Commission Agenda Report

Planning Commission Meeting
06-15-26
Item 3.B.3.

To: Chair Peak and Members of the Planning Commission

Prepared by: Aakash Shah, Contract Planner

Reviewed by: Joseph Smith, AICP, Contract Principal Planner

Approved by: Yolanda Bundy, MS, PE, CBO, CFCO, Community Development Director and Tyler Eaton, Assistant Community Development Director

Date prepared: June 4, 2026 Meeting date: June 15, 2026

Subject: De Minimis Waiver No. 25-001 – An application for a replacement onsite wastewater treatment system for a parcel damaged by the Woolsey Fire

Location: 6973 Birdview Avenue, appealable coastal zone
APN: 4468-015-002
Owner: Bradshaw Family Trust

RECOMMENDED ACTION: Receive and file the Community Development Director's report on the issuance of De Minimis Waiver (DMW) No. 25-001 for a replacement onsite wastewater treatment system (OWTS) damaged by the Woolsey Fire.

DISCUSSION: This agenda item is for informational and reporting purposes only. Pursuant to Local Coastal Program Local (LCP) Implementation Plan (LIP) Section 13.4.11, the requirement for a Coastal Development Permit may be waived through a DMW issued by the Community Development Director for the items described in "General Requirements for De Minimis Waiver," below that are within the Appealable Jurisdiction of the California Coastal Commission (CCC), as depicted on the City's Post-LCP Certification Permit and Appeal Jurisdiction Map.

The Community Development Director issued a DMW for the aforementioned address. Pursuant to LIP Section 13.4.11(A), the Director's decision on whether to issue a DMW is not locally appealable but is appealable to the CCC.

LIP Section 13.4.11(C) further states that the Community Development Director shall report in writing to the Planning Commission any DMW that has been issued by the City. If, after consideration of the DMW and any public objections to it, the Planning Commission

requests that the waiver not be effective, then the applicant shall be advised that a coastal development permit is required, if the applicant wishes to pursue the application.

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

Where the improvements are not otherwise exempt pursuant to LIP Section 13.4, and the required findings of LIP Section 13.4.11(B) are met, the Community Development Director may issue a DMW for any of the following: 1) Improvements to an OWTS serving a structure that was damaged or destroyed as a result of a natural disaster where the improvements involve installing a new system or upgrading an existing system to an advanced system on the same lot and does not meet the exemption criteria of LIP Section 13.4.6(B); 2) Minor improvements to existing driveways or access roads that are required by the Los Angeles County Fire Department after a natural disaster, such as minor changes to the width or grade of driveways or access roads; 3) Replacement seawalls that exceed 10% in height; 4) Increases in the previous finished floor elevation for structures that replace one that was damaged or destroyed as result of a natural disaster, where the previous finished floor elevation must be raised to a higher elevation to meet Federal Emergency Management Agency (FEMA) flood zone requirements as determined by the City's floodplain administrator; 5) Replacement structures that would otherwise be exempt from a Coastal Development Permit may be relocated from their original site if the new location is substantially superior, with primary consideration given to safety and secondary consideration to ESHA and visual impacts; and 6) Water tanks and other water storage devices necessary to construct, install, or use a replacement structure that was damaged or destroyed by a natural disaster.

The project qualifies for a DMW because the proposed OWTS is replacing an existing OWTS that was damaged in the 2018 Woolsey Fire and the required findings are more specifical described in the attached Community Development Director’s decision attached hereto. The proposed OWTS is being processed as a DMW pursuant to LIP Section 13.4.11(A)(1) but does not qualify for a CDP exemption pursuant to LIP 13.4.6(B) because it exceeds the minimum standard size necessary to meet the building code for the replacement structure it serves. The proposed OWTS is located within the existing primary building pad.

PUBLIC NOTICE: On March 25, 2026, a Notice of DMW Application was posted on the subject property.

ATTACHMENT: DMW No. 25-001

City of Malibu

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

De Minimis Waiver

Based on the project plans and information provided in the permit application for the onsite wastewater treatment system (OWTS) described below, the Community Development Director hereby waives the requirement for a coastal development permit (CDP) pursuant to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 13.4.11.

De Minimis Waiver (DMW) No. 25-001	Other Applications: PVWF No. 20-104[1]
Location: 6973 Birdview Avenue	APN: 4468-015-002
CEQA Exemption Section: 15303(d)	Property Posting: March 25, 2026
CCC Appealable Jurisdiction: ☒Yes ☐No ☐Partial	The proposed system is located within the CCC's Appealable Jurisdiction.

Pursuant to LIP Section 13.4.11(A), the following project may be waived through a DMW:

☒ Improvements to an OWTS serving a structure that was damaged or destroyed as a result of a natural disaster, where the improvements involve installing a new system or upgrading an existing system to an advanced system on the same lot and does not meet the exemption criteria of LIP Section 13.4.6(B); or

☐ Minor improvements to existing driveways or access roads that are required by the Fire Department after a natural disaster, such as minor changes to the width or grade of driveways or access roads; or

☐ Replacement seawalls that exceed 10% in height; or

☐ Increases in the previous finished floor elevation for structures that replace one that was damaged or destroyed as result of a natural disaster, where the previous finished floor elevation must be raised to a higher elevation to meet Federal Emergency Management Agency (FEMA) flood zone requirements as determined by the City's floodplain administrator; or

☐ Replacement structures that would otherwise be exempt from a CDP proposed to be relocated from their original site if the new location is substantially superior, with primary consideration given to safety and secondary consideration to ESHA and visual impacts; or

☐ Water tanks and other water storage devices necessary to construct, install, or use a replacement structure that was damaged or destroyed by a natural disaster.

[1] On May 27, 2021, the Planning Division approved Planning Verification – Woolsey Fire (PVWF) No. 20-104 for the in-kind rebuild of the single-family residence with attached garage and detached studio.

Project Description

Natural Disaster: ☒ Woolsey Fire, or ☐ Other

Purpose: ☐New, ☒ Replace Existing and Abandon Existing, or ☐ Repair Existing

Dispersal Type: ☐ Leachfield or ☒ Seepage Pit(s)

Description: Replacement OWTS Tank Size: 3,634-gallon

De Minimis Waiver Findings

Based on the foregoing evidence contained within the record, the Community Development Director hereby makes the following findings of fact: The proposed project will upgrade and improve treatment effectiveness compared to the existing OWTS that was damaged in the 2018 Woolsey Fire. The proposed OWTS is located near the location of the existing damaged OWTS and is located inside the existing primary development pad. The proposed OWTS is not located on or adjacent to a sandy beach or coastal bluff. Though the property has a coastal bluff generally along the west side of the parcel, the proposed OWTS is located within the parcel and outside of the 100-foot required setback from the bluff pursuant to LIP Section 10.4(D).

As conditioned, the applicant is required to record a covenant requiring the proper operation and maintenance of the OWTS. In addition, conditions of approval have been included to require continued operation, maintenance, and monitoring of the subject system. The conditions and requirements will ensure that the replacement OWTS does not have the potential for adverse effects, either individually or cumulatively, on coastal resources. The project as conditioned has been found to meet the requirements of the Malibu Municipal Code (MMC) and LCP. Furthermore, the project is consistent with the certified LCP, including the resource protection policies, in that no native trees, environmentally sensitive habitat area (ESHA), public scenic views or cultural resources will be affected by the project. In addition, all OWTS components will be located in an adequate area that has been previously disturbed and would not result in any new or more significant impacts to natural or cultural resources, and which has the necessary percolation conditions.

The proposed OWTS is being processed as a DMW pursuant to LIP Section 13.4.11(A)(1) but does not qualify for a CDP exemption pursuant to LIP Section 13.4.6(B) because it exceeds the minimum standard size necessary to meet the building code for the replacement structure it serves. The proposed OWTS is located within the existing primary building pad.

Although the proposed OWTS is located within the appealable area of the California Coastal Commission the project qualifies for processing as a De Minimis Waiver. Pursuant to LIP Section 13.4.11.(C)(2) development within the appealable jurisdiction of the California Commission, the Community Development Director's decision may be appealed by an aggrieved person directly to the California Coastal Commission.

Conditions of Approval

Standard Conditions

1. The property owners, and their successors in interest, shall indemnify and defend the City of Malibu and its officers, employees, and agents from and against all liability and costs relating to the City's actions concerning this project, including (without limitation) any award of litigation

expenses in favor of any person or entity who seeks to challenge the validity of any of the City's actions or decisions in connection with this project. The City shall have the sole right to choose its counsel and property owners shall reimburse the City's expenses incurred in its defense of any lawsuit challenging the City's actions concerning this project.

2. This approval is for the OWTS described under the Project Description section of this DMW.

3. Subsequent submittals for this project shall be in substantial compliance with plans as approved by Environmental Health dated **December 29, 2025.** In the event the project plans conflict with any condition of approval, the condition shall take precedence.

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

5. The applicant shall email the final set of plans to the Planning Division for consistency review and approval prior to the issuance of an OWTS permit.

6. A DMW shall expire and be of no further force and effect if the authorized OWTS has not commenced pursuant to a valid grading and/or building permit, as applicable, within five years of the effective date of the waiver. If expired, a coastal development permit or another waiver shall be required.

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

8. All development shall conform to requirements of the Community Development Department, City coastal engineer consultant reviewers, City geotechnical consultant reviewers, City Environmental Health Administrator, City Biologist, City Public Works Department, Los Angeles County Waterworks District No. 29, and the Los Angeles County Fire Department, as applicable. Notwithstanding this review, all required permits shall be secured.

9. Minor changes to the approved plans or the conditions of approval may be approved by the Community Development Director, provided such changes achieve substantially the same results and the project is still in compliance with the MMC and the LCP. An application with all required materials and fees may be required.

10. Pursuant to LIP Section 13.4.11, this permit shall not become effective until the project is reported to the Planning Commission and the Planning Commission does not request that the project be processed as a coastal development permit.

11. 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.

Cultural Resources

12. 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 Community

Development 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.

13. If human bone is discovered during geologic testing or during construction, work shall immediately cease, and the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. Section 7050.5 requires notification of the coroner. If the coroner determines that the remains are those of a Native American, the applicant shall notify the Native American Heritage Commission by phone within 24 hours. Following notification of the Native American Heritage Commission, the procedures described in Section 5097.94 and Section 5097.98 of the California Public Resources Code shall be followed.

Biology

14. No new landscaping is proposed with this project. Therefore, none is approved. A detailed landscaping plan must be submitted to the Planning Division for review by the City Biologist and approval by the Planning Division 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.

15. Any site preparation activities, including removal of vegetation, between February 1 and September 15 will require nesting bird surveys by a qualified biologist at least five days prior to 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 nesting bird surveys shall be submitted to the City within two business days of completing the surveys.

16. All new development including structures, septic systems, or landscaping, shall be set back no less than (100) feet from the (bluff) and shall avoid encroachment on slopes steeper then 4:1.

17. 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 ESHA 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.

18. 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.

Environmental Health

19. 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).

    The final OWTS plan must include a note/label stating that the existing seepage pits will be abandoned.

20. 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).

21. 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. The project OWTS Designer must review the proposed grading plans and confirm/revise the final OWTS design to account for the proposed grading change.
f. Please include the stormwater detention tank and drainage components in the final OWTS plan set.

22. 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.

23. The 2022 California Plumbing Code permits water closets to be computed as 3 DFU if the proposed water closet is categorized as a flushometer tank with a 1.28 gallon per flush or less and is ANSI, IAPMO, IPC, UPC, ASME, CSA, or City of LA approved. Specifications of the flushometer tank shall be submitted.

The OWTS Designer must reference water closets to be computed as 3 DFU. Please provide the make and model number of the water closet that is ANSI, IAPMO, IPC, UPC, ASME, CSA, or City of LA approved and incorporate the low flow specification sheet into the final OWTS design report and architectural plan set.

24. A fixture unit worksheet showing all proposed bedrooms and DFU must be completed and certified by the OWTS Designer (Ensitu).
    a. Please incorporate the fixture unit worksheet into the final architectural plan set and final OWTS design report.
    b. The fixtures listed on the certified fixture unit worksheet must match the submitted architectural plans.

25. 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 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."

26. Traffic-Rated Tank Details and Plan(s): Pre-cast traffic rated tank details and plans regarding each OWTS component located in a vehicular traffic area (including the E-Z treatment pod) shall be incorporated into the final OWTS plan set.
    a. The traffic slab plan in Ensitu's report dated 7-10-2025 shows part of the traffic slab extending beyond a proposed retaining wall. Please update the traffic slab plan to account for the proposed retaining wall in the traffic slab design, or shift the tank to fit the limits of the traffic rated slab in the vehicular driveway area.

27. All proposed reductions in setbacks from the OWTS 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 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).

a. Structures – All proposed reductions in setback from the OWTS 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 OWTS and will not adversely affect the structural integrity of the structures for which the setback is reduced.

28. Proof of Ownership: Proof of ownership of the subject property shall be submitted to the City Environmental Health Administrator.

29. 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.

30. 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.

31. 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 OWTS 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.

32. Project Geologist/Geotechnical Consultant Approval: Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

33. City of Malibu Geologist/Geotechnical Approval: City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

34. 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.

35. City of Malibu Planning Approval: City of Malibu Planning Division final approval of the OWTS plan shall be obtained.

36. 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.

37. Operating Permit Application and Fee: In accordance with MMC, an application shall be made to the Environmental Health office for an OWTS 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.

Construction

38. 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.

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

Prior to Final Inspection

40. Prior to a final Building inspection, the applicant shall provide a Recycling Summary Report (Summary Report) and obtain the approval from the Environmental Sustainability Division. 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.

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

Deed Restrictions

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

Fixed Conditions

43. This DMW runs with the land and binds all future owners of the property.

44. Violation of any of the conditions of this approval may be cause for revocation of this permit and termination of all rights granted thereunder.

Appeals and Reporting

REPORTING – Pursuant to LIP Section 13.4.11, this permit shall be reported to the Planning Commission and is scheduled to be reported at the **June 15, 2026** Planning Commission meeting. This permit will not become effective until completion of the Planning Commission review of the permit pursuant to 14 California Code of Regulations Section 13153.

APPEALS – The Community Development Director's decision on whether to issue a DMW is not locally appealable. If, after consideration of the waiver and any public objections to it, the Planning Commission requests that the waiver not be effective, then the applicant shall be advised that a coastal development permit is required for the OWTS. Otherwise, the Community Development Director's decision on the waiver will be reported to the Coastal Commission by a Notice of Final Action. An aggrieved person may appeal the Community Development Director's decision to the Coastal Commission within 10 working days of the issuance of the City's Notice of Final Action. Appeal forms may be found online at www.coastal.ca.gov or in person at the Coastal Commission South Central Coast District office located at 89 South California Street in Ventura, or by calling (805) 585-1800. Such an appeal must be filed with the Coastal Commission, not the City. If no appeal is filed, the waiver will be effective immediately upon the close of the Coastal Commission's 10 working day appeal period.

Notice of Determination: June 4, 2026

Prepared by:

Aakash Shah
Contract Planner

Issued by:

Tyler Eaton for
Yolanda Bundy, MS, PE, CBO, CFCO
Community Development Director

Attachment: Department Review Sheets including OWTS Plot Plan

ACCEPTANCE OF CONDITIONS AFFIDAVIT

The undersigned property owner(s) acknowledges receipt of the City of Malibu's decision of approval and agrees to abide by all terms and conditions for **De Minimis Waiver No. 25-001**, dated **June 4, 2026**, for the project located at **6973 Birdview Avenue, Malibu, CA 90265**. The permit and rights conferred in this approval shall not be effective until all property owner(s) signs and returns this notarized affidavit to the City of Malibu Planning Division within ten (10) working days of the decision and/or prior to issuance of any development permit.

_____ _____
Date Signature of Property Owner

_____
Print Property Owner Name

_____ _____
Date Signature of Property Owner

_____
Print Property Owner Name

ALL-PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA
County of Los Angeles } SS

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

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

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

WITNESS my hand and official seal.

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

City of Malibu

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

ENVIRONMENTAL HEALTH REVIEW
REFERRAL SHEET

TO: City of Malibu Environmental Health Staff

FROM: City of Malibu Planning Staff **REVISED DATE** 12/10/2025

PROJECT NUMBER: DMW 25-001

JOB ADDRESS: 6973 BIRDVIEW AVE

APPLICANT / CONTACT: Marissa Coughlan

APPLICANT EMAIL: marissa@mmcccorp.com

PROJECT DESCRIPTION: NOWTS

REVISION:

TO: Malibu Planning Department and/or Applicant

FROM: Malibu Environmental Health Staff

✓ **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.

Building Plan Check (BPC) Required ☑ Yes ☐ No BPC Fees Req'd $_____

_____ **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)**

Signature 12/29/2025

Signature **Date**

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

Public Counter hours for Environmental Health staff are Tuesdays and Thursdays, 8:00 AM – 12:00 PM.

ATTACHMENT

City of Malibu

Environmental Health ● Environmental Sustainability Department
23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-7650 · www.malibucity.org

ENVIRONMENTAL HEALTH REVIEW SHEET

PROJECT INFORMATION

Applicant: (name and email address)	Marissa Coughlan marissa@mmcccorp.com		
Project Address:	**6973 Birdview Avenue** Malibu, California 90265		
Planning Case No.:	DMW 25-001		
Project Description:	NOWTS		
Date of Review:	December 29, 2025		
Reviewer:	Matt Janousek	Signature:	
Contact Information:	Phone: (310) 456-2489	Email:	mjanousek@malibucity.org

SUBMITTAL INFORMATION

Architectural Plans:	Sorensen Architects: Plans dated 2-3-2023, 8-29-2025 (PVWF 20-104)
Grading Plans:	McGrath Civil, Inc.: Plans dated 12-16-2024, 7-22-2025 (PVWF 20-104)
OWTS Plan:	Ensitu: Plan dated 1-12-2025, 7-8-2025
OWTS Report:	Ensitu: Report dated 1-12-2025, 7-10-2025
Geology Report:	GeoConcepts: Report dated 6-21-2023, 8-2-2023
Miscellaneous:	City of Malibu Environmental Health Building Plan Check Reviews for PVWF 20-104 / TNWF 24-0118 dated 10-17-2024, 3-18-2025, 5-6-2025
Previous Reviews:	6-12-2025

REVIEW FINDINGS

Planning Stage:	☒	**CONFORMANCE REVIEW COMPLETE** for the City of Malibu Local Coastal Program (LCP)/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.
	☐	**CONFORMANCE REVIEW INCOMPLETE** for the City of Malibu LCP/LIP and MMC. The listed Planning stage review comments shall be addressed prior to conformance review completion.
OWTS Plot Plan:	☐	**NOT REQUIRED**
	☒	**REQUIRED (attached hereto)** ☐ **REQUIRED (not 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 (MMC) 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) ***Itemized Response to Conditions:*** *Please provide a written response to this review letter that addresses each of the numbered conditions presented below. Each response should clearly explain how the condition has been addressed, including reference to any revised report or plans, or other supporting response materials. It is the applicant's responsibility to ensure that all comments have been adequately addressed by the project consultants prior to resubmittal. Note that additional review conditions may be warranted based on the project team's response to conditions below.*

2) **Final Onsite Wastewater Treatment System (OWTS) Plot Plan:** A final plot plan prepared by a City Registered OWTS Designer shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP)/Local Implementation Plan (LIP). The plans must include all necessary construction details, the proposed drainage plan for the developed property, and the proposed landscape plan for the developed property. The OWTS Plot Plan shall show essential features of the OWTS, existing improvements, and proposed/new improvements. The plot plan must fit on an 11" x 17" sheet leaving a 5" left margin clear to provide space for a City-applied legend.

3) **Final OWTS Design Report, Plans, and System Specifications:** A final OWTS design report and large set of construction drawings with system specifications 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. 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. **The project OWTS Designer must review the proposed grading plans and confirm/revise the final OWTS design (e.g. seepage pits cap depths) to account for the proposed grading change.**

f. **Please include the stormwater detention tank and drainage components in the final OWTS plan set.**

4) **Proof of 1.28 Gallon or Less Flushometer Water Closet:** The 2022 California Plumbing Code permits water closets to be computed as 3 DFU if the proposed water closet is categorized as a flushometer tank with a 1.28 gallon per flush or less and is ANSI, IAPMO, IPC, UPC, ASME, CSA, or City of LA approved. Specifications of the flushometer tank shall be submitted.

   The OWTS Designer must reference water closets to be computed as 3 DFU. Please provide the make and model number of the water closet that is ANSI, IAPMO, IPC, UPC, ASME, CSA, or City of LA approved and incorporate the low flow specification sheet into the final OWTS design report and architectural plan set.

5) **Certified Fixture Unit Worksheet:** A fixture unit worksheet showing all proposed bedrooms and DFU must be completed and certified by the OWTS Designer (Ensitu).

   - Please incorporate the fixture unit worksheet into the final architectural plan set and final OWTS design report.

   - The fixtures listed on the certified fixture unit worksheet must match the submitted architectural plans.

6) **Existing OWTS to be Abandoned:** Final plans shall clearly show the locations of all existing OWTS components (serving pre-existing development) to be abandoned and provide procedures for the OWTS' proper abandonment in conformance with the Malibu Municipal Code.

7) **Worker Safety Note and Abandonment of Existing OWTS:** The following note shall be added to the plan drawings included with the OWTS final design: "*Prior to commencing work to abandon, remove, or replace existing Onsite Wastewater Treatment System (OWTS) components an "OWTS Abandonment Permit" shall be obtained from the City of Malibu. All work performed in the OWTS abandonment, removal, or replacement area shall be performed in strict accordance with all applicable federal, state, and local environmental and occupational safety and health regulatory requirements. The obtainment of any such required permits or approvals for this scope of work shall be the responsibility of the applicant and their agents.*"

8) **Traffic-Rated Slab Plan(s):** All project traffic rated slab plans shall be prepared by a California licensed civil engineer and submitted for Environmental Health review and approval. These plans must be approved by the Building Safety Division prior to receiving Environmental Health final approval.

- The traffic slab plan in Ensitu's report dated 7-10-2025 shows part of the traffic slab extending beyond a proposed retaining wall. Please update the traffic slab plan to account for the proposed retaining wall in the traffic slab design, or shift the tank to fit the limits of the traffic rated slab in the vehicular driveway area.

9) **Engineer Certification for Reduction in Setbacks to Structures:** All proposed reductions in setbacks from the OWTS 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 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).

   - Structures – All proposed reductions in setback from the OWTS 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 OWTS and will not adversely affect the structural integrity of the structures for which the setback is reduced.

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

11) **Operations & Maintenance Manual:** An operations and maintenance manual specified by the OWTS designer shall be submitted to the property owner and maintenance provider of the proposed advanced OWTS.

12) **Maintenance Contract:** A maintenance contract executed between the owner of subject property and an entity qualified in the opinion of the City of Malibu to maintain the proposed advanced onsite wastewater treatment system shall be submitted prior to Environmental Health approval. ***Please note only original "wet* signature" documents are acceptable**.

13) **Advanced Onsite Wastewater Treatment System (OWTS) Covenant:** A covenant running with the land shall be executed between the City of Malibu and the holder of the fee simple absolute as to subject real property and recorded with the City of Malibu Recorder's Office. Said covenant shall serve as constructive notice to any future purchaser for value that the OWTS serving subject property is an advanced method of sewage disposal pursuant to the City of Malibu Municipal Code. Said covenant shall be provided by the City of Malibu Environmental Health Administrator. ***Please submit a certified* copy issued by the City of Malibu Recorder to Environmental Health staff once the covenant has been recorded**.

14) **Project Geologist/Geotechnical Consultant Approval:** Project Geologist/Geotechnical Consultant final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

15) **City of Malibu Geologist/Geotechnical Approval:** City of Malibu geotechnical staff final approval of the OWTS plan shall be submitted to the Environmental Health Administrator.

16) **Waterworks District 29 (W.W.D.29) Approval:** WWD29 approval of the OWTS plot plan is required. The final OWTS plot plan must show the water main and meter as applicable.

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

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

19) **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 OWTS plan check submittal shall be submitted with the application.

-o0o-

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

6973 BIRDVIEW AVENUE (DMW 25-001)
MALIBU, CA 90265 (FIRE REBUILD)

S.F.D.:	6 Bedroom/79 Fixture Units (N) UNDER SEPARATE PERMIT
A.D.U./GARAGE:	1 Bedroom/15 Fixture Units (N) UNDER SEPARATE PERMIT
TREATMENT TANK:	3,634 Gallon MicroSepTec ES12 with UV Disinfection Unit (N)
ACTIVE:	2 – 6′ x 40′ BI w/10′ Cap (N)* (projected; B-5,B-6)
FUTURE:	2 – 6′ x 35′ BI w/10′ Cap (F)* (projected; B-3,B-4)
PERC RATE:	8,550 gpd/13.0 gpsf (proj; B-3)
	10,695 gpd/16.2 gpsf (proj; B-4)
	12,600 gpd/16.7 gpsf (proj; B-5)
	11,337 gpd/15.0 gpsf (proj; B-6)
DESIGNER:	John Yaroslaski, PE 60149
REFERENCE:	Ensitu: OWTS design report dated 1-12-2024, 7-10-2025
	GeoConcepts: OWTS supporting geo and perc test dated 6-21-2023; Geology report dated 8-2-2023

* Updated capping depths shall be addressed in the final OWTS design report and plan by the OWTS Designer.

NOTES:

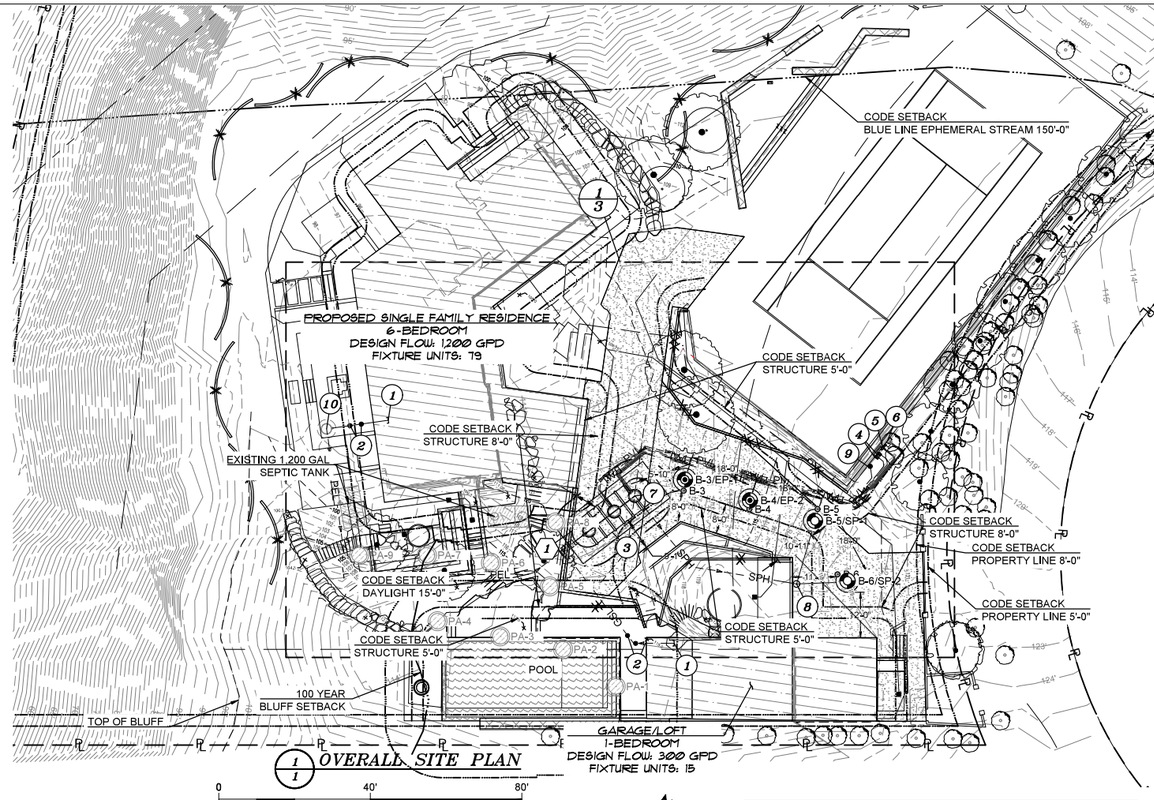
1. This conformance review is for a new advanced onsite wastewater treatment system (OWTS). The new OWTS conforms to the requirements of the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP).
2. The fire rebuilds for the single-family residence and A.D.U/ Garage will be approved under separate permit.
3. This review relates only to the minimum requirements of the MMC, and the LCP, and does not include an evaluation of any geological or other potential problems, which may require an alternative method of review treatment.
4. This review is valid for one year or until MMC, and/or LCP, and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU
ENVIRONMENTAL SUSTAINABILITY DEPT.
ENVIRONMENTAL HEALTH

CONFORMANCE REVIEW

SIGNATURE: ..... DATE: 12/29/2025

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



OVERALL SITE PLAN

0 40' 80'

SCALE: 1" =40'-0"

GENERAL NOTES:

1. EXISTING OWTS COMPONENTS LOCATION AND ABANDONMENT:
   1.1. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS. THE LOCATIONS ON THE ENGINEERING PLANS ARE INFORMATIONAL AND MAY NOT INCLUDE ALL COMPONENTS OF THE OWTS, MANY ITEMS, SUCH AS TANKS, PIPING, DISTRIBUTION DEVICES, SEEPAGE PITS, DISPERSAL FIELDS, AND OTHER APPURTENANCES ARE BURIED AND NOT LOCATABLE BY THE SURVEYOR OR UTILITIES LOCATOR.
   1.2. PRIOR TO COMMENCING WORK TO ABANDON, REMOVE, OR REPLACE EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) COMPONENTS AN "OWTS ABANDONMENT PERMIT" SHALL BE OBTAINED FROM THE CITY OF MALIBU. ALL WORK PERFORMED IN THE OWTS ABANDONMENT, REMOVAL, OR REPLACEMENT AREA SHALL BE PERFORMED IN STRICT ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH REGULATORY REQUIREMENTS. THE OBTAINMENT OF ANY SUCH REQUIRED PERMITS OR APPROVALS FOR THIS SCOPE OF WORK SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND THEIR AGENTS.
   1.3. THE EXISTING OWTS COMPONENTS INCLUDING; SEPTIC TANK(S), PIPING, CLEANOUT(S) SEEPAGE PIT(S), DISPERSAL FIELD(S), AND ALL OTHER APPURTENANCES SHALL BE PROPERLY ABANDONED PURSUANT TO CITY OF MALIBU ORDINANCE 435, SECTION 15.40.170 C. AND SECTION 15.40.170 D. TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES. METHOD OF ABANDONMENT SHALL BE DETERMINED BY THE ENGINEER AND/OR THE OWNER'S REPRESENTATIVE
2. SEWER PIPE SHALL BE BEDDED IN ACCORDANCE WITH SPECIFICATIONS AND TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND ORDINANCES.
3. SYSTEM COMPONENTS AND APPURTENANCES (INCLUDING CLEAN-OUTS, VENTS, BACKWATER VALVES, ETC.) SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.
4. ELECTRICAL COMPONENTS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA ELECTRICAL CODE, LOCAL ELECTRICAL CODE, AND ORDINANCES.
5. A REGISTERED GEOTECHNICAL ENGINEER, UNDER THE DIRECTION OF THE OWNER, SHALL DETERMINE IF THE WASTEWATER LOADING RATE WILL CAUSE THE EXISTING SLOPE TO BECOME UNSTABLE. ENSITU ENGINEERING INC., IS NOT A GEOTECHNICAL ENGINEERING FIRM, THEREFORE, WE CAN NOT PREDICT AND/OR DETERMINE THE STABILITY OF THE EXISTING SLOPE.
6. THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE INSTALLATION OF THE TANK AND DISPERSAL SYSTEM COMPONENTS OF THE AOWTS (INCLUDING BUT NOT LIMITED TO: (A) TANK EXCAVATION, BEDDING, AND BACKFILL (B) SEEPAGE PITS EXCAVATION, CONSTRUCTION, AND BACKFILL (C) SUBSURFACE DISPERSAL SYSTEM BEDDING, FILL MATERIAL, CONSTRUCTION, AND BACKFILL) AND PROVIDE THE CITY INSPECTOR WITH A FIELD MEMORANDUM(S) DOCUMENTING AND VERIFYING THAT THE TANK AND DISPERSAL SYSTEM COMPONENTS WERE INSTALLED PER APPROVED AOWTS PLANS.
7. LEACH FIELDS AND DISPERSAL SYSTEMS DESIGNATED AS SAND CATEGORY: ANY REMAINING FILL MATERIAL AND ANY BEACH SAND SEDIMENT THAT MIGHT HAVE REDUCED PERMEABILITY FROM EXISTING LEACH FIELD OPERATIONS ENCOUNTERED BELOW THE BOTTOM OF THE PROPOSED LEACH FIELD OR ANY MATERIAL ENCOUNTERED IN THE CONSTRUCTION OF THE LEACH FIELD THAT IS NOT CATEGORIZED AS BEACH SAND DEPOSITS SHALL BE EXCAVATED TO THE LEVEL OF THE NATIVE BEACH SAND DEPOSITS AND REPLACED WITH DOUBLE-WASHED SAND, THE PROJECT ENGINEERING GEOLOGIST SHALL OBSERVE THE EXCAVATION OF THE LEACH FIELD AND CONFIRM IN WRITING THAT ALL THE DELETERIOUS FILL AND NON-BEACH SAND MATERIALS BELOW THE LEACH FIELD HAVE BEEN REMOVED AND REPLACED WITH CLEAN SAND AND THE LEACH FIELD WAS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED OWTS PLANS.
8. SUBSURFACE DRIP LINE SHALL BE PLACED IN UNCOMPACTED NATIVE SOILS RIPPED AND TILLED A MINIMUM OF 18 INCHES. SOIL SHALL BE AMENDED TO BE 30% SAND, 30% MULCH, 40% NATIVE OR LANDSCAPE DESIGNER SHALL BE CONTACTED TO ADVISE CONTRACTOR ON TYPE OF TOPSOIL TO IMPORT FOR MINIMUM BURIAL DEPTH. DISPERSAL FIELD SHALL BE PLANTED AND ESTABLISHED PRIOR TO OCCUPANCY (ENGINEER TO VERIFY)
9. ALL DIMENSIONS AND GRADES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO SYSTEM INSTALLATION. BUILDING SEWER DEPTH OR CONNECTION POINT WAS NOT PROVIDED AND SHALL BE DETERMINED BY CONTRACTOR PRIOR TO CONSTRUCTION
10. CONTRACTOR TO VERIFY DEPTH AND LOCATION OF BUILDING SEWER CONNECTION. MINIMUM 2% SLOPE FROM STRUCTURE TO CONNECTION POINT.
11. ONSITE WASTEWATER TREATMENT SYSTEM SHALL BE VENTED IN ACCORDANCE WITH TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE MOST CURRENT CALIFORNIA PLUMBING CODE, LOCAL PLUMBING CODE, AND POLICIES.

PIPING SCHEDULE			
	TAG	DESCRIPTION	SPECIFICATION
——GSL——	GSL	PROPOSED GRAVITY SEWER LINE	4" SCH40 PVC
——PEL——	PEL	PROPOSED PUMPED EFFLUENT LINE	2" SCH80 PVC
——PAL——	PAL	PROPOSED AIR COMPRESSOR LINE	1" SCH80 PVC
——PVL——	PVL	PROPOSED AIR VENT LINE	4" SCH40 PVC
——RCRC——	RCRC	RECIRCULATION RETURN LINE	1½" SCH80 PVC
——SPH——	SPH	SEEPAGE PIT HEADER	2" SCH80 PVC
——SPL——	SPL	SEEPAGE PIT LATERAL	1½" SCH80 PVC

EQUIPMENT SCHEDULE			
ITEM	QTY	DESCRIPTION	MFG/PART NUMBER
1	2	CONNECTION TO BUILDING SEWER[1]	
2	2	GRAVITY CLEAN-OUT AND BACKWATER VALVE[1]	INDUSTRIAL BACKWATER VALVE (SPEARS MODEL 6475P FOR 4") 8" I.D. VALVE BOX (CHRISTY MODEL F08)
3	1	TREATMENT TANK[1][2]	MICROSEPTEC ES25
4	2	AIR COMPRESSOR[1][2]	MICROSEPTEC
5	1	REMOTE TELEMETRY CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	MICROSEPTEC
6	1	CONTROL UNIT DEDICATED COMMUNICATION AND POWER AS OUTLINED IN MANUFACTURER INSTALLATION GUIDELINES.[1][2]	GEOFLOW
7	1	DUPLEX PUMP SYSTEM[1][2]	MICROSEPTEC
8	1	HYDROSPLITTER BOX[1]	ORENCO
9	1	VENT ASSEMBLY[1][2]	ORENCO
10	1	30" PUMP STATION	
[1]		ALL PLUMBING APPURTENANCES AND WORK SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE PLUMBING CODES. APPURTENANCES AND WORK INCLUDE, BUT ARE NOT LIMITED TO; CONNECTION TO BUILDING PLUMBING, VENTILATION, ISOLATION, BACKWATER VALVES, CLEANOUTS, AND FITTINGS.	
[2]		ALL ELECTRICAL APPURTENANCES INCLUDING BUT NOT LIMITED TO; CONDUIT, CONDUCTOR, CONTROL PANELS, CONTACTORS, FLOATS, PUMPS, DISCONNECTS, AND COMMUNICATION DEVICES SHALL COMPLY WITH CURRENT LOCAL, COUNTY, AND STATE ELECTRICAL CODE AND CURRENT NATIONAL ELECTRIC CODE, CONDUIT AND CONDUCTOR RUNS AND SIZING SHOWN ON PLAN ARE FOR ALIGNMENT AND COST ESTIMATION, ELECTRICAL CONTRACTOR SHALL SPECIFY ALL ELECTRICAL APPURTENANCES, CONTROL AND POWER POINT STORE SHALL BE PLACED IN	

OWTS Capacity (Design and Maximum)			
Component	Description	Size/Capacity	Design Capacity	Max Capacity
Treatment Volume (Fixture Unit Capacity)	1-MicroSepTec ES25	7,540 gallons	94 fixture units	261 fixture units
Treatment (Organic Capacity)	1-MicroSepTec ES25	4.17 lb BOD5/day	1500 gpd at 220 mg/L BOD5	2500 gpd at 220 mg/L BOD5
Disinfection	1-MicroSepTec ES25	2,500 gpd	1,500 gpd	2,500 gpd
Seepage Pit Dispersal	2-Present Seepage Pits and 2-Expansion Seepage Pits	23937-Present Seepage Pits and 19245-Expansion Seepage Pits	1500 gpd, 7 bedrooms, and 94 Total Fixture Units	2700 gpd Maximum Effluent Flow, 15 Maximum Number of Bedrooms, and 210 Maximum Fixture Units
Description		Design Point	Pump Settings	
MST Pumps		30 gpm @ 34.9 ft (TDH)	12 cycles per day, 5.5 min on, and 54.5 min off per cycle. Total discharge 132 gallons per cycle	

MicroSepTec Design		
Design Flow	1,500	gpd
Design Influent BOD	220	mg/L
Design Effluent BOD	20	mg/L
Design Organic Loading BOD	2.50	lb BOD_5
MicroSepTec Model Specified	ES25	
MicroSepTec Tank Volume	7540	gal
MicroSepTec ES25 Base Organic Removal (1)	4.17	lb BOD_5
Minimum Number of MicroSepTec ES25 Required	1	units
Design Organic Removal	4.17	lb BOD_5
Design Tank Volume	7540	gal
Maximum Effluent Flow Based on Organic loading	2500	gpd
Maximum Effluent Flow Based on Hydraulic Loading	2500	gpd
Maximum Fixtures Based on Design Tank Volume	261	

Fixture Units Summary		
Total Fixture Units	94	
Dwelling Units Summary		
Total Proposed Dwelling Units	3	
Proposed Bedroom Summary		
Total Proposed Bedrooms	7	bedrooms
Number of Proposed Master Bedrooms	3	bedrooms
Number of Proposed Standard Bedrooms	4	bedrooms
Flow Calculations (Q)		
Peak Flow per Master Bedroom	300	gpd
Peak Flow per Standard Bedroom	150	gpd
Average Flow per Master Bedroom	200	gpd
Average Flow per Standard Bedroom	100	gpd
Flow Calculations Proposed (Q_P)		
Peak Flow, Q_P	1500	gpd
Average Flow, Q_A	1000	gpd
Design Flow, Q_P	1500	gpd
Influent Characteristics		
BOD5 (mg/l)	220	
TSS (mg/l)	220	
TN (mg/l)	35	
Effluent Characteristics		
BOD5 (mg/l)	20	
TSS (mg/l)	20	
TN (mg/l)	17.5	

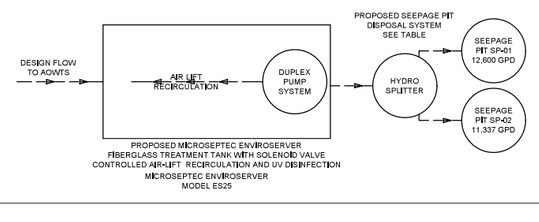
Boring Number	Cap Depth ft	Depth Below Inlet ft	Total Depth ft	Dia. ft	Test Pit Capacity gal	Seepage Pit Number	Dia. ft	Cap Depth ft	Depth Below Inlet ft	Total Depth ft	Pit Capacity gal/day
Present Seepage Pits											
B-5	10	40	50	2	4200	SP-1	6	10	40	50	12600
B-6	10	40	50	2	3779	SP-2	6	10	40	50	11337
Total					7979						23937
Expansion Seepage Pits											
B-3	15	35	50	2	2850	EP-1	6	15	35	50	8550
B-4	15	35	50	2	3565	EP-2	6	15	35	50	10695
Total					6415						19245

Septic Tank (ST) Calculations		
Total Existing Fixture Units		
Total Proposed Fixture Units	94	
Total Fixture Units	94	
Minimum Septic Tank Size based on Fixtures	3500	gal
Total Proposed Dwelling Units	3	
Total Proposed Bedrooms	7	bedrooms
Minimum Septic Tank Size based on Bedrooms	1680	gal
Minimum Septic Tank Size	3500	gal
Design Septic Tank Size	7540	gal

Seepage Pit Calculations		
Minimum Seepage Pit Capacity Based On Fixture Units (Vols3)	10500	gal
Minimum Seepage Pit Capacity Based On Bedrooms (Vols5)	8250	gal
Minimum Seepage Pit Capacity	10500	gal
Design Present Seepage Pit Capacity	23937	gal
Design Expansion Seepage Pit Capacity	19245	gal

SETBACK REDUCTIONS				
	COMPONENT	SITE ELEMENT	CODE REQUIREMENT	ACTUAL
1	SEPTIC TANK	STRUCTURE	5'	0

LEGEND	
B-XX/SP-XX	PERCOLATION TEST AND PROPOSED ACTIVE/PRESENT SEEPAGE PIT LOCATION
B-XX/EP-XX	PERCOLATION TEST AND PROPOSED EXPANSION/FUTURE SEEPAGE PIT LOCATION
PA-XX	EXISTING SEEPAGE PIT TO BE ABANDONED (SEE GENERAL NOTE 1)
B-X	SEEPAGE PIT TEST HOLE
	EXISTING OWTS TO BE ABANDONED (SEE GENERAL NOTE 1)
	BUILDINGS AND STRUCTURES
	DRIVEWAY
	POOL



PROPOSED MICROSEPTEC ENVIROSERVER
FIBERGLASS TREATMENT TANK WITH SOLENOID VALVE
CONTROLLED AIR-LIFT RECIRCULATION AND UV DISINFECTION
MICROSEPTEC ENVIROSERVER
MODEL ES25

FINAL FOR APPROVAL
ISSUED
07/08/2025

JOHN N. YAROSLASKI
PRINCIPAL ENGINEER

ENSITU
7420 CAMELOTA AVE.
ATASCADERO, CA 93422
Tel: 805.772.0150
Fax: 805.772.0813
ENSITU@ensitu.com

ENSITU ENGINEERING, INC.
"Dedicated to achieving higher standards in onsite and decentralized wastewater systems."

REVISIONS

NO.	DATE	BY

6973 BIRDVIEW AVENUE AOWTS FINAL DESIGN
PLANS
FD-SITE PLANS AND TABLES 11x17
MALIBU, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
JOHN N. YAROSLASKI
60149
EXP 06/2026
CIVIL
STATE OF CALIFORNIA

DATE: 07/08/2025
DESIGNED BY: JNY
DRAWN BY: JNY
CHECKED BY: JNY

JOB NO.
792-02.010

SHEET
1 OF 1

Project Engineer: John N Yaroslaski PE # 60149
Project Name: 6973 Birdview AVE 792-02 6973 Birdview PWFD\792-02.020 6973 Birdview PWFD-05.dwg
CREATION TIME: Thursday, July 10, 2025 10:41:09 AM
MOD. TIME: Thursday, July 10, 2025 10:46:48 AM
PLOT TIME: Thursday, July 10, 2025 12:26:58 PM

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 **DATE:** 05/15/2025

PROJECT NUMBER: DMW 25-001

JOB ADDRESS: 6973 BIRDVIEW AVE

APPLICANT / CONTACT: Marissa Coughlan

APPLICANT EMAIL: marissa@mmcccorp.com

PLANNER: To Be Assigned

PROJECT DESCRIPTION: NOWTS

TO: Malibu Planning Department and/or Applicant

FROM: City Biologist, Courtney McCammon

_____ **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).

X

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

Building Plan Check (BPC) Required ☐ Yes ☐ No BPC Fees Req'd $_____

_____ **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).**

Courtney McCammon 5/23/25

Signature Date

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

Contact Information:

Courtney McCammon, City Biologist, biology@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)	Marissa Coughlan marissa@mmcccorp.com		
Project Address:	**6973 BIRDVIEW AVE** Malibu, CA 90265		
Planning Case No.:	DMW 25-001		
Project Description:	NOWTS		
Date of Review:	May 23, 2025		
Reviewer:	Courtney McCammon	Signature:	Courtney McCammon
Contact Information:	Phone: (310) 456-2489 ext 277	Email:	biology@malibucity.org

SUBMITTAL INFORMATION

Site Plan:	
Site Survey:	
Landscape Plan:	
Hydrozone Plan:	
Irrigation Plan:	
Fuel Modification Plan:	
Grading Plan:	
OWTS Plan:	5/15/25
Bio Assessment:	
Bio Inventory:	
Native Tree Survey:	
Native Tree Protection Plan:	
Miscellaneous:	
Previous Reviews:	

REVIEW FINDINGS

Review Status:	☐	**INCOMPLETE**: Additional information and/or a response to the listed review comments is required.
	☒	**APPROVED**: The project has been approved with regards to biological impacts.
	☐	**CANNNOT APPROVE AS SUBMITTED**: The proposed project does not conform to the requirements of the MMC and/or LCP.
	☐	**ERB**: This project has the potential to impact ESHA and may require review by the Environmental Review Board pursuant to LIP Section 4.4.4

Recycled Paper

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 with a potential to exceed six feet in height, or change 500/2,500 square feet or more (new residence/existing residence) of the existing landscaping area, a detailed landscape plan shall be submitted for review and approval prior to any planting.

   B. 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.

   C. All new development including structures, septic systems, or landscaping, shall be set back no less than (*100*) feet from the (*bluff*) and shall avoid encroachment on slopes steeper then 4:1.

-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

City of Malibu

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GEOTECHNICAL REVIEW SHEET

Project Information

Date:	January 6, 2026	**Review Log #:**	**714**
Site Address:	6973 Birdview Avenue		
Lot/Tract/PM #:		**Planning #:**	**ACDP 25-030** DMW 25-001 **P2**
Applicant/Contact:	Marissa Coughlan, marissa@mmcccorp.com	**BPC/GPC #:**	
Contact Phone #:	310-701-7050 **Fax #:**	**Planner:**	**Adriana Peralta**
Project Type:	New Onsite Wastewater Treatment System (OWTS)		

Submittal Information

Consultant(s) / Report Date(s): *(Current submittal(s) in **Bold**.)*	GeoConcepts, Inc. (Barrett, CEG 2088, DS-12003): **12-1-2025**, 6-21-2023 Ensitu Engineering, Inc. (Yaroslaski, RCE 60149): **7-10-2025**, 1-12-2025 **2nd Coastal Development Permit Submittal** **Architectural plans prepared by Sorensen Architects dated August 29, 2025.** **Civil plans prepared by McGrath Civil, Inc, dated July 22, 2025.** **OWTS plans prepared by Ensitu Engineering, Inc. dated July 8, 2025.** Structural plans prepared by Riverstone Structural Concepts dated June 10, 2025. Landscape and Irrigation plans prepared by Craft Landscape Architecture dated June 20, 2025.
Previous Reviews:	7-28-2025; Ref: Environmental Health Review Sheet dated 6-12-2025

Review Findings

Coastal Development Permit Review

☒ The OWTS project is **ACCEPTABLE** from a geotechnical perspective, with the following comments to be addressed prior to building plan check stage completion.

☐ The OWTS project is **NOT ACCEPTABLE** from a geotechnical perspective. The listed 'Review Comments' shall be addressed prior to acceptance.

OWTS Plan-Check Stage Review

☒ Awaiting Building plan check submittal.

☐ The OWTS plans are **COMPLETE** from a geotechnical perspective. Please review the attached 'Geotechnical Notes for Building Plan Check' and incorporate into Building Plan-Check submittals.

☐ The OWTS plans are **COMPLETE** from a geotechnical perspective. The listed 'Building Plan-Check Stage Review Comments' shall be addressed prior to Building Plan-Check Stage completion.

Project submittals were reviewed from a geotechnical perspective for conformance with applicable codes, guidelines, and standards of practice, including the following current City adopted standards:

- 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 Geotechnical Reports and Procedures for Report Submittal (November 2013) referred to herein as Geotechnical Report Guidelines

In the case of conflicting requirements between the Geotechnical Guidelines and any other referenced standards, the latest standard will apply. The Applicant is responsible for complying with the submittal requirements for all Planning variances, as appropriate; any questions regarding variances should be directed to the case Planner.

Remarks:

The referenced supplemental supporting geologic report, update OWTS design report, OWTS plans, architectural plans, civil plans, and the City's files were reviewed by the City's consultants from a geotechnical perspective. Based on the submitted information, the project consists of installing a new 7,540-gallon MicroSepTec ES25 treatment tank system with UV disinfection and two active 6' diameter x 40' BI seepage pits with 10' caps (B-5 and B-6), and two future 6' diameter x 35' BI seepage pits with 15' caps (B-3 and B-4). The new advanced OWTS will serve the fire rebuild of the single-family residence and detached garage/guest unit destroyed in the Woolsey Fire. The existing 1,200-gallon septic tank and 8 seepage pits will be properly abandoned/ removed.

The Planning Department has determined the top of bluff (TOB) and has agreed with the TOB shown on the Site Plan, Sheet A-1.4. The 1.5 static factor of safety line is located 10 feet from the south bluff edge, and with a bluff erosion rate of approximately 1 inch per year, an additional 13 feet is making the total required setback 25 feet to meet LCP-LIP minimum criteria for reduction of bluff setback to 50 feet. The actual distance between bluff edge and the southernmost extent of the new OWTS as proposed is 80 feet.

Conditions of OWTS Plan-Check Approval

1. One set of final electronic OWTS plans incorporating the Project Geotechnical and Environmental Health Specialists' recommendations and items in this review sheet must be **reviewed and wet stamped and manually signed by the Project Engineering Geologist**. City geotechnical staff will review the plans for conformance with the Project Geotechnical Consultants' recommendations and items in this review sheet over the counter at City Hall.

Please direct questions regarding this review sheet to City's Geotechnical consultants listed below.

Geotechnical Engineering Reviewed by: _____ 1-6-2026
Lauren J. Doyel, PE 61337, GE 2981exp. 6-30-27 Date
Coastal Engineering Review Consultant (805-370-8710)
Email: ldoyel@malibucity.org

Engineering Geology Review by: _____ 1-6-2026
Christopher Dean, C.E.G. #1751, Exp. 9-30-26 Date
Engineering Geology Reviewer (408-656-3210)
Email: cdean@malibucity.org

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

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