

Note: TWL results rounded to the nearest whole foot.

The existing project locations, and proposed project locations are already on or oceanward of the existing top of bluff as identified by AECOM. Coastal Engineering Reviewers understand that the fundamental purpose of the MRCA is to promote access and use of recreational areas. Beach stair access and parking are necessary to access the beach. MRCA expects the anticipated lifespan of the project to be approximately 20 to 25 years, which is shorter than the planning horizons evaluated by the coastal engineering studies. According to City of Malibu LCP-LIP Section 10.4.L. "No shoreline protection structure shall be permitted for the sole purpose of protecting an ancillary or accessory structures. Such structures shall be removed if it is determined that the structure is in danger from erosion... Accessory structures, including but not limited to, patios, stairs, recreational facilities, landscaping features, and similar design elements shall be constructed and designed to be removed or relocated in the event of threat from erosion, bluff failure or wave hazards." The Planning Director, upon consultation with the City Attorney, has provided a verbal interpretation regarding how the LCP-LIP pertains to the proposed project. As presented to Coastal Engineering reviewers by the City Planning Director, the prohibition of a shoreline protection device applies to the platform and the restroom structure and tank and does not apply to the OWTS dispersal field. Please contact the Planning Director for more details on this interpretation. this interpretation. As proposed and designed, only the OWTS field requires protection provided by the existing shoreline protection device, as allowed under LCP-LIP section 10.4.K. The structures themselves are designed to be supported independent of shoreline position. The Public Access stairs are designed to be permanent, and not removable, for safety purposes in accordance with the CBC.

East Sea Level Drive: The restroom and viewing platform are located as far landward and vertically as feasible given the design purpose of providing ADA access. The restroom building is located as far vertically as feasible zone, the restroom and the NAOWTS tank are designed to withstand wave forces and flooding. There is no way to provide access to the beach without encroaching on the bluff or placing stairs in the wave uprush zone. The proposed leach field is located as far landward as feasible on the lot selected by the MRCA east of the stair's location, between East Sea Level Drive and an existing permitted rock revetment. The leach field is designed to be below ground, protected by erosion resistant fabric and ground cover/parking paver. The bottom of the leach field at 6.83 feet above the elevation of the highest high tide. According to AECOM, to prevent flooding from the 100-year storm conditions, the revetment would need to be raised approximately 3 to 4 feet by the year 2075, and greater than 5 feet by 2125 using the low risk aversion sea level rise uprush elevations presented in Table 3. The variation is due to differences in the current revetment height, slight differences in wave runup elevations along the revetment, and consideration of two different future SLR scenarios.

West Sea Level Drive: Parking and gates are located at approximately elevation 30 to 35 ft NGVD29) or 32.42 to 37.42 ft NAVD88, outside the FEMA flood zone, wave uprush zone and 100-year projected bluff retreat according to GSI (2016). The stairs descend from Elevation 32 ft NGVD29 (34.42 ft NAVD88) to the beach. The existing stairs are built down the existing bluff face bluff face. There is no alternative to provide beach access at this location other than to rebuild the stairs. Utilizing a projected 100-year SLR of 6.6 feet, shoreline retreat reaches the project by year 2059 and encroaches into West Sea Level Drive by year 2100.

Adaptation: Although evolving sea level rise science and coastal engineering project evaluation and practice is evolving towards setting sea level rise benchmarks that trigger mitigation as a more measurable and practical approach with respect to the physical design and limitations of projects, as opposed to setting specific time frames, the LCP-LIP requires specific project lifetimes. **Therefore, Adaptation Strategies are required for this project within the 100-year time frame as outlined by AECOM.**

East Sea Level Drive: Adaptive strategies include raising the rock revetment 1 to 3 feet, providing scour protection (already present in the form of pavers) and improved drainage to remove any water from wave

overtopping, and/or removing the amenities at some point in the future when sea level rise reaches critical elevations. Based on interpolation of the results for scenarios evaluated by AECOM, raising the revetment by approximately 1 to 3 ft up to an elevation of 22 to 24 ft NAVD88 would provide a similar level of protection (i.e., approximately 50-year return period storm event) as today over the anticipated lifespan of the improvements. AECOM: “The frequency and severity of future overtopping could be mitigated by raising low spots of the revetment to achieve a desired level of flood protection. To prevent flooding from the 100-year storm conditions, the revetment would need to be raised approximately 1-7 feet by the year 2075 and approximately 3-13 feet by the year 2125.”

West Sea Level Drive: This location has no existing shoreline protection device, and the stairs are designed to be supported independent of shoreline position, wave action or erosion. The upper portion of the stairs and parking are outside the project wave uprush of 25 ft. NAVD88 during a year project life. However, as shoreline position advances due to sea level rise, it encroaches on the road sometime between 2075 and 2100 and may cutoff access to the stairs themselves. In this case, removal or reconstruction are the only options, unless shoreline protection is allowed in the future by the Coastal Commission in service of maintaining public access.

Summary: All interpretations of the LCP-LIP requirements were provided by the Planning Director, as noted above. This project is atypical of the types of projects the LCP-LIP is applied to as these projects are intended to be on the beach, or as close to the beach as possible to provide access to the beach, including ADA accessibility. Beach access cannot be provided without stairs to and on the beach, that are subject to potential coastal erosion, flooding and wave uprush. Under the LCP-LIP beach access stairs are allowed in the coastal zone. The portions of stairways that provide access down to the beach are within the wave uprush zone and are protected by concrete and steel reinforcement, and by necessity are designed to resist erosion, bluff failure and wave action in order to be safe public accessways as required by CBC 2022 Appendix G, Flood Resistant Design. They are not designed to break away or be removed temporarily in case of flooding or coastal storms.

Other structures that are required by the LCP-LIP to be designed outside the wave uprush zone or as far landward as feasible are constrained by the location, size and shape of the parcels selected by the MRCA for these ADA/access projects. Portions of the project at both the West and East location are by necessity within the wave uprush zone and 100-year shoreline bluff retreat projection as evaluated by AECOM. Where they cannot be location outside the wave uprush zone laterally (without being relocated elsewhere), they have been vertically elevated or designed to withstand wave action, erosion, or flooding in the case of new structures or protected by a shoreline protection device as allowed under Chapter 10.4 of the LCP-LIP as interpreted by the Planning Director. Inspection and monitoring will be required regardless of the life of the project, and adaptation may be required within a 100-year LCP-LIP specified life of the project, depending on actual sea level rise.

NOTES: (1) The AECOM report refers to the top of the slope at road level immediately backing the beach at the east location as the top of bluff. However, this is not synonymous with bluff edge as defined by the LCP-LIP or any Planning interpretations of bluff edge (either altered or unaltered). (2) The California Coastal Commission and Ocean Protection Council are revising models and sea level rise projections and guidance this year based on NOAA’s updated Sea Level Rise Study (2022) and indicate the extreme sea level rise scenarios will no longer utilize high emission be considered due to SLR trends being lower than previously predicted. Therefore, the highest estimated wave uprush elevation predictions provided by AECOM may not apply.

Building Plan Check Comments

1. Upon submittal to building plan check, please include a set of updated plans that depict the most landward Mean High Tide Line (MHTL) and the location of all structural elements along with a

- fee of \$750 for coastal engineering building plan check review. In accordance with the LCP, all proposed structures are required to be setback 10 feet from the most landward MHTL.
2. All site and project plans should be provided in NAVD88 as required by the City of Malibu. All plan elevations reference NGVD29. The City of Malibu requires elevations in NAVD88. **NOTE 1: This comment remains to be addressed.**
 3. Please show on plans and sections,
 - a. The scoured beach profile on all sections,
 - b. Surveyed locations of mean high tide lines acceptable to the State Lands Commission;
 - c. Foundation design requirements;
 - d. Existing and proposed shoreline protection structures.
 4. The property owner shall comply with the requirements for recorded document and deed restriction outlined in Section 10.6A of the City of Malibu LCP-LIP. A template for this document is available from City staff.
 5. The applicant shall submit information identifying what party (or parties) own(s) the existing rock revetment, and who will be responsible for its maintenance in the future. If the rock revetment is on MRCA property, then a shoreline protection device monitoring program shall be submitted by the Project Coastal Engineer, and a covenant and agreement regarding maintenance of the shoreline protection device shall be recorded by MRCA. If the rock revetment is on MEHOA and/or other private property, then MRCA shall record an "Assumption of Risk, Release, Indemnification and Hold Harmless Agreement for Hazards Related to Development Utilizing an Offsite Shoreline Protection Device(s) on a Beach or on a Bluff." Available information suggests that the rock revetment is jointly owned, and in such case, an agreement should be drafted and recorded identifying which party(ies) will be responsible for implementation of the shoreline protection device monitoring program, and which party will be responsible for restoring, repairing, or redesigning new shore protection, should the existing shore protection on either property be damaged or removed.
 6. Project structural plans shall identify the name, address, and report dates of the Project Coastal Engineer, and the recommendations within the reports shall be made a part of the plans.
 7. Structural plans shall identify the wave loading criteria presented in the most recent coastal engineering addendum of the current coastal engineering consultant or record.
 8. Provide the recommended elevation of the bottom of the lowest horizontal structural member of the lowest floor, on the project structural plans (CBC 1612.5).
 9. The project structural plan shall include a statement that the structure is designed in accordance with ASCE 24, including that the pile or foundation and building or structure to be attached thereto is designed to be anchored to resist flotation, collapse and lateral movement due to the effects of wind and flood loads acting simultaneously on all building components, and other load requirements of Chapter 16 of the building code (CBC 1612.5).
 10. ELECTRONIC PLAN CHECK: Final plans may be digitally signed and stamped by the Project Coastal Engineering Consultant, as allowed under Board of Registration for Professional Engineers and Land Surveyors (2020 PE & PLS Board Rules (16 CCR §§400-476). Please also submit a Plan Review Letter must contain the following:

- a. Project description – Address, scope, including structures being permitted (e.g., garage, etc.).
- b. Plan set information - The date and preparer of the plan set reviewed; this must match the plan set that was submitted to the city for final approval.
- c. Report references -All applicable geotechnical or coastal engineering reports need to be referenced.
- d. Approval of specific plan sheets reviewed – List all plan sheets approved, e.g. civil (grading and drainage) as well as structural.
- e. Licensed Professional signature and stamp - The letter must be signed and stamped by all licensed professionals who signed the reports.

Reviewed by:



Lauren J. Doyel, PE 61337 / GE 2981 exp. 6-30-25
Coastal Engineering Review Consultant 805-496-1222)
Email: cldoyel@malibucity.org

May 8, 2023
Date

This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.





City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department

REVISED DATE 03/24/2021

PROJECT NUMBER: CDP 07-087

JOB ADDRESS: 31720.5 BROAD BEACH RD

APPLICANT / CONTACT: Mountains Recreation and Conservation Authority

APPLICANT ADDRESS: 5810 Ramirez Canyon Road
Malibu, CA 90265

APPLICANT PHONE #: (310) 589-3230

APPLICANT FAX #: _____

APPLICANT EMAIL: edelman@smmc.ca.gov

PROJECT DESCRIPTION: Lechuza Beach public access and disabled parking spaces

TO: Malibu Planning Department and/or Applicant

FROM: City of Malibu Environmental Health Reviewer

Conformance Review Complete for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Municipal Code (MMC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

Conformance Review Incomplete for the City of Malibu LCP/LIP and MMC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: **NOT REQUIRED**
 REQUIRED (attached hereto) **REQUIRED (not attached)**

Melinda Talbot
Signature

4-5-2021
Date



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW REFERRAL SHEET

TO: City of Malibu Environmental Health Administrator

FROM: City of Malibu Planning Department

REVISED DATE 03/24/2021

The applicant must submit to the City of Malibu Environmental Health Specialist to determine whether or not an onsite wastewater treatment system (OWTS) Plot Plan approval is required.

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



City of Malibu

Environmental Health • Environmental Sustainability Department
 23825 Stuart Ranch Road • Malibu, California • 90265-4861
 Phone (310) 456-2489 • Fax (310) 456-3356 • www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Mountains Recreation and Conservation Authority edelman@smmc.ca.gov	
Project Address:	31720.5 Broad Beach Rd. Malibu, CA 90265	
Planning Case No.:	CDP 07-087	
Project Description:	Lechuza Beach public access, parking spaces, new OWTS	
Date of Review:	January 12, 2017	
Reviewer:	Melinda Talent	Signature: <i>Melinda Talent</i>
Contact Information:	Phone: (310) 456-2489 x 364	Email: mtalent@malibucity.org

SUBMITTAL INFORMATION

Project Plans:	Plans by URS dated August 2, 2016, Revised 10-26-16. MRCA revised plans dated 2-3-20
Grading Plans:	
OWTS Plan:	OWTS plot plan by Advanced Onsite Water dated 8-9-16, Revised 11-8-16.
OWTS Report:	OWTS Engineering Report by Advanced Onsite Water dated 8-9-16, Revised 11-8-16
Geology Report:	Supporting Geotechnical Report by Earth Systems dated 8-18-16. Geotechnical Assessment of Proposed Setback by Amec Foster Wheeler Environment & Infrastructure, Inc. dated 11-3-16.
Miscellaneous:	Coastal Hazard & Wave Runup Study by GeoSoils dated 8-10-16, Response to Coastal Engineering by GeoSoils dated 11-9-16. Reduced Setback letter by AECOM dated 10-26-16. Addendum No. 1 Geotechnical Engineering Report Response to City Review by Earth Systems dated 12-2-16. Draft Initial Study/Negative Declaration prepared by Mountains Recreation and Conservation Authority dated 1-7-19
Previous Approvals:	1-12-17, 2-5-19
Previous Reviews:	8-25-16, 12-7-16, 1-12-17, 2-5-19

REVIEW FINDINGS

Planning Stage:	<input checked="" type="checkbox"/> CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	<input type="checkbox"/> CONFORMANCE REVIEW INCOMPLETE for the City of Malibu LIP and MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	<input type="checkbox"/> NOT REQUIRED
	<input checked="" type="checkbox"/> REQUIRED (attached)

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new advanced onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed advanced OWTS meets the minimum requirements of the Malibu Municipal Code and the City of Malibu Local Coastal Program (LCP)/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 OWTS 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 for Building Plan Check Approval:

- 1) 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 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) 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).

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.]

3) 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.

4) 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.

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

All proposed reductions in setbacks from the onsite wastewater treatment system to structures or other features less than those shown in Malibu Municipal Code (MMC) Section 15.42 must be supported by letters from the project consultants. 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 Safety 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). For complex waterproofing installations, submittal of a separate waterproofing plan may be required. All 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).

- Structures – All proposed reductions in setback from the onsite wastewater treatment system to structures (i.e., setbacks less than those shown in MMC Section 15.42) 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 setback is reduced.



- Buildings – All proposed reductions in setback from the onsite wastewater treatment system to buildings (i.e., setbacks less than those shown in MMC Section 15.42) 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 the 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.
- 6) **Proof of Ownership:** Proof of ownership of subject property shall be submitted.
 - 7) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS 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.
 - 8) **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.**
 - 9) **Access and Easements for the OWTS:** Prior to receiving Environmental Health approval, the owner shall legally establish an access and easement agreement to maintain, repair and/or replace portions of the OWTS located on the adjoining property. The agreement shall be reviewed and approved by the City Attorney's office and then submitted to the Environmental Health Administrator. Said agreement shall be executed by property owners and recorded with the County of Los Angeles Recorder's Office.
 - 10) **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 onsite wastewater treatment system 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.**
 - 11) **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 City of Malibu 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 City of Malibu Recorder.**

- 12) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.
- 13) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.
- 14) **Project Coastal Engineer Approval:** Project Coastal Engineer Consultant final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.
- 15) **City of Malibu Coastal Engineering Approval:** City of Malibu Coastal Engineering final approval of the Onsite Wastewater Treatment System plan shall be submitted to the Environmental Health Administrator.
- 16) **City of Malibu Planning Approval:** City of Malibu Planning Department final approval of the OWTS plan shall be obtained.
- 17) **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.
- 18) **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.
- 19) **Waste Discharge Requirements:** Submit wastewater plans, and all necessary supporting forms and reports, to the Los Angeles Regional Water Quality Control Board (RWQCB), 320 W. 4th St., Los Angeles, CA 90013, (213) 576-6600, to assure compliance with the California Water Quality Control Plan, Los Angeles Region (Basin Plan). RWQCB Waste Discharge Requirements shall be obtained and submitted to the City of Malibu Environmental Health Administrator.

-oOo-

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



31720.5 BROAD BEACH RD. (CDP 07-087)
 (31725.5 SEA LEVEL DR)
 MALIBU, CA 90265

PUBLIC RESTROOM:	7 Fixture Units 200 Visitors 554 gallons/d
TREATMENT TANK:	Biomechanics system with Jensen Precast tank 3700 gallons
ACTIVE:	2 - 88 Ft. Leaching chambers 499 sq. ft. total area
FUTURE:	NA
PERC RATE:	2 gpsfd
DESIGNER:	Barbara Bradley, PE (C-53105)
REFERENCE:	Advanced Onsitewater Engineering Report for Conformance Review dated 8-9-16, Revised 11-8-16

NOTES:

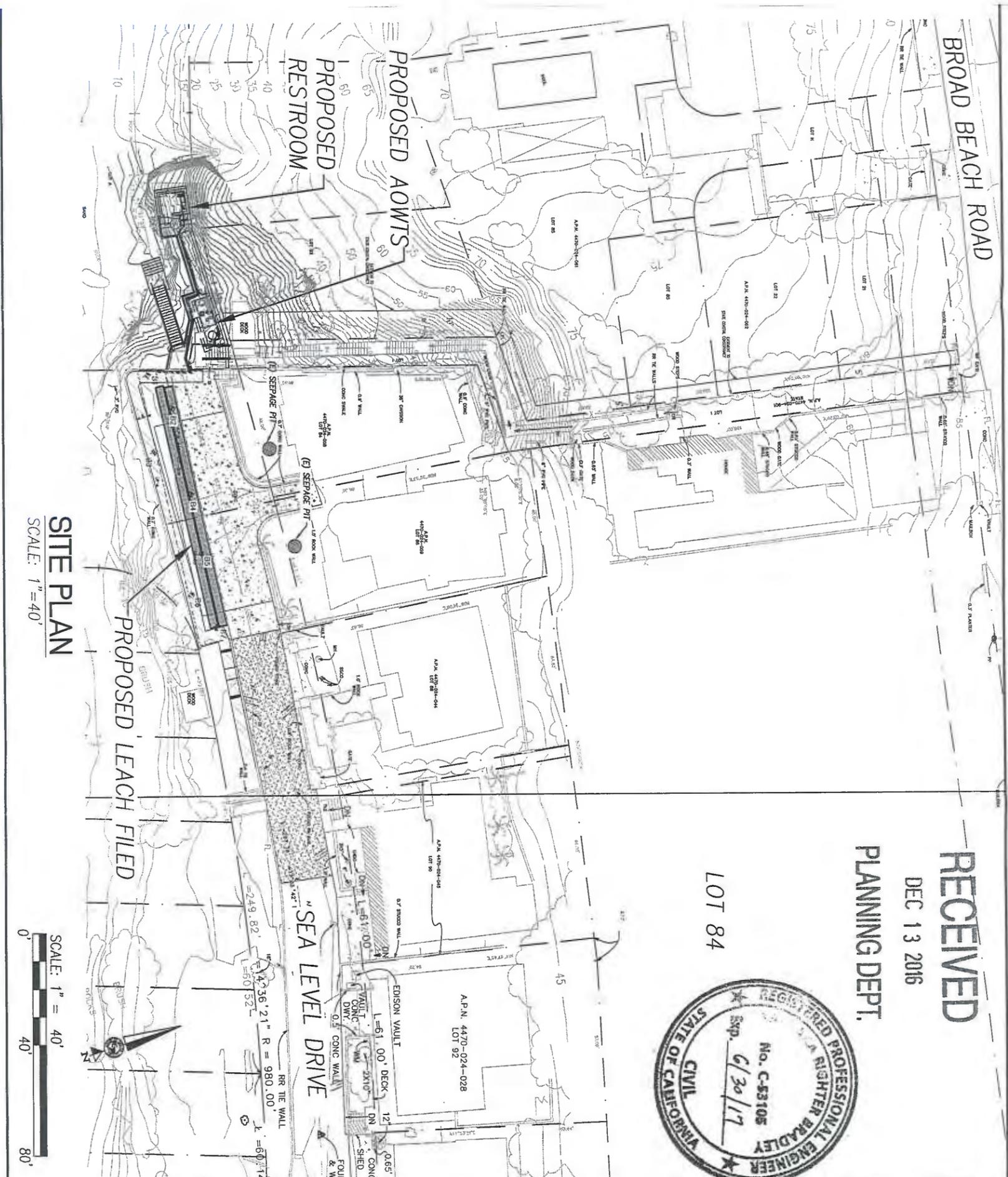
1. This conformance review is for a new public restroom (7 fixture units.) The alternative onsite wastewater treatment system conforms to the requirements of the City of Malibu Plumbing Code (MPC) and the Local Coastal Plan (LCP).
2. This review relates only to the minimum requirements of the MPC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of wastewater treatment.
3. This review is valid for one year, or until MPC, and/or LCP, and/or Administrative Policy changes render it noncomplying.
4. Access and Easements for the OWTS: Prior to receiving Environmental Health approval, the owner shall legally establish an access and easement agreement to maintain, repair and/or replace portions of the OWTS located on the adjoining property. The agreement shall be reviewed and approved by the City Attorney's office and then submitted to the Environmental Health Administrator. Said agreement shall be executed by property owners and recorded with the County of Los Angeles Recorder's Office.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT
ENVIRONMENTAL HEALTH
CONFORMANCE REVIEW

JAN 26 2017

SIGNATURE: *Barbara Bradley*

THIS IS NOT AN APPROVAL. FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS.



RECEIVED
 DEC 13 2016
 PLANNING DEPT.

LOT 84

Revisions:

ADVANCED
ONSITEWATER

WWW.ADVANCEDONSITEWATER.COM
 1704 SUMMIT DRIVE
 ESCONDIDO, CA 92027
 (760) 743-8777



Job No.	
Designed By	B. BRADLEY PE
Drawn By	A. HERNANDEZ
Checked By	B. BRADLEY PE
Date	NOVEMBER 8, 2016
Scale	1" = 40'

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
5810 RAMIREZ CANYON ROAD
MALIBU, CA 90265

PLOT PLAN
LECHUZA BEACH AOWTS
31725.5 EAST SEA LEVEL DRIVE, MALIBU CA

Sheet
1
 1 OF 1



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

FIRE DEPARTMENT REVIEW REFERRAL SHEET

TO: Los Angeles County Fire Department

FROM: City of Malibu Planning Department

DATE: 02/08/2023

PROJECT NUMBER: CDP 07-087

JOB ADDRESS: 31720.5 BROAD BEACH RD

APPLICANT / CONTACT: Elena Eger, Mountains Recreation and Conservati

APPLICANT ADDRESS: King Gillette Ranch
Calabasas, CA 91302

APPLICANT PHONE #: (310) 589-3230

APPLICANT FAX #:

PROJECT DESCRIPTION: Lechuza Beach public access and disabled parking spaces

TO: Malibu Planning Department and/or Applicant

FROM: Fire Prevention Engineering Assistant

Compliance with the conditions checked below is required prior to Fire Department approval.

The project DOES require Fire Department Plan Review and Developer Fee payment

The project DOES NOT require Fire Department Plan Review

X

The required fire flow for this project is _____ gallons per minute at 20 pounds per square inch for a 1 hour duration. (Provide flow information from the water dept.)

The project is required to have an interior automatic fire sprinkler system.

Final Fuel Modification Plan Approval is required prior to Fire Department Approval

Conditions below marked "not approved" shall be corrected on the site plan and resubmitted for Fire Department approval.

Required Fire Department vehicular access (including width and grade %) as shown from the public street to the proposed project.

App'd

N/app'd

Required and/or proposed Fire Department Vehicular Turnaround

Required 5 foot wide Fire Department Walking Access (including grade %)

Width of proposed driveway/access roadway gates

*County of Los Angeles Fire Department Approval Expires with City Planning permits expiration, revisions to the County of Los Angeles Fire Code or revisions to Fire Department regulations and standards.

**Minor changes may be approved by Fire Prevention Engineering, provided such changes achieve substantially the same results and the project maintains compliance with the County of Los Angeles Fire Code valid at the time revised plans are submitted. Applicable review fees shall be required.

03-06-23

SIGNATURE Fire Department - Land Development Unit

DATE

Additional requirements/conditions may be imposed upon review of complete architectural plans.
The Fire Prevention Engineering may be contacted by phone at (818) 880-0341 or at the Fire Department Counter:
26600 Agoura Road, Suite 110, Calabasas, CA 91302; Hours: Monday – Thursday between 7:00 AM and 11:00 AM



City of Malibu

23825 Stuart Ranch Road • Malibu, California 90265-4861
(310) 456-2489 • Fax (310) 456-3356 • www.malibucity.org

GEOTECHNICAL REVIEW SHEET

Project Information

Date:	September 29, 2021	Review Log #:	3498 (3922)
Site Address:	31720.5 Broad Beach Road	Planning #:	CDP 07-087
Lot/Tract/PM #:	n/a	BPC/GPC #:	
Applicant/Contact:	Elena Eger, elena.eger@mrca.ca.gov	Planner:	
Contact Phone #:	310-589-3230	Fax#:	
Project Type:	Lechuza Beach Public Access Improvements, including new Advanced Onsite Wastewater Treatment System (AOWTS)		

Submittal Information

Consultant(s) / Report Amec Foster Wheeler (Blanc, GE 2615 ; Bailiff, CEG 2252) : 2-21-17
Date(s): (2 reports)

*(Current submittal(s) in **Bold.**)*

Earth Systems Southern California (Allen, CEG 2648): 12-2-16
Earth Systems Southern California (LaChappell, CEG 1311): 3-18-16
AMEC Environmental and Infrastructure (Bailiff, CEG 2252 ; Blanc, GE 2615): 12-6-13
AMEC Environmental and Infrastructure (Forcier, GE): 7-10-12
Advanced Onsite Water (Bradley, RCE 53105) : 11-8-16, 8-9-16
GeoSoils, Inc. (Skelly, RCE 47857) ; 12-5-13, 11: -9-16, 8-10-16
Letter by Amec Foster Wheeler, dated November 3, 2016.
Letter by AECOM, dated October 26, 2016.

Lechuza Beach Public Access Improvements East Sea Level Drive plans prepared by the Mountains Recreation and Conservation Authority dated February 3, 2020, 17 sheets.

Lechuza Beach East Sea Level Drive Restroom Option A plan prepared by URS dated August 2, 206 (revised October 26, 2016)

Lechuza Beach Public Access Improvements West Sea Level Drive plans prepared by Mountains Recreation and Conservation Authority dated May 31, 2013 and September 11, 2013 (2 sheets).

Previous Reviews:

4-12-17, 1-5-17 (AOWTS only), 8-29-16, Environmental Health Review Sheet dated August 25, 2016, 12-27-13, 6-19-13, cursory review of slope stability analyses in May 2012; Geology Review Referral Sheets dated 8-10-09 and 10-4-07

Review Findings

Coastal Development Permit Review

- The beach access project is **APPROVED** from a geotechnical perspective.
- The beach access 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 updated plans were reviewed by the City from a geotechnical perspective. The beach access project includes new retaining walls, access stairways/ramps, and view platforms on pile foundations. No grading is proposed.

The beach access project also includes a new AOWTS consisting of a treatment tank system and two leach lines totaling 498 square feet to service the restroom facility. The septic holding tank is no longer proposed. The treatment tank system will be supported by a pile-supported concrete slab and concrete protection walls. A waterproof synthetic effluent barrier (Firestone reinforced EPDM geomembrane for water containment structures) is proposed between the leach lines and the rip rap on the southern face of the excavation. The AOWTS was approved from a geotechnical perspective in the referenced geotechnical review letter dated 1-5-17.

Building Plan-Check Stage Review Comments:

1. The Project Geotechnical Consultant needs to review the revised plans and provide additional recommendations, as appropriate.
2. The Project Geotechnical Consultant states in their latest report that, due to access restrictions that prohibited the collection of geotechnical data to support the design of the improvements, their recommendations should be re-evaluated by conducting additional field exploration once access to the beach and neighboring properties is granted. Please provide the additional data and update the recommendations, as appropriate.
3. The applicant needs to sign and record at the City of Malibu an "*Assumption of Risk and Release*" for geotechnical hazards prior to permit issuance.
4. Please discuss the necessity for additional freeboard on the restroom structure retaining walls.
5. Provide bearing capacity and passive pressure calculations per section 7.1 of the City's Geotechnical Guidelines.
6. Please provide the GE number for Easton Forcier and James Weaver.
7. Will any grading be necessary for the proposed parking areas, pathways, or new structures? Provide grading plans for review, as necessary.

8. Include the following note on the AOWTS plans: “*The Project Engineering Geologist shall observe and approve the installation of the leach lines and provide the City inspector with a field memorandum(s) documenting and verifying that the dispersal area was installed per the approved AOWTS plans.*”
9. Include the following note on the building plans: “*The Project Geotechnical Consultants shall prepare an as-built report documenting the installation of the pile foundation elements for review by City Geotechnical staff. The report shall include total depths of the piles, depth into the recommended bearing material, minimum depths into the recommended bearing material, depth below ground water, and a map depicting the locations of the piles.*”
10. Section 7.2.1 of the City’s geotechnical guidelines requires a minimum thickness of 10 mils for vapor barriers beneath slabs-on-grade. Building plans shall reflect this requirement.
11. If shoring is required for the installation of any of the proposed improvements, provide shoring plans for review.
12. Two sets of final beach access improvement plans (**APPROVED BY BUILDING AND SAFETY**) incorporating the Project Geotechnical Consultant’s recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist and Project Geotechnical/Civil 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.**

Please direct questions regarding this review sheet to City Geotechnical staff listed below.

Engineering Geology Review by:



Christopher Dean, C.E.G. #1751, Exp. 9-30-22
 Engineering Geology Reviewer (408-656-3210)
 Email: cdean@malibucity.org

9-29-2021
 Date

This review sheet was prepared by representatives of Cotton, Shires and Associates, Inc. and GeoDynamics, Inc., contracted through Cotton, Shires and Associates, Inc., as an agent of the City of Malibu.



COTTON, SHIRES AND ASSOCIATES, INC.
 CONSULTING ENGINEERS AND GEOLOGISTS





City of Malibu

- GEOTECHNICAL -

NOTES FOR BUILDING PLAN-CHECK

The following standard items should be incorporated into Building Plan-Check submittals, as appropriate:

1. One set of beach access improvement plans, incorporating the Project Geotechnical Consultant's recommendations and items in this review sheet, must be submitted to City geotechnical staff for review. **Additional review comments may be raised at that time that may require a response.** require a response by the Project Geotechnical Consultant and applicant.
2. Show the name, address, and phone number of the Geotechnical Consultant(s) on the cover sheet of the building plans.
3. Include the following note on the Foundation Plans: *"All foundation excavations must be observed and approved by the Project Geotechnical Consultant prior to placement of reinforcing steel."*
4. The Foundation Plans shall clearly depict the embedment material and minimum depth of embedment for the foundations in accordance with the Project Geotechnical Consultant's recommendations.
5. Please contact the Building and Safety Department regarding the submittal requirements for a grading and drainage plan review.

Grading Plans (as Applicable)

1. Grading Plans shall clearly depict the limits and depths of overexcavation, as applicable.
2. Prior to final approval of the project, an as-built compaction report prepared by the Project Geotechnical Consultant must be submitted to the City for review. The report must include the results of all density tests as well as a map depicting the limits of fill, locations of all density tests, locations and elevations of all removal bottoms, locations and elevations of all keyways and back drains, and locations and elevations of all retaining wall backdrains and outlets. Geologic conditions exposed during grading must be depicted on an as-built geologic map. This comment must be included as a note on the grading plans.

Retaining Walls (As Applicable)

1. Show retaining wall backdrain and backfill design, as recommended by the Geotechnical Consultant, on the Plans.
2. Retaining walls separate from a residence require separate permits. Contact the Building and Safety Department for permit information. One set of retaining wall plans shall be submitted to the City for review by City geotechnical staff. Additional concerns may be raised at that time which may



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW REFERRAL SHEET

TO: Public Works Department

FROM: City of Malibu Planning Department

REVISED DATE 03/24/2021

PROJECT NUMBER: CDP 07-087

JOB ADDRESS: 31720.5 BROAD BEACH RD

APPLICANT / CONTACT: Mountains Recreation and Conservation Authority

APPLICANT ADDRESS: 5810 Ramirez Canyon Road
Malibu, CA 90265

APPLICANT PHONE #: (310) 589-3230

APPLICANT FAX #: _____

APPLICANT EMAIL: edelman@smmc.ca.gov

PROJECT DESCRIPTION: Lechuza Beach public access and disabled
parking spaces

TO: Malibu Planning Department and/or Applicant

FROM: Public Works Department

The following items described on the attached memorandum shall be addressed and resubmitted.

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.

Edward Rodriguez

September 27, 2021

SIGNATURE

DATE



City of Malibu

MEMORANDUM

To: Planning Department

From: Public Works Department
Edward Rodriguez, Associate Civil Engineer

Date: September 27, 2021

Re: Conditions of Approval for 31720.5 Broad Beach Rd., CDP 07-087

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.

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:

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



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.

MISCELLANEOUS

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



Mary Wright

From: tom van daele [REDACTED]
Sent: Friday, May 12, 2023 8:03 AM
To: Mary Wright
Cc: Adrian Fernandez
Subject: Re: Lechuza restroom

Thanks Mary.

Here's what I wrote to Elena. I'm sending it here too so you have my comments for June 19th. I'm happy to swing by if I'm told where to go. This is all new to me.

>
>
>

Hi Elena,

I wanted to share with you my conversation below, please.

I read on your website that your mission statement is dedicated to:

...preservation and protection of open space, wildlife habitat ...

How does placing a toilet on a natural ocean bluff fall into that category?

I'm not saying this as a typical sour and bitter disgruntled neighbor... I've only just moved here. Even as a regular visitor who likes to take a photo of the beautiful, natural scenery - why put a toilet smack in the middle of this beautiful coastline? See attached photo.

I understand that people need to go to a bathroom, but if people want to go to a remote place to enjoy the wilderness of it - they also have to plan in advance... or simply place a sign that says that certain facilities are available on Zuma or Matador would make more sense, no? My handicapped, senior, mother likes to visit this place but given her disabilities, and need for restrooms, we plan for it. I would never expect you to destroy this beautiful scenery just for some convenience. If I want convenience I would go to Santa Monica beach or Zuma.

One thing I have noticed is that the more convenience you put in place, the more abuse and garbage you attract. Every morning I walk the beach and clean up people's trash of the day before.. even when the trash cans are a few feet away.

Alcohol, condoms, whatever. I've picked it all up. Some people just do not care.

Please preserve and protect this wild space, like your mantra says you do.

>
>
>

Thanks,
tom

[REDACTED]
[REDACTED]

On May 12, 2023, at 7:25 AM, Mary Wright <wright@civicsolutions.com> wrote:

Hello Tom,

The applicant is the MRCA – lead contact below. The purpose of the project is to improve public access to the beach, including ADA access. We are also planning on taking the project to the Malibu Planning Commission on June 19th and you're welcome to submit comments and/or attend the hearing and present comments.

Elena Eger
Coastal Projects Special Counsel
Mountains Recreation and Conservation Authority

[REDACTED]
[REDACTED]

Thank you,
Mary

Mary P. Wright
Contract Planner
City of Malibu

From: tom van daele [REDACTED]
Sent: Thursday, May 11, 2023 4:37 PM
To: Mary Wright <wright@civicsolutions.com>
Subject: Re: Lechuza restroom

Hi Mary,
Thanks for the response!

It really blows my mind though, and not in a good way. For a moment I thought it was an April fools joke, not kidding.

Why would anyone want to place a toilet on a beautiful, natural, coastline bluff like that?
Why not bring it up a little higher where the 3 trash cans are so you're not ruining the natural habitat and overall postcard view of the scenery?

Is there any way that people like me can share their point of view about this to whomever came up with this idea, beyond just this email?

thanks,
tom

[REDACTED]

On May 11, 2023, at 4:30 PM, Mary Wright <wright@civicsolutions.com> wrote:

Hello Tom,
Yes, that is the site of the proposed 1 stall ADA restroom. We have not inspected the story poles yet but I assume they are correctly installed.
Thank you,
Mary

*Mary P. Wright
Contract Planner
City of Malibu*

From: tom van daele [REDACTED]
Sent: Thursday, May 11, 2023 12:28 PM
To: Mary Wright <wright@civicsolutions.com>
Subject: Lechuza restroom

Hi Mary,
I live on Broad Beach and am curious about the restroom project, please.
I saw these stakes out here today (photo attached) and am hoping this is not going to be the spot of said restroom?

Residents or visitors, everyone comes here to enjoy the natural beauty of this beach. I really hope I'm wrong in my assumption. I'm all for people having access to the beach, but not sure if this in this beautiful, natural location would be considered progress. Most definitely the contrary, in my opinion.

Thanks,
tom

[REDACTED]

[REDACTED]

<image001.jpg>



ALLAN J. ABSHEZ
Partner

Two Embarcadero Center
Suite 2510
San Francisco, CA 94111

Direct 415.903.3277
Main 415.903.3200
Fax 415.903.3201
aabshez@loeb.com

Via E-mail (Planning_Commission@malibucity.org)

May 29, 2023

Planning Commission
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

Re: June 19, 2023 Commission Calendar; Lechuza Beach Public Access Improvement Project Coastal Development Permit No. 07-087

Honorable Commissioners:

We are writing on behalf of our client, the Malibu Encinal Homeowners Association ("MEHOA") to respectfully request your approval of the Coastal Development Permit for the Lechuza Beach Access Improvement Project ("Project") as proposed by the Malibu Recreation and Conservation Authority ("MRCA"). The Project will improve access to Lechuza Beach, and add new amenities such as a public restroom, viewing platform and ADA parking and loading areas, while protecting the surrounding MEHOA residential community through its installation of pedestrian gates that will be locked during nighttime hours and its implementation of a Beach Management Plan and other contractual agreements between MEHOA and the MRCA.

A. Background

In October 2000, the Coastal Conservancy authorized a grant of up to \$10,000,000. to enable the MRCA to purchase undeveloped beach lots in the MEHOA community subject to restrictions that the property be used only for the provision of public access to the beach and for public recreation. In May 2002, the MRCA took title to the property (the "MRCA Lots"), including pedestrian access and ADA parking easements over West and East Sea Level Drive.

In awarding its grant to the MRCA, the Conservancy required that the MRCA work with MEHOA to produce a mutually-acceptable long term public access management plan for the MRCA Lots. Since that time, the MRCA and MEHOA, with the assistance of the City, Coastal Conservancy, and Coastal Commission, have worked collaboratively to arrive at a mutually acceptable plan for the improvement of the MRCA Lots, resolve their differences regarding the MRCA access easements over West and East Sea Level Drive, and agree upon a long-term Beach Management Plan. The result of those efforts is the CDP application before you today.

B. Approval of the CDP Will Protect the MEHOA Community

Approval of the CDP will effectuate the Settlement Agreement between the MRCA and MEHOA and implement the Beach Management Plan negotiated by the MRCA and MEHOA. The West and East Sea Level gates, which protect MEHOA's private streets and the MEHOA

Los Angeles New York Chicago Nashville Washington, DC San Francisco Beijing Hong Kong www.loeb.com

For the United States offices, a limited liability partnership including professional corporations. For Hong Kong office, a limited liability partnership.

24126840.1
225341-10001

community (and whose installation predates the adoption of the Coastal Act), will be officially recognized. Public access to the Project's ADA parking and loading spaces in mutually agreed locations along West and East Sea Level Drive will be provided, as will daytime pedestrian access over West and East Sea Level Drive. The Lot I pedestrian gate and the gate at the West Sea Level viewing platform will also be reinstalled and locked during nighttime hours.¹

The Beach Management Plan prohibits commercial use of the MRCA property and provides that the MRCA will post and enforce local, state and federal laws on its property, including:

- No smoking. MRCA Ordinance (MRCA Ord), §3.2
- No dogs. MRCA Ord § 3.9
- No littering. MRCA Ord § 3.4
- No alcoholic beverages. MRCA Ord §3.3
- No fires. MRCA Ord §3.2
- No disturbing vegetation. MRCA Ord §3.5
- No operation of motorized watercraft. MRCA Ord §3.10
- No skateboarding or motorized two or three wheeled vehicles (except wheelchairs used by disabled persons). MRCA Ord §3.10
- No overnight camping. MRCA Ord §3.11
- No firearms. MRCA Ord §3.7
- No commercial activities, events or production. MRCA Ord §3.13.1
- No amplification systems. MRCA Ord §3.1
- No trespassing on private property. MRCA Ord §3.18

Pursuant to the Beach Management Plan, the MRCA will conduct regular inspection of its property and facilities. During the Non-Peak Season between Labor Day and the Memorial Day weekend, a uniformed MRCA employee will visit and monitor the beach and facilities at least once each day during Daily Access Hours. At least once daily, the MRCA will also clean its restroom, and remove trash from the MRCA Lots and trash cans maintained by the MRCA. The Beach Management Plan also requires that the MRCA conduct a foot patrol of the MRCA Lots, and inspect stairways, signs, locks, gates, view platforms, and parking spaces to ensure that they are in good condition and repair and free from debris, graffiti, decals, unauthorized signs and similar defacement. On holiday and weekend days during the Peak Season beginning the Memorial Day weekend through Labor Day, a uniformed MRCA employee will visit and monitor the beach and facilities at least two times each day during Daily Access Hours. At least once daily during its visits during Peak Season, the MRCA will clean its restroom, remove trash from the MRCA Lots and the trash cans maintained by the MRCA. The MRCA will also conduct a foot patrol of the MRCA lots, and inspect stairways, signs, locks, gates, view

¹ All gates will be locked by automatic timer locks except between 7 a.m. and 9 p.m. from March 1st through September 30th, and between 7 a.m. and 6 p.m. from October 1st through February 28th (collectively, the "Daily Access Hours"). Pedestrian exiting through the Lot I gate will be permitted at all times, while the other gates will be locked from both sides during hours in which public access is closed.

platforms, and parking spaces, to ensure that they are in good condition and repair and free from debris, graffiti, decals, unauthorized signs and other defacement.

The Beach Management Plan requires the MRCA to keep stairways reasonably free of sand and regularly maintain its facilities in good order, cleanliness and repair. Pedestrian gates and locks are required to be maintained in good working condition and repair at all times. General repairs to other MRCA facilities and improvements will be completed within 30 days, and larger repairs will be undertaken within 45 days and diligently pursued to completion.

C. The MRCA's Improvements

Through their collaborative discussions, the MRCA and MEHOA have arrived at a mutually acceptable and permanent improvement plan for the MRCA Lots, and any lots the MRCA may later acquire or manage within Tract 10630, which will facilitate public enjoyment of the MRCA Lots in a manner consistent with the surrounding residential community. These improvements consist of: (1) reconstruction of the Lot I staircase and pathway, including a new locking pedestrian gate; (2) reconstruction of the existing West Sea Level view platform and staircase, including a locking pedestrian gate; (3) a van-accessible ADA parking space and access aisle at the terminus of West Sea Level Drive; (4) an ADA-accessible loading zone and access aisle on East Sea Level Drive; (5) a van-accessible ADA parking space and access aisle on East Sea Level Drive; (6) a viewing platform at the terminus of East Sea Level Drive; and (7) a single stall public restroom with ramp access supported by a septic treatment system (Advanced Onsite Wastewater Treatment System) located underground in an easement area provided by MEHOA. To enable development and operation of the septic system, MEHOA will grant the MRCA an easement in Lot A.

The improvement plan negotiated by the MRCA and MEHOA also provides for the installation of beach rules signage, interpretive signage, and directional signage that will guide members of the public to and from the MRCA Lots within the MEHOA community. MEHOA has approved the conceptual plans for all these improvements, and the MRCA has also agreed to incorporate design specifications provided by MEHOA in its final improvement plans as part of the Settlement Agreement between the parties.



Conclusion

The CDP before your commission for approval represents the culmination of decades of careful collaboration and negotiation to reconcile private and public interests. For all of the foregoing reasons, MEHOA respectfully requests your approval of Coastal Development Permit No. 07-087 as proposed.

Sincerely,



Allan J. Abshez
Partner

cc: Tom Keane, Malibu Encinal Homeowner Association
Joe Edmiston, Malibu Recreation Conservation Association

**LECHUZA BEACH PUBLIC ACCESS
IMPROVEMENTS PROJECT**

**COASTAL DEVELOPMENT PERMIT
APPLICATION NO. 07-087**

**FINAL
NEGATIVE DECLARATION**

**PREPARED BY
MOUNTAINS RECREATION AND CONSERVATION AUTHORITY**

APRIL 26, 2019

STATE CLEARINGHOUSE NO. 2019011015

[this page is intentionally left blank]

Environmental Factors Potentially Affected

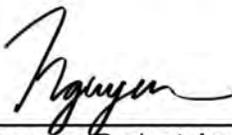
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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



Jessica Nguyen, Project Analyst
April 26, 2019

[this page is intentionally left blank]

Table of Contents

Revisions to the Draft Initial Study/Negative Declaration.....	1
Purpose for Initial Study.....	2
Evaluation of Environmental Impacts.....	3
Initial Study Environmental Checklist Form.....	4
1.0 Project Description.....	5
2.0 Land Use and Zoning Designations.....	7
I. Aesthetics.....	14
II. Agriculture and Forestry Resources.....	17
III. Air Quality.....	19
IV. Biological Resources.....	22
V. Cultural Resources.....	26
VI. Energy.....	29
VII. Geology and Soils.....	30
VIII. Greenhouse Gas Emissions.....	35
IX. Hazards and Hazardous Materials.....	37
X. Hydrology and Water Quality.....	40
XI. Land Use and Planning.....	44
XII. Mineral Resources.....	45
XIII. Noise.....	47
XIV. Population and Housing.....	50
XV. Public Services.....	51
XVI. Recreation.....	53
XVII. Transportation.....	55
XVIII. Tribal Cultural Resources.....	57
XIX. Utilities and Service Systems.....	60
XX. Wildfire.....	62
XXI. Mandatory Findings Of Significance.....	64
References.....	66
Appendix A: Comments Received on the Draft IS/ND.....	68
Appendix B: Response to Comments on the Draft IS/ND.....	98

[this page is intentionally left blank]

Revisions to the Draft Initial Study/Negative Declaration

The Final Negative Declaration for the Lechuza Beach Public Access Improvements Project (Project) contains changes made to the Draft Initial Study/Negative Declaration (Draft IS/ND) to:

- a) Further clarify the possible impact levels from the advanced onsite wastewater system component of the proposed Project, the construction noise generated by the proposed Project, the operating hours of the proposed Project, and the effect of additional entitlements on the proposed Project.
- b) Include discussion of a Collision Summary Report that was provided to MRCA in the Final Negative Declaration for the proposed Project, Section XVII. Transportation. No new significant impacts are identified.
- c) Include comments received on the Draft IS/ND.
- d) Include the MRCA's written responses to comments as statutorily required.

With respect to (a), above, the text revisions are marked in red in the following sections of the Final Negative Declaration:

- III. Air Quality
- VII. Geology and Soils
- IX. Hazards and Hazardous Materials
- X. Hydrology and Water Quality
- XI. Land Use and Planning
- XIII. Noise
- XVI. Recreation
- XVII. Transportation
- XIX. Utilities and Service Systems

These text revisions do not constitute a substantial revision as defined in the California Environmental Quality Act (CEQA). The text revisions merely clarify the discussion of possible impacts and do not require any revisions to the proposed Project, nor any new measures to mitigate, offset, avoid, or reduce the proposed Project's potential impacts.

With respect to (c) above, the comments received on the Draft IS/ND are included in the Final Negative Declaration for the proposed Project as Appendix A.

With respect to (d) above, the MRCA's written responses to the comments as statutorily required are included in the Final Negative Declaration for the proposed Project as Appendix B.

Purpose for Initial Study

The Mountains Recreation and Conservation Authority (as lead agency) has analyzed the project proposal described herein and has determined that the project does not have a potentially significant impact level.

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

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

Evaluation of Environmental Impacts

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

Initial Study Environmental Checklist Form

- | | |
|---|---|
| 1. Project Title: | Lechuza Beach Public Access Improvements |
| 2. Project Location: | See Figure 1 |
| 3. Project Description: | See Section 1.0 |
| 4. Lead Agency Name and Address: | Mountains Recreation and Conservation Authority
570 West Avenue 26, Suite 100
Los Angeles, California 90065 |
| 5. Contact Person and Phone Number: | Jessica Nguyen
Project Analyst
26800 Mulholland Highway
Calabasas, California 91302
(310) 589-3230, extension 125 |
| 6. Project Applicant Name and Address: | Mountains Recreation and Conservation Authority |
| 7. General Plan and Local Coastal Program Land Use: | See Section 2.0 |
| 8. Malibu Municipal Code and Local Coastal Program Zoning: | See Section 2.0 |
| 9. Surrounding Land Uses and Setting: | See Section 2.0 |
| 10. Responsible Agencies: | City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
(310) 456-2486 |
| 11. California Native American tribes traditionally and culturally affiliated with the project area: | See Section XVIII |
| 12. Tribal Consultation Plan: | Not applicable, see Section XVIII |

1.0 Project Description

Project Background

The Mountains Recreation and Conservation Authority (MRCA) acquired approximately a quarter mile of beach and various access easements in 2001 and 2002 just west of Lechuza Point in Malibu with funding provided by the State Coastal Conservancy (SCC) and via donations (Figure 1). The purpose of the acquisitions is to provide public access to this area known as Lechuza Beach.

There have been numerous challenges associated with this project, including negotiations with Malibu Encinal Homeowners Association (MEHOA), site constraints, and regulatory requirements. In 2007, MRCA submitted a coastal development permit application (CDP App. No. 07-087) to the City of Malibu for the Lechuza Beach Public Access Improvements Project. In February 2010, MEHOA commenced litigation alleging several violations by MRCA. MRCA and MEHOA have been negotiating in good faith for years with the input from the State Deputy Attorney General, City of Malibu, California Coastal Commission, and SCC, and have reached mutually acceptable agreements regarding public improvements for Lechuza Beach as well as a plan for managing public access, the project parameters, as well as several legal documents, including a settlement agreement, beach management plan, and easements. Numerous project alternatives have been considered and analyzed over the years. Negotiations include representatives from the following stakeholders: MEHOA, MRCA, Deputy Attorney General, City of Malibu, California Coastal Commission, and SCC.

As part of the agreements between MEHOA and MRCA, MEHOA will provide the necessary easements to implement the Project on parcels owned by MEHOA and parcels owned by residents. MRCA is the primary CDP applicant, and MEHOA and private property owners who own property over which easements are under negotiation, are co-applicants.

The objectives of the Project are to (1) improve accessibility for visitors with disabilities, (2) meet building code and improve safety by improving existing and providing new facilities at Lechuza Beach in the City of Malibu, and (3) to implement the beach management plan between the MRCA and MEHOA. The goals of the project are to:

- comply with Americans With Disabilities Act and associated regulations/guidelines;
- comply with California Building Code;
- comply with other laws/regulations, including the Local Coastal Program of the City of Malibu; and
- implement the beach management plan between MRCA and MEHOA.

The Project address assigned by the City of Malibu is 31720.5 Broad Beach Road. The Los Angeles County Waterworks District 29 assigned an address for the restroom (a component of the Project) as 31725.5 East Sea Level Drive.

The Project proposes to improve existing access improvements at Lechuza Beach as well as construct new amenities such as accessible loading and parking spaces, restroom, and view outlook. The beach management plan is included as part of the Project and CDP application to the City. The Project is divided into four project areas as shown on the Overall Site Plan (Figure 2):

Project Area I:	West Sea Level Drive/Broad Beach Road Intersection
Project Area II:	West Sea Level Drive Terminus By Beach
Project Area III:	Lot I and Beach Terminus of East Sea Level Drive (Lot I traverses from Broad Beach Road, at Bunnie Lane, to the western terminus of East Sea Level Drive at the beach)
Project Area IV:	East Sea Level Drive/Broad Beach Road Intersection

The following provides a detailed break-down of all the Project components. The enumeration of Project components corresponds to those shown on the Overall Site Plan (Figure 2).

Project Area I: West Sea Level Drive/Broad Beach Road Intersection

The following components are proposed for this project area:

- **I-1a:** Vehicle Gate (Existing)
- **I-1b:** Two Key Punch Code Pads (one existing key punch code pad for MEHOA members and one new key punch code pad for vehicles displaying disabled placards with reservations to enter vehicle gate at West Sea Level Drive)
- **I-2:** Pedestrian Gate (Existing)

See project plans and Beach Management Plan for proposed signage in this project area.

Project Area II: Beach Terminus of West Sea Level Drive

The following components are proposed for this project area:

- **II-1:** Existing View Platform Reconstruction
- **II-2:** Existing Staircase Reconstruction
- **II-3:** Van-Accessible Disabled Parking Space and Access Aisle (including modifications to Fire Department turnaround)
- **II-4:** Pedestrian Gate (near view platform at West Sea Level Drive)

See project plans and Beach Management Plan for proposed signage in this project area.

Project Area III: Lot I and Beach Terminus of East Sea Level Drive

Lot I traverses from Broad Beach Road at Bunnie Lane, to the beach/western terminus of East Sea Level Drive at the beach.

The following components are proposed for this project area:

- **III-1a:** Existing Lot I Staircase and Pathway Reconstruction
- **III-1b:** Pedestrian Gate (at Lot I entrance at Broad Beach Road)
- **III-2:** Relocated Beach Stairs
- **III-3a:** Accessible Single-Stall Restroom (Including Ramp to Restroom)
- **III-3b:** Septic Treatment Tank (Advanced Onsite Wastewater Treatment System [AOWTS]; underground)
- **III-3c:** View Platform (above Septic Treatment Tank)
- **III-3d:** Leachfield (underground)
- **III-4:** Accessible Disabled Loading Zone and Access Aisles

- **III-5:** Van-Accessible Disabled Parking Space and Access Aisles

Project Area IV: East Sea Level Drive/Broad Beach Road Intersection

The following components are proposed for this project area:

- **IV-1a:** Vehicle Gate (to be reconstructed, swap location with existing pedestrian gate)
- **IV-1b:** Two Key Punch Code Pads (one key punch code pad for MEHOA members and one key punch code pad for vehicles displaying disabled placards with reservations to enter vehicle gate at East Sea Level Drive)
- **IV-2:** Pedestrian Gate (to be reconstructed, swap location with existing vehicle gate)

2.0 Land Use and Zoning Designations

Per the City of Malibu General Plan and the City of Malibu Local Coastal Program (LCP), the following table consists of the land use designations for each project area:

Table 1 – General Plan and LCP Land Use and Zoning Designations

Project Area	Assessor’s Parcel Numbers	Land Use Designation
I	4470-026-003	Single Family Residential – Medium
II	4470-021-008	Single Family Residential – Medium
	4470-021-007	Single Family Residential – Medium
	4470-021-900, 4470-028-918, 917, 915	Single Family Residential – Medium
III	4470-021-900	Single Family Residential – Medium
	4470-021-009	Single Family Residential – Medium
	4470-029-901	Single Family Residential – Medium
	4470-024-062	Single Family Residential – Medium
IV	4470-021-009	Single Family Residential – Medium

The following table consists of the zoning designations for each project area pursuant to the City of Malibu Municipal Code:

Table 2 – Municipal Code Land Use and Zoning Designations

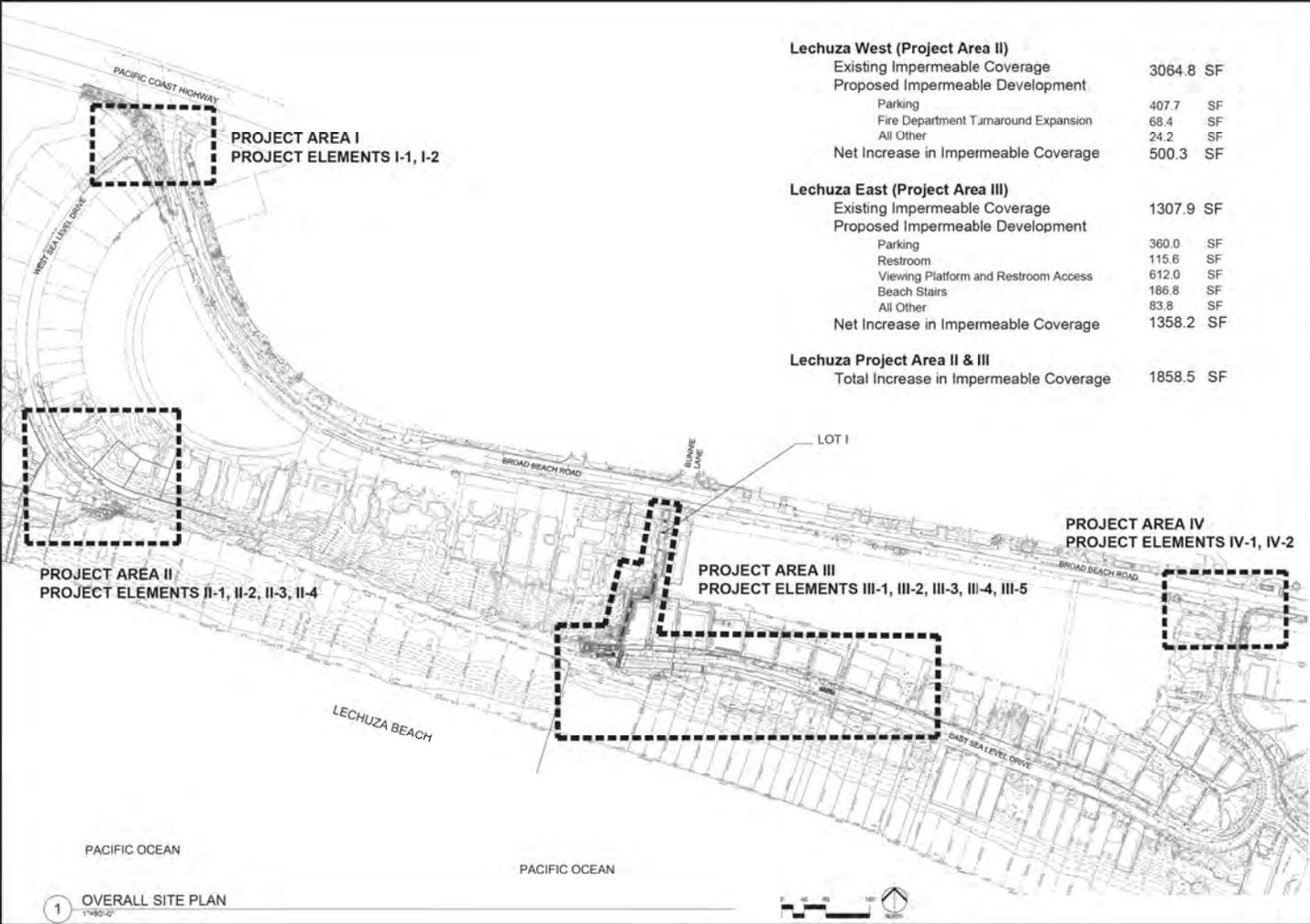
Project Area	Site Address	Land Use Designation	Zoning Code
I	4470-026-003	Single Family Residential – Medium	SFM
II	4470-021-008	Single Family Residential – Medium	SFM
	4470-021-007	Single Family Residential – Medium	SFM
	4470-021-900, 4470-028-918, 917, 915	Single Family Residential – Medium	SFM
III	4470-021-900	Single Family Residential – Medium	SFM
	4470-021-009	Single Family Residential – Medium	SFM
	4470-029-901	Single Family Residential – Medium	SFM
	4470-024-062	Single Family Residential – Medium	SFM
IV	4470-021-009	Single Family Residential – Medium	SFM

Public beach accessways are a permitted use in the Single Family Residential – Medium (SFM) zoning designation per the LCP. Lechuza Beach has existing beach accessways that the Project

proposes to enhance. The Project's proposed restrooms, parking, and view outlooks are facilities that complement public access, which may be permitted pursuant to LIP Policy 12.6.8(G).

Residential developments abut each of the project areas. Collectively, the project areas are surrounded by private residential developments to the west and to the east. The Pacific Coast Highway, residential developments, and vacant hillsides are north of the project areas. The Pacific Ocean lies south of the project areas.





Lechuza West (Project Area II)		
Existing Impermeable Coverage		3064.8 SF
Proposed Impermeable Development		
Parking	407.7 SF	
Fire Department Turnaround Expansion	68.4 SF	
All Other	24.2 SF	
Net Increase in Impermeable Coverage		500.3 SF
Lechuza East (Project Area III)		
Existing Impermeable Coverage		1307.9 SF
Proposed Impermeable Development		
Parking	360.0 SF	
Restroom	115.6 SF	
Viewing Platform and Restroom Access	612.0 SF	
Beach Stairs	186.8 SF	
All Other	83.8 SF	
Net Increase in Impermeable Coverage		1358.2 SF
Lechuza Project Area II & III		
Total Increase in Impermeable Coverage		1858.5 SF

LECHUZA BEACH PUBLIC ACCESS IMPROVEMENTS

Malibu, California

A PROJECT OF:
Mountains Recreation and Conservation Authority
 570 West Avenue 26, Suite 100
 Los Angeles, CA 90060
 (323) 221-9944

SITE DESIGN:
Mountains Recreation and Conservation Authority
 570 West Avenue 26, Suite 100
 Los Angeles, CA 90060
 (323) 221-9944

SURVEYOR:
Land & Air Surveying
 22141 Pacific Coast Highway
 Malibu, CA 90260
 (805) 488-0261

NOT FOR CONSTRUCTION

ISSUED: _____
 4/25/2012 _____
 2/7/2017 _____
 7/21/2017 _____
 12/12/2018 _____

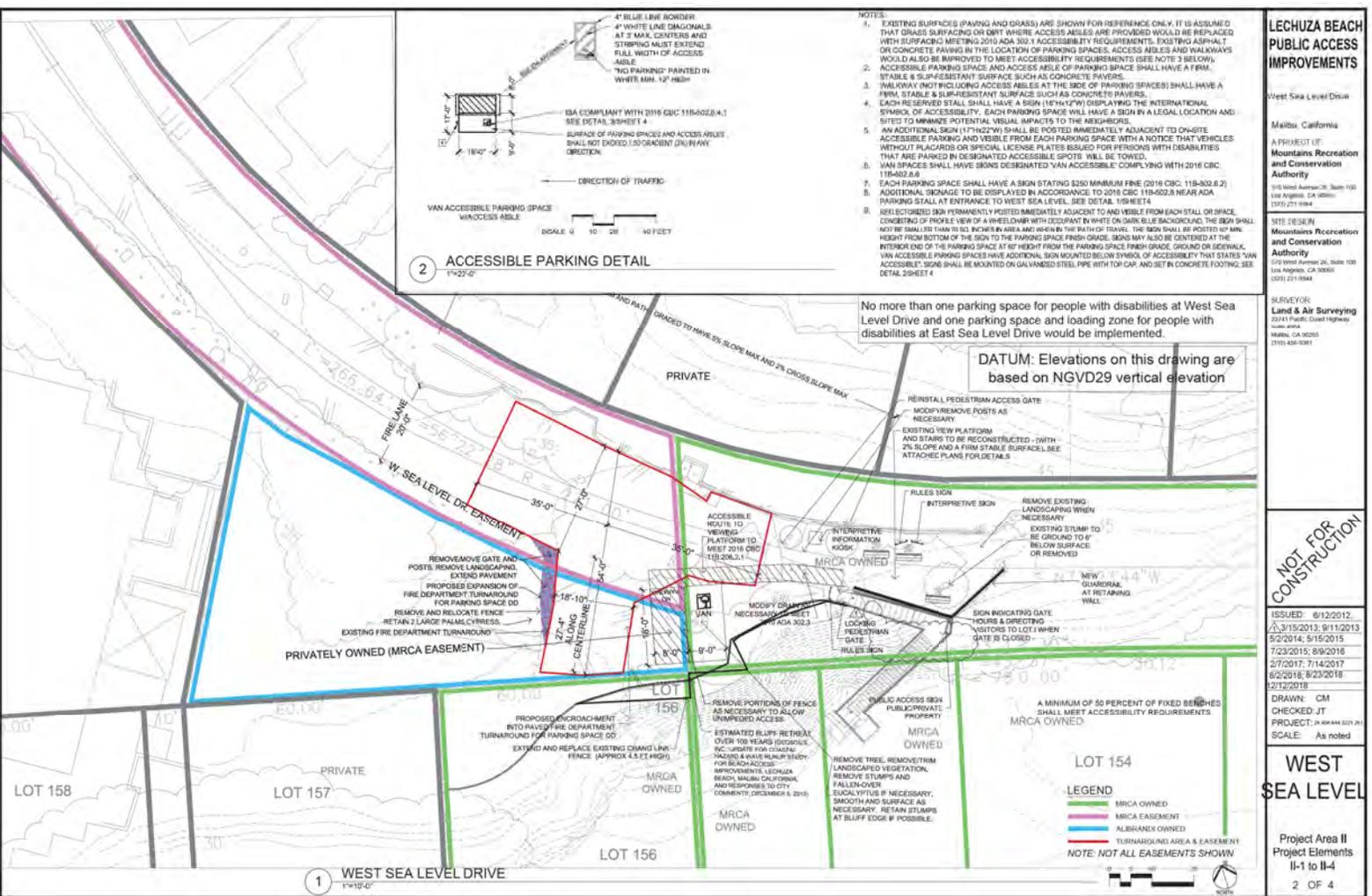
DRAWN: GG
 CHECKED: JT
 PROJECT: 14-044-044-327-201
 SCALE: As noted

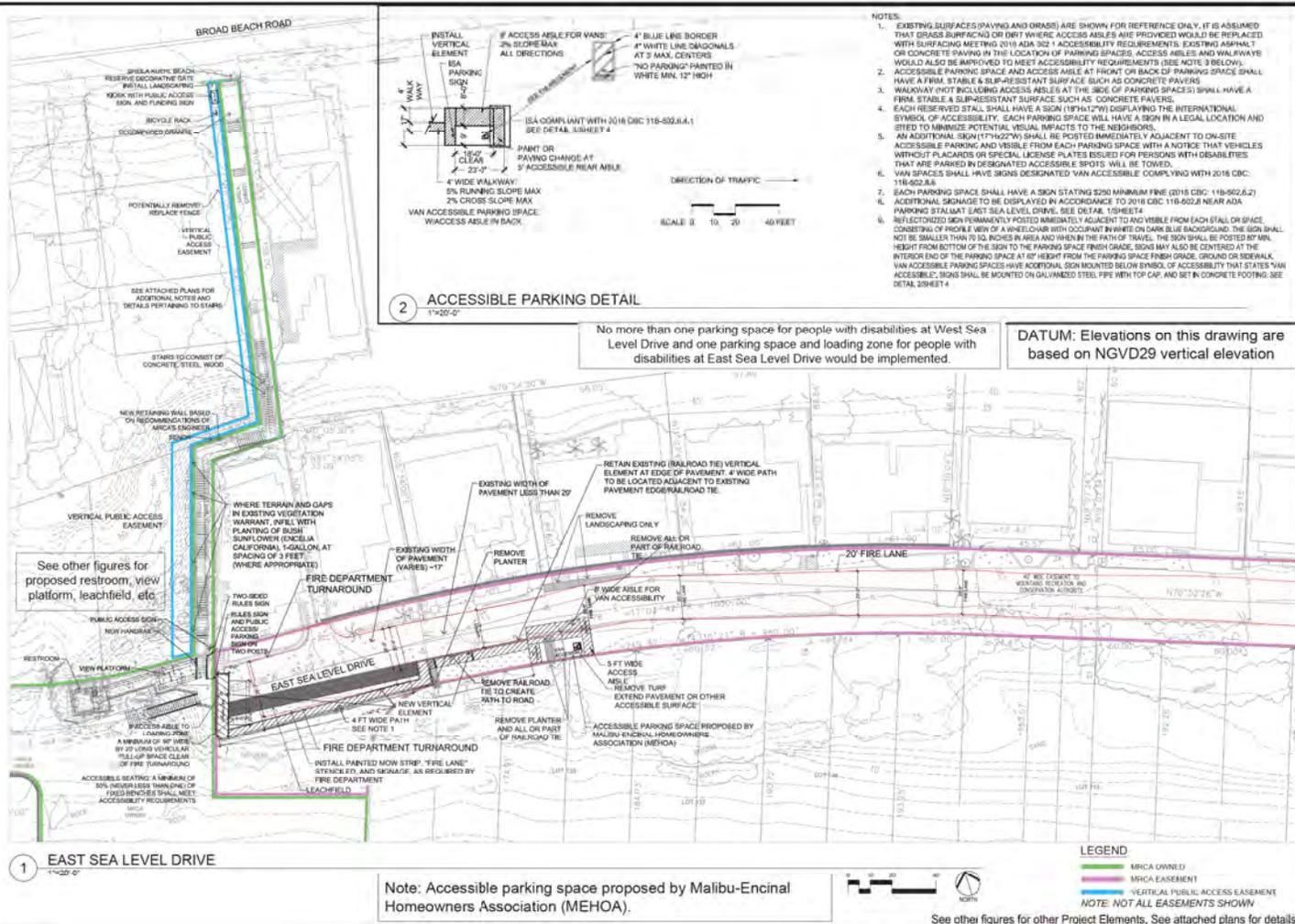
OVERALL SITE PLAN

See detailed concept plans

1 OF 4

1 OVERALL SITE PLAN
 1"=80'-0"





LECHUZA BEACH PUBLIC ACCESS IMPROVEMENTS

East Sea Level Drive
Malibu, California

PROJECT OF
Mountains Recreation and Conservation Authority

675 West Avenue 20, Suite 100
Los Angeles, CA 90001
(213) 221-1944

SITE DESIGN
Mountains Recreation and Conservation Authority
675 West Avenue 20, Suite 100
Los Angeles, CA 90001
(213) 221-1944

SURVEYOR
Land & Air Surveying
22741 Pacific Coast Highway
Malibu, CA 90263
(310) 548-9391

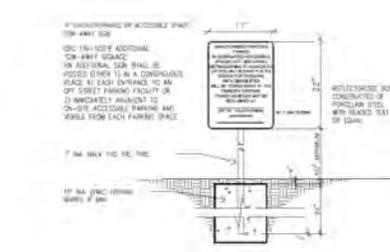
ISSUED:
6/13/2016
8/9/2016
2/7/2017
7/14/2017
8/2/2018
8/23/2018, 12/12/2018

DRAWN: JM
CHECKED: CT
PROJECT: 14-004-000-1001
SCALE: As noted

EAST SEA LEVEL

Project Area III
Project Elements III-1 to III-5
3 OF 4

NOT FOR CONSTRUCTION



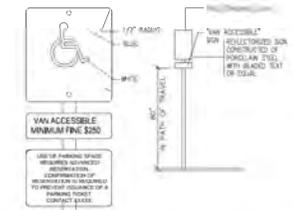
1 TOW INFORMATION SIGN
NTS



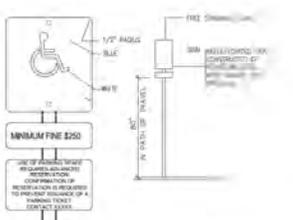
3 ISA SYMBOL
NTS



5 LOADING ZONE SIGN
NTS



2 VAN ACCESSIBLE SIGN
NTS



4 ACCESSIBLE SIGN
NTS

LECHUZA BEACH PUBLIC ACCESS IMPROVEMENTS

West Sea Level Drive
East Sea Level Drive
Malibu, California

A PROJECT OF
Mountains Recreation and Conservation Authority
170 West Avenue 20, Suite 100
Los Angeles, CA 90005
(323) 221-9844

SITE DESIGN
Mountains Recreation and Conservation Authority
170 West Avenue 20, Suite 100
Los Angeles, CA 90005
(323) 221-9844

NOT FOR CONSTRUCTION

ISSUED:	7/14/217
CHECKED:	8/23/2018
DATE:	12/12/2018

DRAWN: GG
CHECKED: JT
PROJECT: 24484-000-0201-001
SCALE: As noted

PARKING SIGN DETAILS

4 OF 4

I. Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
A. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. Create a source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section 2.1 of the Local Implementation Plan of the City of Malibu Local Coastal Program (LCP) lists and defines the following terms related to scenic resources:

Scenic area – places on, along, within, or visible from scenic public roads, trails, benches, and parklands that offer scenic vistas of the beach and ocean, coastline, mountains, canyons and other unique natural features or areas.

Scenic road – those public roads within the City that traverse or provide views of areas with outstanding scenic qualities, that contain striking views of natural vegetation, geology, and other unique natural features, including the mountains, canyons, ridgelines, beach and ocean.

Public viewing area – a location along existing scenic public roads and trails or within public parklands or beaches where there are scenic views of the beach and ocean, coastline, mountains, ridgelines, canyons and other unique natural features or areas.

In addition to these terms, Section 4.2.3 of the City of Malibu General Plan identifies the Pacific Coast Highway (PCH) as an eligible scenic highway by the California Department of Transportation (Caltrans) and a potential scenic highway in the Los Angeles County General Plan.

Lechuza Beach is a publicly owned beach and thus qualifies as a public viewing area. There are existing public access improvements at Lechuza Beach, including stairways leading down to the beach located at the beachside terminus of West Sea Level Drive and East Sea Level Drive. The proposed reconstruction of these existing improvements would not further degrade scenic views of Lechuza Beach as the new visual character of these improvements will not significantly differ from its existing conditions. The new restroom and its associated developments (piers, advanced onsite wastewater treatment system) located at the beachside terminus of East Sea Level Drive

is cited as landward as feasible to minimize scenic impacts on the beach. The restroom's underground leachfield and new parking spaces compliant with the Americans with Disabilities Act (ADA) are cited on the bluffs above the beach that support existing residential developments, which would not be visible from the beach.

Impact Discussion:

A. Would the project have a substantial adverse effect on a scenic vista?

Less Than Significant Impact – Project areas I, III, and IV do not offer scenic or ocean views from Broad Beach Road, a public road. Project areas II and III are on Lechuza Beach, which already consists of existing public access improvements. However, the Project will not substantially change the visual character of any of the project areas as the existing improvements will be reconstructed generally within its existing footprint, and the new improvements will be clustered closely to the existing improvements. Thus, the Project does not have the potential for an adverse effect on scenic vistas.

B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact – The project areas do not contain any important trees, rock outcroppings, or any historic buildings as identified by the Office of Historic Preservation. Additionally, the Project is not adjacent to a designated state scenic highway. The proposed Project components cannot be seen from the nearest scenic highway, which is the Pacific Coast Highway. Although some of the proposed improvements could be seen from the publicly owned and currently accessible beach, the Project will not substantially change the visual character of the beach as the existing improvements will be reconstructed generally within its existing footprint, and the new improvements will be clustered closely to the existing improvements. Thus, the Project will have a less than significant impact on scenic resources.

C. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact – The Project is located in the City of Malibu, a largely rural City. The Project location and Lechuza Beach is surrounded by a fully developed residential neighborhood. Existing development at each end of the beach consists of public beach access stairways and residential homes further up on the bluff tops. Some of the Project components consist of enhancing already existing public access improvements. New improvements would be located inland of Lechuza Beach, except that the proposed restroom would be located against the bluff inland of the beach at the beachside terminus of East Sea Level Drive. Although some of the proposed improvements could be seen from the beach, a publicly accessible vantage point, the Project will not substantially change the visual character of the beach as the existing improvements will be reconstructed generally within its existing footprint, and the new improvements will be clustered closely to the existing improvements. The Project would not conflict with any applicable zoning or regulations governing scenic quality. The Project therefore,

would have a less than significant impact on the existing visual character or quality of public views of the site and its surroundings.

D. Would the project create a source of substantial light or glare, which would adversely affect day or nighttime views in the area?

No Impact – The Project does not propose any lighting. The Project components will use materials that would not produce substantial shine or glare that would affect day or nighttime views in the area. Therefore, the Project does not have the potential for an adverse effect on day or nighttime views in the area.

II. Agriculture and Forestry Resources

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

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Impact Discussion:

A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact – The Project is not located within areas containing mapped farmland in the City of Malibu Land Use Maps and Zoning Maps. According to the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) maps, No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is present on any of the project areas.

B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact – The Project is not located on farmland and thus do not have the potential for an adverse effect or a conflict with existing zoning for agricultural use or a Williamson Act contract.

C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact – The Project is not located on forestland or timberland as statutorily defined, above, and therefore does not have the potential for a significant effect on these resources.

D. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact – The Project is not located on forestland and therefore does not have the potential for a significant effect on forestland.

E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact – The Project is not located on agricultural or forest lands and therefore does not have the potential for a significant effect on agricultural land or forest land.

III. Air Quality

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

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the above determinations.

The City of Malibu is within the South Coast Air Basin (SCAB), which is bounded by the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, and the Pacific Ocean to the south and west. The air quality in the SCAB is managed by the South Coast Air Quality Management District (SCAQMD).

The SCAB has a history of recorded air quality violations and is an area where both state and federal ambient air quality standards are exceeded. Because of the violations of the California Ambient Air Quality Standards (CAAQS), the California Clean Air Act requires triennial preparation of an Air Quality Management Plan (AQMP). The AQMP analyzes air quality on a regional level and identifies region-wide attenuation methods to achieve the air quality standards. These region-wide attenuation methods include regulations for stationary-source polluters; facilitation of new transportation technologies, such as low-emission vehicles; and capital improvements, such as park-and-ride facilities and public transit improvements. The most recently adopted plan is the 2016 AQMP adopted March 3, 2017 by the SCAQMD. The AQMP is the South Coast Air Basin’s portion of the State Implementation Plan (SIP).

Impact Discussion:

A. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact – Lechuza Beach is already available for public use. The Project only intends to enhance existing improvements and provide additional small scale amenities that are not large enough to have a significant impact on regional air quality, and thus would not conflict with or obstruct implementation of the AQMP. The following discussions provide a more detailed analysis of the Project’s air quality impacts.

B. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant Impact – Construction of the Project is anticipated to last approximately six months. Construction activities and use construction equipment would not violate air quality standards or contribute substantially to an existing or projected air quality violation due to the short duration of construction and the small scale nature of the Project.

Lechuza Beach is already open for public use, and public parking along the public Broad Beach Road to access Lechuza Beach is often at or near full capacity during the peak season. The proposed Project would not result in a change of parking capacity along Broad Beach Road. Although the Project proposes a total of two new parking spaces and one new loading zone, these improvements are reserved for visitors with valid disabled parking placards. The Project includes a reservation system that will limit the number of reservations for the proposed parking spaces and loading zone on a daily basis. Therefore, it is not anticipated that use of the additional parking spaces and loading zone by visitors with valid disabled placards will exceed air quality standards or contribute substantially to an existing or projected air quality violation.

In addition, the staffing schedule to operate and maintain Lechuza Beach will not substantially change from its current schedule. Furthermore, pumping of the leachfield would occur on an infrequent, as-needed basis, and the duration of pumping is anticipated to be brief during each occurrence. Therefore, the operation and maintenance of the Project will have a less than significant impact on air quality standards or contribute substantially to an existing or projected air quality violation.

C. Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact – Construction of site improvements would occur in close proximity to residential developments. However, sensitive receptors are not anticipated to be exposed to substantial pollutant concentrations during construction due to the short duration of site construction activity. Standardized industry practices for adequate site cleanup during and following construction ensures that the possible effects of construction dust emissions are minimized. All construction would be conducted in accordance with applicable SCAQMD rules and regulations.

The primary source of operational emissions would be from vehicle trips by visitors and MRCA maintenance and ranger staff to the project areas. However, these same trips already occur at Lechuza Beach because the site is currently open for public use. Additionally, the Project includes a reservation system that will limit the number of reservations for the proposed parking spaces and loading zone on a daily basis, and maintenance of the advanced onsite wastewater treatment system and its associated leachfield would occur on an as-needed, infrequent basis. Therefore, the proposed Project will not expose sensitive receptors to substantial pollutant concentrations either during construction or from vehicle trips to the project areas.

D. Would the project create objectionable odors affecting a substantial number of people?

Less Than Significant Impact – The Project includes a restroom to be supported by an advanced onsite wastewater treatment system and an associated leachfield. The restroom components are designed in a manner that minimizes odors. Additionally, the appropriate maintenance of the restroom on a regular basis will ensure that adjacent neighbors or visitors to the site would not be subject to any objectionable odors. Pumping of the leachfield would occur on an infrequent, as-needed basis, and the duration of pumping is anticipated to be brief during each occurrence. Measures consistent with standard industry practice would be taken to minimize odors during and after each pumping activity.

IV. Biological Resources

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

Section 3.1 of the Land Use Plan (LUP) of the City of Malibu Local Coastal Program (LCP) defines an environmentally sensitive habitat area (ESHA) as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. The LCP provisions for ESHA apply to those areas designated as ESHA on the ESHA overlay map, as well as those areas within 100 feet of designated ESHA or any non-designated areas that are determined to be ESHA due to the presence of sensitive biological resources. Additionally, Section 3.8 and 3.9 in the LIP allow for trails and accessways in ESHA. According to Section 4.3 of the Local Implementation Plan (LIP) of the LCP, the following habitat areas are considered to be ESHA:

- Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.
- Any habitat area that contributes to the viability of plant or animal species that are designated or are candidates for listing as rare, threatened, or endangered under State or Federal law.
- Any habitat area that contributes to the viability of species that are designated “fully protected” or “species of special concern” under State law or regulations.
- Any habitat area that contributes to the viability of species for which there is other compelling evidence of rarity, for example plant species eligible for state listing as demonstrated by their designation as “1b” (rare or endangered in California and elsewhere) or designation as “2” (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.
- Any designated Area of Special Biological Significance, or Marine Protected Area.
- Streams.
- Riparian areas, native woodlands, native grasslands/savannas, chaparral, coastal sage scrub, dunes, bluffs, and wetlands, unless there is site-specific evidence that establishes that a habitat area is not especially valuable because of its special nature or role in the ecosystem. Regardless of whether streams and wetlands are designated as ESHA, the policies and standards in the LCP applicable to streams and wetlands shall apply.

The LCP includes the Native Tree Protection Ordinance (Chapter 5 of the LIP). The purpose of this ordinance is to 1) recognize the importance of native trees in preventing erosion of hillsides, stream banks, moderating water temperatures in streams, contributing nutrients to streams, supporting a wide variety of wildlife species, and contributing to the scenic quality of the community and 2) to provide for the protection and preservation of these native trees. Section 5.2 of the ordinance designates the following tree species for protection under the ordinance, provided that the tree has at least one trunk measuring at least six inches in diameter, or a combination of any two trunks measuring a total of at least eight inches in diameter, measured at four and one-half feet above natural grade: Native oak (*Quercus* species), California Walnut (*Juglans californica*), Western Sycamore (*Platanus racemosa*), Alder (*Alnus rhombifolia*), and Toyon (*Heteromeles arbutifolia*).

The Project is not located in designated ESHA and does not include the removal of any protected native trees. Nevertheless, biological assessments were made for the Project. The results of these assessments are found in the following documents:

- Lechuza Beach Public Access Improvements Project Rare and Sensitive Plant Survey; prepared by Fred M. Roberts; May 27, 2015.
- Terrestrial Biological Resources Study – Lechuza Beach Project; prepared by Michael Brandman Associates; January 17, 2006.
- Lechuza Beach Public Access Improvements Project Rare and Sensitive Plant Survey; prepared by Fred M. Roberts; May 2011.
- Memo regarding nesting bird survey, Lechuza Beach; prepared by Daniel S. Cooper of Cooper Ecological Monitoring, Inc.; May 1, 2015.

Impact Discussion:

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status**

species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

Less Than Significant Impact – Surveys for rare plants and birds were conducted at the project site. According to Cooper (2015), no suitable habitat for beach-nesting birds on the beach was observed. Cooper stated it is far too narrow for sensitive species such as California least tern (*Sternula antillarum browni*), or western snowy plover (*Charadrius nivosus nivosus*) to occur, much less to breed (both are extirpated or extremely rare as breeders in Los Angeles County). No rare or sensitive plant species native to the site were reported within the project area in 2006, 2011, or 2015 (Michael Brandman Associates, 2006; Roberts 2011, 2015). According to Roberts (2015), no rare or sensitive plant species were observed or anticipated within the survey boundaries due to limited undisturbed natural habitat within the project site in its current condition. Therefore, the Project will have a less than significant effect on any species identified as a candidate, sensitive, or special status species.

B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

No Impact – The Project is located within a developed residential area where there is no riparian habitat or other sensitive natural community. Therefore, the Project does not have the potential for an adverse effect on any riparian habitat or sensitive natural community.

C. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Section 30121 of the Coastal Act defines a wetland as lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. The Project location does not contain any wetlands as defined by the Coastal Act.

No Impact – The Project site is generally located within an urban interface within limited natural vegetation and there are no wetlands onsite. Therefore, the proposed project improvements at these sites do not have the potential for an adverse effect on wetlands.

D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No Impact – The Project does not have the potential to interfere substantially with the movement of native resident or migratory fish or wildlife species or their migratory corridors or to impede the use of native wildlife nursery sites since no suitable habitat for nesting or roosting are present onsite.

E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact – The Project does not have the potential to conflict with local policies or ordinances protecting biological resources since there are no presence of designated ESHA, nor any protected native trees onsite.

F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant Impact – The project areas are not a part of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the Project does not have the potential to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. Cultural Resources

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

According to Section 3.2.11.1 of the City of Malibu General Plan, only four of the 250 officially recognized historic sites in Los Angeles County are located in Malibu. The four sites are:

- **Adamson House:** This site is located at Malibu Lagoon State Park. It was once the home of Rhoda Rindge Adamson, daughter of Frederick and May K. Rindge. It is the best surviving work and only intact example of architecture from Stiles O. Clements and represents the Moorish-Spanish Colonial Revival Style popular in the late 1920s. The site is listed in the National Register of Historic Places and as a California Historical Landmark.
- **Serra House:** This site is located on Landumus Hill near the mouth of Malibu Creek. It is a site of local historic interest as it was once known as the unfinished Rindge Mansion. The site was purchased in 1942 by the Franciscan Order.
- **Malibu Pier:** This site is located east of Malibu Lagoon State Park in the commercial core of the City. The site is a registered Los Angeles County Landmark and a California Point of Historical Interest.
- **Historic Village of Humaliwo:** This site is a registered national site.

The Project is not located near these four historic sites.

Culturally sensitive areas in the City of Malibu are defined as any area identified on the City's Cultural Resources Sensitivity Map where important cultural resources exist. Important cultural resources include the following criteria:

- Has a special quality such as oldest, best example, largest, or last surviving example of its kind; or
- Is at least 100 years old; or
- Significant to Chumash prehistory or history;
- Contains burial or other significant artifacts;
- Is an archeologically undisturbed site;

- Has important archeological significance;
- Relates to significant events or persons;
- Listed on the Cultural Resources Sensitivity Map;
- Of specific local importance;
- Contains traditional sacred ground (including traditional ceremonial material gathering site);
- Contains burials;
- Contains sacred and/or significant artifacts.

The City of Malibu guidelines on Archaeological Evaluation and Inventory Information offer that proposed projects that may have an adverse impact on or result in a substantial adverse change to cultural resources are subject to a Phase I Inventory Report. A Phase II Evaluation is required if the Phase I Inventory Report determines that the proposed project will have an adverse impact on cultural resources. Mitigation measures would be required in Phase III if Phase II further determines that the proposed project will result in adverse impacts to cultural resources.

A Phase I Cultural Resources Survey for the Project was prepared by Knight and Paramoure Cultural Resources Consultants, dated July 18, 2015. The initial records search was performed by the South Central Coastal Information Center-California State University at Fullerton (SCCIC-CSUF), at the request of the MRCA, on June 15, 2015 (SCCIC File # 15098.1198). The records search showed that the West Sea Level Drive portion of the Project is located within the regionally important Encinal Canyon Site (CA-LAN-114). There are eight other recorded sites within 1/2 mile of the records search area, but the Project site is smaller than the area the records search covered. The Project site itself was directly examined by Albert Knight of Knight and Paramoure Cultural Resources Consultants on June 19, 2015. This survey confirmed that portions of the CA-LAN-114 archaeological site are present in the West Sea Level Drive portion of project area II. No prehistoric artifacts were observed in any part of the survey area.

Consultation with native tribes local to the project vicinity is discussed in further detail in Section XVIII.

Impact Discussion:

A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact – There are no listed State of California Office of Historical Properties, California Points of Historic Interest, California Historic Landmarks, or listed California Register of Historical Resources in the project area or within 1/2 mile of the Project. Therefore, the Project does not have the potential for a substantial adverse change in the significance of any historical resource.

B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant Impact - Both the archival research and the field research show that site CA-LAN-114 overlaps with project area II at the south end of West Sea Level Drive where the new parking space is proposed. Previous research in the area of West Sea Level Drive, just north of the current project area, included multiple occasions of extensive sub-soil testing that suggests

that much of the west edge of CA-LAN-114 was 1) originally of a minor nature, being located at the very edge of the sea cliff, at the southwest extremity of the village, and 2) that the western edge of the site, being that portion that is located on the east bank of CA-LAN-114, has been "squared up" with fill dirt, some of which appears to be derived from portions of the CA-LAN-114 site, probably from/to a short distance to the northeast (south of PCH, and in the area of today's Cottontail Lane).

Previous archaeological and geologic testing in the area immediately northwest of project area II demonstrated that there were no significant intact deposits present. Thus, the Project will not have a significant impact on archaeological resources because the nature of the proposed improvements at project area II only requires shallow subsurface excavation activities during construction. However, given that archaeological materials, including *in situ* deposits of shell midden and secondary deposits that may have been transported to the project area from elsewhere, are known to be present in the vicinity of the project area, and taking into consideration that the local Native American community considers CA-LAN-114 to be culturally important, the Project will implement all recommendations of the 2015 Phase I Archaeological Report to ensure that impacts to archaeological resources will be less than significant.

C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact – The Project will not have a significant impact on archaeological resources, including human remains, because the nature of the proposed improvements at project area II only requires shallow subsurface excavation activities during construction. To ensure that impacts to archaeological resources are minimized, the Project will implement all recommendations of the 2015 Phase I Archaeological Report, including general construction practices in compliance with California Health and Safety Code Section 7075.5, which requires construction to halt if human remains are encountered during construction until the County Coroner has made the necessary findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98 and 5097.98.

VI. Energy

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

Impact Discussion:

A. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact – The duration of construction activity would be brief due to the small-scale nature of the Project components. Construction activities will not require excessive sources of energy in order to take place. Additionally, all activities will adhere to a construction timetable to ensure the Project components are built in a timely manner and that no additional energy consumption beyond typical consumption levels for similar construction activities occur in order to complete construction.

During operation, the proposed Project components that would consume energy are the vehicle gates and its associated keypad near the West Sea Level Drive and East Sea Level Drive intersections with Broad Beach Road. However, the gates are already in operation now using local energy sources. The Project will not substantially change the existing energy consumption level required to operate the gates. Thus, the Project will have a less than significant impact on the consumption of energy resources.

B. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact – The Project’s construction activities will occur using self-sustained energy resources (fuel in vehicles and power generators), and the energy needed to operate the vehicle gates will not substantially change from existing consumption levels. Thus, the Project does not have the potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Result in substantial soil erosion, or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Under the California Environmental Quality Act, the criteria for a proposed project's approval if it lies within an earthquake, liquefaction or landslide zone is defined under Title 14 of the California Code of Regulations (CCR) Section 3724. These regulations only apply to approval of projects

that involve structures for human occupancy (see California Geological Survey's *Special Publication 117A: Guidelines for Evaluating and Mitigating Seismic Hazards (2008)*). The Project does not involve the construction of structures for human occupancy.

Several geotechnical and geological studies were conducted for the Project. The results of these studies are found in the following memorandums and reports:

- Results of Slope Stability Analyses, Proposed Parking Space "D", Lechuza Beach Public and ADA Access – West Sea Level Drive; prepared by AMEC Environment and Infrastructure; July 10, 2012
- Geotechnical Investigation Final Report; Prepared by AMEC Environment and Infrastructure; December 6, 2013
- Supporting Geotechnical Report, Proposed Advanced On-Site Wastewater Treatment System (AOWTS); prepared by Earth Systems Southern California; March 18, 2016
- Geotechnical Assessment of Proposed Setback, Advanced Onsite Wastewater Treatment System (AOWTS), Lechuza Beach Public Access Improvements; prepared by AMEC Environment and Infrastructure; November 2, 2016
- Addendum No. 1 Geotechnical Engineering Report, Response to City Review, Proposed Advanced On-Site Wastewater Treatment Systems (AOWTS); prepared by Earth Systems Southern California; December 2, 2016
- Amendment to 12/6/2013 Geotechnical Investigation Report and Response to City Review comments dated 12/27/2013 (Review Log # 3498); AMEC Environment and Infrastructure; February 21, 2017
- Update of the Results of Slope Stability Analyses, Parking Space "D", Lechuza Public and ADA Access – West Sea Level Drive; prepared by AMEC Environment and Infrastructure; February 21, 2017

Impact Discussion:

A1. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact – The Malibu Coast Fault is located approximately ¼-mile north of the Project. It is an east-west trending, north-dipping reverse fault with significant lateral displacement. No active faults have been mapped at the Project site and the Project is not located within an Alquist-Priolo earthquake fault zone. As there are no known active or potentially active faults beneath the site, the risk of surface fault rupture is considered remote.

A2. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Less Than Significant Impact – The Project is not located within a currently established Earthquake Fault Zone. Therefore, the Project would have a less than significant impact on risk of loss, injury, or death involving strong seismic ground shaking.

A3. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Less Than Significant Impact - There is the potential for liquefaction to occur in the saturated beach sands during an earthquake, and this could result in lateral spreading of slopes that are underlain by these deposits. It is anticipated that in addition to the (East and West Sea Levels) beach areas, the slopes along the outboard edge of East Sea Level Drive and the slopes adjacent to the East Sea Level view platform will be prone to significant displacements due to liquefaction and lateral spreading. Additionally, there is potential for displacements to occur in dry (unsaturated) sands as a result of ground shaking. However, these hazards are not anticipated to adversely affect the Project, as the Project will follow all recommendations as provided in the Project's geotechnical and geological reports, which consider the Project to be geotechnically feasible provided that the recommendations in those reports are adhered to.

A4. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Less Than Significant Impact – No landslides were observed within the project areas. Small surficial failures/slumps were present in the shallow soil/terrace deposits at various locations along the bluff, including adjacent to the existing retaining wall located on the pathway mid-way down the Lot I stairs at East Sea Level and along the top of the slope for the proposed viewing area for Lot 156 at West Sea Level. A review of aerial photographs from 1928, 1975, and 2002 indicates there has not been significant erosion of the bluffs. The cause and rate of bluff retreat is dependent on varying factors including geologic materials, groundwater, surface water, wave action, and seismic events. The California Geological Survey has delineated the bluff areas as prone to seismically induced landsliding. The surficial failures observed appear to be primarily related to surface water runoff eroding the terrace deposits and weathered bedrock. This process can be reduced by providing adequate site-draining-control including eliminating surface runoff over the bluff face. Based on the geotechnical document review and observation of the slopes within the project areas, it appears the slopes are grossly stable. Therefore, the Project would have a less than significant impact on the risk of loss, injury, or death involving landslides.

B. Would the project result in substantial soil erosion, or the loss of topsoil?

Less Than Significant Impact – Geologic units exposed at the project areas include artificial fill, slope wash and surficial soil, beach sand, terrace deposits, and sandstone bedrock. Therefore, the Project does not have the potential to result in substantial loss of topsoil.

The proposed stairway landings will be subject to wave runup as high as elevation +16 feet National Geodetic Vertical Datum of 1929. Additionally, the 25-year recurrence vertical scour is 10 feet, and therefore, the beach can be scoured down to bedrock. Based on these findings, significant beach erosion and sand loss is expected to occur during a major storm event. There is significant potential for this erosion to result in displacements beyond tolerable limits within the

beach sand, and possibly the undocumented fill. These movements are expected to adversely impact the proposed improvements. Wave runup analyses were conducted for the Project. The results of the wave runup analyses are found in the following memorandums and reports:

- Coastal Hazard & Wave Runup Study, Beach Access Improvements, Lechuza Beach; prepared by GeoSoils, Inc.; August 3, 2007
- Update for Coastal Hazard & Wave Runup Study for Beach Access Improvements Lechuza Beach, Malibu, California, and Responses to City Comments; prepared by GeoSoils, Inc.; December 5, 2013
- Second Update, Coastal Hazard & Wave Runup Study for Beach Access Improvements Lechuza Beach, Malibu, California, and Responses to City Comments; prepared by Geo Soils, Inc.; August 10, 2016
- City of Malibu Coastal Engineering Review Response 31720.5 Broad Beach Road, for Beach Access Improvements Lechuza Beach, Malibu, California, CDP 07-087; prepared by GeoSoils, Inc.; November 9, 2016

The recommendations provided in the geotechnical and geological reports, as well as the wave runup studies are designed to help mitigate the effects of beach erosion and scour as a result of wave runup. All the recommendations from these reports are incorporated into the Project, which will ensure that the Project will have a less than significant impact on soil erosion.

C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact – As explained in A1 through A4 and B above, the Project location does not contain unstable soils or geologic units. The existing soils and geologic units onsite would not become unstable as a result of the Project, and would not result in a landslide, lateral spreading, subsidence, liquefaction or collapse, as all recommendations of the geotechnical and coastal wave runup reports will be incorporated into the Project to ensure that these risks are maintained at a less than significant level of impact.

D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact – The Project is not located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (2001). Thus, the Project would not create substantial risk to life or property.

E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Less Than Significant Impact – The Project proposes to install an advanced onsite wastewater treatment system (AOWTS) for the new restroom, which includes a leachfield. Artificial fill is found within project area III at an approximate depth of four to six feet, which is not considered suitable

to support the leachfield. However, the Project will incorporate a sand bed replacement disposal field that will require removal of all existing fill and replacement with a select graded filter sand with properties that will complement the AOWTS design. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant. Furthermore, the Project will adhere to all recommendations of the referenced geotechnical and geological studies conducted for the Project. Thus, the Project will have a less than significant impact on the surrounding soils.

F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact – There are no known unique paleontological resource or unique geologic feature any of the project areas. Most of the project footprint is located in already disturbed areas, and the scale of the project does not require deep excavations. Therefore, the Project will have a less than significant impact on paleontological resources and unique geologic features.

VIII. Greenhouse Gas Emissions

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

“Greenhouse gases” (so called because of their role in trapping heat near the surface of the earth) emitted by human activity are implicated in global climate change, commonly referred to as “global warming.” The principal greenhouse gases (GHGs) include carbon dioxide (CO₂), methane, and nitrous oxide. Collectively GHGs are measured as carbon dioxide equivalent (CO₂e).

The State Guidelines for the California Environmental Quality Act (CEQA) do not provide numeric or qualitative thresholds of significance for GHG emissions. However, Assembly Bill 32 requires GHGs emitted in California to be reduced to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. *The Technical Advisory on CEQA and Climate Change* from the Office of Planning and Research suggests that, in absence of regulatory guidance or standards, lead agencies may rely on significance criteria established by the applicable air quality management district.

The SCAQMD published a “Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold” in 2008. This document establishes a five-tiered process for evaluating the GHG impacts of a project. Tier 1 involves determining if the project qualifies for a CEQA exemption. If the project is not exempt, Tier 2 involves determining whether the project is consistent with an adopted GHG reduction plan that might be part of a local general plan. The proposed improvements are located in the City of Malibu and the City of Malibu has not adopted a GHG reduction plan. If there is no applicable adopted GHG reduction plan, then Tier 3 establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate approach. There is no threshold for public beach accessway improvements and the SCAQMD has not adopted quantitative GHG emissions thresholds for non-SCAQMD lead agency projects. However, in its “Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans” documentation, SCAQMD suggests that a screening-level threshold of 3,000 metric tons (MT) per year of CO₂e emissions is appropriate for commercial projects. Although the Project is not technically a commercial project, the suggested screening-level thresholds for all other land use types are higher than 3,000 MT of CO₂e per year. As such, the significance criterion of 3,000 MT of CO₂e per year was used for this analysis.

Impact Discussion:

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less Than Significant Impact – The Project is substantially smaller in scale than a commercial project. Thus, the anticipated GHG emissions generated by the Project would be well below the screening-level threshold of 3,000 MT per year of CO₂e emissions for commercial projects. The GHG emissions related to the Project would be primarily from short-term construction activities, from maintenance vehicles traveling to the site, and from vehicles with disabled placards utilizing the new accessible parking spaces and loading zone. These trips would be limited in number and would not be sufficient to generate 3,000 MT of CO₂e per year. Furthermore, the Project would not generate additional GHG emissions from access through project areas I, III, and IV as vehicle trips to these areas, limited by parking availability along Broad Beach Road, already reach capacity during the peak season. Project-specific GHG emissions would therefore be less than significant.

B. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact – The City of Malibu has not adopted a GHG reduction plan. However, as explained in the answer to Section A above, the GHG emissions generated by the Project would be well below the screening-level threshold of 3,000 MT per year of CO₂e emissions for commercial projects, as currently set in the “Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold” published by the SCAQMD. Therefore, the Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

IX. Hazards and Hazardous Materials

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

The Project's proposed restroom requires variances for a reduced blufftop setback and for construction on slopes steeper than 2:1 due to the site's topography and other physical constraints. The proposed restroom, with its variance requirements, is designed to comply with the objectives and policies of the Local Coastal Program (LCP), as well as state and local requirements. In 2017, the Environmental Health Department of the City of Malibu completed its review of the proposed advanced onsite wastewater treatment system (AOWTS) and leachfield

for conformance with the LCP's Local Implementation Plan (LIP) and Malibu Municipal Code (MMC) and determined that the AOWTS and leachfield meet the minimum requirements of both these regulations. Additionally, the project received approvals from the geotechnical and coastal engineering departments to continue moving through the City's planning process. Thus, the proposed restroom, as designed, does not have the potential for a significant effect on water quality. Furthermore, the proposed restroom provides health and sanitation benefits for the public equivalent to the health and sanitation benefits enjoyed by nearby private beachfront properties that contain restrooms with an associated AOWTS.

Impact Discussion:

- A. Would the project create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Less Than Significant Impact – Routine, day-to-day operation and maintenance of the Lechuza Beach public access improvements would include typical household cleaning agents for basic maintenance of site structures and facilities. Additionally, the AOWTS and associated leachfield would be serviced on an as-needed basis by a pump truck, which will safely transport waste from the site. The transport of these cleaning agents and waste from the AOWTS would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant.

- B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less Than Significant Impact – Routine, day-to-day operation and maintenance of the Lechuza Beach public access improvements would include typical household cleaning agents for basic maintenance of site structures and facilities, which may expose the cleaning agents to the environment due to the outdoor nature of the site. Additionally, the AOWTS will be sufficiently protected in a concrete and masonry chamber, and its leachfield will be placed behind the existing rock revetment. Thus, use of the cleaning agents and protection of the AOWTS and its leachfield would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant.

- C. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No Impact – The Project is not located within a quarter mile of an existing or proposed school. Thus, the Project does not have the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

- D. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Less Than Significant Impact – A search of the Envirostor database from the Department of Toxic Substances Control does not indicate that the site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Additionally, a search of Geotracker, an online data management system from the State Water Board for sites that may impact water quality, does not indicate that the site is of concern regarding water quality impacts. Thus, the Project would not create a significant hazard to the public or the environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

No Impact – The Project is not located within an airport land use plan or within two miles of a public airport or public use airport, and thus the Project would not have the potential to result in a safety hazard or excessive noise for people residing or working in the project area.

- F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less Than Significant Impact – The Fire Department turnaround at this site would be reconfigured to accommodate a new accessible parking space on West Sea Level Drive. The reconfiguration is anticipated to widen the turnaround and would better accommodate emergency response. The new parking space and loading zone on East Sea Level Drive are outside of the Fire Department turnaround along East Sea Level Drive and would not impede emergency response. Operational use of the turnaround reconfiguration and other Project components would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

- G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Less Than Significant Impact – The Project intends to enhance existing improvements that provide access to Lechuza Beach, away from potential wildfire risk inland and upland of the bluffs. New structures such as the restroom will be located on the beach, and new parking spaces consist primarily of ground striping. Operationally, beach access would be closed during extreme wildfire events requiring mandatory evacuation away from the Project vicinity. Thus, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires due to the nature and intent of the Project.

X. Hydrology and Water Quality

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

Section 303 of the federal Clean Water Act requires states to develop water quality standards to protect the beneficial uses of receiving waters. In accordance with California’s Porter-Cologne Act, the Regional Water Quality Control Boards (RWQCBs) of the State Water Resources Control Board (SWRCB) are required to develop water quality objectives that ensure their region meets the requirements of Section 303 of the Clean Water Act.

The Project is within the jurisdiction of the Los Angeles RWQCB. The Los Angeles RWQCB adopted water quality objectives in its Stormwater Quality Management Plan (SQMP). This SQMP is designed to ensure that stormwater achieves compliance with receiving water limitations. Thus, stormwater generated by a development that complies with the SQMP does not exceed the limitations of receiving waters, and thus does not exceed water quality standards.

Compliance with the SQMP is ensured by Section 402 of the Clean Water Act, which is known as the National Pollution Discharge Elimination System (NPDES). Under this section, municipalities are required to obtain permits for the water pollution generated by stormwater in their jurisdiction. These permits are known as Municipal Separate Storm Sewer Systems (MS4) permits. The City of Malibu is a permittee under the "Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges Within the Coastal Watersheds of Los Angeles County, Except those Discharges Originating from the City of Long Beach MS4" (Order No. R4-2012-0175), NPDES Permit No. CAS004001. Pursuant to this permit, the City of Malibu is required to implement procedures with respect to the entry of non-storm water discharges into the municipal storm water system.

The City of Malibu has established the City of Malibu Storm Water Management and Discharge Control Ordinance to comply with the Municipal NPDES permit, MS4 permit, the Federal Clean Water Act, and the California Porter-Cologne Water Quality Control Act. Applicable provisions in the Land Use Plan and Local Implementation Plan (LIP) of the City of Malibu Local Coastal Program (LCP) incorporate compliance requirements for the Municipal NPDES Permit.

The Project's proposed restroom requires variances for a reduced blufftop setback and for construction on slopes steeper than 2:1 due to the site's topography and other physical constraints. The proposed restroom, with its variance requirements, is designed to comply with the objectives and policies of the LCP, as well as state and local requirements. In 2017, the Environmental Health Department of the City of Malibu completed its review of the proposed advanced onsite wastewater treatment system (AOWTS) and leachfield for conformance with the LCP's LIP and Malibu Municipal Code (MMC) and determined that the AOWTS and leachfield meet the minimum requirements of both these regulations. Additionally, the project received approvals from the geotechnical and coastal engineering departments to continue moving through the City's planning process. Thus, the proposed restroom, as designed, does not have the potential for a significant effect on water quality. Furthermore, the proposed restroom provides health and sanitation benefits for the public equivalent to the health and sanitation benefits enjoyed by nearby private beachfront properties that contain restrooms with an associated AOWTS.

Impact Discussion:

A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact – The Project is not a point-source generator of water pollutants. The advanced onsite wastewater treatment system (AOWTS) and its associated leachfield are designed to conform to all water quality standards and waste discharge regulations. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant. Additionally, ~~The~~ the proposed site improvements will conform to all requirements of the RWQCB and City policies and would not result in un-permitted discharges into the storm water systems.

- B. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

Less Than Significant Impact – The Project does not involve direct withdrawal of any groundwater. Additionally, Project components would not substantially increase impermeable surfaces that would impede groundwater recharge. Thus, the Project does not have the potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

- C1. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or offsite?**

Less Than Significant Impact – The Project location does not contain any streams or rivers. Overall, the Project would not substantially increase the amount of impervious surfaces, thus the existing drainage patterns would be generally maintained in its current condition and would not be substantially altered in a manner which would result in substantial erosion or siltation on or offsite.

- C2. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**

Less Than Significant Impact – The Project location does not contain any streams or rivers. Overall, the Project would not substantially increase the amount of impervious surfaces, thus the existing drainage patterns would be generally maintained in its current condition and would not be substantially altered in a manner which would result in flooding on or offsite.

- C3. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;**

Less Than Significant Impact – The Project location does not contain any streams or rivers. Overall, the Project would not substantially increase the amount of impervious surfaces, thus the existing drainage patterns would be generally maintained in its current condition and would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

- C4. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?**

Less Than Significant Impact – The Project location does not contain any streams or rivers. Overall, the Project would not substantially increase the amount of impervious surfaces, thus the existing drainage patterns would be generally maintained in its current condition and would not impede or redirect flood flows.

- D. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

Less Than Significant Impact – The Project is not located near any lakes or other closed body of water, and therefore would be affected by seiche events. The Project's proposed restroom includes an AOWTS and a leachfield. The AOWTS will be protected in place within a concrete and masonry chamber sufficient to withstand hazardous flood and storm events. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant. Standard industry practices consistent with the NPDES permit and related local and state water quality provisions would minimize leachfield impacts to water quality to a less than significant level. Additionally, short-term water pollutants during construction, including sediment, trash, construction materials, and equipment fluids would be properly managed pursuant to standard industry practices consistent with the NPDES permit and related local and state water quality provisions.

- E. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Less Than Significant Impact – As previously explained, the Project does not involve direct withdrawal of any groundwater and would not substantially increase the amount of impervious surfaces. The existing drainage patterns would be generally maintained. Additionally, the proposed AOWTS and associated leachfield will comply with standard industry practices consistent with the NPDES permit and related local and state water quality provisions. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant. Thus, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. Land Use and Planning

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

Impact Discussion:

A. Would the project physically divide an established community?

No Impact – The Project intends to enhance existing beach access improvements and provide additional beach access amenities, and thus does not have the potential to physically divide any established communities in the City of Malibu.

B. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact - The proposed Project does not propose a new use of Lechuza Beach. Public use of Lechuza Beach pre-dates the City's certified Local Coastal Program (LCP) and the MRCA's property acquisitions at Lechuza Beach. Nonetheless, public access and public beach accessways is-are a permitted use in all zoning pursuant to Land Use Plan Policy 2.7 in the City of Malibu LCP. The Project will further advance the goals of the California Coastal Act and the City of Malibu LCP by increasing-enhancing public access to the shoreline.

The Project's proposed restroom requires variances for a reduced blufftop setback and for construction on slopes steeper than 2:1 due to the site's topography and other physical constraints. The proposed restroom, with its variance requirements, is designed to comply with the objectives and policies of the LCP, as well as state and local requirements. In 2017, the Environmental Health Department of the City of Malibu completed its review of the proposed advanced onsite wastewater treatment system (AOWTS) and leachfield for conformance with the LCP's Local Implementation Plan (LIP) and Malibu Municipal Code (MMC) and determined that the AOWTS and leachfield meet the minimum requirements of both these regulations. Additionally, the project received approvals from the geotechnical and coastal engineering departments to continue moving through the City's planning process. Thus, the proposed restroom, as designed, does not have the potential for a significant effect on water quality. Furthermore, the proposed restroom provides health and sanitation benefits for the public equivalent to the health and sanitation benefits enjoyed by nearby private beachfront properties that contain restrooms with an associated AOWTS. Furthermore/Therefore, all Project components will be consistent with applicable provisions of the California Coastal Act and the City of Malibu LCP.

XII. Mineral Resources

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

Section 3.2.2 of the City of Malibu General Plan states:

In order to promote the conservation of the State’s mineral resources and ensure adequate reclamation of mined lands, the Surface Mining and Reclamation Act of 1975 (SMARA) was enacted. SMARA requires that the State geologist classify land in California for its mineral resource potential. Local governments are required to incorporate the mineral classification reports and maps into their general plans in order for the resources to be given consideration when making land use decisions.

Sand and gravel resources are the only mineral resources which have been mapped in western Los Angeles County. However, to date the State Division of Mines and Geology has not mapped these resources or other mineral resources in the Malibu area. Given the presence of the numerous incised canyons and drainages, sand and gravel resources are expected to occur in the Malibu coastal zone. Mapping of this area is scheduled to occur prior to 1996 if the appropriate funding is allocated (R. Miller, State Division of Mines and Geology, personal communication).

Other than the expected sand and gravel resources, other mapped mineral resources are currently not identified in the General Plan or the Local Coastal Program (LCP).

Although the Project will provide access to sand surfaces on the beach, sand on the beach is currently not identified as a known important mineral resource. Furthermore, sand on beaches in the Malibu Coastal Zone is currently not being mined for other uses. The sand supply on these beaches is subject to natural behaviors of beach erosion, wave action, and seasonal tidal changes. The Project and recreational use at Lechuza Beach would not result in a substantial loss of sand supply or other known mineral resources.

Impact Discussion:

A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Less Than Significant Impact – Although the Project will provide access to sand surfaces on the beach, sand on the beach is currently not identified as a known important mineral resource. The sand supply on these beaches is subject to natural behaviors of beach erosion, wave action, and seasonal tidal changes. Thus, the Project would not result in a loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

B. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact – According to the Mines Online database from the Office of Mine Reclamation, there are no locally important mineral resource recovery site delineated within the City of Malibu. Thus, the Project does not have the potential to cause a loss of availability of a locally important mineral resource recovery site delineated on a local general plan or other plans.

XIII. Noise

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

The City of Malibu General Plan outlines the time periods and noise levels that are not to be exceeded by non-transportation sources as follows:

MAXIMUM EXTERIOR NOISE LIMITS NON-TRANSPORTATION SOURCES

Receiving Land Use Category	General Plan Land Use Districts	Time Period	Noise Level dBA	
			L _{eq}	L _{max}
Rural	All RR Zones and PRF, CR, AH, OS	7:00 a.m. to 7:00 p.m.	55	75
		7:00 p.m. to 10:00 p.m.	50	65
		10:00 p.m. to 7:00 a.m.	40	55
Other Residential	All SFR, MFR and MFBF Zones	7:00 a.m. to 7:00 p.m.	55	75
		7:00 p.m. to 10:00 p.m.	50	65
		10:00 p.m. to 7:00 a.m.	45	60
Commercial, Institutional	CN, CC, CV, CG, and I Zones	7:00 a.m. to 7:00 p.m.	65	85
		7:00 p.m. to 7:00 a.m.	60	70

The City of Malibu Municipal Code Section 8.24(G) similarly restricts use of construction tools, equipment, impact devices, derricks or hoists to the above hours, and further prohibits use of these construction equipment and devices before 8:00 a.m. or after 5:00 p.m. on Saturday, or at any time on Sundays or holidays, unless the City Manager grants expressed written permission.

The Project site is zoned Single Family Residential (Medium) and would thus be categorized as "Other Residential" in the above table.

Impact Discussion:

- C. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less Than Significant Impact – Construction of the proposed Project has the potential to result in temporary generation of noise. However, construction noise is not expected to be significant due to the limited scope of the proposed improvements (and thereby limited duration of construction) and the use of finished components, where feasible, that will be brought and installed onsite (e.g., signage, restroom amenities, and other prefabricated materials). The largest anticipated piece of construction equipment is a drilling rig that is needed for the construction of piles for the proposed restroom and platforms. Piles in support of the proposed improvements will be drilled into bedrock, which will result in lower noise levels than driving piles into the ground. All construction activities and use of construction equipment would adhere to the noise levels and time periods as outlined in the City's General Plan and Municipal Code, and efforts would be made to reduce or minimize construction-generated noise. Project construction would last approximately six months. Thus, construction activities and use of construction equipment would not result in generation of a substantial temporary or permanent increase in ambient noise levels in excess of locally established standards.

Lechuza Beach is already open for public use. The operational and recreational use of public access improvements at Lechuza Beach would not substantially increase the existing ambient noise levels at the site and would not substantially increase the noise levels generated by public use of Lechuza Beach currently.

- D. Would the project result in generation of excessive ground borne vibration or ground borne noise levels?**

Less Than Significant Impact – The Project is small in scale and is not expected to produce excessive ground borne vibration or ground borne noise levels during construction. Piles in support of the proposed improvements will be drilled into bedrock, which will result in lower noise levels than driving piles into the ground. Nonetheless, efforts would be made to reduce or minimize construction-related ground borne vibration and ground borne noise levels compliant with provisions of the City's General Plan and Municipal Code. Thus, construction activities and use of construction equipment would not result in generation of excessive ground borne vibration or ground borne noise levels.

The operational and recreational use of public access improvements at Lechuza Beach would not consist of activities that would generate excessive ground borne vibration or ground borne noise levels.

- E. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact – The Project is located within a one-mile radius of the private Anacapa View Estates Heliport but is not located within an airport land use plan or a public or private airport. Construction activities and use of construction equipment would adhere to the noise levels and time periods as outlined in the City's General Plan and Municipal Code, and efforts would be made to reduce or minimize construction-generated noise. Operational and recreational use of public access improvements at Lechuza Beach would not expose people residing or working in the project area to excessive noise levels.

XIV. Population and Housing

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

Impact Discussion:

- A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infrastructure)?**

Less Than Significant Impact – The objective of the Project is to enhance existing public access improvements at Lechuza Beach and provide additional beach access amenities. The Project does not involve extension of roads or other infrastructure. Thus, the Project will not directly or indirectly induce substantial unplanned population growth in the area.

- B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No Impact – The Project proposes improvements on publicly owned land and along two roadways (West Sea Level Drive and East Sea Level Drive). Thus, the Project will not displace substantial numbers of existing people or housing.

XV. Public Services

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

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities as the nature of the Project is small in scale and its objective is to provide beach access, with associated amenities, at Lechuza Beach.

Impact Discussion:

A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services?

Less Than Significant Impact – The Project includes the reconfiguration and widening of the existing Fire Department turnaround on West Sea Level Drive to accommodate a new accessible parking space. However, the proposed turnaround reconfiguration and widening would not result in the need for new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

B. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services?

The City of Malibu contracts with the County of Los Angeles Sheriff's Department (LASD) for law enforcement services. The Malibu/Lost Hills Sheriff's Station located in Agoura Hills provides law enforcement services for the City of Malibu and surrounding jurisdictions. In addition, the Mountains Recreation and Conservation Authority (MRCA) employs rangers empowered to enforce rules at MRCA-owned park sites and properties.

Less Than Significant Impact – The Project would not result in the need for new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

C. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?

No Impact – The Project would not result in the need for new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for schools.

D. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?

Less Than Significant Impact – The Project would not result in the need for new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for parks.

E. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public services?

Less Than Significant Impact – The proposed site improvements would not result in the need for new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for other public services.

XVI. Recreation

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

Impact Discussion:

- A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Less Than Significant Impact – There is already public access at Lechuza Beach. The Project proposes to reconstruct existing public access improvements and provide new access amenities at Lechuza Beach. In addition, access to Lechuza Beach would be restricted by daily opening and closing hours, as regulated by the proposed new gate at Lot I (across from Bunnie Lane along Broad Beach Road) and the pedestrian access gates at West Sea Level Drive and East Sea Level Drive. The gate at Lot I shall be locked by automatic timer on the Broad Beach Road side, but not on the beach side, in order to permit pedestrian entrance between 7 a.m. and 9 p.m. from March 1st through September 30th, and between 7 a.m. and 6 p.m. from October 1st through February 28th, while allowing pedestrian exit at all times. The East Sea Level Drive and West Sea Level Drive gates shall be locked by automatic timer locks to prevent entrance outside of the hours as described for Lot I, and to prevent exiting after 10 p.m. from March 1st through September 30th and after 7 p.m. from October 1st through February 28th. An automatic timed lock would also open and close the proposed restroom during the same hours as the gates and allow for exit from the inside beyond the opening hours. Furthermore, the Project would not substantially increase visitation to Lechuza Beach as visitation to the beach are limited by parking availability along Broad Beach Road, a public road. Additionally, the new parking spaces and loading zone are only available by reservation. Thus, the Project will have a less than significant impact on existing recreational facilities at Lechuza Beach.

- B. Would the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?**

Less Than Significant Impact – The Project proposes to reconstruct existing public access improvements at Lechuza Beach and provide new access amenities including accessible parking spaces, a loading zone, and a restroom supported by an advanced onsite wastewater treatment

system and leachfield. As explained throughout various sections of this document, all Project components will employ best management practices and comply with applicable engineering, land use, and environmental regulations so that impacts would be reduced to a less than significant level.

XVII. Transportation

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

Impact Discussion:

A. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact – The Project proposes reconstruction of existing public access improvements and additional new access amenities at Lechuza Beach, which is already open for public access. The Project does not involve improvements to public roads or transit facilities. Furthermore, the Project will not substantially increase vehicle trips to Lechuza Beach as visitation is limited by existing parking availability along Broad Beach Road, a public road. Existing visitation often reaches capacity during the peak season, estimated to be 200 people per day (see Reference #17). Use of the new proposed parking spaces and loading zone compliant with the Americans with Disabilities Act will be limited by reservation, and the turnover rate will be regulated to allow time for visitors with disabilities to enjoy Lechuza Beach. Thus, the Project would not conflict with the existing circulation system or any transit facilities.

In addition, the Project is not adding new public access points or relocating the existing three access points to Lechuza Beach located along Broad Beach Road. A Collision Summary Report was obtained from the Sheriff’s Department of Los Angeles County by the City and was provided to the MRCA. The Collision Summary Report consists of five reported collisions from January 1, 2009 through March 6, 2019 within the vicinity of the Project. All five collisions were minor in nature and did not result in any injuries or fatalities. Because the Project is not proposing a new use, but rather new improvements to an existing public use, the proposed Project will have a less than significant impact on the existing traffic and parking conditions along Broad Beach Road. Thus, the Project would not conflict with any programs, plan, ordinance or policy addressing the circulation system or transit facilities.

B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact – Lechuza Beach is already open for public access. New amenities such as the restroom may attract new visitors to Lechuza Beach. However, visitation by automobile is limited by existing parking availability along Broad Beach Road, a public road (visitation by walking is available during the posted hours through West and East Sea Level Drives and the entrance across Bunnie Lane). Existing visitation by automobile often reaches capacity during the peak season. Use of the new proposed parking spaces and loading zone will be limited by reservation. When there is no parking availability at Lechuza Beach, there are other alternative open beach access sites in close proximity that visitors could use. El Matador Beach is less than a half mile upcoast and includes a public parking lot. There are also two other beach accessways downcoast from East Sea Level Drive, and public parking is available for these accessways along Broad Beach Road. Therefore, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact – The Project proposes to reconfigure and widen the Fire Department turnaround on West Sea Level Drive to maintain safe emergency access. Overall, no Project component involves a geometric design or incompatible use that would substantially increase hazards.

D. Would the project result in inadequate emergency access?

Less Than Significant Impact – The Project proposes to reconfigure and widen the Fire Department turnaround on West Sea Level Drive to maintain safe emergency access. Overall, the Project would not result in inadequate emergency access.

XVIII. Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
<p>A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>				
<p>1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Pursuant to Assembly Bill 52, a letter was sent to 11 California Native American tribes that may have significant connections to the vicinity of the Project to initiate and facilitate coordination with any tribe that may be affected by the Project. The letter was sent to the following tribes:

1. Barbareno/Ventureno Band of Mission Indians
2. Chumash Council of Bakersfield
3. Gabrieleno Band of Mission Indians - Kizh Nation
4. Gabrieleno/Tongva San Gabriel Band of Mission Indians
5. Gabrielino/Tongva Nation
6. Gabrielino Tongva Indians of California Tribal Council
7. Gabrielino-Tongva Tribe
8. San Fernando Band of Mission Indians
9. Santa Ynez Band of Mission Indians
10. yak tityu tityu - Northern Chumash Tribe
11. Coastal Band of the Chumash Nation

The above list of tribes was acquired from the Native American Heritage Commission's Tribal Consultation List for Los Angeles County.

Impact Discussion:

A1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No responses were received from the tribes that were contacted. The Project site is not known to have a tribal cultural resource as defined in Public Resources Code section 21074 that is of cultural value to a California Native American tribe.

As previously explained in Section V. Cultural Resources, there are no listed State of California Office of Historical Properties, California Points of Historic Interest, California Historic Landmarks, or listed California Register of Historical Resources in the project area or within 1/2 mile of the Project. Furthermore, the Project site is not one of the four locally identified historic sites in Malibu, and is not located in close proximity to the four identified sites (Adamson House, Serra House, Malibu Pier, Historic Village of Humaliwo).

A2. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No responses were received from the tribes that were contacted. The Project site is not known to have a tribal cultural resource as defined in Public Resources Code section 21074 that is of cultural value to a California Native American tribe.

As previously explained in Section V. Cultural Resources, there are no listed State of California Office of Historical Properties, California Points of Historic Interest, California Historic Landmarks, or listed California Register of Historical Resources as set forth in Public Resources Code Section 5024.1 in the project area or within 1/2 mile of the Project.

A record search performed by the South Central Coastal Information Center-California State University at Fullerton indicated that the West Sea Level Drive portion of the Project is located within the regionally important Encinal Canyon Site (CA-LAN-114). There are eight other recorded sites within 1/2 mile of the records search area, but the Project site is smaller than the area the records search covered. The Project site itself was directly examined by Albert Knight of Knight and Paramoure Cultural Resources Consultants on June 19, 2015. This survey confirmed that portions of the CA-LAN-114 archaeological site are present in the West Sea Level Drive portion of project area II. No prehistoric artifacts were observed in any part of the survey area. Both the archival research and the field research show that site CA-LAN-114 overlaps with project area II at the south end of West Sea Level Drive where the new parking space is proposed. Previous research in the area of West Sea Level Drive, just north of the current project area,

included multiple occasions of extensive sub-soil testing that suggests that much of the west edge of CA-LAN-114 was 1) originally of a minor nature, being located at the very edge of the sea cliff, at the southwest extremity of the village, and 2) that the western edge of the site, being that portion that is located on the east bank of CA-LAN-114, has been "squared up" with fill dirt, some of which appears to be derived from portions of the CA-LAN-114 site, probably from/to a short distance to the northeast (south of PCH, and in the area of today's Cottontail Lane).

Previous archaeological and geologic testing in the area immediately northwest of project area II demonstrated that there were no significant intact deposits present. Thus, the Project will not have a significant impact on archaeological resources because the nature of the proposed improvements at project area II only requires shallow subsurface excavation activities during construction. However, given that archaeological materials, including *in situ* deposits of shell midden and secondary deposits that may have been transported to the project area from elsewhere, are known to be present in the vicinity of the project area, and taking into consideration that the local Native American community considers CA-LAN-114 to be culturally important, the Project will implement all recommendations of the 2015 Phase I Archaeological Report to ensure that impacts to archaeological resources will be less than significant.

XIX. Utilities and Service Systems

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

Impact Discussion:

A. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact – The Project includes a new restroom supported by an advanced onsite wastewater treatment system (AOWTS) and leachfield. The restroom will consist of one flush toilet and one washbasin that would not require a substantial amount of water to operate. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant. Additionally, the existing drainage patterns at all project areas would be generally maintained. Thus, the Project would not result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

- B. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Less Than Significant Impact – The proposed new restroom will consist of one flush toilet and one washbasin that would not require a substantial amount of water to operate. Thus, the Project will have a less than significant impact on water supplies during normal, dry, and multiple dry years.

- C. Would the project result in a determination by the wastewater treatment provider, which serves or may serve the projects that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Less Than Significant Impact – The Project includes a new restroom supported by an advanced onsite wastewater treatment system (AOWTS) and leachfield. Proper design, operation and maintenance of the AOWTS will reduce impacts associated with the proposed Project to a level of less than significant. Thus, the Project would not result in a determination by the wastewater treatment provider that it has adequate capacity to serve the sites' projected demand in addition to the provider's existing commitments.

- D. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Less Than Significant Impact – The anticipated limited generation of solid waste would be taken to the Calabasas Landfill, which includes the City of Malibu in its service area. The anticipated waste generation at Lechuza Beach would not exceed State or local standards, or the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

- E. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Less Than Significant Impact – The Project would not produce a substantial amount of solid waste that would exceed the permitted capacity of the Calabasas Landfill, or other State or local standards, to accommodate the disposal needs at Lechuza Beach. Thus, the Project would comply with federal, state, and local statutes and regulations related to solid waste.

XX. Wildfire

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

Wildfires are an inherent risk in the city. All of the City of Malibu is located in a designated Very High Fire Hazard Severity Zone. Several brush fires have occurred throughout the City in recent decades, including the recent Woolsey Fire in November 2018.

Impact Discussion:

A. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact – The Project includes the reconfiguration and widening of the existing Fire Department turnaround on West Sea Level Drive to accommodate a new accessible parking space. The proposed turnaround reconfiguration and widening would maintain safe emergency response and access, and thus would not substantially impair an adopted emergency response plan or emergency evacuation plan.

B. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than Significant Impact – The Project does not include structures for permanent occupancy. The Project components are located on or in close proximity to the beach. Furthermore, during extreme fire events within the vicinity of Lechuza Beach, access to Lechuza Beach would be closed in favor of evacuating from the area to a safer location. Access would reopen when conditions are deemed safe and evacuations in the surrounding area are lifted. Thus, the Project would not exacerbate wildfire risk and have a less than significant impact in exposure to pollutant concentrations from wildfire.

C. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less Than Significant Impact – The Project does not include installation or maintenance of roads, fuel breaks, emergency water sources, power lines, other utilities, or associated infrastructure that may exacerbate fire risk. All Project components will comply with state and local building, engineering, and environmental standards and regulations and thus temporary and ongoing impacts to the environment will be less than significant.

D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant Impact – The Project is geographically located on the foothills of the Santa Monica Mountains, along the coastline south of the Pacific Coast Highway. The Project is primarily surrounded by residential developments on relatively low rising bluffs. Existing drainage patterns would be generally maintained by the Project. Thus, the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides resulting from runoff, post-fire slope instability, or drainage changes.

XXI. Mandatory Findings Of Significance

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

Impact Discussion:

A. Does the proposed project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact – As discussed in Section IV, no rare or sensitive plant species native to the site were reported within the project area, and no rare or sensitive plant species were observed or anticipated within the survey boundaries due to limited undisturbed natural habitat within the project site in its current condition. Therefore, the Project will have a less than significant effect on the number and ranger of a rare or endangered plant or animal. Additionally, the Project is not located in designated environmentally sensitive habitat and are surrounded by a residential community. Thus, the Project would not substantially degrade the quality of the environment, reduce the habitat of a fish or wildlife species or reduce their population. Furthermore, the Project will follow all recommendations of the Phase I Cultural Resources Survey prepared for the Project, and thus will not eliminate important examples of the major periods of California history or prehistory.

- B. Does the proposed project have impacts that are individually limited, but cumulatively considerable (*"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects*)?**

Less Than Significant Impact – Given the location and the small scale nature of the Project, the incremental effects of the Project will not be considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

- C. Does the proposed project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less Than Significant Impact – As discussed in Section VII, there are no known active or potentially active faults beneath the site, and the Project is not located within a currently established Earthquake Fault Zone. There is potential for liquefaction to occur in the saturated beach sands during an earthquake, resulting in lateral spreading of slopes that are underlain by these deposits. Additionally, the Project will be subject to natural occurrences of wave runup and coastal erosion. However, the Project's multiple geotechnical and geological reports confirm that implementation according to the reports' recommendations will ensure that these hazards will not have a substantial adverse effect on human beings. The Project will follow all recommendations of the Project's geotechnical and geological reports. Furthermore, the Project is not included on the compiled list of hazardous materials sites pursuant to Government Code Section 65962.5, and the Project does not involve the routine transport, use or disposal of hazardous materials. There would be no substantial adverse effects on human beings regarding hazardous materials as a result of the Project. Lastly, although the Project is located in a designated High Fire Hazard Severity Zone, the Project would not result in a substantial adverse effect on human beings as the Project components are generally located on or near the beach, and beach access would be closed in favor of evacuations during a wildfire in the area.

References

These references and those previously cited within the text of this Initial Study are intended to provide a list of Supporting Information Sources and/or evidence staff has relied upon in completing this document and in reaching the conclusions contained herein.

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

Publicly Referenced Information:

1. City of Malibu Local Coastal Program, City of Malibu. Available at: <http://qcode.us/codes/malibu-coastal/>
2. City of Malibu General Plan, City of Malibu. Available at: <http://qcode.us/codes/malibu-general-plan/>
3. City of Malibu Malibu Municipal Code, City of Malibu. Available at: <http://qcode.us/codes/malibu/>
4. Envirostor, Department of Toxic Substances Control. <http://www.envirostor.dtsc.ca.gov/public/>
5. Geotracker, State Water Resources Control Board. <http://geotracker.waterboards.ca.gov/>
6. California Department of Conservation's Farmland Mapping and Monitoring Program. California Important Farmland Finder. <https://maps.conservation.ca.gov/dlrp/ciff/>
7. Air Quality Management Plan, South Coast Air Quality Management District. Adopted March 3, 2017. Available at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>
8. California Historical Resources, Office of Historic Preservation. <http://www.ohp.parks.ca.gov/ListedResources/>
9. Assembly Bill 32, California Air Resources Board. Available at: <https://www.arb.ca.gov/cc/ab32/ab32.htm>
10. Greenhouse Gases, CEQA Significant Thresholds, South Coast Air Quality Management District. Available at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds/page/2>
11. Mines Online (MOL), Office of Mine Reclamation. <http://maps.conservation.ca.gov/mol/index.html>
12. Calabasas Landfill. Sanitation Districts of Los Angeles County. <http://www.lacsd.org/solidwaste/swfacilities/landfills/calabasas/>

Project-Specific Technical Reports:

The following project-specific technical reports will be available during the public review period online through the MRCA website at mrca.ca.gov/about/land-use-planning-documents/ and at the Malibu Library, located at 23519 West Civic Center Way, Malibu, California 90265.

1. Phase I Cultural Resources Survey; prepared by Knight and Paramoure Cultural Resources Consultants; July 18, 2015.
2. Lechuza Beach Public Access Improvements Project Rare and Sensitive Plant Survey; prepared by Fred M. Roberts; May 27, 2015.

3. Terrestrial Biological Resources Study – Lechuza Beach Project; prepared by Michael Brandman Associates; January 17, 2006.
4. Lechuza Beach Public Access Improvements Project Rare and Sensitive Plant Survey; prepared by Fred M. Roberts; May 2011.
5. Memo regarding nesting bird survey, Lechuza Beach; prepared by Daniel S. Cooper of Cooper Ecological Monitoring, Inc.; May 1, 2015.
6. Results of Slope Stability Analyses, Proposed Parking Space “D”, Lechuza Beach Public and ADA Access – West Sea Level Drive; prepared by AMEC Environment and Infrastructure; July 10, 2012.
7. Geotechnical Investigation Final Report; Prepared by AMEC Environment and Infrastructure; December 6, 2013.
8. Supporting Geotechnical Report, Proposed Advanced On-Site Wastewater Treatment System (AOWTS); prepared by Earth Systems Southern California; March 18, 2016.
9. Geotechnical Assessment of Proposed Setback, Advanced Onsite Wastewater Treatment System (AOWTS), Lechuza Beach Public Access Improvements; prepared by AMEC Environment and Infrastructure; November 3, 2016.
10. Addendum No. 1 Geotechnical Engineering Report, Response to City Review, Proposed Advanced On-Site Wastewater Treatment Systems (AOWTS); prepared by Earth Systems Southern California; December 2, 2016.
11. Amendment to 12/6/2013 Geotechnical Investigation Report and Response to City Review Comments dated 12/27/2013 (Review Log # 3498); AMEC Environment and Infrastructure; February 21, 2017.
12. Update of the Results of Slope Stability Analyses, Parking Space “D”, Lechuza Public and ADA Access – West Sea Level Drive; prepared by AMEC Environment and Infrastructure; February 21, 2017.
13. Coastal Hazard & Wave Runup Study, Beach Access Improvements, Lechuza Beach; prepared by GeoSoils, Inc.; August 3, 2007.
14. Update for Coastal Hazard & Wave Runup Study for Beach Access Improvements Lechuza Beach, Malibu, California, and Responses to City Comments; prepared by GeoSoils, Inc.; December 5, 2013.
15. Second Update, Coastal Hazard & Wave Runup Study for Beach Access Improvements Lechuza Beach, Malibu, California, and Responses to City Comments; prepared by Geo Soils, Inc.; August 10, 2016.
16. City of Malibu Coastal Engineering Review Response 31720.5 Broad Beach Road, for Beach Access Improvements Lechuza Beach, Malibu, California, CDP 07-087; prepared by GeoSoils, Inc.; November 9, 2016.
17. Proposed Lechuza Beach AOWTS, End of East Sea Level Drive, Malibu, CA. Coastal Development (Coastal Development Permit App. No. 07-087, 31725.5 Broad Beach Road, Los Angeles County Waterworks District 29 references project restroom address as 31725.5 East Sea Level Drive; prepared by Advanced Onsite Water; August 9, 2016.

Appendix A
Comments Received on the Draft IS/ND

Appendix A: Comments Received on the Draft IS/ND

The following comments were received on the Draft IS/ND, organized by commenter's name and numbered chronologically by the date the comments were received. Each comment corresponds to the numbered list below.

- Comment #1: Sean Murphy, received January 10, 2019
- Comment #2: Susan Saul, received January 18, 2019
- Comment #3: Robert K. Ryan, received January 31, 2019
- Comment #4: Environmental Health Department, City of Malibu, received February 5, 2019
- Comment #5: Public Works Department, City of Malibu, received February 6, 2019
- Comment #6: City Biologist, City of Malibu, received February 7, 2019
- Comment #7: Loeb & Loeb, LLP, received February 24, 2019
- Comment #8: Planning Director, City of Malibu, received March 1, 2019
- Comment #9: George Merritt, received the week of March 22, 2019
- Comment #10: Planning Director, City of Malibu, received April 22, 2019

Jessica Nguyen

From: Sean Murphy [REDACTED]
Sent: Thursday, January 10, 2019 3:59 PM
To: Jessica Nguyen
Subject: Lechuza Beach Public Access Improvements

Hi Jessica,

I think it would be a good idea for somebody from MRCA to go down to Lechuza Beach and see the site for the proposed improvements. Go at high tide.

The beach is almost gone and the East Sea Level is in jeopardy of being undermined.

I currently live at [REDACTED], but will be moving in February of this year. I have no real interest in what happens either way, but from living there the past year think these improvements and opening the gate is really stupid.

The road is small and very difficult to turn around. Everybody will drive in, see there is no parking, and either park illegally or turn around on somebody's property.

The beach gets smaller and smaller every year, and is currently gone from the Bunny Lane trail to the south.

The location for the proposed bathrooms has been overrun by the ocean a number of times in the past week.

There will be all sorts of issues with the building, septic, trash etc.

The area of useable beach from Bunny Lane to the rocks at the North is so small I can not see how it makes sense to spend the money.

People who insist on using any of the beach when available to the S of Bunny lane will continue to crap and pee under the houses.

It seems to me the MRCA and the Lachuza Home Owners are in a situation similar to President Trump and the Democrats, with neither wanting to give in. In this scenario the MRCA would be Trump wanting their Wall (beach access & bathroom) at any cost. These improvements make no sense.

What should happen is there are more trash cans put in, the stairs are improved and the gates to access are locked from Sun Down to Sun Up to stop any criminal element coming down to the beach, which is happening regularly.

Please go take a look for yourself on the next good swell at High Tide.

Over the past 15 years we have lost a little beach every year, and there is very little left. In a couple years there may be non and the bathroom will be undermined.

Spend the money more wisely on something else that makes sense.

Very Best
Sean Murphy

[Sign up to Receive Special Offers!](#)

SEAN MURPHY
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Jessica Nguyen

From: Susan Saul [REDACTED]
Sent: Friday, January 18, 2019 9:36 PM
To: Jessica Nguyen
Subject: Lechuza Beach Public Access Improvements

Robberies, drag racing down Broad Beach Road at night especially during the summer months, dumping condoms and trash on the surrounding properties, having people pee outside your window, illegal parking of cars near beach gates, Screaming , cursing and fighting going on during the nighttime and daytime hours, Dogs entering the beach areas with no on cleaning up after them. Beer bottles and liquor bottles on the beach and on the surrounding streets, visitors and homeless sleeping on the beach, bonfires on the beach, Beach goers leaving garbage on the beach, Beach goes drinking and doing drugs in their car blasting rap music at all hours of the day and night...then driving down PCH... all this and more... with no guards or security in the area.

I don't mind the gates being open. I understand you want people to use our beach . But how wonderful it would be if during the day we had sheriff or some one patrolling our beaches and our streets. At nighttime it would be great if you could lock the gates to the beach at sundown. The sherrif and the neighborhood would appreciate this. It would make us feel more secure. We could help with the locking the gate at night. I am pleading with you to do this. i have been living here over 30 years and I am scared to walk on the streets at night and sometimes during the day. please please close the gates at night. Only you can have the key but please keep our neighborhood, kids and animals safe.

Thank you,
Susan Saul
[REDACTED]



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
Los Angeles River Center & Gardens
570 West Avenue Twenty-Six, Suite 100
Los Angeles, California 90065
Phone (323) 221-9944 Fax (323) 221-9934

NOTICE OF INTENT TO ADOPT AN INITIAL STUDY/NEGATIVE DECLARATION

In accordance with Section 15072 of the California Environmental Quality Act Guidelines, this notice is to inform the general public that the Mountains Recreation and Conservation Authority (MRCA), as the Lead Agency, has completed an Initial Study and Negative Declaration (IS/ND) for the Lechuza Beach Public Access Improvements project and intends to adopt the IS/ND for the project.

Project Title: Lechuza Beach Public Access Improvements

Project Location: Lechuza Beach and its three entrances at the intersection of West Sea Level Drive and Broad Beach Road, along Broad Beach Road (across from the Bunnie Lane intersection), and the intersection of East Sea Level Drive and Broad Beach Road, City of Malibu, County of Los Angeles.

Project Description: The MRCA proposes the reconstruction of existing beach access stairways at West and East Sea Level Drives with new view platforms; reconstruction of existing stairs at Lot I (across from Bunnie Lane) with new entrance gateway; reconstruction of existing vehicular and pedestrian gates at East Sea Level Drive; one new parking space with access aisles compliant with the Americans with Disabilities Act (ADA) at West Sea Level Drive; one new ADA-compliant parking space and loading zone with access aisles at East Sea Level Drive, as well as a new single-stall restroom with an advanced onsite wastewater treatment system and leachfield; and the operation and management of these improvements and Lechuza Beach through a beach management plan.

Findings: As proposed, the Lechuza Beach Public Access Improvements project would comply with all regulatory requirements and would result in less than significant impacts.

Comment Period: January 10, 2019 to February 24, 2019

Contact Person: Jessica Nguyen
Project Analyst
Mountains Recreation and Conservation Authority
26800 Mulholland Highway
Calabasas, California 91302
jessica.nguyen@mrca.ca.gov

The IS/ND, as well as all project-specific technical documentation, is available for public viewing online through the MRCA website at mrca.ca.gov/about/land-use-planning-documents/ and at the Malibu Library, located at 23519 West Civic Center Way, Malibu, California 90265.

Please submit any comments on the IS/ND to Ms. Jessica Nguyen at the address listed above before 5:00pm on February 24, 2019.

The MRCA will consider the IS/ND for approval at its regular scheduled, duly noticed public meeting on March 6, 2019 at the Conejo Recreation and Park District, located at 403 West Hillcrest Drive, Thousand Oaks, California 91362.

JAN 31 2019

MRCA
MALIBU

To whom

"Wow-wow," this with shirley being in unwanted people - who will monitor & clean-up trash - this is obviously a sure way to increase employment through taxes, out of control beach parties, increase parking on residential streets - & the problems associated with it - I've been a resident since June 1965 & have since lackadaisically planning, but she takes the cake -

Eric Ryan 1/22/19

I vote NO & recommend hiring new conservation authority people



City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-3356 www.malibucity.org

SC
Review of
Neg Dec

ENVIRONMENTAL HEALTH REVIEW REFERRAL SHEET

1/24/19
7/16/2007

TO: City of Malibu Environmental Health Administrator DATE: 7/16/2007
FROM: City of Malibu Planning Department

PROJECT NUMBER: CDP 07-087
JOB ADDRESS: 31720.5 BROAD BEACH RD
APPLICANT / CONTACT: Mountains Recreation and Conservation Authority
APPLICANT ADDRESS: 5810 Ramirez Canyon Road
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-3230
APPLICANT FAX #: _____
APPLICANT EMAIL: judi.tamasi@mrca.ca.gov
PROJECT DESCRIPTION: Lechuza Beach public access and disabled parking spaces

TO: Malibu Planning Department and/or Applicant
FROM: City of Malibu Environmental Health Reviewer

Conformance Review Complete for project submittals reviewed with respect to the City of Malibu Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Municipal Code (MMC). The Conditions of Planning conformance review and plan check review comments listed on the attached review sheet(s) (or else handwritten below) shall be addressed prior to plan check approval.

Conformance Review Incomplete for the City of Malibu LCP/LIP and MMC. The Planning stage review comments listed on the City of Malibu Environmental Health review sheet(s) shall be addressed prior to conformance review completion.

OWTS Plot Plan: NOT REQUIRED
 REQUIRED (attached hereto) REQUIRED (not attached)

Melinda Talbot
Signature

2-27-19
Date



City of Malibu

Environmental Health • Environmental Sustainability Department
23825 Stuart Ranch Road • Malibu, California • 90265-4861
Phone (310) 456-2489 • Fax (310) 456-3356 • www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Mountains Recreation and Conservation Authority Judi Tamasi Judi.tamasi@mrca.ca.gov	
Project Address:	31720.5 Broad Beach Rd. Malibu, CA 90265	
Planning Case No.:	CDP 07-087	
Project Description:	Lechuza Beach public access, parking spaces, new OWTS	
Date of Review:	February 4, 2019	
Reviewer:	Melinda Talent	Signature: <i>Melinda Talent</i>
Contact Information:	Phone: (310) 456-2489 x 364	Email: mlalent@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Plans by URS dated August 2, 2016, Revised 10-26-16.
Grading Plans:	
OWTS Plan:	OWTS plot plan by Advanced Onsite Water dated 8-9-16, Revised 11-8-16.
OWTS Report:	OWTS Engineering Report by Advanced Onsite Water dated 8-9-16, Revised 11-8-16
Geology Report:	Supporting Geotechnical Report by Earth Systems dated 8-18-16. Geotechnical Assessment of Proposed Setback by Amec Foster Wheeler Environment & Infrastructure, Inc. dated 11-3-16.
Miscellaneous:	Coastal Hazard & Wave Runup Study by GeoSoils dated 8-10-16, Response to Coastal Engineering by GeoSoils dated 11-9-16. Reduced Setback letter by AECOM dated 10-26-16. Addendum No. 1 Geotechnical Engineering Report Response to City Review by Earth Systems dated 12-2-16. Draft Initial Study/Negative Declaration prepared by Mountains Recreation and Conservation Authority dated 1-7-19
Previous Reviews:	8-25-16, 12-7-16, 1-12-17

REVIEW FINDINGS

Planning Stage:	<input checked="" type="checkbox"/>	CONFORMANCE REVIEW COMPLETE for the City of Malibu Local Coastal Program/Local Implementation Plan (LIP) and Malibu Municipal Code (MMC). The listed conditions of Planning stage conformance review and plan check review comments shall be addressed prior to plan check approval.
	<input type="checkbox"/>	CONFORMANCE REVIEW INCOMPLETE for the City of Malibu LIP and MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	<input checked="" type="checkbox"/>	NOT REQUIRED
	<input type="checkbox"/>	REQUIRED (attached hereto) <input type="checkbox"/> REQUIRED (not attached)

Based upon the project description and submittal information noted above, a **conformance review** was completed for a new alternative onsite wastewater treatment system (OWTS) proposed to serve the onsite wastewater treatment and disposal needs of the subject property. The proposed OWTS meets the minimum requirements of the City of Malibu Municipal Code and the City of Malibu Local Coastal Program/Local Implementation Plan (LIP).



City of Malibu

Environmental Health Review Sheet

CDP 07-087

31720.5 Broad Beach Rd.

February 4, 2019

Initial Study Comments:

Environmental Health (EH) reviewed the Initial Study and Negative Declaration prepared by Mountains Recreation and Conservation Authority dated January 7, 2019, for the subject project. EH comments that discussions pertaining to impacts to/from onsite wastewater treatment systems (OWTS) should include the statement "proper design, operation and maintenance of OWTS will reduce impacts associated with the proposed project to a level of less than significant."

If you have any questions please contact me at your earliest convenience.

cc: Environmental Health file
Planning Department





City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4861
(310) 456-2489 FAX (310) 456-7650

PUBLIC WORKS REVIEW REFERRAL SHEET

*Review
of
Neg Dec
JC*

TO: Public Works Department
FROM: City of Malibu Planning Department

DATE: *4/24/19*
7/16/2007

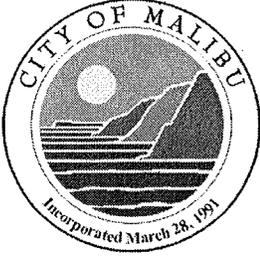
PROJECT NUMBER: CDP 07-087
JOB ADDRESS: 31720.5 BROAD BEACH RD
APPLICANT / CONTACT: Mountains Recreation and Conservation Authority
APPLICANT ADDRESS: 5810 Ramirez Canyon Road
Malibu, CA 90265
APPLICANT PHONE #: (310) 589-3230
APPLICANT FAX #:
APPLICANT EMAIL: judi.tamasi@mrca.ca.gov
PROJECT DESCRIPTION: Lechuza Beach public access and disabled parking spaces *(IS/NEG DEC. REVIEW ONLY)*

TO: Malibu Planning Department and/or Applicant
FROM: Public Works Department

- The following items described on the attached memorandum shall be addressed and resubmitted.
- 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.

Sarah Richardson
SIGNATURE

2/5/19
DATE



City of Malibu

MEMORANDUM

To: MRCA

From: Public Works Department
Jonathan Pichardo, Assist. Civil Engineer JP

Date: February 5, 2019

Re: 31720.5 Broad Beach Road Lechuza Beach Access MRCA CDP07-087 Memo No .2

The Public Works Department has begun its review of this application and cannot recommend approval at this time.

Transportation

1. Has the applicant considered pedestrian enhancements along Broad Beach Road? If so, please provide your findings.
2. Applicant shall provide collision history for Broad Beach Road. This history shall include but not be limited to pedestrian and vehicle collisions.
3. The addition of restroom(s) will potentially generate additional pedestrian and vehicle traffic to the project site, how will this project mitigate this additional traffic? Applicant shall provide supporting documentation aiding in the determination that these improvements will not generate a substantial increase in trips to the beach.

Applicant shall submit written responses with the next submittal. Until these issues are revised the Public Works Department cannot recommend approval for the project.





City of Malibu

23825 Stuart Ranch Rd., Malibu, California CA 90265-4804
(310) 456-2489 FAX (310) 456-7650

BIOLOGY REVIEW REFERRAL SHEET

Review of
neg Dec

1/24/19
~~7/16/2007~~

TO: City of Malibu Biologist
 FROM: City of Malibu Planning Department
 PROJECT NUMBER: CDP 07-087
 JOB ADDRESS: 31720.5 BROAD BEACH RD
 APPLICANT / CONTACT: Mountains Recreation and Conservation Authority
 APPLICANT ADDRESS: 5810 Ramirez Canyon Road
 Malibu, CA 90265
 APPLICANT PHONE #: (310) 589-3230
 APPLICANT FAX #:
 APPLICANT EMAIL: judi.tamasi@mrca.ca.gov
 PLANNER: Adrian Fernandez + JC
 PROJECT DESCRIPTION: Lechuza Beach public access and disabled parking spaces

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

- 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).

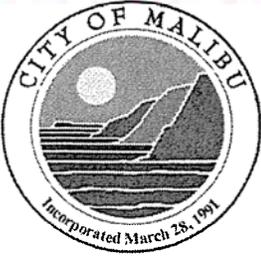
Signature

Date 2/5/19

Additional requirements/conditions may be imposed upon review of plan revision

Contact Information:

Dave Crawford, City Biologist, dcrawford@malibucity.org, (310) 456-2489, extension 277



City of Malibu

Biology • Planning Department
 23825 Stuart Ranch Road · Malibu, California · 90265-4861
 Phone (310) 456-2489 · Fax (310) 317-1950 · www.malibucity.org

BIOLOGY REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Mountains Recreation and Conservation Authority Judi.tamasi@mrca.ca.gov	
Project Address:	31720.5 Broad Beach Road	
Planning Case No.:	CDP 07-087	
Project Description:	Lechuza Beach public access and disabled parking spaces – IS/ND review	
Date of Review:	February 5, 2019	
Reviewer:	Dave Crawford	Signature: 
Contact Information:	Phone: (310) 456-2489 ext. 307	Email: dcrawford@malibucity.org

SUBMITTAL INFORMATION

Site Plans:	
Site Survey:	
Planting Plan:	
Irrigation/Hydrozone/ water budget Plan:	
Grading Plans:	
OWTS Plan:	
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan	
Other:	Draft Initial Study/Negative Declaration
Previous Reviews:	

REVIEW FINDINGS

Review Status:	<input checked="" type="checkbox"/> INCOMPLETE: Additional information and/or a response to the listed review comments is required. <input type="checkbox"/> DENIED The project cannot be approved as designed as it is conflict with one or more elements of the LCP and/or City Codes. <input type="checkbox"/> APPROVED The proposed project approved with the conditions attached.
Environmental Review Board:	<input type="checkbox"/> This project has the potential to impact ESHA and may require review by the Environmental Review Board



City of Malibu

Biology Review Sheet
CDP 07-087
31720.5 Broad Beach Road
February 5, 2019

RECOMMENDATIONS:

1. The project is **INCOMPLETE**. Prior to final Biology Approval, the following information must be submitted:
 - A. The Initial Study refers to 4 separate biological studies performed on the site for this project. The City is in possession of the 13-year old Biological Resource Study from Michael Brandman Associates, but none of the other reports referenced were provided. Please provide a hard copy and electronic copy of all reports referred to in the Initial Study/Negative Declaration.

NOTE: The fees for a Biological Reviews for a CDP are \$860.00 and must be paid immediately. This permit application will not receive a final determination until all required fees are paid.

-o0o-

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

cc: Planning Project file
Planning Department





ALLAN J. ABSHEZ
Partner

10100 Santa Monica Blvd.
Suite 2200
Los Angeles, CA 90067

Direct 310.282.2099
Main 310.282.2000
Fax 310.919.3982
aabshez@loeb.com

February 24, 2019

Jessica Nguyen
Project Analyst
Mountains Recreation and Conservation
Authority
2800 Mulholland Highway
Calabasas, CA 91302

Re: Coastal Development Permit Application No. 07-087; Draft Initial Study/Mitigated Negative Declaration dated January 7, 2019 (the "IS/MND")

Dear Ms. Nguyen:

We are writing this letter on behalf of our client, the Malibu Encinal Homeowners Association ("MEHOA"), which has been engaged in negotiations with the MRCA regarding its use and management of the beach lots owned by the MRCA within Tract 10630 (the "**MRCA Beach Lots**"), a Beach Management Plan for the MRCA Beach Lots, and the access easements over East and West Sea Level Drive (which are private streets owned by MEHOA) to the MRCA Beach Lots. MEHOA is pleased with the progress of its negotiations with the MRCA, which are continuing, and looks forward to reaching a comprehensive settlement with the MRCA regarding such matters. While reserving all of its rights and remedies pending such a settlement, MEHOA submits the following comments regarding the IS/MND.

MEHOA understands that the Coastal Development Permit will encompass the retention of the existing vehicular and locking pedestrian gates at East and West Sea Level Drive that are owned by MEHOA, as well as the re-installation of a locking pedestrian gate at the entrance to Lot I from Broad Beach Road, and a locking pedestrian gate at view platform at the terminus of West Sea Drive. MEHOA understands that upon the issuance of the Coastal Development Permit the MRCA will re-install and maintain the locking Lot I gate, and re-install and maintain the locking pedestrian gate at view platform at the terminus of West Sea Drive.

MEHOA understands that the Lot I pedestrian gate will be the public primary pedestrian access to the MRCA Beach Lots and that it will be locked by automatic timer in order to permit public access only between 7 a.m. and 9 p.m. from March 1st through September 30th, and between 7 a.m. and 6 p.m. from October 1st through February 28th (the "**Daily Access Hours**"); while allowing pedestrian exiting at all times. MEHOA also understands that the pedestrian gates located at East Sea Level Drive and West Sea Level Drive will also be locked by automatic timer locks to permit public access to the MRCA Beach Lots over East and West Sea Level Drive only during Daily Access Hours, as well as to prevent public exiting from East and West



Sea Level Drive after 10 p.m. from March 1st through September 30th and after 7 p.m. from October 1st through February 28th.

As discussed in the IS/MND, vehicular access over East and West Sea Level Drive will be limited to MRCA service and patrol, as well as reservation-controlled access during Daily Access Hours only for disabled persons in vehicles displaying disabled persons parking placards or plates as provided for by the California Department of Motor Vehicles (or any alternative method approved by the State of California currently, or in the future, of designating vehicles which are driven by or occupied by disabled persons) to access the two proposed ADA-compliant parking spaces and the proposed designated ADA-compliant loading and unloading zone for the purpose of access the MRCA's Beach Lots.

MEHOA understands that neither the MRCA Beach Lots, Lot I, nor the MRCA easements to the MRCA Beach Lots over East and West Sea Level Drive will be used for any commercial purposes whatsoever.

At page 13, the IS/MND states that "Lechuza Beach is a publicly owned beach and thus qualifies as a public viewing area." By such reference, MEHOA understands that the term "Lechuza Beach" refers to the MRCA Beach Lots, and not to portions of the beach that are located above the mean high tide line and are privately owned by MEHOA or its members. In this regard, MEHOA notes that it has previously permitted public access over East and West Sea Level Drive to beach areas not owned by MEHOA and its members during the daytime, and therefore that the continued use of such beach areas during Daily Access Hours and pursuant to the Beach Management Plan under negotiation with the MRCA as of the date of this letter is not expected to result in unmitigated environmental impacts.

MEHOA understands that the new restroom proposed by the MRCA on its property at the beachside terminus of East Sea Level Drive and its associated leach field will have an advanced on-site wastewater treatment system ("AOWTS"), that they will comply with all engineering, sanitation and safety requirements of responsible regulatory agencies (including those pertaining to the protection of the AOWTS and leach field against wave run-up), that they will be serviced regularly and maintained in good condition and repair, and that the restroom will be locked outside of Daily Access Hours; all pursuant to the Beach Management Plan under negotiation with the MRCA as of the date of this letter. Based on such assumptions, MEHOA does not expect that construction or operation of the restroom will result in unmitigated environmental impacts.

Finally, for the purpose of its comments on the IS/MND, MEHOA assumes that the Beach Management Plan under negotiation with the MRCA as of the date of this letter will be adopted in connection with the Coastal Development Permit.



Jessica Nguyen
February 24, 2019
Page 3

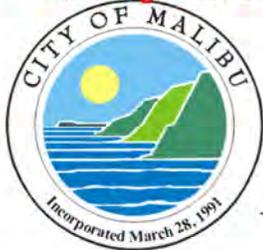
MEHOA reserves the right to supplement its comments in light of new information, looks forward to participating further in the Coastal Development Permit and environmental review process. Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Allan J. Abshez".

Allan J. Abshez
Partner

cc: Tom Keane



City of Malibu

23815 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.ci.malibu.ca.us

March 1, 2019

Santa Monica Mountains Conservancy
Mountains Recreation and Conservation Authority
5750 Ramirez Canyon Road
Malibu, CA 90265
Attention: Ms. Jessica Nguyen
And via email : jessica.nguyen@mrca.ca.gov

Re: Comment on Draft Initial Study and Negative Declaration
Lechuza Beach Public Access Improvements Project
31720.5 Broad Beach Road

Dear Ms. Nguyen:

The City of Malibu submits the following comments in response to the Draft Initial Study (IS)/ Negative Declaration (ND) for the Lechuza Beach Public Access Improvements Project.

As noted in the IS/ND, the City has collaborated with MRCA and the Malibu Encinal Homeowners Association (MEHOA) intermittently over many years to reach a mutually beneficial project to move forward. The City has not been involved directly with the most recent MRCA/MEHOA negotiations, but was pleased when informed by both parties that a resolution to outstanding issues appeared imminent so that this important project may move forward.

Nevertheless, the City is greatly concerned that MRCA chose to proceed with the preparation of this IS/ND without the required coordination with the City. The City was not consulted regarding lead agency determination. In addition as the City, at the very least, is a responsible agency for this project, MRCA was statutorily required to consult with the City as to the type of environmental review conducted, yet no consultation occurred. City staff was also not notified of the release of the IS/ND, or consulted on its scope or content. The coastal development permit application remains incomplete as information regarding the required easements authorizing the MRCA to conduct the project as sited has not been produced, nor has the Beach Management Plan. The City understands the easement agreements and Beach Management Plan are pending finalization of MRCA and MEHOA negotiations, but without this information being finalized the project description may be inaccurate and this environmental review premature.

On January 30, 2019, the City formally requested that MRCA postpone this project and the Escondido Canyon Park to Murphy Way Connector Project. This request came as a result of MRCA publishing draft environmental documents for both projects immediately after the Woolsey Fire and staff having limited availability to review and respond to the documents. In response to the

City of Malibu IS/ND Comments
March 1, 2019

City's request, MRCA agreed to extend the public review period for the Public Beach Access Improvements Project an additional 5 days to March 1, 2019.

While this extension is appreciated, 5 days is insufficient and a further extension is warranted due to the lack of availability of the easement information and the Beach Management Plan. Since the management of the project's operation is directly related to its potential for environmental impact, the entirety of the project cannot be evaluated without this information. The City requests that, at a minimum, the review period be extended to allow sufficient time for release by MRCA of the proposed Beach Management Plan and for review and comment by all interested parties, including the City. In fact, environmental review of this project should be restarted with a proper project description that includes this information and after the required consultation with the City has occurred.

The comments below are City's staff comments related to the Draft IS/ND. The City's Environmental Review Board (ERB) recommendations are also included as an attachment to this letter.

A. Project Description

- 1) Page 4: The Project Description should acknowledge all required entitlements associated with the project. For the City of Malibu, in addition to the Coastal Development Permit (CDP), two Conditional Use Permits (CUPs) and two variances are required. A CUP is required for the use of the properties as a beach park. An additional CUP is required for the proposed advanced onsite wastewater treatment system (AOWTS) and leachfield to be located on separate properties. Variances are required for a reduction in the blufftop setback and for locating proposed improvements on a steep slope.
- 2) Page 4: states that a beach management plan is included as part of the Project and CDP application to the City. In April 2010, an Initial Management Plan was submitted to the City. The Initial Management Plan has not been updated to reflect the revised scope of work or operation of the proposed project. The City requires an updated beach management plan that reflects the current scope of work and operation of the proposed project be submitted.
- 3) Provide an exhibit of the proposed signage that includes the substantive provisions that will be enforced including:
 1. No smoking (MMC Section 12.08.035)
 2. No dogs (MMC Section 17.12.290)
 3. No littering (MMC Section 17.12.380)
 4. No alcoholic beverages (MMC Section 17.12.320)
 5. No fires (MMC Section 17.12.370)

B. Air Quality

Page 20: It states that the Project will have a less than significant impact with regards to objectionable odors as measures would be taken to minimize odors during and after each pumping activity of the single-stall restroom. However, these measures to minimize odors are not discussed.

City of Malibu IS/ND Comments
March 1, 2019

C. Hazards and Hazardous Materials and D. Hydrology and Water Quality

These generally state that the AOWTS and leachfield will be protected in place within a concrete masonry chamber sufficient to withstand hazardous flood and storm events but do not specifically address how the project design meets LIP Chapter 10 (Shoreline and Bluff Protection) standards, including the project's reduced blufftop setback.

D. Land Use and Planning

Page 43: The IS/ND states that the Project will have a less than significant impact with regards to public access pursuant to Land Use Plan Policy 2.7 in the City of Malibu LCP; however, the IS/ND does not address the potential for conflict with other land use regulations adopted for purposes of avoiding or mitigating environmental effects. Specifically, the IS/ND should address the requirement for variances from the LCP's blufftop setback and construction on slopes standards, and the requirement to obtain the CUPs because the proposed beach park use and the proposed location of the AOWTS and leachfield on separate properties are conditionally allowed uses.

E. Noise

Page 47: States that construction activities and use of construction equipment would not result in the generation of excessive ground borne vibration or ground borne noise levels. However, the IS/ND does not discuss what type of construction equipment will be necessary for the proposed development, or a plan of how the construction will occur. Should heavy equipment on the beach be required to construct the single-stall restroom or other proposed development, a construction plan shall be submitted to the City of Malibu for review and would need to be addressed in the IS/ND project description of construction activities and evaluated for environmental impacts.

F. Recreation

Page 51: The Project proposes to reconstruct existing public access improvements and provide new access amenities including a single-stall restroom. The study should indicate if the single-stall restroom will be locked during hours the pedestrian gate at Lot I is locked. It is practical to assume that, should the restroom remain unlocked 24-hours a day, public use of the beach may extend beyond the proposed hours of operation of the pedestrian gate at Lot I, creating additional night time impacts on the surrounding residential neighborhood. This concern speaks to the importance of the Beach Management Plan's inclusion in the Project Description.

G. Transportation

1) Page 52: The IS/ND states, "the Project will not substantially increase vehicle trips to Lechuza Beach as visitation is limited by existing parking availability along Broad Beach Road, a public road. Existing visitation often reaches capacity during the peak season." It is practical to assume that the new proposed vehicular access improvements could increase visitor traffic to the area. The IS/ND should provide information regarding how many visitors are anticipated to visit the beach per day (including both peak times and normal times). The IS/ND should also include measures for managing vehicular parking along Broad Beach Road during the peak season, again related to the Beach Management Plan's importance.

City of Malibu IS/ND Comments
March 1, 2019

- 2) Upon review of the IS/ND, the City Public Works Department is requesting further documentation in the form of a traffic analysis in order to demonstrate the conclusions in the document that the potential parking and traffic impacts along Broad Beach Road and within the surrounding residential neighborhood will be less than significant.

If you have any questions, please call (310) 456-2489, extension 234, or e-mail at jcolvard@malibucity.org.

Sincerely,

Bonnie Blue
Planning Director

cc: Reva Feldman, City Manager
Christi Hogin, City Attorney
Jessica Colvard, Associate Planner

ATTACHMENTS:

- A. City of Malibu Environmental Review Board Recommendations dated February 12, 2019.



City of Malibu

ERB RECOMMENDATION

To: Bonnie Blue., AICP, Planning Director

Prepared by: Jessica Colvard, Associate Planner

Reviewed by: Dave Crawford, City Biologist

Subject: Coastal Development Permit No. 07-087 – Lechuza Beach Public Access Project at 31720.5 Broad Beach Road

Meeting Date: February 12, 2019 **Date Prepared:** February 12, 2019

At its February 12, 2019 meeting, the above referenced project was considered by the Environmental Review Board (ERB). The comments/concerns raised are enumerated below:

Recommendations:

- 1) Process CDP No. 07-087 in conjunction with CDP No. 14-012 (an application to widen the existing private road at 31848 Broad Beach Road and 31885 Sea Level Drive).
- 2) Request the Fire Department review CDP No. 07-087 in conjunction with CDP No. 14-012.
- 3) If the removal of any native plants species is necessary for the installation of the proposed AOWTS, mitigation occurs by planting the species elsewhere within the project site (if possible).
- 4) Request that the City Environmental Health Administrator review the project for perch water associated with the existing residential development along East Sea Level Drive.

Present at the meeting:

- 1) Dave Crawford
- 2) Suzanne Goode
- 3) Jeffery Holt
- 4) Marny Randall
- 5) Anthony David Shafer
- 6) Elaine Rene-Weissman

Leaving trash
on street

Fireworks at night
10 pm + 100 FT in the Air

Blocking street
Cattentail unatell
To get equip. Vch. By

Permitting on peoples
yards

Need to look at night

George Meriti

RETIRED Lifeguard CAPT.



City of Malibu

23815 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.ci.malibu.ca.us

April 22, 2019

Santa Monica Mountains Conservancy
Mountains Recreation and Conservation Authority
5750 Ramirez Canyon Road
Malibu, CA 90265
Attention: Ms. Jessica Nguyen
And via email: jessica.nguyen@mrca.ca.gov

Re: Comment on Draft Beach Management Plan
Lechuza Beach Public Access Improvements Project
31720.5 Broad Beach Road

Dear Ms. Nguyen:

The City of Malibu submits the following comments in response to the Draft Beach Management Plan. This letter serves to supplement the comments to the Draft Initial Study (IS)/ Negative Declaration (ND) for the Lechuza Beach Public Access Improvements Project provided by the City of Malibu on March 1, 2019. The City's staff comments related to the Draft IS/ND are included as an attachment to this letter. Comment Number A.2 of the attached letter requires MRCA to submit an updated Beach Management Plan for review. The following comments are in response to the Draft Beach Management Plan submitted to the City of Malibu on April 12, 2019.

Section 4.1: Additional Pedestrian Access via East Sea Level Drive and West Sea Level Drive Easements

- 1) Section 4.1 states that the pedestrian access via East Sea Level Drive and West Sea Level Drive will be locked by automatic timers to prevent exiting after 10 p.m. from March 1st through September 30th and after 7 p.m. from October 1st through February 28th. Although pedestrian access through the gate at Lot I will allow egress at all hours, any malfunction of the Lot I gate could feasibly strand a pedestrian, preventing them from exiting during the evening hours. This is a public/human safety related issue that needs to be addressed.

Section 8.0 and 8.1: Non-Peak Season and Peak Season

- 2) Sections 8.0 and 8.1 address inspection and maintenance of the beach and accessways. Both Non-Peak and Peak staffing and maintenance plans appear to be the same. It's logical to assume the Peak season protocols would require additional staffing and/or an increased number of visits by staff to monitor the beach and facilities. The sections also state that inspections and maintenance may be performed by the MRCA's maintenance personnel. A more definitive statement regarding who will maintain and inspect the beach and facilities is

City of Malibu IS/ND Comments
March 1, 2019

needed. Maintenance and regular inspections of the beach and facilities is crucial to the protection of public safety, water quality and traffic circulation.

Section 8.2: Maintenance and Repairs

- 3) Similar to Sections 8.0 and 8.1, a more definitive statement identifying the responsible party/agency to perform maintenance and repairs is required. Proper maintenance of the beach and facilities is directly related to public safety and water quality issues. Please also directly identify a responsible agency to perform regular maintenance of the restroom and shoreline.

If you have any questions, please call (310) 456-2489, extension 234, or e-mail at jcolvard@malibucity.org.

Sincerely,

Bonnie Blue
Planning Director

cc: Reva Feldman, City Manager
Christi Hogin, City Attorney
Jessica Colvard, Associate Planner

ATTACHMENTS:

- A. City of Malibu Comment on Draft Initial Study and Negative Declaration dated March 1, 2019.



City of Malibu

23815 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.ci.malibu.ca.us

March 1, 2019

Santa Monica Mountains Conservancy
Mountains Recreation and Conservation Authority
5750 Ramirez Canyon Road
Malibu, CA 90265
Attention: Ms. Jessica Nguyen
And via email : jessica.nguyen@mrca.ca.gov

Re: Comment on Draft Initial Study and Negative Declaration
Lechuza Beach Public Access Improvements Project
31720.5 Broad Beach Road

Dear Ms. Nguyen:

The City of Malibu submits the following comments in response to the Draft Initial Study (IS)/ Negative Declaration (ND) for the Lechuza Beach Public Access Improvements Project.

As noted in the IS/ND, the City has collaborated with MRCA and the Malibu Encinal Homeowners Association (MEHOA) intermittently over many years to reach a mutually beneficial project to move forward. The City has not been involved directly with the most recent MRCA/MEHOA negotiations, but was pleased when informed by both parties that a resolution to outstanding issues appeared imminent so that this important project may move forward.

Nevertheless, the City is greatly concerned that MRCA chose to proceed with the preparation of this IS/ND without the required coordination with the City. The City was not consulted regarding lead agency determination. In addition as the City, at the very least, is a responsible agency for this project, MRCA was statutorily required to consult with the City as to the type of environmental review conducted, yet no consultation occurred. City staff was also not notified of the release of the IS/ND, or consulted on its scope or content. The coastal development permit application remains incomplete as information regarding the required easements authorizing the MRCA to conduct the project as sited has not been produced, nor has the Beach Management Plan. The City understands the easement agreements and Beach Management Plan are pending finalization of MRCA and MEHOA negotiations, but without this information being finalized the project description may be inaccurate and this environmental review premature.

On January 30, 2019, the City formally requested that MRCA postpone this project and the Escondido Canyon Park to Murphy Way Connector Project. This request came as a result of MRCA publishing draft environmental documents for both projects immediately after the Woolsey Fire and staff having limited availability to review and respond to the documents. In response to the

Final Negative Declaration

City of Malibu IS/ND Comments
March 1, 2019

City's request, MRCA agreed to extend the public review period for the Public Beach Access Improvements Project an additional 5 days to March 1, 2019.

While this extension is appreciated, 5 days is insufficient and a further extension is warranted due to the lack of availability of the easement information and the Beach Management Plan. Since the management of the project's operation is directly related to its potential for environmental impact, the entirety of the project cannot be evaluated without this information. The City requests that, at a minimum, the review period be extended to allow sufficient time for release by MRCA of the proposed Beach Management Plan and for review and comment by all interested parties, including the City. In fact, environmental review of this project should be restarted with a proper project description that includes this information and after the required consultation with the City has occurred.

The comments below are City's staff comments related to the Draft IS/ND. The City's Environmental Review Board (ERB) recommendations are also included as an attachment to this letter.

A. Project Description

- 1) Page 4: The Project Description should acknowledge all required entitlements associated with the project. For the City of Malibu, in addition to the Coastal Development Permit (CDP), two Conditional Use Permits (CUPs) and two variances are required. A CUP is required for the use of the properties as a beach park. An additional CUP is required for the proposed advanced onsite wastewater treatment system (AOWTS) and leachfield to be located on separate properties. Variances are required for a reduction in the blufftop setback and for locating proposed improvements on a steep slope.
- 2) Page 4: states that a beach management plan is included as part of the Project and CDP application to the City. In April 2010, an Initial Management Plan was submitted to the City. The Initial Management Plan has not been updated to reflect the revised scope of work or operation of the proposed project. The City requires an updated beach management plan that reflects the current scope of work and operation of the proposed project be submitted.
- 3) Provide an exhibit of the proposed signage that includes the substantive provisions that will be enforced including:
 1. No smoking (MMC Section 12.08.035)
 2. No dogs (MMC Section 17.12.290)
 3. No littering (MMC Section 17.12.380)
 4. No alcoholic beverages (MMC Section 17.12.320)
 5. No fires (MMC Section 17.12.370)

B. Air Quality

Page 20: It states that the Project will have a less than significant impact with regards to objectionable odors as measures would be taken to minimize odors during and after each pumping activity of the single-stall restroom. However, these measures to minimize odors are not discussed.

City of Malibu IS/ND Comments
March 1, 2019

C. Hazards and Hazardous Materials and D. Hydrology and Water Quality

These generally state that the AOWTS and leachfield will be protected in place within a concrete masonry chamber sufficient to withstand hazardous flood and storm events but do not specifically address how the project design meets LIP Chapter 10 (Shoreline and Bluff Protection) standards, including the project's reduced blufftop setback.

D. Land Use and Planning

Page 43: The IS/ND states that the Project will have a less than significant impact with regards to public access pursuant to Land Use Plan Policy 2.7 in the City of Malibu LCP; however, the IS/ND does not address the potential for conflict with other land use regulations adopted for purposes of avoiding or mitigating environmental effects. Specifically, the IS/ND should address the requirement for variances from the LCP's blufftop setback and construction on slopes standards, and the requirement to obtain the CUPs because the proposed beach park use and the proposed location of the AOWTS and leachfield on separate properties are conditionally allowed uses.

E. Noise

Page 47: States that construction activities and use of construction equipment would not result in the generation of excessive ground borne vibration or ground borne noise levels. However, the IS/ND does not discuss what type of construction equipment will be necessary for the proposed development, or a plan of how the construction will occur. Should heavy equipment on the beach be required to construct the single-stall restroom or other proposed development, a construction plan shall be submitted to the City of Malibu for review and would need to be addressed in the IS/ND project description of construction activities and evaluated for environmental impacts.

F. Recreation

Page 51: The Project proposes to reconstruct existing public access improvements and provide new access amenities including a single-stall restroom. The study should indicate if the single-stall restroom will be locked during hours the pedestrian gate at Lot I is locked. It is practical to assume that, should the restroom remain unlocked 24-hours a day, public use of the beach may extend beyond the proposed hours of operation of the pedestrian gate at Lot I, creating additional night time impacts on the surrounding residential neighborhood. This concern speaks to the importance of the Beach Management Plan's inclusion in the Project Description.

G. Transportation

1) Page 52: The IS/ND states, "the Project will not substantially increase vehicle trips to Lechuza Beach as visitation is limited by existing parking availability along Broad Beach Road, a public road. Existing visitation often reaches capacity during the peak season." It is practical to assume that the new proposed vehicular access improvements could increase visitor traffic to the area. The IS/ND should provide information regarding how many visitors are anticipated to visit the beach per day (including both peak times and normal times). The IS/ND should also include measures for managing vehicular parking along Broad Beach Road during the peak season, again related to the Beach Management Plan's importance.

City of Malibu IS/ND Comments
March 1, 2019

- 2) Upon review of the IS/ND, the City Public Works Department is requesting further documentation in the form of a traffic analysis in order to demonstrate the conclusions in the document that the potential parking and traffic impacts along Broad Beach Road and within the surrounding residential neighborhood will be less than significant.

If you have any questions, please call (310) 456-2489, extension 234, or e-mail at jcolvard@malibucity.org.

Sincerely,

Bonnie Blue
Planning Director

cc: Reva Feldman, City Manager
Christi Hogin, City Attorney
Jessica Colvard, Associate Planner

ATTACHMENTS:

- A. City of Malibu Environmental Review Board Recommendations dated February 12, 2019.



City of Malibu

ERB RECOMMENDATION

To: Bonnie Blue., AICP, Planning Director

Prepared by: Jessica Colvard, Associate Planner

Reviewed by: Dave Crawford, City Biologist

Subject: Coastal Development Permit No. 07-087 – Lechuza Beach Public Access Project at 31720.5 Broad Beach Road

Meeting Date: February 12, 2019 **Date Prepared:** February 12, 2019

At its February 12, 2019 meeting, the above referenced project was considered by the Environmental Review Board (ERB). The comments/concerns raised are enumerated below:

Recommendations:

- 1) Process CDP No. 07-087 in conjunction with CDP No. 14-012 (an application to widen the existing private road at 31848 Broad Beach Road and 31885 Sea Level Drive).
- 2) Request the Fire Department review CDP No. 07-087 in conjunction with CDP No. 14-012.
- 3) If the removal of any native plants species is necessary for the installation of the proposed AOWTS, mitigation occurs by planting the species elsewhere within the project site (if possible).
- 4) Request that the City Environmental Health Administrator review the project for perch water associated with the existing residential development along East Sea Level Drive.

Present at the meeting:

- 1) Dave Crawford
- 2) Suzanne Goode
- 3) Jeffery Holt
- 4) Marny Randall
- 5) Anthony David Shafer
- 6) Elaine Rene-Weissman

Appendix B
Response to Comments on the Draft IS/ND

Appendix B: Response to Comments on the Draft IS/ND

The Mountains Recreation and Conservation Authority (MRCA), as lead agency, responds to the comments included in Appendix A as follows. The responses correspond with the numbered list in Appendix A (Comments Received on the Draft IS/ND).

Response to Comment #1

Commenter suggests that MRCA make a site visit to Lechuza Beach. MRCA responds that its staff and its consultant team conducted numerous site visits throughout the years of planning and design of the proposed Project. Technical and environmental analyses on the Project are discussed throughout the draft Initial Study/Negative Declaration (IS/ND) and support the determination for a less than significant impact on the environment.

Commenter asserts that “everybody will drive in, see there is no parking, and either park illegally or turn around on somebody’s property.” The Commenter offers no evidence that there is a possible significant effect on traffic from the proposed Project. While the MRCA acknowledges the Commenter’s concerns on the Project, the Commenter’s assertions do not meet the requirements of the California Environmental Quality Act, 14 Cal. Code Regs. § 15204 (Section 15204).

MRCA responds to Commenter that Lechuza Beach was open for public use prior to the MRCA’s property acquisitions at Lechuza Beach. Existing parking is available along the public Broad Beach Road. The proposed Project includes parking improvements only for vehicles with valid disabled parking placards, not parking improvements for the general public. Namely, the Project includes one parking space at the beachside terminus of West Sea Level Drive compliant with the Americans with Disabilities Act (ADA), one ADA-compliant parking space near the beachside terminus of East Sea Level Drive, and one ADA-compliant loading zone at the beachside terminus of East Sea Level Drive. These two parking spaces and the loading zone will be controlled by a reservation system available only to those vehicles with valid disabled parking placards.

MRCA further responds that Lechuza Beach, like all beaches, is subject to daily high tide and low tide cycles that result in various sizes of beach space available for public use seasonally and daily.

Commenter claims “all sorts of issues with building, septic, trash, etc.” but does not provide any support for the Commenter’s assertions as required by Section 15204. MRCA responds that the proposed Project includes a new restroom to alleviate improper human waste disposal on the beach. As discussed throughout the draft IS/ND, technical analysis for the design of the proposed restroom supports the determination that the restroom will have a less than significant impact on the environment.

MRCA also responds that the proposed Project includes improvements to the existing stairways at Lechuza Beach and a new gate along Broad Beach Road across from Bunnie Lane. Additionally, the Project’s Beach Management Plan includes opening and closing times of all public access gates at Lechuza Beach, as well as for the operation and maintenance of Lechuza Beach and the proposed public access improvements.

The MRCA acknowledges the Commenter's remaining comments on the proposed Project and responds that these comments do not satisfy the requirements of Section 15204. Comments noted.

Response to Comment #2

The MRCA acknowledges the Commenter's description of improper behaviors in and around Lechuza Beach. The MRCA responds that the proposed Project includes a Beach Management Plan that is intended to alleviate some of the improper behaviors that the Commenter describes. However, the Beach Management Plan and the Project are only applicable to those portions of Lechuza Beach owned and/or operated by the MRCA.

Provisions for opening and closing times of all public access gates at Lechuza Beach are included as part of the Project, as well as the operation and maintenance of Lechuza Beach and the proposed public access improvements.

The MRCA acknowledges the Commenter's remaining comments on the proposed Project and responds that these comments do not satisfy the requirements of Section 15204. Comments noted.

Response to Comment #3

Commenter asserts an increase in employment through taxes, out of control beach parties, and parking on residential streets and the problems associated with it, but does not provide any support for the Commenter's assertions consistent with Section 15204.

MRCA responds that the proposed Project provides for the operation and maintenance of Lechuza Beach and the proposed public access improvements. Additionally, the proposed Project includes a new restroom to alleviate improper human waste disposal on the beach. As discussed throughout the draft IS/ND, technical analysis for the design of the proposed restroom supports the determination that the restroom will have a less than significant impact on the environment.

The MRCA acknowledges the Commenter's remaining comments on the proposed Project and responds that these comments do not satisfy the requirements of Section 15204. Comments noted.

Response to Comment #4

The Commenter states that "discussions pertaining to impacts from the onsite wastewater treatment systems (OWTS) should include the statement 'proper design, operation and maintenance of OWTS will reduce impacts associated with the proposed project to a level of less than significant'."

MRCA responds that the Final Negative Declaration includes the statement "Proper design, operation and maintenance of the Advanced Onsite Wastewater Treatment System (AOWTS) will reduce impacts associated with the proposed Project to a level of less than significant" in the following sections pertaining to impacts to/from the AOWTS:

- VII. Geology and Soils
- IX. Hazards and Hazardous Materials
- X. Hydrology and Water Quality
- XIX. Utilities and Service Systems

Response to Comment #5

The Commenter asks whether MRCA considered pedestrian enhancements along Broad Beach Road. MRCA responds that the proposed Project does not include pedestrian enhancements along Broad Beach Road.

The Commenter asserts that MRCA should provide collision history for Broad Beach Road, including but not limited to pedestrian and vehicle collisions. MRCA responds that pursuant to Section 15204, the Commenter should explain the basis for his/her comments and submit data or references offering facts, reasonable assumptions based on facts or expert opinion supported by facts in support of the comments. MRCA requested City Planning staff to obtain the collision history for Broad Beach Road. On March 6, 2019, City Planning staff provided to the MRCA a Collision Summary Report obtained from the Los Angeles County Sheriff's Department for the segment of Broad Beach Road from West Sea Level Drive to East Sea Level Drive for a period of approximately ten years from January 1, 2009 to March 6, 2019. A review of this Collision Summary Report revealed no new significant impacts on traffic. Section XVII. Transportation has been revised to include a discussion of the Collision Summary Report.

The Commenter claims that the "addition of restroom(s) will potentially generate additional pedestrian and vehicle traffic to the project site" but again, does not provide any basis or support for the Commenter's claim as required by Section 15204. MRCA responds that the proposed Project will not substantially increase the current use of Lechuza Beach. The availability of the existing public parking along Broad Beach Road serves to limit the number of visitors to Lechuza Beach.

MRCA also responds that the proposed Project does not include new parking or parking improvements along Broad Beach Road. The Project includes one new ADA-compliant parking space at the beachside terminus of West Sea Level Drive, one new ADA-compliant parking space at the beachside terminus of East Sea Level Drive, and one ADA-compliant loading zone at the beachside terminus of East Sea Level Drive. Because these ADA-compliant spaces and loading zone are controlled by reservation and only available to vehicles with valid disabled parking placards, these additional ADA-complaint parking improvements do not have the potential for a significant environmental effect.

Response to Comment #6

The Commenter requests a hard copy and electronic copy of all reports referred to in the draft IS/ND.

MRCA responds that since January 10, 2019, all of the Project's technical reports are available online at <https://mrca.ca.gov/about/land-use-planning-documents/> and in hard copy at the Malibu Library.

Additionally, as requested by the Commenter on February 6, a hard copy of each of the following three reports was submitted to the Commenter over the City Planning counter on February 12, 2019:

- Lechuza Beach Public Access Improvements Project Rare and Sensitive Plant Survey; prepared by Fred M. Roberts; May 27, 2015.
- Lechuza Beach Public Access Improvements Project Rare and Sensitive Plant Survey; prepared by Fred M. Roberts; May 2011.
- Memo regarding nesting bird survey, Lechuza Beach; prepared by Daniel S. Cooper of Cooper Ecological Monitoring, Inc.; May 1, 2015.

Response to Comment #7

The Commenter refers to the proposed Project's draft IS/ND as a draft initial study/*mitigated* negative declaration. MRCA responds that it prepared a draft IS/ND, not a mitigated negative declaration.

Response to Comment #8

Due to the amount of Commenter's comments, the Commenter's comments are stated below in italics and MRCA's response follows in normal text.

Nevertheless, the City is greatly concerned that MRCA chose to proceed with the preparation of this IS/ND without the required coordination with the City. The City was not consulted regarding lead agency determination. In addition as the City, at the very least, is a responsible agency for this project, MRCA was statutorily required to consult with the City as to the type of environmental review conducted, yet no consultation occurred. City staff was also not notified of the release of the IS/ND, or consulted on its scope or content. The coastal development permit application remains incomplete as information regarding the required easements authorizing the MRCA to conduct the project as sited has not been produced, nor has the Beach Management Plan. The City understands the easement agreements and Beach Management Plan are pending finalization of MRCA and MEHOA negotiations, but without this information being finalized the project description may be inaccurate and this environmental review premature.

In 2007, the MRCA filed its application for a Coastal Development Permit (CDP) for the proposed Project with the City of Malibu. MRCA staff coordinated extensively with City staff over the years regarding environmental review. The City requested a proposal for the preparation of an Initial Study (IS) as early as 2014 and received a proposal from Rincon Consultants in August 2014. City staff requested and received an updated proposal from Rincon Consultants in April 2017. However, the updated proposal from Rincon Consultants was not provided to the MRCA despite multiple requests from MRCA staff.

It is the understanding of MRCA staff, through communications with City staff, that the City requires the final settlement with the Malibu-Encinal Homeowners' Association (MEHOA) prior to the City's preparation of the IS or Negative Declaration (IS/ND). As the settlement is in its final stages, the MRCA determined that preparation of the IS/ND is the next logical step. However, the preparation of the IS/ND would have likely been delayed as the City helps its residents rebuild after the unfortunate Woolsey Fire. Thus, the MRCA assumed the role of lead agency pursuant

to CEQA, 14 Cal Code Regs. §15051, in order to move the Project forward after more than a decade of planning.

As lead agency, the MRCA made the determination to prepare a draft IS/ND pursuant to CEQA, 14 Cal Code Regs. §15050. The MRCA met its obligations to consult with the City regarding the type of environmental review and as the lead agency, may make the determination for the type of environmental review. The City was properly notified of the public review and comment period for the draft IS/ND pursuant to CEQA, 14 Cal Code Regs. §15072.

Furthermore, to say that the City was not consulted on the Project's scope and content is factually inaccurate. The coastal development permit (CDP) application was filed with the City in 2007. City staff and MRCA staff worked extensively over the years as the Project progressed in its scope and content. All applicable City departments (except the Planning department) provided their approvals for the Project to proceed through the planning process prior to the preparation of the draft IS/ND.

In addition, the final settlement documents (easements and a Beach Management Plan) are being developed in close consultation with MEHOA. These property interests and general management objectives support the Project as described in the draft IS/ND. The easements and Beach Management Plan do not have the potential for a significant effect on the environment other than described in the IS/ND.

On January 30, 2019, the City formally requested that MRCA postpone this project and the Escondido Canyon Park to Murphy Way Connector Project. This request came as a result of MRCA publishing draft environmental documents for both projects immediately after the Woolsey Fire and staff having limited availability to review and respond to the documents. In response to the City's request, MRCA agreed to extend the public review period for the Public Beach Access Improvements Project an additional 5 days to March 1, 2019.

While this extension is appreciated, 5 days is insufficient and a further extension is warranted due to the lack of availability of the easement information and the Beach Management Plan. Since the management of the project's operation is directly related to its potential for environmental impact, the entirety of the project cannot be evaluated without this information. The City requests that, at a minimum, the review period be extended to allow sufficient time for release by MRCA of the proposed Beach Management Plan and for review and comment by all interested parties, including the City. In fact, environmental review of this project should be restarted with a proper project description that includes this information and after the required consultation with the City has occurred.

The comments below are City's staff comments related to the Draft IS/ND. The City's Environmental Review Board (ERB) recommendations are also included as an attachment to this letter.

The MRCA did not "immediately" publish the draft environmental documents for this Project and the Escondido Canyon Park to Murphy Way Connector Project after the Woolsey Fire. Both the draft environmental documents were released in early January, two months after the Woolsey Fire occurred. Both projects extended the statutorily-required public review periods. The proposed Project exceeded the required public review period by 15 days initially, and then was extended for an additional five days to provide the City more time for review and comment. However, in response to the City's request in its March 1, 2019 letter, the MRCA extended the

review period an additional 30 days for review, totaling 80 days of public review instead of the 30 days required under CEQA.

As stated above, the easements and Beach Management Plan do not have the potential for a significant effect on the environment other than described in the IS/ND. The easements and a Beach Management Plan are being developed in close consultation with MEHOA. These property interests and general management objectives support the Project as described in the draft IS/ND.

The MRCA acknowledges the City's remaining comments in these paragraphs and responds that these comments do not satisfy the requirements of Section 15204. Comments noted.

1) Page 4: The Project Description should acknowledge all required entitlements associated with the project. For the City of Malibu, in addition to the Coastal Development Permit (CDP), two Conditional Use Permits (CUPs) and two variances are required. A CUP is required for the use of the properties as a beach park. An additional CUP is required for the proposed advanced onsite wastewater treatment system (AOWTS) and leachfield to be located on separate properties. Variances are required for a reduction in the blufftop setback and for locating proposed improvements on a steep slope.

The MRCA acknowledges the City's comments in this paragraph and responds that these comments do not satisfy the requirements of CEQA, Cal Code Regs. §15204. Comments noted.

2) Page 4: states that a beach management plan is included as part of the Project and CDP application to the City. In April 2010, an Initial Management Plan was submitted to the City. The Initial Management Plan has not been updated to reflect the revised scope of work or operation of the proposed project. The City requires an updated beach management plan that reflects the current scope of work and operation of the proposed project be submitted.

A draft Beach Management Plan was provided to Commenter for review on April 12, 2019. A final Beach Management Plan will be submitted to the City as part of the CDP application process. As stated above, the Beach Management Plan is intended to support the proposed Project as described in the draft IS/ND. The Beach Management Plan does not have the potential for a significant effect on the environment other than as described in the IS/ND.

3) Provide an exhibit of the proposed signage that includes the substantive provisions that will be enforced including:

- 1. No smoking (MMC Section 12.08.035)*
- 2. No dogs (MMC Section 17.12.290)*
- 3. No littering (MMC Section 17.12.380)*
- 4. No alcoholic beverages (MMC Section 17.12.320)*
- 5. No fires (MMC Section 17.12.370)*

An exhibit of the proposed signage will be submitted to the City as part of the CDP application process. The MRCA Ordinance includes provisions prohibiting smoking, dogs on the beach, littering, alcoholic beverages, and fires. These provisions will be included in the final Beach Management Plan. Furthermore, the MRCA posts these provisions as required at all its public beach access properties. These same provisions are posted on existing signage at the existing public access points at Lechuza Beach (the intersections of West Sea Level Drive, East Sea Level Drive, and Lot I across from Bunnie Lane along Broad Beach Road).

Page 20: It states that the Project will have a less than significant impact with regards to objectionable odors as measures would be taken to minimize odors during and after each pumping activity of the single-stall restroom. However, these measures to minimize odors are not discussed.

The draft IS/ND has been revised to clarify that measures consistent with standard industry practice would be taken to minimize odors during and after each pumping activity.

These generally state that the AOWTS and leachfield will be protected in place within a concrete masonry chamber sufficient to withstand hazardous flood and storm events but do not specifically address how the project design meets LIP Chapter 10 (Shoreline and Bluff Protection) standards, including the project's reduced blufftop setback.

Any proposal for an AOWTS and/or leachfield must be reviewed by the City's Environmental Health Department during the CDP planning review stage. In January 2017, the Environmental Health Department completed its review of the proposed AOWTS and leachfield for conformance with the Local Coastal Plan/Local Implementation Plan (LCP/LIP) and Malibu Municipal Code (MMC) and determined that the AOWTS and leachfield meet the minimum requirements of both these regulations. Likewise, the City's coastal engineering staff and geological engineering staff also completed their project review and approved the proposed Project to continue in its City planning review process. Nevertheless, the draft IS/ND has been revised in these subject sections to include clarifications to address how the project design, including its variances, meets the policies of the LCP/LIP.

Page 43: The IS/ND states that the Project will have a less than significant impact with regards to public access pursuant to Land Use Plan Policy 2.7 in the City of Malibu LCP; however, the IS/ND does not address the potential for conflict with other land use regulations adopted for purposes of avoiding or mitigating environmental effects. Specifically, the IS/ND should address the requirement for variances from the LCP's blufftop setback and construction on slopes standards, and the requirement to obtain the CUPs because the proposed beach park use and the proposed location of the AOWTS and leachfield on separate properties are conditionally allowed uses.

As stated above, in January 2017, the Environmental Health Department completed its review for conformance with the LCP/LIP and MMC. Likewise, the City's coastal engineering staff and geological engineering staff also completed their project review and approved the project to continue in its City planning review process. Nevertheless, the draft IS/ND has been revised in this subject section to include clarifications to address how the project design, including its variances, meets the policies of the LCP/LIP. In addition, the Project is not proposing a new use of Lechuza Beach because the existing public use of Lechuza Beach pre-dates the City's certified LCP/LIP and the MRCA's property acquisitions at Lechuza Beach. Although the proposed Project may require additional entitlements as identified by the City, the scope of the Project as proposed in the draft IS/ND is determined to have a less than significant impact on the environment. Revisions were made to the Land Use and Planning section to further clarify how the Project complies with the City's LCP.

Page 47: States that construction activities and use of construction equipment would not result in the generation of excessive ground borne vibration or ground borne noise levels. However, the IS/ND does not discuss what type of construction equipment will be necessary for the proposed development, or a plan of how the construction will occur. Should heavy equipment on the beach be required to construct the single-stall restroom or other proposed development, a construction

plan shall be submitted to the City of Malibu for review and would need to be addressed in the IS/ND project description of construction activities and evaluated for environmental impacts.

The draft IS/ND has been revised to further clarify the noise impacts that could potentially result from the proposed Project's construction activities. Construction-generated noise is not expected to be significant due to the limited scope of the proposed improvements (and thereby limited duration of construction) and the use of finished components, where feasible, that will be brought and installed onsite (e.g., signage, restroom amenities, and other prefabricated materials). Construction activities will not result in significant environmental impacts due to the limited scope of the Project, as the majority of the Project's components involve the replacement of existing structures and new small-scale structures. Any plans required by the City will be submitted as part of the CDP application process and ensuing final plan check process prior to construction.

Page 51: The Project proposes to reconstruct existing public access improvements and provide new access amenities including a single-stall restroom. The study should indicate if the single-stall restroom will be locked during hours the pedestrian gate at Lot I is locked. It is practical to assume that, should the restroom remain unlocked 24-hours a day, public use of the beach may extend beyond the proposed hours of operation of the pedestrian gate at Lot I, creating additional night time impacts on the surrounding residential neighborhood. This concern speaks to the importance of the Beach Management Plan's inclusion in the Project Description.

The operating hours are included in the Beach Management Plan. The draft IS/ND was revised to describe the operating hours of the pedestrian gates and the restroom. The gates and the restroom would open and close at the same time. The restroom would not be unlocked 24 hours a day. Therefore, there would be no additional night time impacts on the surrounding residential neighborhood resulting from use of the restroom.

1) Page 52: The IS/ND states, "the Project will not substantially increase vehicle trips to Lechuza Beach as visitation is limited by existing parking availability along Broad Beach Road, a public road. Existing visitation often reaches capacity during the peak season." It is practical to assume that the new proposed vehicular access improvements could increase visitor traffic to the area. The IS/ND should provide information regarding how many visitors are anticipated to visit the beach per day (including both peak times and normal times). The IS/ND should also include measures for managing vehicular parking along Broad Beach Road during the peak season, again related to the Beach Management Plan's importance.

The proposed restroom is designed to accommodate a peak visitorship of 200 people per day, as stated in Reference #17 of the list of Project-specific technical reports referenced in the draft IS/ND. Furthermore, the new proposed vehicular access improvements are intended only for disabled parking and loading/unloading through a reservation system. The increase in traffic from the reserved disabled parking and loading/unloading will not significantly impact visitor traffic to the area as the turnover rate will be regulated to allow time for visitors with disabilities to enjoy Lechuza Beach. Because the Project is not proposing a new use, but rather new improvements to an existing public use, existing traffic and parking conditions along Broad Beach Road are anticipated to continue without significant impacts as a result of the proposed Project. The Transportation section of the draft IS/ND has been revised to further clarify the Project's impacts on visitorship, visitor traffic, and existing conditions along Broad Beach Road as explained here in response to the City's comment.

2) Upon review of the IS/ND, the City Public Works Department is requesting further documentation in the form of a traffic analysis in order to demonstrate the conclusions in the

document that the potential parking and traffic impacts along Broad Beach Road and within the surrounding residential neighborhood will be less than significant.

A Collision Summary Report was obtained from the Sheriff's Department of Los Angeles County by the City and was provided to the MRCA. The report consists of five reported collisions from January 1, 2009 through March 6, 2019 within the vicinity of the Project. All five collisions were minor in nature and did not result in any injuries or fatalities over the course of ten years in which public access occurred at Lechuza Beach. Furthermore, because the proposed Project is not proposing a new use, but rather new improvements to an existing public use, the Project would have less than significant parking and traffic impacts along Broad Beach Road and within the surrounding residential neighborhood.

Response to Comment #9

The MRCA acknowledges the Commenter's description of improper behaviors in and around Lechuza Beach. The MRCA responds that the proposed Project includes a Beach Management Plan that is intended to alleviate some of the improper behaviors that the Commenter describes. However, the Beach Management Plan and the proposed Project are only applicable to those portions of Lechuza Beach owned and/or operated by the MRCA.

The proposed Project's Beach Management Plan includes provisions for opening and closing times of all public access gates at Lechuza Beach, as well as for the operation and maintenance of Lechuza Beach and the proposed public access improvements.

The MRCA acknowledges the Commenter's remaining comments on the proposed Project and responds that these comments do not satisfy the requirements of Section 15204. Comments noted.

Response to Comment #10

The Commenter submitted a first set of comments on March 1, 2019 (see Comment #8 above).

The following comments, stated below in italics, are Commenter's supplemental comments provided to the MRCA after Commenter's review of the draft Beach Management Plan that was provided to Commenter on April 12, 2019, upon Commenter's request. MRCA's response follows the italicized comments in normal text.

The City of Malibu submits the following comments in response to the Draft Beach Management Plan. This letter serves to supplement the comments to the Draft Initial Study (IS)/ Negative Declaration (ND) for the Lechuza Beach Public Access Improvements Project provided by the City of Malibu on March 1, 2019. The City's staff comments related to the Draft IS/ND are included as an attachment to this letter. Comment Number A.2 of the attached letter requires MRCA to submit an updated Beach Management Plan for review. The following comments are in response to the Draft Beach Management Plan submitted to the City of Malibu on April 12, 2019.

The comments submitted on March 1, 2019 are designated as Comment #8. Responses to Comment #8 are provided above.

Section 4.1: Additional Pedestrian Access via East Sea Level Drive and West Sea Level Drive Easements

- 1) *Section 4.1 states that the pedestrian access via East Sea Level Drive and West Sea Level Drive will be locked by automatic timers to prevent exiting after 10 p.m. from March 1st through September 30th and after 7 p.m. from October 1st through February 28th. Although pedestrian access through the gate at Lot I will allow egress at all hours, any malfunction of the Lot I gate could feasibly strand a pedestrian, preventing them from exiting during the evening hours. This is a public/human safety related issue that needs to be addressed.*

The phone number of a 24-hour ranger answering service is posted on the existing rules signs at East Sea Level Drive, West Sea Level Drive, and at Lot I, and will be posted on both sides of each entrance gate at these locations so that visitors may call to report problems or request assistance. For other emergencies, the signs advise visitors to dial 911. Calls received through the answering service are dispatched to on-call MRCA rangers. A stranded pedestrian may call the number to request assistance in the event the gate malfunctions.

Section 8.0 and 8.1: Non-Peak Season and Peak Season

- 2) *Sections 8.0 and 8.1 address inspection and maintenance of the beach and accessways. Both Non-Peak and Peak staffing and maintenance plans appear to be the same. It's logical to assume the Peak season protocols would require additional staffing and/or an increased number of visits by staff to monitor the beach and facilities. The sections also state that inspections and maintenance may be performed by the MRCA's maintenance personnel. A more definitive statement regarding who will maintain and inspect the beach and facilities is needed. Maintenance and regular inspections of the beach and facilities is crucial to the protection of public safety, water quality and traffic circulation.*

Section 8.0 of the draft Beach Management Plan addresses staffing for the weekdays during non-peak and peak seasons, while Section 8.1 mandates that staffing be scheduled for weekend days and holidays, in addition to the weekdays, during the peak season. This addresses the additional staffing needed for an anticipated increase in the number of visits during the peak season. In addition, Sections 8.0 and 8.1 explicitly state that "the MRCA shall clean the restroom, remove trash from the MRCA Lots and the trash cans maintained by the MRCA on the MRCA Lots and along Broad Beach Road, conduct a foot patrol of the MRCA Lots, and inspect stairways, signs, locks, gates, view platforms, and parking spaces, etc. to ensure that they are in good condition and repair and free from debris, graffiti, decals, unauthorized signs and similar defacement." The statement that inspections and maintenance may be performed by the MRCA's maintenance personnel is intended to provide the MRCA with the additional option of using MRCA's maintenance personnel instead of MRCA rangers to perform inspections and maintenance.

Section 8.2: Maintenance and Repairs

- 3) *Similar to Sections 8.0 and 8.1, a more definitive statement identifying the responsible party/agency to perform maintenance and repairs is required. Proper maintenance of the beach and facilities is directly related to public safety and water quality issues. Please also directly identify a responsible agency to perform regular maintenance of the restroom and shoreline.*

The draft Beach Management Plan clearly identifies the MRCA as the responsible agency to perform maintenance and repairs on portions of Lechuza Beach where the MRCA has fee simple or easement interests. Sections 8.0 and 8.1 explicitly state that "the MRCA shall clean the restroom, remove trash from the MRCA Lots and the trash cans maintained by the MRCA on the

MRCA Lots and along Broad Beach Road, conduct a foot patrol of the MRCA Lots, and inspect stairways, signs, locks, gates, view platforms, and parking spaces, etc. to ensure that they are in good condition and repair and free from debris, graffiti, decals, unauthorized signs and similar defacement.” It is logical from the preceding sections that the maintenance and repair activities described in Section 8.2 are the responsibility of the MRCA.

**BEACH MANAGEMENT PLAN
TRACT 10630 PROPERTY, MALIBU CALIFORNIA**

Section 1. Introduction, Status, and Statement of Purpose

1.0 Introduction. This Beach Management Plan pertains to the lots and access easements within that private common-interest subdivision commonly known as “Tract 10630” owned by The Mountains Recreation and Conservation MRCA (hereinafter “MRCA”) legally described on (i) that certain Grant Deed recorded on May 7, 2002 as Document No. 02-1047549 in the Official Records of Los Angeles County (the “Official Records”) and (ii) that certain Grant Deed recorded on May 29, 2002 as Document No. 02-1224373 in the Official Records (the “MRCA Lots”) and which easements are further described in that certain Grant of Easements recorded on May 3, 2002 as Document No. 02-1025266 in the Official Records (the “MRCA Easements”), as well as any subsequent property interests in Tract 10630 that may hereinafter be acquired by the MRCA. The purpose of this Beach Management Plan is to provide a plan of operation and improvements that facilitates public access and enjoyment of the coastal resources of the MRCA Lots consistent with protection of environmental resources and respect for the residential community in which the MRCA Lots are located.

Section 2. Rules and Enforcement

2.0 Rules. The MRCA shall enforce its ordinance (the “MRCA Ordinance”) and any applicable local, state or federal law on the MRCA Lots, including the following rules, which shall be posted as provided in Section 6 hereof:

- No smoking. MRCA Ordinance (MRCA Ord), §3.2
- No dogs. MRCA Ord § 3.9
- No littering. MRCA Ord § 3.4
- No alcoholic beverages. MRCA Ord §3.3
- No fires. MRCA Ord §3.2
- No disturbing vegetation. MRCA Ord §3.5
- No operation of motorized watercraft. MRCA Ord §3.10
- No skateboarding or motorized two or three wheeled vehicles (except wheelchairs used by disabled persons). MRCA Ord §3.10
- No overnight camping. MRCA Ord §3.11
- No firearms. MRCA Ord §3.7
- No commercial activities, events or production. MRCA Ord §3.13.1
- No amplification systems. MRCA Ord §3.15
- No trespassing on private property. MRCA Ord §3.18

2.1 Warnings. All applicable signs shall carry the following warning: “No lifeguard. Riptides and submerged rocks. Swim at your own risk. Publicly owned lots at Lechuza Beach are located in a private residential community. Please be respectful of our neighbors. Do not trespass on private property.”

2.2 Enforcement. The rules set forth in this Section 2 may be enforced by MRCA and by the County Sheriff in accordance with applicable law. All rules and directional signs shall have MRCA Ranger Services and County Sheriff phone numbers.

2.3 Equal Applicability of Rules to All Persons. The rules set forth in this Section 2 shall apply equally to all persons.

2.4 Property Not Owned by the MRCA. The lots in Tract 10630 other than the MRCA Lots are private property not owned by the MRCA. The MRCA Easements are over East Sea Level Drive and West Sea Level Drive, which are gated residential private streets owned in fee by the Malibu-Encinal Homeowners Association (hereinafter "MEHOA"), and private property over which MEHOA owns an easement. Notwithstanding private ownership, on the property not owned by the MRCA, nothing shall obligate to, and/or prohibit the MRCA from, enforcing applicable provisions of local, state, or federal law in accordance with the MRCA's general peace officer authority pursuant to Section 830.31 of the California Penal Code. MEHOA shall be provided with one set of keys to the East and West Sea Level Drive pedestrian access gates, which may be reproduced and distributed by MEHOA to its members so as to permit their ingress and egress at all times.

Section 3. Compliance with California Coastal Act

3.0 Coastal Act Compliance Policy. It is the policy of the MRCA to fully comply with the California Coastal Act of 1976, including the Malibu Local Coastal Plan as amended.

Section 4. Public Access

4.0 Pedestrian Access. Primary pedestrian access to the MRCA Lots from the nearest public right of way (Broad Beach Road) shall be provided via the locking pedestrian gate at the entrance to Lot I at Broad Beach Road. The MRCA shall install, and thereafter continuously maintain in good working condition and repair, the Lot I gate and lock. The Lot I gate shall be locked by automatic timer on the Broad Beach Road side, but not on the beach side of the Lot I gate, in order to permit pedestrian entrance between 7 a.m. and 9 p.m. from March 1st through September 30th, and between 7 a.m. and 6 p.m. from October 1st through February 28th ("**Daily Access Hours**"); while allowing pedestrian exit at all times. Skateboarding is not permitted on the MRCA Easements. A bike rack for bike parking shall be provided on Lot I in accordance with the plans attached hereto as Exhibit E.

4.1 Additional Pedestrian Access via East Sea Level Drive and West Sea Level Drive Easements. East Sea Level Drive and West Sea Level Drive are private streets owned by MEHOA, with vehicular access controlled by mechanical gates owned and maintained by MEHOA in the locations depicted in Exhibit A. Pursuant to the MRCA Easements, during the Daily Access Hours, the MRCA has non-exclusive easements for public pedestrian access from Broad Beach Road to the MRCA Lots over East Sea Level Drive and West Sea Level Drive (and a portion of a private residential lot), which access shall be provided via the locking pedestrian gates depicted in Exhibit A. The MRCA shall continuously maintain the pedestrian gates and locks in good working condition and repair at all times. The East Sea Level Drive and

West Sea Level Drive gates shall be locked by automatic timer locks to prevent entrance outside of the Daily Access Hours, and to prevent exiting after 10 p.m. from March 1st through September 30th and after 7 p.m. from October 1st through February 28th. A bike rack for bike parking shall be provided on Lot I in accordance with the plans attached hereto as Exhibit E.

4.2 Disabled Persons' Vehicle Access via East Sea Level Drive and West Sea Level Drive Easements. Pursuant to the MRCA Easements, during the Daily Access Hours, the MRCA has a non-exclusive access easement over East Sea Level Drive and West Sea Level Drive (and a portion of a private residential lot) for disabled persons in vehicles displaying disabled persons parking placards or plates as provided for by the California Department of Motor Vehicles, or any alternative method approved by the State of California currently, or in the future, of designating vehicles which are driven by or occupied by disabled persons ("**Disabled Persons Parking Placards**") in order to access the two designated ADA-compliant parking spaces and the designated ADA-compliant loading and unloading zone depicted on Exhibit A through the gates owned and maintained by MEHOA at the locations specified in Exhibit A. Available ADA-compliant parking spaces (and arrangements for access thereto) must be reserved by registering on the MRCA's website, calling the MRCA on a number that will be posted on the MRCA's website, or by any other method the MRCA chooses. Upon demonstrating that he or she is in possession of a Disabled Persons Parking Placard, a disabled person, or a person accompanying a disabled person, shall be issued an access code (which code shall expire or be changed every day) that will allow vehicular entry to East Sea Level Drive or West Sea Level Drive and parking in one of the designated ADA-compliant parking spaces that he or she has reserved for that day or a portion of that day, or to utilize the designated ADA-compliant loading and unloading zone for drop-off and pick-up purposes. Vehicles parking in the ADA-compliant parking spaces without reservations or a proper Disabled Persons Parking Placard, or vehicles parked in the ADA-compliant loading and unloading zone may be cited by the MRCA, pursuant to section 4.1 of the MRCA Ordinance.

4.3 No Commercial Use. Notwithstanding the provisions of MRCA Ord §3.13.1 or any other rule, regulation, or policy of the MRCA, the MRCA Lots and MRCA Easements shall not be used for commercial purposes.

Section 5. Public Use

5.0 Public Use. Pursuant to Section 4 of Article X of the California Constitution and Public Resources Code Section 30210, this Beach Management Plan provides maximum access consistent with public safety needs and the need to protect both public rights and the rights of property owners.

5.1 Beach Use. Notwithstanding Section 4 hereof, including the limitations set forth therein with respect to the hours of public pedestrian access via Lot I, East Sea Level Drive and West Sea Level Drive, nothing in this Beach Management Plan is intended to restrict the public's use of public trust tidelands seaward of the mean high tide line.

Section 6. Signs

6.0 Rules/Signs. Directional and rules signs in substantial conformance with Exhibit B shall be posted and maintained at the pedestrian gate at the entrance to Lot I from Broad Beach Road, at the pedestrian gates at the entrances to West Sea Level Drive and East Sea Level Drive, at the West Sea Level Drive view platform, at the top of the stairs at West Sea Level Drive, and near the bottom (beach end) of Lot I. A rules sign in substantial conformance with Exhibit B may be posted and maintained at the view platform at the terminus of East Sea Level Drive. The MRCA may install additional signage as required by law. To the extent there are any inconsistencies between the Beach Management Plan and the attached exhibits regarding the locations of directional and rules, the Beach Management Plan shall govern.

6.1 Public Access and Parking Signs. Maps in accordance with Exhibit B depicting the locations of the MRCA Lots, the ADA-compliant persons parking spaces and ADA-compliant vehicle loading spaces, and the public restroom shall be posted and maintained at the pedestrian gate at the entrance to Lot I from Broad Beach Road, at the pedestrian gates at the entrances to West Sea Level Drive and East Sea Level Drive, on the view platform at the foot of the Lot I stairs, and at the top of stairs at the West Sea Level overlook. Directional signs in accordance with Exhibit B indicating the location of the MRCA Lots, the ADA-compliant parking spaces and ADA-compliant vehicle loading spaces, and the public restroom shall be posted and maintained at the locations depicted in Exhibit B. The MRCA may install Beach Access Logo signs in substantial conformance with Exhibit B at the pedestrian gates at the intersection of Lot I with Broad Beach Road and at the entrances from Broad Beach Road to the pedestrian gates at East Sea Level Drive and West Sea Level Drive. The MRCA may install additional signage as required by law. To the extent there are any inconsistencies between the Beach Management Plan and the attached exhibits regarding the locations of public access and parking signs, the Beach Management Plan shall govern.

6.2 Funding Sign. A sign in substantial conformance with Exhibit B shall be posted and maintained at the pedestrian gate at the entrance to Lot I from Broad Beach Road. The sign shall provide as follows: "Lechuza Beach Acquisition and Public Access Improvements Project. Another project to improve California's coast funded by THE 2000 PARKS BOND ACT. John Laird, Secretary for Resources, Edmund G. Brown, Jr., Governor. A project of the Mountains Recreation and Conservation Authority, State Coastal Conservancy."

6.3 Signs Marking Fire Department Turnaround. If required by the appropriate regulatory agency, the MRCA may post one or more signs in substantial conformance with Exhibit B near the East Sea Level Drive beach terminus to identify the location of the Los Angeles County Fire Department Turnaround.

Section 7. Physical Improvements to Enhance Beach Access for All People

7.0 General Plan of Improvements and Signs. A general plan depicting the proposed improvements, interpretive and directional signs and displays to be installed and maintained on the MRCA Lots and MRCA Easements is attached as Exhibit A. The improvements, signs and displays shall be subject to the appropriate regulatory agency's approval and are described in more detail below. The final design and precise location of the improvements proposed in Exhibit A may be subject to change as a result engineering or geotechnical constraints revealed during the excavation and initial construction phase of the

project. If any of the proposed improvements contemplated in this Section 7 are damaged or destroyed by natural causes and cannot be rebuilt or repaired at their then-existing location, the MRCA may relocate the improvements to another location on the MRCA Lots, or on one or more lots over which the MRCA has easements, provided that such easements permit the installation and maintenance of the improvements to be relocated within their area.

7.1 ADA-compliant Parking Spaces and Loading/Unloading Zone. One parking space compliant with the Americans with Disabilities Act (the "ADA") shall be provided on each of East Sea Level Drive and West Sea Level Drive, and an ADA-compliant loading and unloading zone shall be provided on East Sea Level Drive, all in accordance with the plans attached hereto as Exhibits E and F. The ADA-compliant parking spaces, ADA-compliant loading and unloading zone, and associated pathways shall be identified by appropriate signage, and shall be marked and identified in a manner consistent with the specifications set forth in Exhibits C and D. On East Sea Level Drive, a non-exclusive access aisle shall extend from the designated ADA-compliant parking space to a new viewing platform located on the MRCA Lot at the terminus of East Sea Level Drive and the base of the Lot I stairway, in accordance with the plans attached hereto as Exhibit C. On West Sea Level Drive, a non-exclusive aisle shall extend from the designated ADA-compliant parking space to the West Sea Level Drive viewing platform, in accordance with the plans attached hereto as Exhibit D.

7.2 West Sea Level Drive Viewing Platform and Stairs. At West Sea Level Drive, the existing view platform, stairs to the beach, and locking gate near the stairs shall be reconstructed in accordance with the plans attached hereto as Exhibit D. The gate and lock shall thereafter be maintained by the MRCA in good working order and repair. Improvements to stairs to the beach shall include reconstruction of the stairs and handrails, limited grading, installation of guardrails, stabilization of the staircase foundations and planting of native landscaping. The West Sea Level Drive gates shall be locked by automatic timer locks to prevent entrance outside of the hours set forth in Section 4.1, and to prevent exiting after 10 p.m. from March 1st through September 30th and after 7 p.m. from October 1st through February 28th.

7.3 Lot I Stairs and Pathway. The existing stairs and pathway along Lot I shall be reconstructed and improved, and a new gate shall be installed at the entrance to the pedestrian accessway located at the intersection of Broad Beach Road, Bunnie Lane and Lot I, all in accordance with the plans attached hereto as Exhibit E, and thereafter maintained and operated by the MRCA in accordance with Section 4.0 hereof. Improvements to staircase at Lot I shall include reconstruction of the stairs and handrails, limited grading, installation of guardrails, stabilization of the staircase foundations, a bicycle parking rack, planting of native landscaping, and landscaping to buffer private residential lots adjacent to Lot I, all in accordance with the plans attached hereto as Exhibit E.

7.4 East Sea Level Viewing Platform. A new view platform shall be constructed on the MRCA Lots at the westerly extension of East Sea Level Drive in accordance with the plans attached hereto as Exhibit C.

7.5 Public Restroom. A public restroom shall be constructed on the new view platform described in Section 7.4 hereof, at the westerly extension of East Sea Level Drive, all in

accordance with the plans attached hereto as Exhibit C. The public restroom shall be locked by automatic timer, except during the Daily Access Hours.

7.6 Leachfield. A leachfield to support the public restroom described in Section 7.5 hereof shall be constructed on a portion of Lot A owned by MEHOA, including the Los Angeles County Fire Department Turnaround described in Section 6.3 above, at the location and in accordance with the plans attached hereto as Exhibit C.

Section 8. Inspection and Maintenance

8.0 Non-Peak Season. The period commencing on the day after Labor Day through the Friday before Memorial Day is referred to herein as the "Non-Peak Season." During the Non-Peak Season and on Peak Season (as defined in Section 8.1 hereof) weekdays (other than holidays) and subject to exigent emergency or police circumstances, a uniformed MRCA employee shall visit and monitor the beach and facilities at least once each day during the hours of operation. At least once daily and subject to exigent emergency or police circumstances, the MRCA shall clean the restroom, remove trash from the MRCA Lots and the trash cans maintained by the MRCA on the MRCA Lots and along Broad Beach Road, conduct a foot patrol of the MRCA Lots, and inspect stairways, signs, locks, gates, view platforms, and parking spaces, etc. to ensure that they are in good condition and repair and free from debris, graffiti, decals, unauthorized signs and similar defacement. The stairways shall be kept reasonably free of sand. Inspection and maintenance may be performed by the MRCA's maintenance personnel.

8.1 Peak Season. The period commencing on the Saturday before Memorial Day through Labor Day is hereinafter referred to herein as the "Peak Season." On holiday and weekend days during Peak Season and subject to exigent emergency or police circumstances, a uniformed MRCA employee shall visit and monitor the beach and facilities at least two times each day during the hours of operation. At least once daily during its visits and subject to exigent emergency or police circumstances, the MRCA shall clean the restroom, remove trash from the MRCA Lots and the trash cans maintained by the MRCA on the MRCA Lots and along Broad Beach Road, conduct a foot patrol of the MRCA Lots, and inspect stairways, signs, locks, gates, view platforms, and parking spaces, etc. to ensure that they are in good condition and repair and free from debris, graffiti, decals, unauthorized signs and other defacement. The stairways shall be kept reasonably free of sand. Inspection and maintenance may be performed by the MRCA's maintenance personnel.

8.2 Maintenance and Repairs. General maintenance (including repainting and maintenance of native landscaping on property owned by the MRCA) shall be conducted regularly. The pedestrian gates and locks, which are used by MEHOA members in addition to the public, shall be repaired as soon as commercially practicable. General repairs and maintenance, graffiti removal and vandalism repair shall be completed within thirty (30) days of the MRCA's notice or identification of the same. Larger repairs (e.g., replacing parts of staircases) shall be undertaken within forty-five (45) days of the MRCA's notice or identification of the same, and thereafter diligently pursued to completion. Because the MRCA respects the natural processes of the beach, MRCA staff shall not groom the beach, or remove kelp, cobbles, or other beach wrack. The MRCA shall follow standard protocols of the National Marine Fisheries Service regarding removal or disposal of deceased marine mammals on the beach.

8.3 MRCA Logs. Visits by uniformed MRCA employees shall be logged and recorded on a central database. All regular servicing, such as emptying trash cans, picking up litter on the beach, and removal of graffiti, shall be recorded in the Routes Database. All repairs and refurbishments shall be recorded in the Repairs Database. In addition to daily inspections, a monthly inspection shall be performed and identify any areas of maintenance deficiency.

INDEX TO EXHIBITS

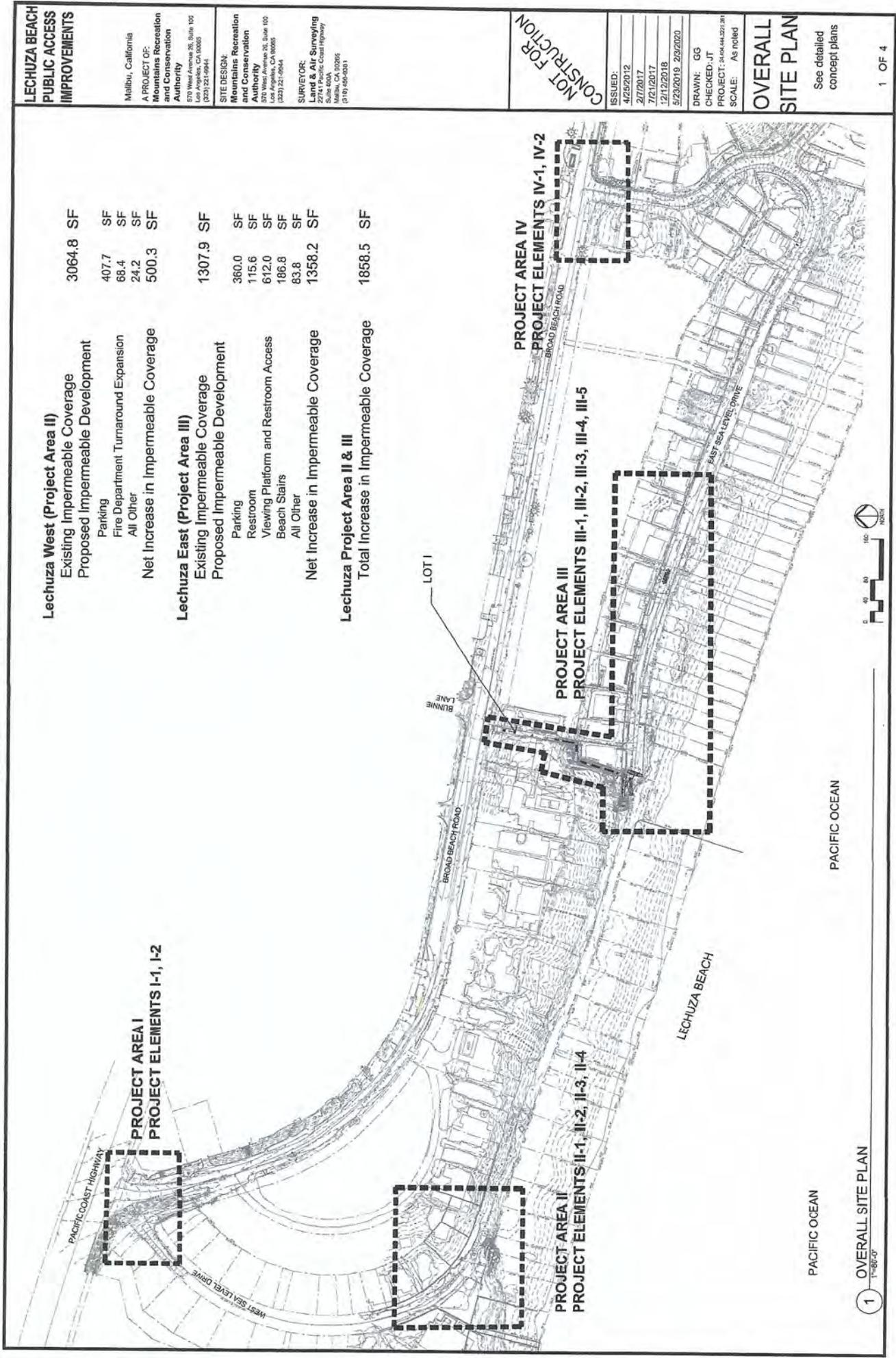
<u>Exhibit</u>	<u>Description</u>
A	GENERAL PLAN OF IMPROVEMENTS
B	SIGNAGE PLAN
C	EAST SEA LEVEL IMPROVEMENTS
D	WEST SEA LEVEL IMPROVEMENTS
E	LOT I IMPROVEMENTS

Exhibit A

GENERAL PLAN OF IMPROVEMENTS

[Attached]

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



Lechuza West (Project Area II)	3064.8 SF
Existing Impermeable Coverage	
Proposed Impermeable Development	
Parking	407.7 SF
Fire Department Turnaround Expansion	88.4 SF
All Other	24.2 SF
Net Increase in Impermeable Coverage	500.3 SF
Lechuza East (Project Area III)	1307.9 SF
Existing Impermeable Coverage	
Proposed Impermeable Development	
Parking	360.0 SF
Restroom	115.6 SF
Viewing Platform and Restroom Access	612.0 SF
Beach Stairs	186.8 SF
All Other	83.8 SF
Net Increase in Impermeable Coverage	1358.2 SF
Lechuza Project Area II & III	1858.5 SF
Total Increase in Impermeable Coverage	1858.5 SF

LECHUZA BEACH PUBLIC ACCESS IMPROVEMENTS	Malibu, California A PROJECT OF: Mountains Recreation and Conservation Authority 570 West Avenue 26, Suite 102 Los Angeles, CA 90065 (323) 221-9944
SITE DESIGN:	Mountains Recreation and Conservation Authority 100 West Avenue 26, Suite 100 Los Angeles, CA 90065 (323) 221-9944
SURVEYOR:	Land & Air Surveying 2724 Pacific Coast Highway Malibu, CA 90266 (310) 456-0301
ISSUED:	4/25/2012 2/7/2017 7/5/2017 12/12/2018 5/23/2019 - 2/8/2020
DRAWN:	GG
CHECKED:	JT
PROJECT:	24-044-0271-001
SCALE:	As noted

NOT FOR CONSTRUCTION

OVERALL SITE PLAN
See detailed concept plans

1 OVERALL SITE PLAN
T-0806

EXHIBIT A

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065,
 Telephone: (323) 221-9944

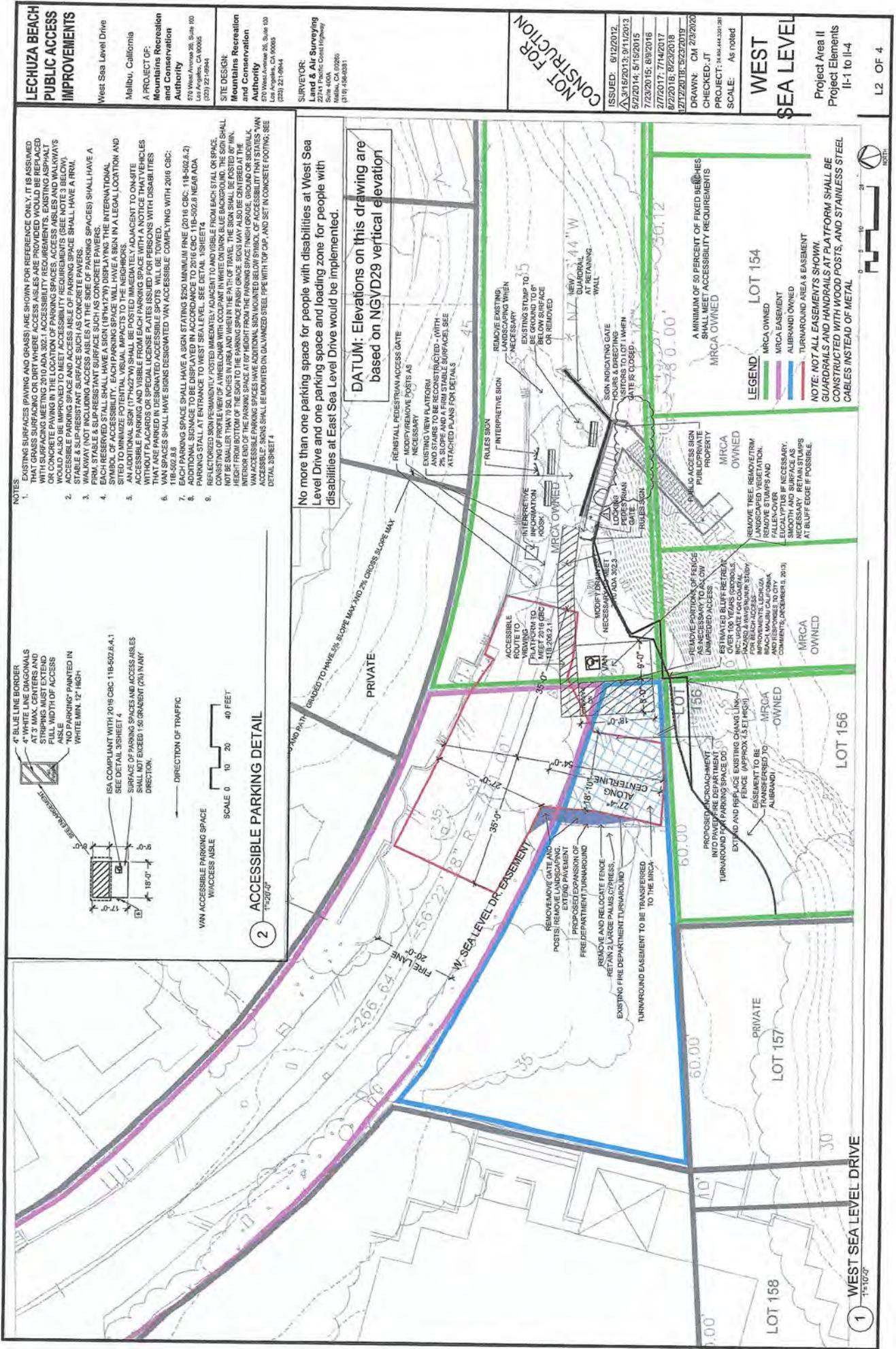


EXHIBIT A

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944

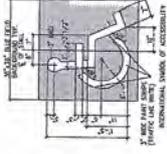
**LECHUZA BEACH
 PUBLIC ACCESS
 IMPROVEMENTS**

West Sea Level Drive
 East Sea Level Drive
 Malibu, California

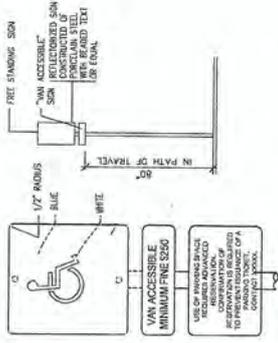
A PROJECT OF:
 Mountains Recreation
 and Conservation
 Authority
 470 West Avenue 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

SITE DESIGN:
 Mountains Recreation
 and Conservation
 Authority
 470 West Avenue 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

16 SHALL BE A MINIMUM ACCESSIBLE CLEARANCE AND VAN SPACE SHALL HAVE MINIMUM CLEARANCE OF 8'0" MINUS 1/2" TOLERANCE. THE CENTERLINE OF THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE LOCATED WITHIN THE CLEARANCE AREA. THE CLEARANCE SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE KEPT FREE OF OBSTRUCTIONS, TRUNKS, OR ACCESSORIES.

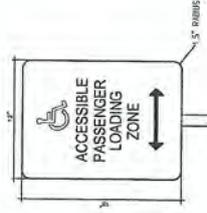


3 ISA SYMBOL
 NTS



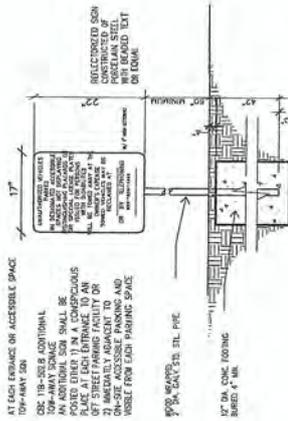
2 VAN ACCESSIBLE SIGN
 NTS

16 SHALL BE A MINIMUM ACCESSIBLE CLEARANCE AND VAN SPACE SHALL HAVE MINIMUM CLEARANCE OF 8'0" MINUS 1/2" TOLERANCE. THE CENTERLINE OF THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE LOCATED WITHIN THE CLEARANCE AREA. THE CLEARANCE SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE KEPT FREE OF OBSTRUCTIONS, TRUNKS, OR ACCESSORIES.

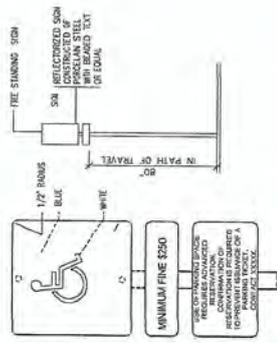


5 LOADING ZONE SIGN
 NTS

NOTES:
 1. SIGN SHALL BE MOUNTED ON A 4" DIA. GALV. STEEL PIPE.
 2. SIGN SHALL BE MOUNTED ON A 4" DIA. GALV. STEEL PIPE.
 3. SIGN SHALL BE MOUNTED ON A 4" DIA. GALV. STEEL PIPE.



1 TOW INFORMATION SIGN
 NTS



4 ACCESSIBLE SIGN
 NTS

16 SHALL BE A MINIMUM ACCESSIBLE CLEARANCE AND VAN SPACE SHALL HAVE MINIMUM CLEARANCE OF 8'0" MINUS 1/2" TOLERANCE. THE CENTERLINE OF THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE LOCATED WITHIN THE CLEARANCE AREA. THE CLEARANCE SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE KEPT FREE OF OBSTRUCTIONS, TRUNKS, OR ACCESSORIES.

**PARKING
 SIGN
 DETAILS**

NOT FOR
 CONSTRUCTION

ISSUED:
 7/14/217
 8/23/2018
 12/12/2018
 5/23/2019
 2/3/2020

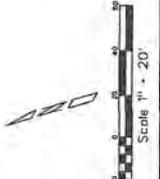
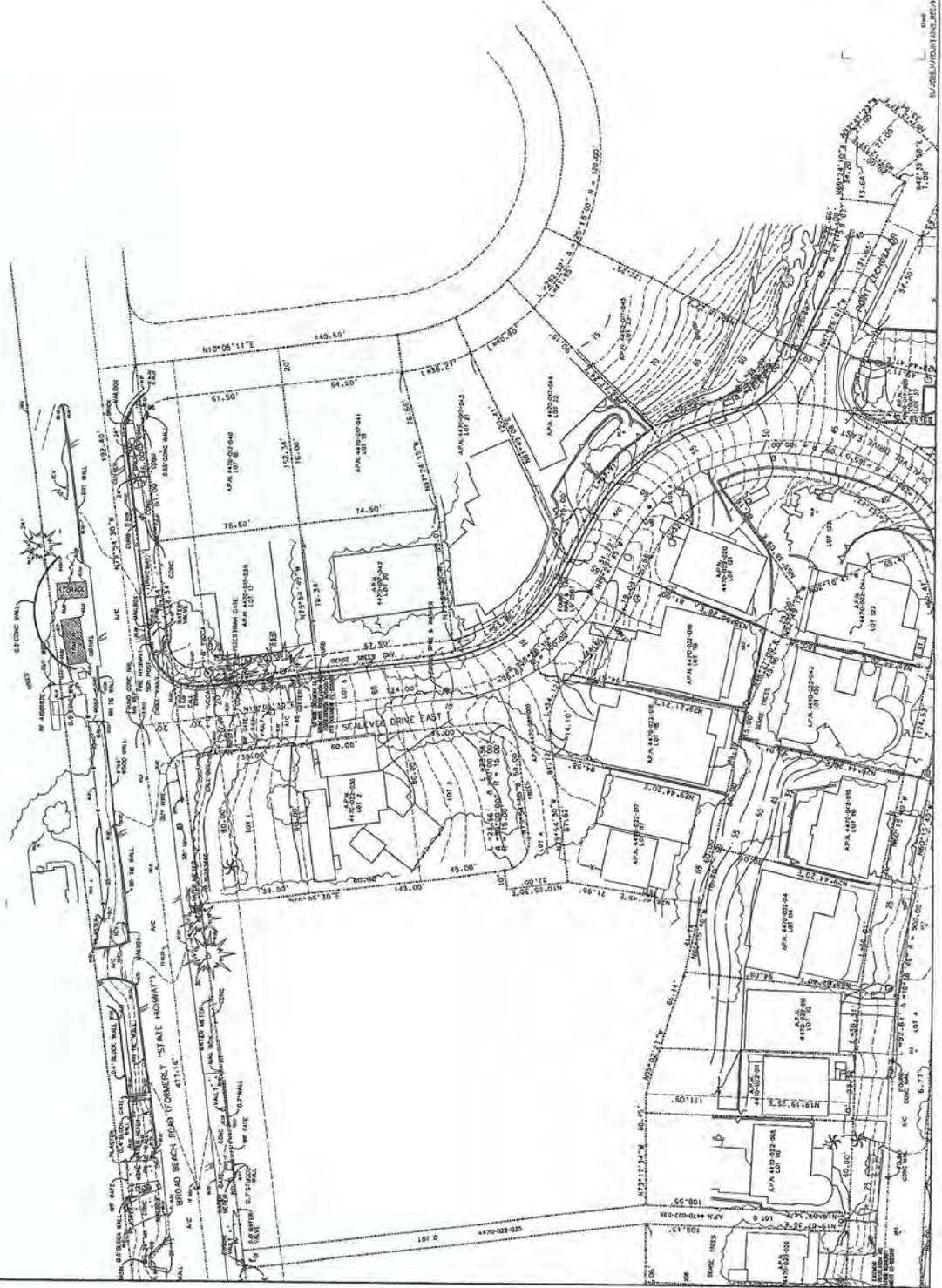
DRAWN: GG
 CHECKED: JT
 PROJECT: 240444-2018
 SCALE: As noted

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
Telephone: (323) 221-9944

LEGEND

APN: 441-001-001
 441-001-002
 441-001-003
 441-001-004
 441-001-005
 441-001-006
 441-001-007
 441-001-008
 441-001-009
 441-001-010
 441-001-011
 441-001-012
 441-001-013
 441-001-014
 441-001-015
 441-001-016
 441-001-017
 441-001-018
 441-001-019
 441-001-020
 441-001-021
 441-001-022
 441-001-023
 441-001-024
 441-001-025
 441-001-026
 441-001-027
 441-001-028
 441-001-029
 441-001-030
 441-001-031
 441-001-032
 441-001-033
 441-001-034
 441-001-035
 441-001-036
 441-001-037
 441-001-038
 441-001-039
 441-001-040
 441-001-041
 441-001-042
 441-001-043
 441-001-044
 441-001-045
 441-001-046
 441-001-047
 441-001-048
 441-001-049
 441-001-050
 441-001-051
 441-001-052
 441-001-053
 441-001-054
 441-001-055
 441-001-056
 441-001-057
 441-001-058
 441-001-059
 441-001-060
 441-001-061
 441-001-062
 441-001-063
 441-001-064
 441-001-065
 441-001-066
 441-001-067
 441-001-068
 441-001-069
 441-001-070
 441-001-071
 441-001-072
 441-001-073
 441-001-074
 441-001-075
 441-001-076
 441-001-077
 441-001-078
 441-001-079
 441-001-080
 441-001-081
 441-001-082
 441-001-083
 441-001-084
 441-001-085
 441-001-086
 441-001-087
 441-001-088
 441-001-089
 441-001-090
 441-001-091
 441-001-092
 441-001-093
 441-001-094
 441-001-095
 441-001-096
 441-001-097
 441-001-098
 441-001-099
 441-001-100

PROPERTY LINE
 STREET CENTERLINE
 FACILITY
 MONUMENT
 MASS OF IMPROVED (BOLD)
 UNIMPROVED (DOTTED)
 CLEAR AREA
 STREETS LIGHT SETBACKS
 APN/AL/ACD
 BELIEVING
 CONVEYANCE (TYPE: H/L/L/H)
 BOUNDARY
 CONVEYANCE
 CONCRETE SURFACE
 CONCRETE SURFACE
 MARBLE SHALE
 TREES

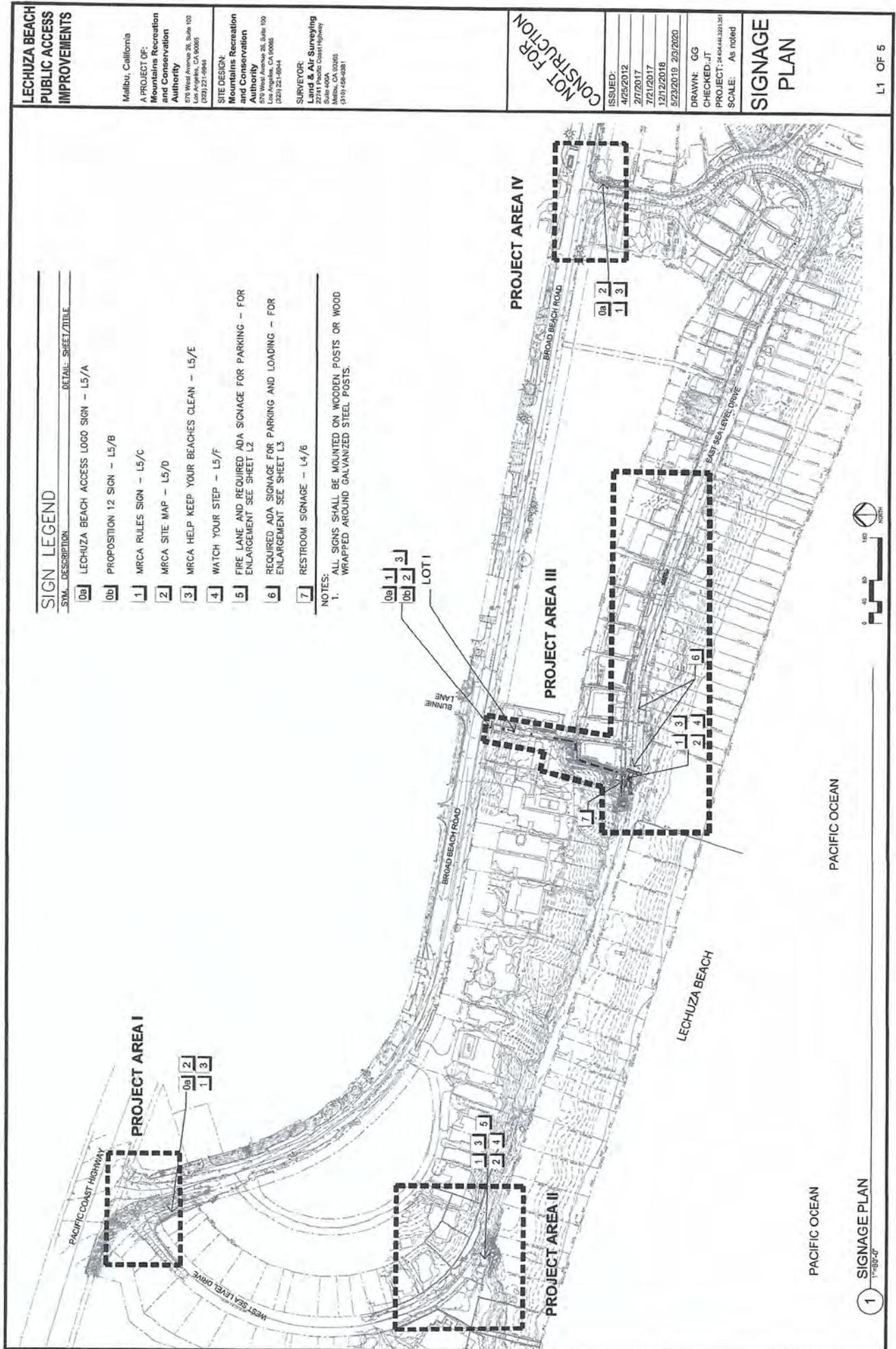


DATE: 11-20
 PROJECT: LAND & AIR SURVEYING
 CLIENT: MOUNTAIN RECREATION & CONSERVATION AUTHORITY
 LOCATION: 570 WEST AVENUE 26, #100, LOS ANGELES, CA 90065
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NO.: [Number] OF [Total]
 SCALE: 1" = 20'

EXHIBIT A - EAST SEA LEVEL DRIVE

Exhibit B
SIGNAGE PLAN
[Attached]

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



SIGN LEGEND

SYMBOL	DESCRIPTION	DETAIL: SHEET/TITLE
0a	LECHUZA BEACH ACCESS LOGO SIGN - L5/A	
0b	PROPOSITION 12 SIGN - L5/B	
1	MRCA RULES SIGN - L5/C	
2	MRCA SITE MAP - L5/D	
3	MRCA HELP KEEP YOUR BEACHES CLEAN - L5/E	
4	WATCH YOUR STEP - L5/F	
5	FIRE LANE AND REQUIRED ADA SIGNAGE FOR PARKING - FOR ENLARGEMENT SEE SHEET L2	
6	REQUIRED ADA SIGNAGE FOR PARKING AND LOADING - FOR ENLARGEMENT SEE SHEET L3	
7	RESTROOM SIGNAGE - L4/G	

NOTES:
 1. ALL SIGNS SHALL BE MOUNTED ON WOODEN POSTS OR WOOD WRAPPED AROUND GALVANIZED STEEL POSTS.

LECHUZA BEACH PUBLIC ACCESS IMPROVEMENTS

Malibu, California
 A PROJECT OF:
 Mountains Recreation and Conservation Authority
 670 West Avenue 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

SITE DESIGN:
 Mountains Recreation and Conservation Authority
 670 West Avenue 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

SURVEYOR:
 Land & Air Surveying
 2000 Pacific Coast Highway
 Suite 4000
 Malibu, CA 90265
 (310) 458-9881

NOT FOR CONSTRUCTION

ISSUED: 4/25/2012
 2/7/2017
 7/21/2017
 12/12/2018
 5/23/2019 2/3/2020
 DRAWN: GG
 CHECKED: JT
 PROJECT: 24-044-443-201-347
 SCALE: As noted

SIGNAGE PLAN

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944

**LECHUZA BEACH
PUBLIC ACCESS
IMPROVEMENTS**

West Sea Level Drive
 East Sea Level Drive
 Malibu, California

A PROJECT OF:
 Mountains Recreation
 and Conservation
 Authority

17000 Avenue 26, Suite 100
 Los Angeles, CA 90028
 (323) 221-9944

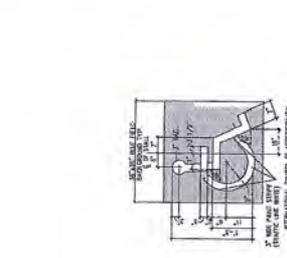
SITE DESIGN:
 Mountains Recreation
 and Conservation
 Authority
 17000 Avenue 26, Suite 100
 Los Angeles, CA 90028
 (323) 221-9944

**NOT FOR
CONSTRUCTION**

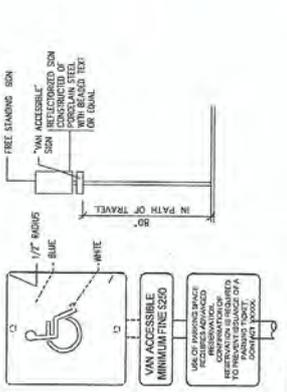
ISSUED:
 7/14/217
 9/23/2018
 12/12/2018
 5/23/2019
 2/3/2020

DRAWN: CG
 CHECKED: JT
 PROJECT: 14-04-04-2019-01
 SCALE: As Noted

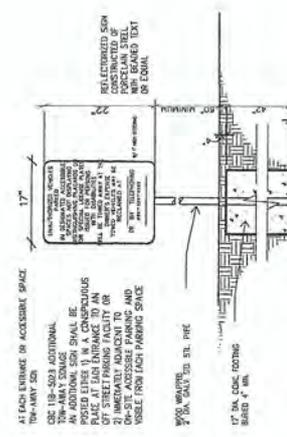
**PARKING
SIGN
DETAILS**



VISIBLE FROM EACH ACCESSIBLE CURB AND DRIVEWAY SHALL HAVE ENTRANCE BY ACCESSIBLE CURB. THE CENTER OF THE SIGN SHALL BE AT LEAST 48" ABOVE THE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.



MINIMUM SIGN HEIGHT SHALL BE 48" ABOVE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.

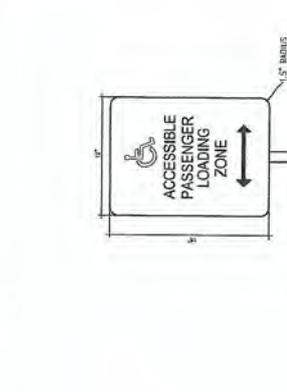


MINIMUM SIGN HEIGHT SHALL BE 48" ABOVE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.

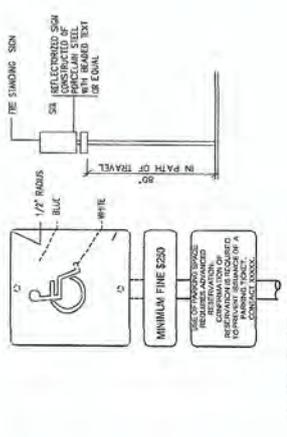
1 TOW INFORMATION SIGN
NTS

2 VAN ACCESSIBLE SIGN
NTS

3 ISA SYMBOL
NTS

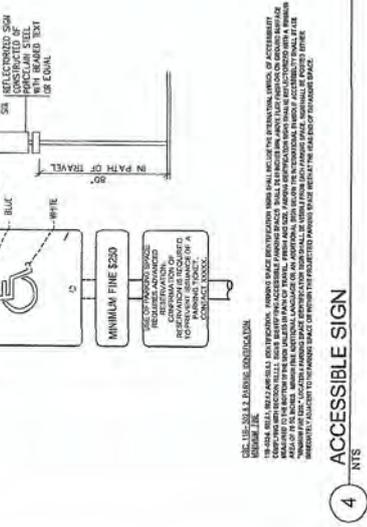


MINIMUM SIGN HEIGHT SHALL BE 48" ABOVE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.



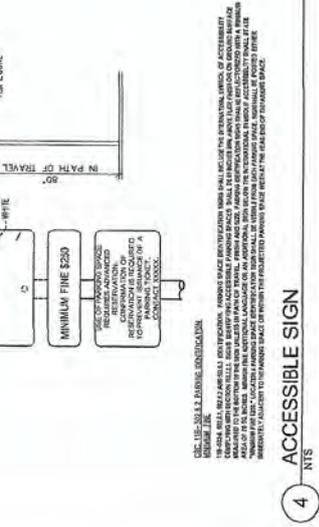
MINIMUM SIGN HEIGHT SHALL BE 48" ABOVE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.

4 ACCESSIBLE SIGN
NTS



MINIMUM SIGN HEIGHT SHALL BE 48" ABOVE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.

5 LOADING ZONE SIGN
NTS



MINIMUM SIGN HEIGHT SHALL BE 48" ABOVE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.

6 RESTROOM SIGNAGE
NTS



MINIMUM SIGN HEIGHT SHALL BE 48" ABOVE FINISH FLOOR. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE. THE SIGN SHALL BE AT LEAST 18" FROM THE END OF THE PARKING SPACE.

7 NO PARKING FIRE LANE
NTS

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



A LECHUZA BEACH ACCESS LOGO SIGN
NTS



C MRCA RULES SIGN
NTS



E MRCA HELP KEEP YOUR BEACHES CLEAN
NTS



B PROPOSITION 12 SIGN
NTS



D MRCA SITE MAP
NTS



F WATCH YOUR STEP
NTS

LECHUZA BEACH PUBLIC ACCESS IMPROVEMENTS

West Sea Level Drive
 East Sea Level Drive
 Malibu, California
 A PROJECT OF
 Mountains Recreation
 and Conservation
 Authority
 570 West Avenue, 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

SITE DESIGN
 Mountains Recreation
 and Conservation
 Authority
 570 West Avenue, 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

NOT FOR CONSTRUCTION

ISSUED:	7/14/2017
	8/23/2018
	12/12/2018
	5/23/2019
	2/9/2020

DRAWN: GG
 CHECKED: JT
 PROJECT: 24-05-44-201-20P
 SCALE: As noted

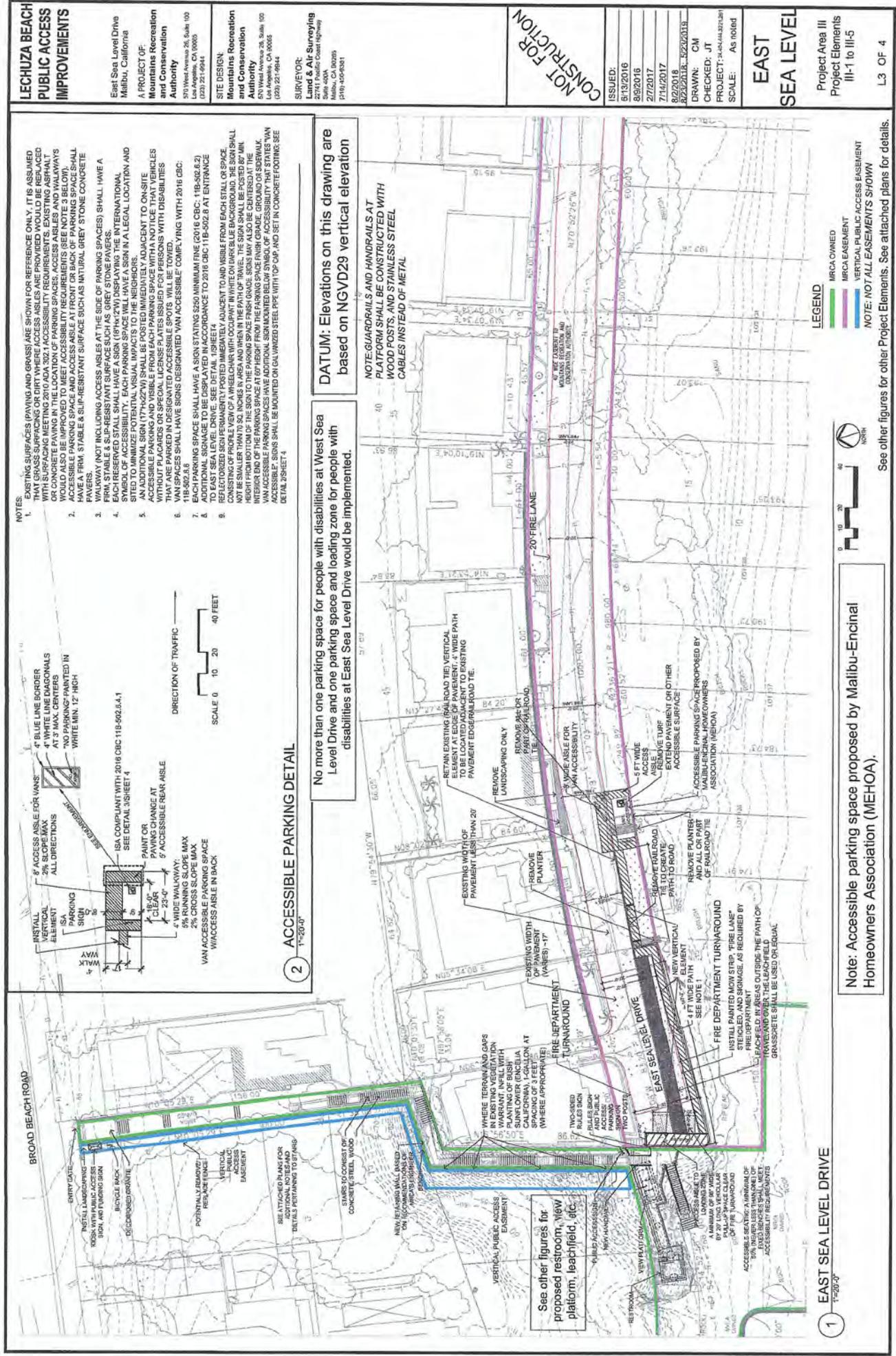
PUBLIC ACCESS SIGN DETAILS

Exhibit C

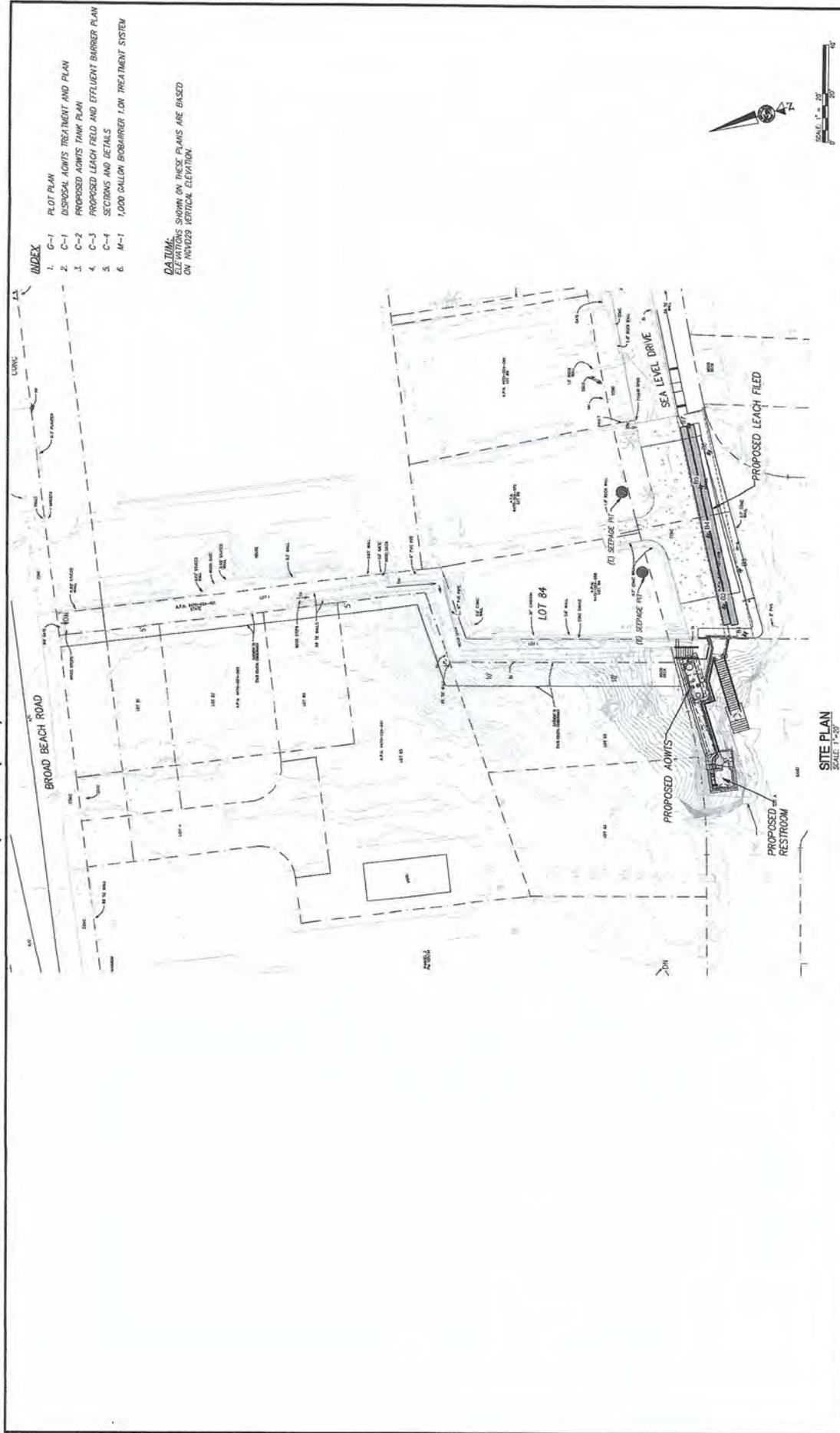
EAST SEA LEVEL IMPROVEMENTS

[Attached]

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



- INDEX**
- 1. G-1 PLOT PLAN
 - 2. C-1 DISPOSAL AOWTS TREATMENT AND PLAN
 - 3. C-2 PROPOSED AOWTS TANK PLAN
 - 4. C-3 PROPOSED LEACH FIELD AND EFFLUENT BARRETT PLAN
 - 5. C-4 SECTIONS AND DETAILS
 - 6. M-1 1,000 GALLOW BOBARRER 1.0W TREATMENT SYSTEM

DATA:
 ELEVATIONS SHOWN ON THESE PLANS ARE BASED ON NAVD83 VERTICAL ELEVATION.

SITE PLAN
 SCALE: 1"=20'

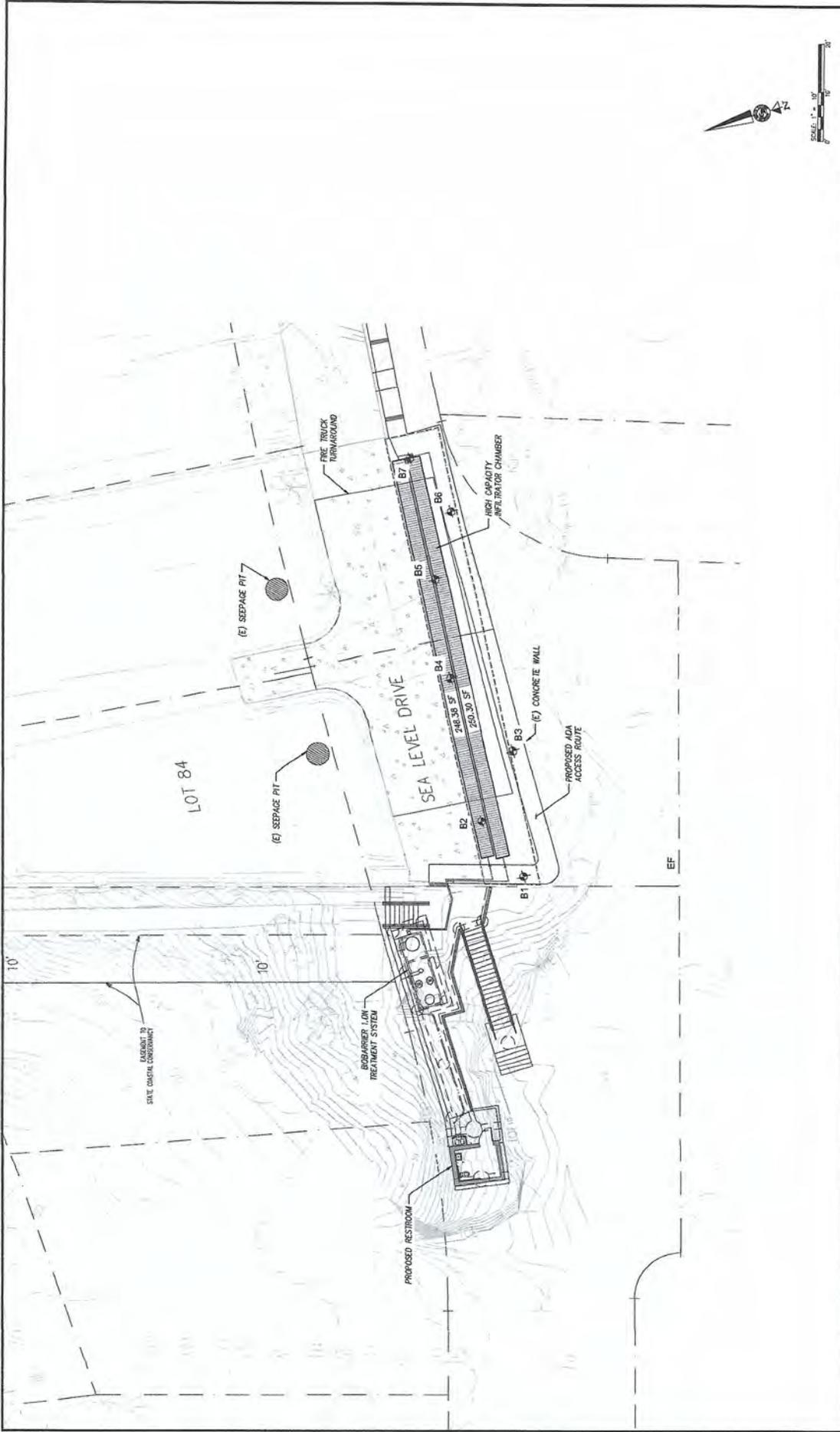
NOT FOR CONSTRUCTION

Revisions:		Job No. _____ Designed By: B. BRADLEY PE Drawn By: A. HERNANDEZ Checked By: B. BRADLEY PE Date: NOVEMBER 8, 2016 Scale: 1"=20'	MOUNTAINS RECREATION AND CONSERVATION AUTHORITY 5810 RAMIREZ CANYON ROAD MALIBU, CA 90265	Sheet G-1 1 OF 6
			PLOT PLAN LECHUZA BEACH AOWTS 31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA	

**ADVANCED
 ONSITEWATER**
 WWW.ADVANCEDONSIWATER.COM
 1751 S. GARDNER BLVD.
 ESCONDIDO, CA 92027
 (760) 743-8777

EXHIBIT C

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



Revisions:

Job No. _____
 Designed By: B. BRADLEY PE
 Drawn By: A. HERNANDEZ
 Checked By: B. BRADLEY PE
 Date: NOVEMBER 8, 2016
 Scale: 1"=10'

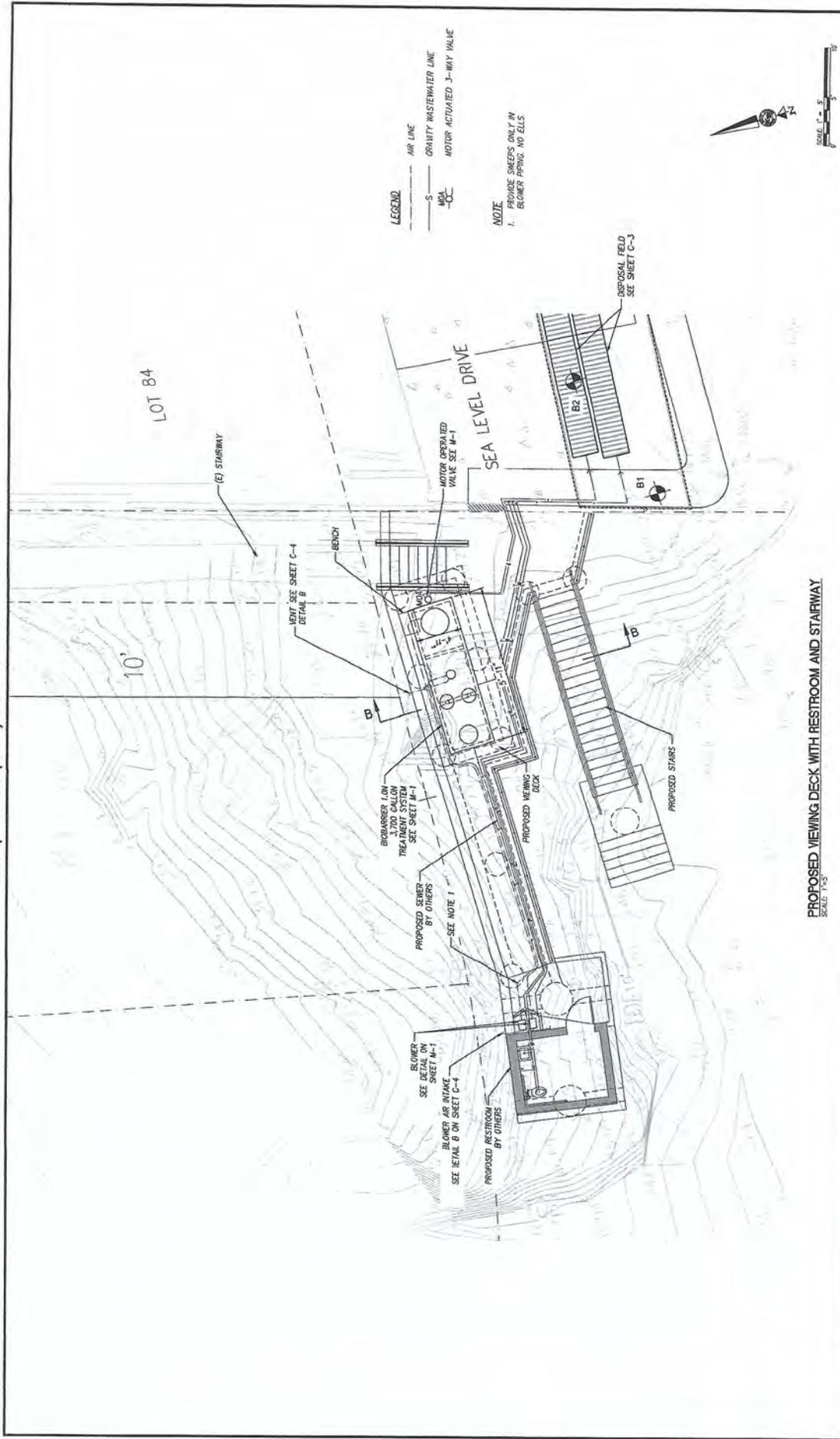
MOUNTAINS RECREATION AND
 CONSERVATION AUTHORITY
 5810 RAMIREZ CANYON ROAD
 MALIBU, CA 90265

NOT FOR CONSTRUCTION

Sheet
C-1
 2 OF 6

EXHIBIT C

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944

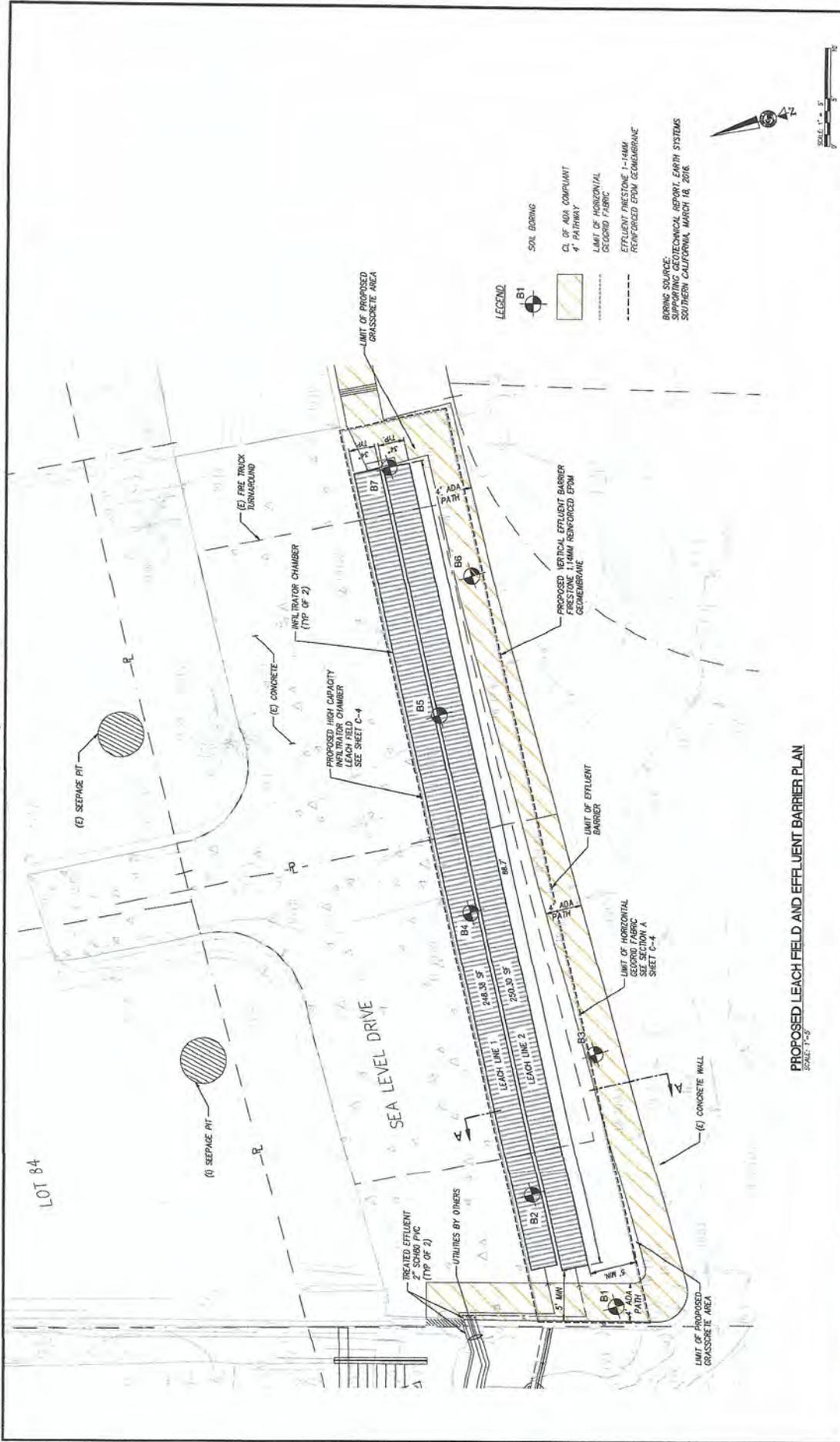


PROPOSED VIEWING DECK WITH RESTROOM AND STAIRWAY
 SCALE: 1"=5'

				Job No. _____ Designed By: B. BRADLEY PE Drawn By: A. HERNANDEZ Checked By: B. BRADLEY PE Date: NOVEMBER 8, 2016 Scale: 1"=5'		MOUNTAINS RECREATION AND CONSERVATION AUTHORITY 5810 RAMIREZ CANYON ROAD MALIBU, CA 90265		NOT FOR CONSTRUCTION Sheet C-2 3 OF 6	
PROPOSED AOWTS TANK PLAN LECHUZA BEACH AOWTS 31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA									
Revisions:									

EXHIBIT C

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944

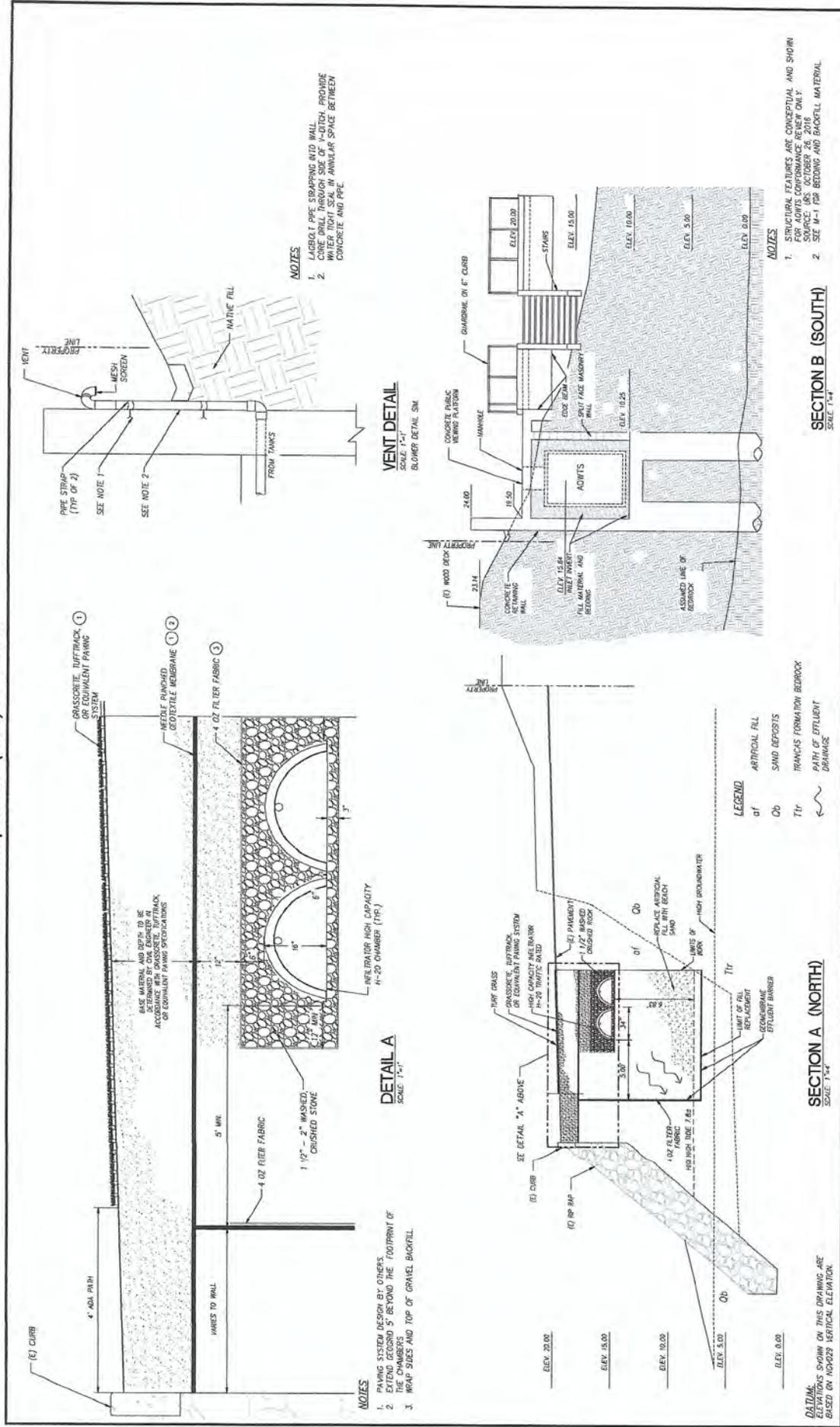


PROPOSED LEACH FIELD AND EFFLUENT BARRIER PLAN
 SCALE: 1"=5'

 ADVANCED ONSITEWATER WWW.ADVANCEDONSITEWATER.COM 1700 SHERWOOD DRIVE MALIBU, CA 90262 (760) 743 8777		Job No. _____ Designed By: B. BRADLEY PE Drawn By: A. HERNANDEZ Checked By: B. BRADLEY PE Date: NOVEMBER 8, 2016 Scale: 1"=5'	MOUNTAINS RECREATION AND CONSERVATION AUTHORITY 5810 RAMIREZ CANYON ROAD MALIBU, CA 90265	NOT FOR CONSTRUCTION Sheet C-3 4 OF 6
		PROPOSED LEACH FIELD AND EFFLUENT BARRIER PLAN LECHUZA BEACH AOWTS 31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA		

EXHIBIT C

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



Revisions:	 WWW.ONSITEWATER.COM 1120 S. GARLAND DRIVE SUITE 100, VAN NUYS, CA 91411 (760) 783.8777	Job No. Designed By: B. BRADLEY PE Drawn By: A. HERNANDEZ Checked By: B. BRADLEY PE Date: NOVEMBER 8, 2015 Scale: AS NOTED	MOUNTAINS RECREATION AND CONSERVATION AUTHORITY 5810 RAMIREZ CANYON ROAD MALIBU, CA 90265	AOWTS AND LEACH FIELD SECTIONS LECHUZA BEACH AOWTS 31725.5 EAST SEA LEVEL DRIVE, MALIBU, CA	Sheet C-4 5 OF 6
------------	---	---	---	--	-------------------------------

EXHIBIT C

NOT FOR CONSTRUCTION

Exhibit D

WEST SEA LEVEL IMPROVEMENTS

[Attached]

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944

1 TOW INFORMATION SIGN

2 VAN ACCESSIBLE SIGN

3 ISA SYMBOL

4 ACCESSIBLE SIGN

5 LOADING ZONE SIGN

NOT FOR CONSTRUCTION

ISSUED: 7/14/217

8/23/2018

12/12/2018

5/23/2019

2/3/2020

DRAWN: OG

CHECKED: JT

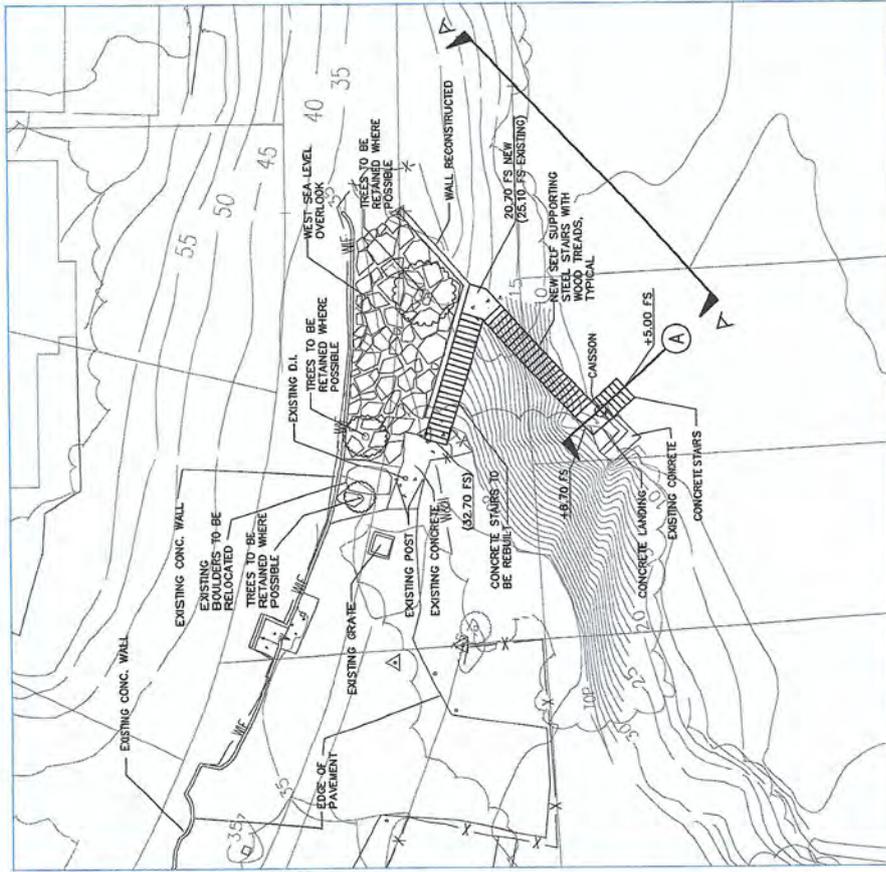
PROJECT: 24-09-44327-201

SCALE: As Noted

PARKING SIGN DETAILS

L4 OF 4

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



PLAN VIEW
 SCALE 1"=4'



SEE ADDITIONAL PLANS FOR OTHER
 IMPROVEMENTS ALONG WEST SEA LEVEL
 DRIVE

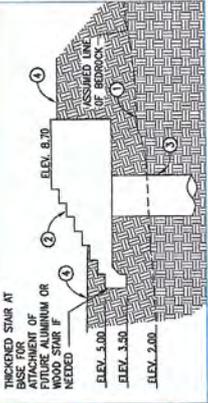
January 23, 2017

URS
 Cotnam Shreve, Suite 100
 14400 Wilshire Blvd., Suite 100
 Los Angeles, CA 90049
 Tel: (310) 300-2111
 Fax: (310) 258-7803

THIS EXHIBIT IS ISSUED FOR CONCEPTUAL PLANNING
 ONLY, NOT FOR CONSTRUCTION. CONSTRUCTION OF
 ALL IMPROVEMENTS SHOWN SHALL BE DETERMINED
 BY THE CLIENT AND SHALL BE INVESTIGATED
 AND DURING DESIGN DEVELOPMENT STAGE.



ELEVATION A-A
 SCALE 1/4"=1'-0"



- NOTES:
- LOCATION OF BEDROCK SHOWN IS APPROXIMATE. CONTRACTOR SHALL VERIFY LOCATION OF BEDROCK PRIOR TO CONSTRUCTION. GEOTECHNICAL ENGINEER SHALL OBSERVE THE WORK AND UPDATE ANY RECOMMENDATIONS AS APPROPRIATE.
 - CONCRETE STAIR LANDING SUPPORTED BY CAISSON. CAISSON SHALL BE EMBEDDED INTO BEDROCK AS RECOMMENDED BY GEOTECHNICAL ENGINEER.
 - CONCRETE CAISSON SIZE AND LOCATION OF CAISSONS WILL BE DETERMINED BY STRUCTURAL ENGINEER DURING DESIGN DEVELOPMENT STAGE.
 - APPROXIMATE LOCATION OF SMO

SECTION A
 SCALE 1/4"=1'-0"

FOUNDATIONS:
 ALL FOUNDATION EXCAVATIONS MUST BE OBSERVED AND APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT OF REINFORCING STEEL.

MATERIALS:
 LANDINGS: CONCRETE
 VIEW PLATFORM: CONCRETE AND DECOMPOSITION GRANITE

DATE:
 DIMENSIONS SHOWN ON THIS DRAWING ARE BASED ON NONZER VERTICAL ELEVATION.



LECHUZA BEACH
 MALIBU, CALIFORNIA

WEST SEA LEVEL DRIVE

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
 LOS ANGELES, CALIFORNIA

EXHIBIT D

Exhibit E

LOT I IMPROVEMENTS

[Attached]

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944

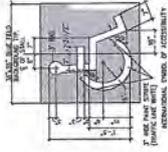
**LECHUZA BEACH
 PUBLIC ACCESS
 IMPROVEMENTS**

West Sea Level Drive
 East Sea Level Drive
 Malibu, California

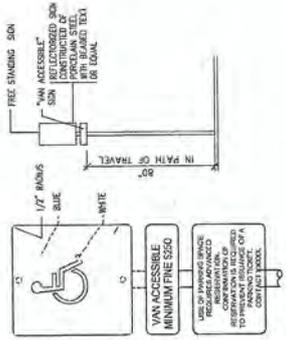
A PROJECT OF:
**Mountains Recreation
 and Conservation
 Authority**
 570 West Avenue 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

**SITE DESIGN:
 Mountains Recreation
 and Conservation
 Authority**
 570 West Avenue 26, Suite 100
 Los Angeles, CA 90065
 (323) 221-9944

THIS SIGN SHALL BE MOUNTED ON A SIGN POST THAT SHALL BE 48" HIGH. THE SIGN SHALL BE 18" WIDE BY 24" HIGH. THE SIGN SHALL BE MOUNTED ON THE POST WITH THE SIGN FACE TO THE RIGHT OF THE TRAVEL. THE SIGN SHALL BE MOUNTED ON THE POST WITH THE SIGN FACE TO THE RIGHT OF THE TRAVEL. THE SIGN SHALL BE MOUNTED ON THE POST WITH THE SIGN FACE TO THE RIGHT OF THE TRAVEL.

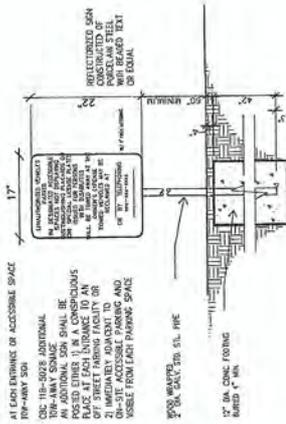


3 ISA SYMBOL
 NTS

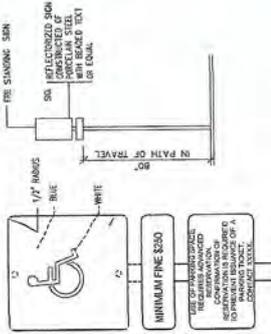


USE THE 18" SIGN SIZE FOR ALL SIGNAGE. THE SIGN SHALL BE 18" WIDE BY 24" HIGH. THE SIGN SHALL BE MOUNTED ON THE POST WITH THE SIGN FACE TO THE RIGHT OF THE TRAVEL. THE SIGN SHALL BE MOUNTED ON THE POST WITH THE SIGN FACE TO THE RIGHT OF THE TRAVEL. THE SIGN SHALL BE MOUNTED ON THE POST WITH THE SIGN FACE TO THE RIGHT OF THE TRAVEL.

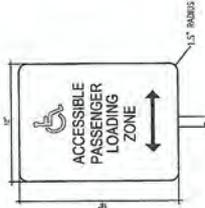
2 VAN ACCESSIBLE SIGN
 NTS



1 TOW INFORMATION SIGN
 NTS



4 ACCESSIBLE SIGN
 NTS



5 LOADING ZONE SIGN
 NTS

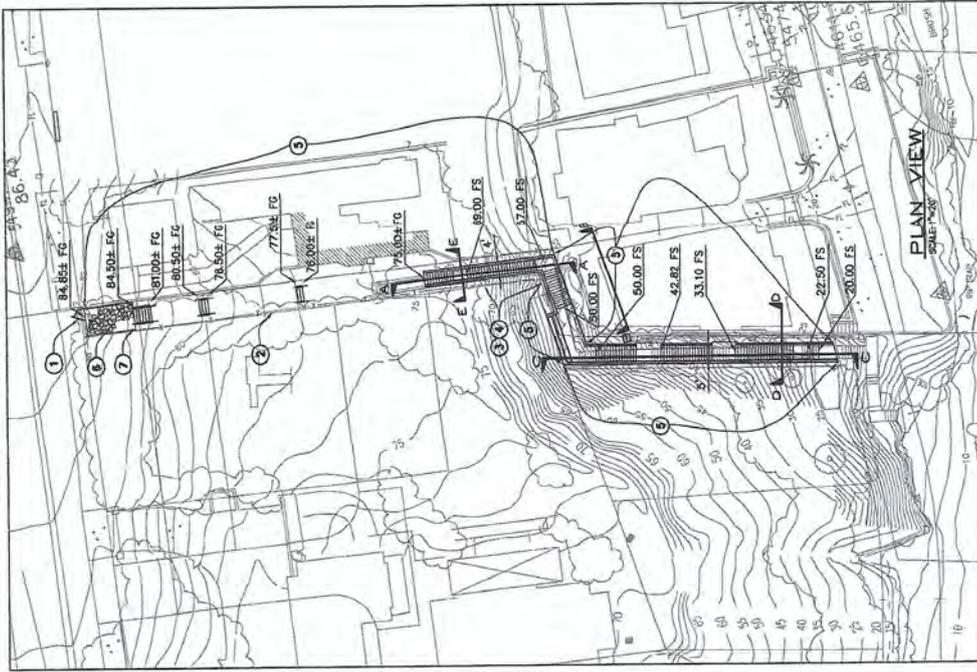
NOT FOR
 CONSTRUCTION

ISSUED:
 7/14/217
 8/23/2018
 12/12/2018
 5/23/2019
 2/3/2020

DRAWN: GG
 CHECKED: JT
 PROJECT: 34-00444-207-201
 SCALE: As noted

**PARKING
 SIGN
 DETAILS**

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
 Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
 Telephone: (323) 221-9944



- KEYNOTES:**
- 1 TRIM LANDSCAPING, NEW SELF CLOSING GATE (APPROX. 4 FT. WIDE)
 - 2 EXISTING FENCE TO REMAIN, PROTECT IN PLACE
 - 3 NATIVE LANDSCAPING
 - 4 REMOVE PORTIONS OF FENCE ON MRCA PROPERTY AS NECESSARY TO CONSTRUCT STAIRS
 - 5 POTENTIAL NATIVE LANDSCAPING
 - 6 BIKE RACK
 - 7 INTERPRETIVE EXHIBIT

SEE ADDITIONAL PLANS FOR DETAILS OF THIS AREA ALONG EAST SEA LEVEL DRIVE

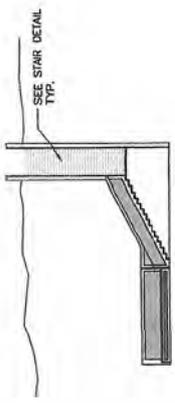
JANUARY 23, 2017
 SCALE 1" = 40'-0"



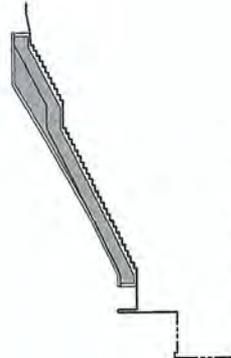
THIS EXHIBIT IS ISSUED FOR CONCEPTUAL PLANNING ONLY, NOT FOR CONSTRUCTION. CONSTRUCTION OF ALL IMPROVEMENTS SHOWN SHALL BE DETERMINED AFTER THE NECESSARY PERMITS ARE OBTAINED AND DURING DESIGN DEVELOPMENT STAGE.

LOT I STAIRS EXHIBIT

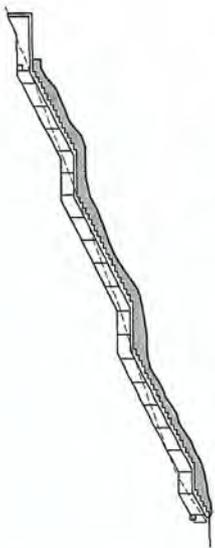
© 2017 URS



ELEVATION B-B
 SCALE 1" = 10'



ELEVATION A-A
 SCALE 1" = 10'

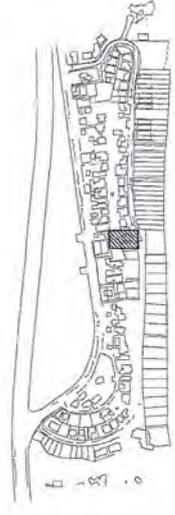


ELEVATION C-C
 SCALE 1" = 10'



NOTE: WIDTH OF STAIRS TO BE 6 FEET WIDE WHERE POSSIBLE. WIDTH OF STAIRS MAY BE 4 FEET WIDE IN SOME AREAS, TO BE DETERMINED DURING CONSTRUCTION.

DATUM: ELEVATIONS SHOWN ON THIS DRAWING ARE BASED ON NOV293 VERTICAL ELEVATION.



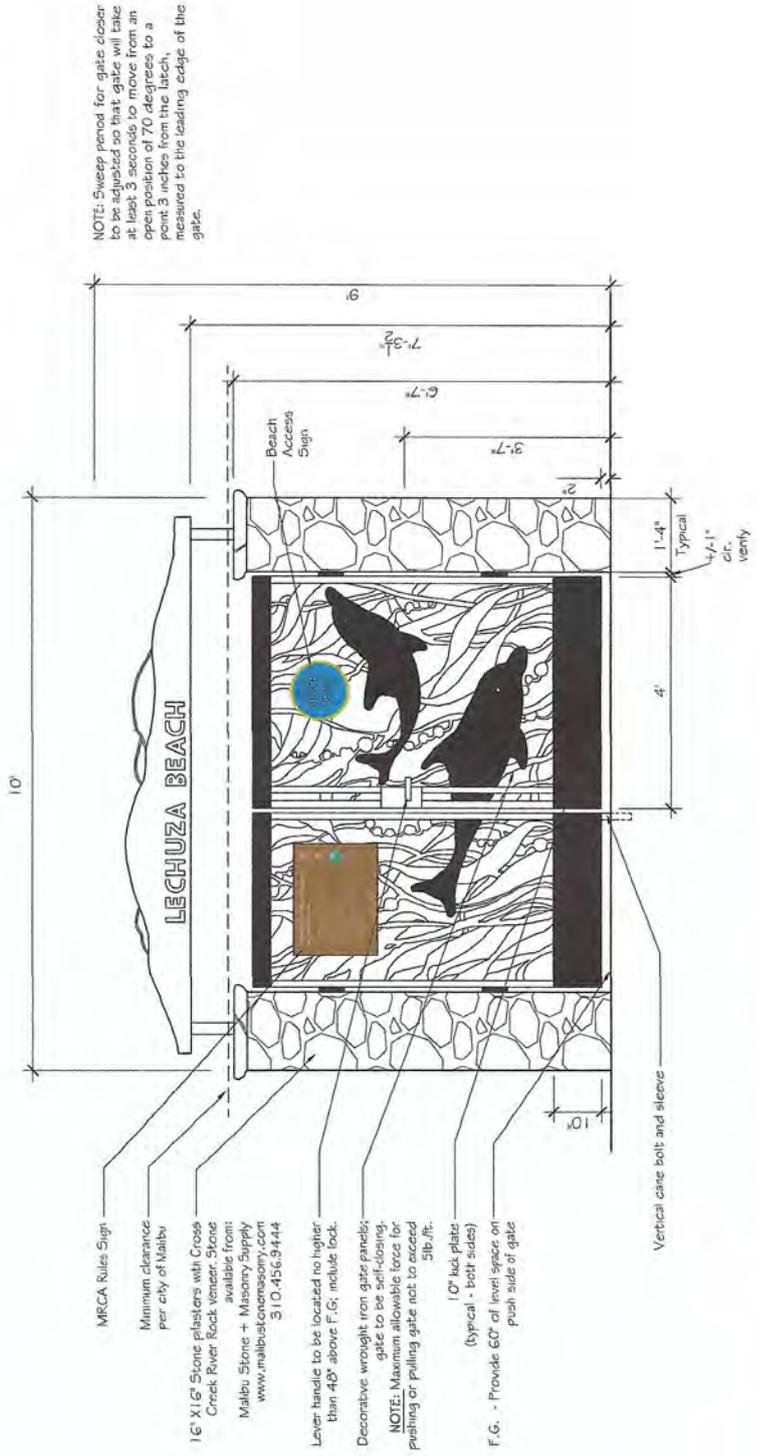
KEYMAP

LECHUZA BEACH
 MALIBU, CALIFORNIA

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
 LOS ANGELES, CALIFORNIA

EXHIBIT E

The MRCA has full-sized exhibits in digital and hard copy available upon request to:
Mountain Recreation & Conservation Authority, Attention: Executive Officer, 570 West Avenue 26, #100, Los Angeles, CA 90065;
Telephone: (323) 221-9944



ENTRY GATE
 SCALE: (see shop drawings)
 FILE: 0_LCHMZ_GATE_MHA_PLUSTERS



NO.	REVISIONS	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

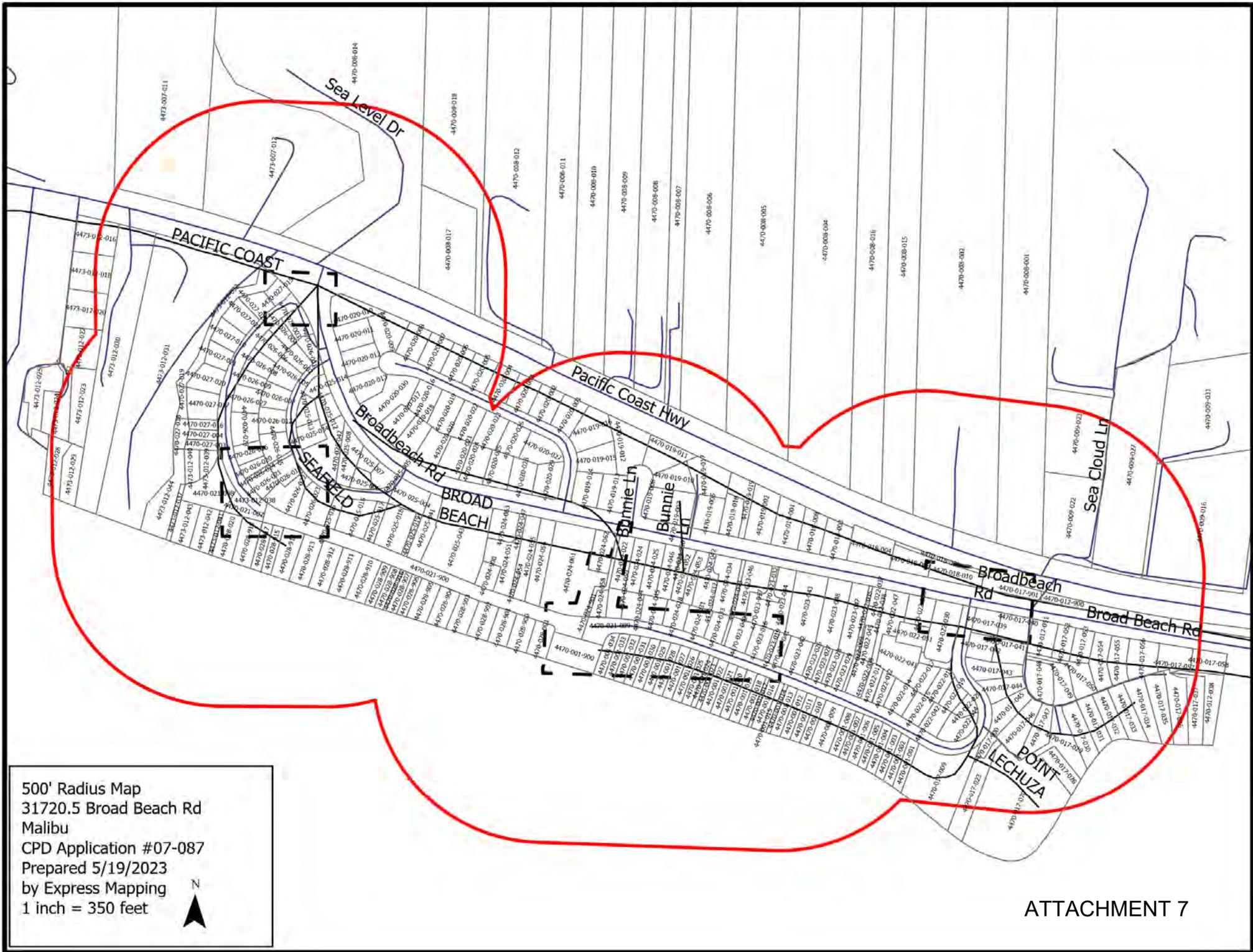
MOUNTAINS RECREATION AND CONSERVATION AUTHORITY
 570 WEST AVENUE TWENTY-SIX
 LOS ANGELES, CALIFORNIA

ENTRY GATE
 DETAILS

PROJECT TITLE
 LECHUZA BEACH
 Malibu California
 PROJECT LOCATION:
 Lot 1, at Broad Beach Road, across Bunte Lane

DESIGNED BY:
 CHECKED BY:
 PROJECT NO. MHA_NPH100201
 DATE: 04.06.2020

SHEET 1 OF 1



500' Radius Map
 31720.5 Broad Beach Rd
 Malibu
 CPD Application #07-087
 Prepared 5/19/2023
 by Express Mapping
 1 inch = 350 feet





City Of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265
Phone (310) 456-2489
www.malibucity.org

PLANNING DEPARTMENT
NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

The Malibu Planning Commission will hold a public hearing on **Monday, June 19, 2023, at 6:30 p.m.** for the project identified below which will be held via teleconference only in order to reduce the risk of spreading COVID-19 pursuant to AB 361.

COASTAL DEVELOPMENT PERMIT NO. 07-087, CONDITIONAL USE PERMIT NO. 21-010, SIGN PERMIT NO. 19-004, INITIAL STUDY NO. 19-001, NEGATIVE DECLARATION NO. 19-001, AND VARIANCE NOS. 21-022 AND 21-023 - An application for public access improvements at Lechuza Beach to improve accessibility consistent with the Americans with Disability Act (ADA) including installation of a new ADA accessible single-stall restroom, onsite wastewater treatment system (OWTS), gate, access improvements, ADA van parking space and access aisle, and reconstruction of existing view platforms and staircases; including a conditional use permit for an OWTS to be located on separate properties, variances for locating improvements on a steep slope and for a reduction in the blufftop setback, and a sign permit for the installation of information signs

LOCATION / APN / ZONING: 31720.5 Broad Beach Rd /4470-026-003; 4470-021-008; 4470-021-007; 4470-021-900;4470-028-918; 4470-028-917; 4470-028-915; 4470-021-009; 4470-024-901; 4470-024-062/Single-family Medium (SFM)

APPLICANT / OWNER: Mountains Recreation and Conservation Authority
APPEALABLE TO: City Council and California Coastal Commission
ENVIRONMENTAL REVIEW: Initial Study No. 19-001/ Negative Declaration No. 19-001/State Clearinghouse No. 2019011015
APPLICATION FILED: July 16, 2007
CASE PLANNER: Mary Wright, Contract Planner, wright@civicsolutions.com (949) 489-1442

A written staff report will be available at or before the hearing for the project, typically 10 days before the hearing in the Agenda Center: <http://www.malibucity.org/agendacenter>. Related documents are available for review at City Hall or by contacting the Case Planner. You will have an opportunity to testify at the public hearing; written comments which shall be considered public record, may be submitted any time prior to the beginning of the public hearing. If the City's action is challenged in court, testimony may be limited to issues raised before or at the public hearing. To view or sign up to speak during the meeting, visit www.malibucity.org/virtualmeeting.

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 ten days following the date of action which the appeal is made 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/planningforms 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 approval directly to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. More information may be found online at www.coastal.ca.gov or by calling 805-585-1800.

RICHARD MOLLICA, Planning Director

Date: May 25, 2023