

## 4.8. Land Use and Planning

This section provides an overview of existing land uses, land use designations, and applicable plans and policies. It also evaluates the potential for land use and planning impacts associated with the proposed Project. Because proposed Project improvements would be located in the City of Malibu and in portions of unincorporated Los Angeles County, applicable land use plans and policies for both jurisdictions are presented in this section. Specifically, this section includes an analysis of potential impacts resulting from a conflict with any applicable plans or physically dividing an established community. A consistency analysis with City of Malibu General Plan and Local Coastal Program goals and policies is also included.

The Project would be constructed in three phases and has four main elements that could result in land use impacts: 1) wastewater treatment facility; 2) pump stations; 3) wastewater collection and recycled water distribution system pipelines; and 4) percolation ponds and groundwater injection wells. For the purposes of this section, “Project area” refers to the area that encompasses the extents of the four main elements described above and the area that would be served by these proposed Project facilities, and “Project site” refers specifically to those areas that would be disturbed by construction activities associated with these four main elements. The Project would include a Local Coastal Program Amendment (LCPA) and zoning text amendment (ZTA) for the wastewater treatment facility to include an Institutional District Overlay.

### 4.8.1. Environmental Setting

#### Regulatory Setting

##### State Regulations

##### California Coastal Act

The California Coastal Act of 1976 identifies the Coastal Zone as a distinct and valuable natural resource of vital and enduring interest to all the people and as a delicately balanced ecosystem. The California Coastal Act further states that the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.

Section 30240 requires the protection of Environmentally Sensitive Habitat Areas (ESHAs) against any significant disruption of habitat values. No development, with the exception of uses dependent on the resources, is allowed within any ESHA. (However, Section 30240 must be applied in concert with other California Coastal Act requirements, particularly Section 30010, which prohibits taking private property.) This policy further requires development adjacent to ESHAs to be sited and designed to prevent impacts that would significantly degrade the ESHAs as well as to be compatible with the continuance of the habitat areas.

## Regional Regulations

### Southern California Association of Governments Regional Comprehensive Plan

The Southern California Association of Governments (SCAG) is designated by the federal government as the Southern California region's Metropolitan Planning Organization and Regional Transportation Planning Agency. SCAG's jurisdiction includes Los Angeles, Orange, Riverside, San Bernardino, Imperial and Ventura Counties. SCAG has sought to address regional planning concerns through various plans and programs, including the 2008 Regional Comprehensive Plan (RCP).<sup>1</sup>

The RCP addresses regional issues, such as housing, traffic/transportation, water, and air quality, and serves as an advisory document for local agencies in the Southern California region to use when preparing local plans and handling local issues of regional significance. The RCP contains the following relevant land use and water goals:

- **Land Use and Housing**

Successfully integrate land and transportation planning and achieve land use and housing sustainability by implementing the Compass Blueprint 2% Strategy, which includes the following:<sup>2</sup>

- Focusing growth in existing and emerging centers and along major transportation corridors.
- Creating significant areas of mixed-use development and walkable, "people-scaled" communities.
- Providing new housing opportunities, with building types and locations that respond to the region's changing demographics.
- Targeting growth in housing, employment, and commercial development within walking distance of existing and planned transit stations.
- Injecting new life into under-used areas by creating vibrant new business districts, redeveloping old buildings, and building new businesses and housing on vacant lots.
- Preserving existing, stable, single-family neighborhoods.
- Protecting important open space, environmentally sensitive areas, and agricultural lands from development.

- **Water**

- Developing sufficient water supplies through environmentally sustainable imports, local conservation and conjunctive use, reclamation, and reuse to meet the water demands created by continuing regional growth.

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<sup>1</sup> Southern California Association of Governments. 2008. *2008 Regional Comprehensive Plan*. Available: <<http://www.scag.ca.gov/rcp/index.htm>>. Accessed: August 16, 2013.

<sup>2</sup> The Compass Blueprint 2% Strategy is a guideline regarding how and where the Growth Vision for Southern California's future can be implemented. It calls for changes to current land use and transportation trends on only 2% of the land area of the region.

- Achieving water quality improvements through implementation of land use and transportation policies and programs that promote water stewardship and eliminate water impairments and waste in the region.
- Fostering comprehensive and collaborative watershed planning within the region that produces “waterwise” programs and projects with multiple benefits and ecosystem protections, integrating local government planning efforts with those of special districts, environmental advocates, and other watershed stakeholders.

### **Los Angeles Water Quality Control Board Basin Plan**

The LARWQCB's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan designates beneficial uses for surface and ground waters, sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations.

## **Local Regulations**

### **Los Angeles County General Plan**

The draft *Los Angeles County General Plan 2035* was released in ~~October 2013~~ January 2014. The general plan provides the policy framework for how and where the unincorporated areas of Los Angeles County will grow through 2035. This document represents a comprehensive effort to update the county's 1980 general plan. The general plan recognizes and celebrates the county's wide diversity of cultures, abundant natural resources, and status as an international economic center. The general plan anticipates growth and will guide development in the unincorporated areas of Los Angeles County through 2035.

The county's unincorporated areas total approximately 2,650 square miles and contain a residential population of more than 1 million. A portion of the Prohibition Zone and Project area is located within unincorporated Los Angeles County. This approximately 230-acre area is located in the northern part of the Prohibition Zone, as depicted in Figure 4.8-1.

### **City of Malibu General Plan**

The City of Malibu General Plan, adopted in November 1995 and updated in 2014 with the adoption of the 2013-2021 Housing Element update, serves as the major tool for directing growth while maintaining an attractive, viable, and safe environment. It outlines a vision for the City and establishes policies to achieve the objectives. The City of Malibu General Plan provides an analysis of existing conditions in the City, including physical, social, cultural, and environmental resources and opportunities. Additionally, it looks at trends, issues, and concerns that affect the region and provides policies to guide development and change by identifying common goals, objectives, and programs.

Applicable objectives and policies included in the Land Use Element and the Circulation and Infrastructure Element of the City of Malibu General Plan are presented below.

**Land Use Element**

LU Objective 1.1: Development that does not degrade the environment.

- LU Policy 1.1.1: The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.
- LU Policy 1.1.2: The City shall ensure that land uses avoid or minimize adverse impacts on water quality and natural resources, such as undisturbed watershed and riparian areas.
- LU Policy 1.1.3: The City shall control surface runoff into coastal waters, wetlands, and riparian areas.
- LU Policy 1.1.4: The City shall preserve the City's rural residential character.
- LU Policy 1.1.5: The City shall require careful site planning that blends development with the natural topography.

LU Objective 1.2: Preserve and protect resource protection areas.

- LU Policy 1.2.1: The City shall prohibit development in ESHAs unless no feasible alternative is available.
- LU Policy 1.2.2: The City shall require development in and adjacent to Resource Protection Areas to be designed to mitigate environmental impacts to the fullest extent feasible.
- LU Policy 1.2.3: The City shall require any proposed new public access to and through ESHAs to be consistent with the natural resources of the area.

LU Objective 1.3: Land uses consistent with flood, geologic, and fire safety requirements.

- LU Policy 1.3.1: The City shall regulate development in floodways.
- LU Policy 1.3.2: The City shall require proposed development to avoid geologic safety hazards created by development.
- LU Policy 1.3.3: The City shall require fire protection measures for development.

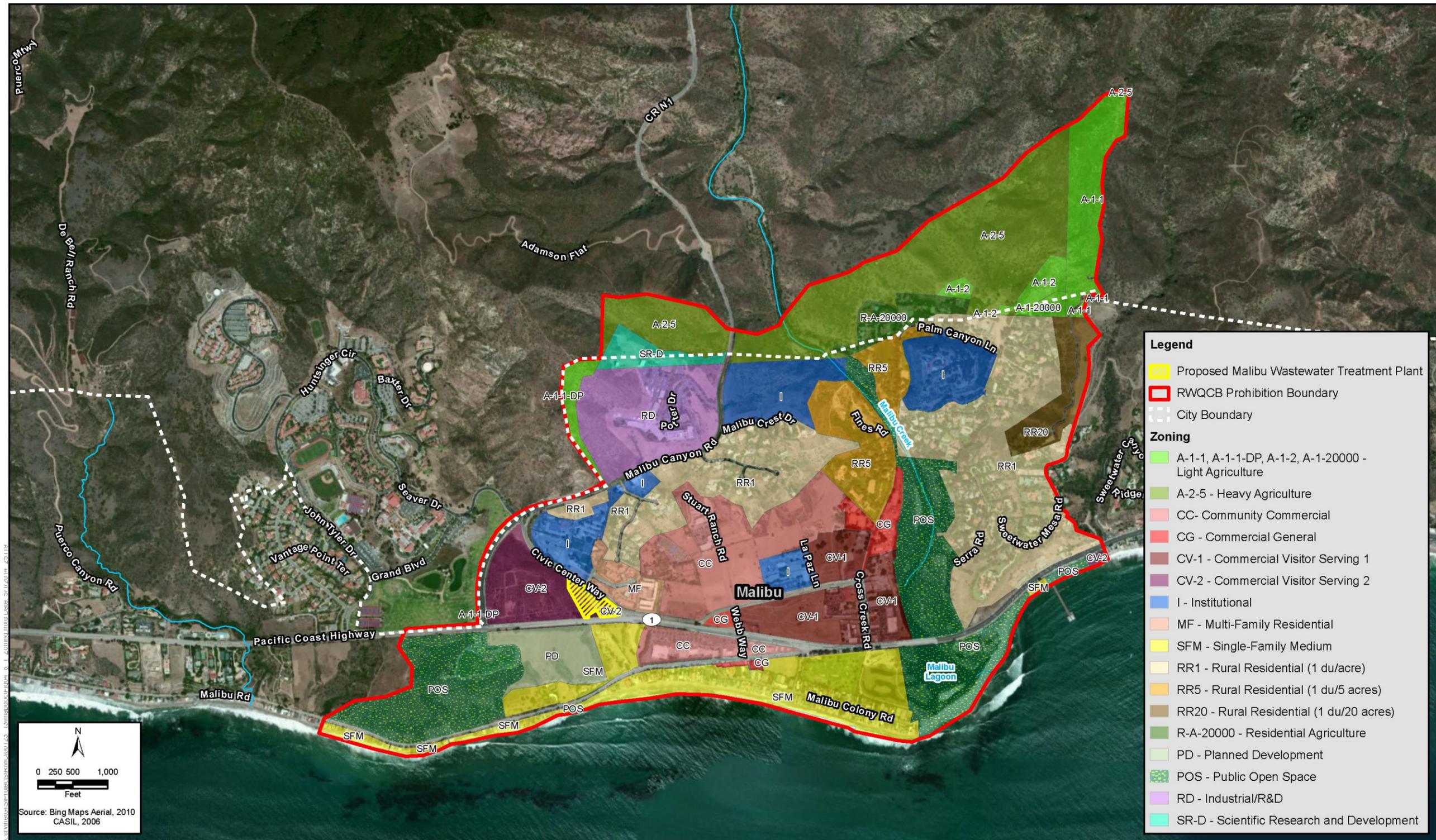
LU Objective 1.4: Development consistent with the preservation of the natural topography and watershed protection.

- LU Policy 1.4.3: The City shall minimize the alteration of existing landforms and require design consistent with natural topography and processes of the site (i.e., geological, soils, hydrological, water percolation, and runoff).
- LU Policy 1.4.4: The City shall require development to protect significant natural drainage courses and, where safety considerations necessitate modification, projects to provide a natural appearance.

LU Objective 1.5: Integrated environmental review.

- LU Policy 1.5.1: The City shall scrutinize proposed development for any potential individual or cumulative adverse environmental impact, in addition to those impacts that are peculiar to development otherwise consistent with the general plan.

Figure 4.8-1. Zoning of the Prohibition Zone



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LU Objective 2.2: Development consistent with efficient operation of the traffic system and service infrastructure, with adequate capacity to serve all residents.

- LU Policy 2.2.1: The City shall require adequate infrastructure, including, but not limited to, roads, water, and wastewater disposal capacity, as a condition of proposed development.
- LU Policy 2.2.2: The City shall maintain the City's fiscal integrity and ensure that revenues and fees generated by new development are sufficient to offset associated City costs.
- LU Policy 2.2.3: The City shall permit only development that is consistent with the capital improvement plan and economic health of the City.
- LU Policy 2.2.4: The City shall manage development in accordance with the efficient operation of the traffic system and service infrastructure.
- LU Policy 2.2.5: The City shall evaluate the effect on road capacity of traffic impacts from all sources when determining the type and intensity of land use.
- LU Policy 2.2.6: The City shall coordinate with utility providers to underground all utility transmission lines and pipes when and where feasible, unless an aboveground location is required for geotechnic or hydrologic safety.
- LU Policy 2.2.7: The City shall implement the recommendations of the 1992 Malibu Wastewater Management Study or equivalent program.
- LU Policy 2.2.8: The City shall require adequate wastewater management for development.
- LU Policy 4.3.2: The City shall require buildings within the Civic Center area to reflect (a) the uniqueness of this location as the City's town center, (b) its proximity to the beach and ocean, and (c) a "community village" character with small-scale, low-rise buildings. Development in the Civic Center will be guided by those policies and implementation measures in the plan that are generally applicable to commercial development.

LU Objective 4.5: Environmentally sensitive, efficient, and effective treatment of commercially generated sewage and wastewater that meets all health standards.

- LU Policy 4.5.1: The City shall require commercial wastewater to be managed on-site unless an environmentally acceptable alternative exists.
- LU Policy 4.5.2: The City shall allow cooperative wastewater treatment among commercial neighbors.

### ***Circulation and Infrastructure Element***

C Objective 2.1: Contamination and pollution from waste disposal reduced to the maximum extent practical by 2000.

- C Policy 2.1.2: The City shall protect the quality of surface and groundwater.
- C Policy 2.1.4: The City shall encourage utilization of innovative alternative methods of wastewater treatment.

### **City of Malibu Municipal Code**

The City of Malibu Municipal Code (M.M.C.), most recently amended in September 2013, guides the growth and development of the City in an orderly manner, consistent with the land use and environmental goals and policies of the City General Plan. M.M.C. Title 17 (Zoning) identifies the purpose of the zoning ordinance as follows:

- To protect and enhance the quality of the natural environment; and
- To promote the public health, safety, and general welfare by regulating the location and use of buildings, structures, and land for residential, commercial, and other specified uses contained within this title.

Additionally, Title 17 contains development standards for development permits and agreements.

### **Local Coastal Program**

The entire City of Malibu is located within the California Coastal Zone, as defined by the California Coastal Act. On September 13, 2002, the City certified a Local Coastal Program (LCP), which consists of a Land Use Plan (LUP) and a Local Implementation Plan (LIP). The LCP is intended to protect, maintain, and where feasible, enhance and restore the overall quality of the Coastal Zone environment. Functioning similar to the City's General Plan and Zoning Code (M.M.C. Title 17), the City's LCP regulates zoning and land use, as well as providing other policies and development standards pertaining to protection of coastal resources. The primary difference is that the LCP is an extension of state law (i.e., California Coastal Act) and implemented at the local level. As a result, the policies and regulations of the LCP supersede any policy or regulation of the City's General Plan or M.M.C. Zoning Code in the event of a conflict between the documents.

### **LCP Land Use Plan**

The LUP presents land use policies aimed at achieving the goals and objectives of the Coastal Act and LCP. These policies take precedence over any conflicting policies in the City's General Plan, zoning, and ordinances, and compliance with the LUP must be demonstrated prior to the City approving any Coastal Development Permits. Applicable policies to wastewater included in the LUP are presented below.

#### *Chapter 3 – Marine and Land Resources*

- Policy 3.96: States that new development shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams or wetlands. Urban runoff pollutants shall not be discharged or deposited and must be consistent with the LARWQCB stormwater permit and the California Ocean Plan.
- Policy 3.101: Requires that the City consult with the State Water Resources Control Board, LARWQCB, and the Coastal Commission to determine if an LCP amendment is appropriate for any revisions to regulatory documents or requirements pertaining to water resources.
- Policy 3.137: Requires that expansion of community sewer facilities (package wastewater treatment plants, dedicated sewer service systems, existing trunk lines, etc.) in existing developed areas shall be limited in capacity to the maximum level of development allowed by the LUP.
- Policy 3.144: Requires cooperation and coordination with the LARWQCB to ensure septic system conformance with regional water quality standards.

**Zoning (LIP Chapter 3)**

To implement the land use policies of the LUP, zoning is administered through the LCP Local Implementation Plan (LIP) Chapter 3. Figure 4.8-1 shows the zoning of the Prohibition Zone.

**Water Quality (LIP Chapter 17)**

The purpose of Chapter 17 (Water Quality Protection Ordinance) is to protect and enhance coastal waters within the City of Malibu in accordance with the policies of the City's [LCP Local Coastal Plan](#), the California Coastal Act, and the City's municipal NPDES permit requirements per the [LARWQCB Regional Water Quality Control Board](#). This chapter implements the water quality-related policies of the certified LUP, application submittal requirements, development standards, and other measures are provided to ensure that permitted development is sited and designed to conserve natural drainage features and vegetation, prevent the introduction of pollutants into coastal waters, and protect the overall quality of coastal waters and resources.

**Environmentally Sensitive Habitat Area Overlay (LIP Chapter 4)**

The ESHA overlay of the Malibu LCP identifies an "environmentally sensitive area" as the following:<sup>3</sup>

- Any habitat area that is rare or especially valuable on a local, regional, or statewide basis.
- Any habitat area that contributes to the viability of plant or animal species that are designated or 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 as "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 (e.g., plant species that are 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).

Certain areas within the Prohibition Zone/Project area have been identified as ESHAs by the City of Malibu LCP.

The City is processing an LCP amendment to create an overlay district and development standards for the Civic Center Wastewater Treatment Facility. Chapter 3 of the LIP would be amended to include the "Civic Center Wastewater Treatment Facility Institutional Overlay District" which would include specific development requirements for the Project related to siting near ESHAs, native trees, height restrictions, fencing around the wastewater treatment facility, and visual screening requirements. In addition to amending the text of pertinent sections of the LIP, the LCP amendment would also include a new LIP section (Section 18.10), titled "Civic Center Wastewater Treatment Facility" which would include development and design standards for the Project. Section 18.10 would also include relevant requirements for a Coastal Development Permit, provisions for supplemental CDP applications and approvals during future phases of the Project, performance requirements for the wastewater treatment system, and OWDS decommissioning and sewer

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<sup>3</sup> City of Malibu. 2013. *Local Coastal Program* (current through September 2013). Available: <<http://qcode.us/codes/malibu-coastal/>>. Accessed: November 24, 2013.

connection requirements in accordance with LARWQCB requirements. Proposed LIP Section 18.10 also specifically states that the buildout capacity of the treatment facility, including all phases, shall not exceed the amount of development allowed by the LCP. A corollary amendment to the Municipal Code is being processed concurrently to ensure consistency between the LCP and M.M.C.

## Existing Conditions

### City of Malibu

The City of Malibu is located within the western portion of Los Angeles County. The City is a coastal community with approximately 20 square miles of land with more than 22 miles of coastline. As previously stated, the entire City is located within the Coastal Zone, as defined by the California Coastal Act. The City is generally bounded on the north by the Santa Monica Mountains, on the east by Topanga Canyon, on the west by Ventura County, and on the south by the Pacific Ocean. Malibu was incorporated on March 28, 1991. The City includes unique natural resources and maintains a rural residential atmosphere.

### Prohibition Zone

The Prohibition Zone, or Project area, overlies the Malibu Valley Groundwater Basin, which includes a shallow alluvial layer, and a lower aquifer called the Civic Center Gravels. The Project area also contains a hydraulically separate alluvial zone within Winter Canyon west of and adjacent to the basin.

The Prohibition Zone is located within the lower Malibu Creek watershed area and includes the Civic Center area of the City of Malibu and portions of unincorporated Los Angeles County. It is generally bounded by Malibu Canyon Road to the west, Malibu Creek and Lagoon to the east, the Pacific Ocean to the south, and the southerly portion of the Santa Monica Mountains to the north.

Land uses in the Civic Center area generally consist of a mix of commercial, research and development, institutional and residential land uses, with open space/undeveloped and public lands, as shown in Figure 4.8-2. Low-density commercial and residential land uses make up most of the Prohibition Zone, as described below.

- Single-family residential of relatively higher density are located south of PCH and along the beachfront, while somewhat lower density residential development can be found in the northern and eastern portions of the Prohibition Zone. Pockets of multifamily residential uses (condominiums) are also located in the central-western portion of the Prohibition Zone.
- Commercial uses are located in the central portion of the Prohibition Zone, in the core of the Civic Center area. Pockets of commercial uses are also located in the southeast portion along PCH and near the western boundary of the Prohibition Zone.
- Public open space is located in small pockets throughout the Prohibition Zone, including in the core of the Civic Center area, and in the western and eastern portions of the Prohibition Zone.

Notable land uses in the Prohibition Zone include Malibu City Hall, located approximately 0.3 mile northeast of the proposed wastewater treatment facility site; Webster Elementary School, across Civic Center Way; Pepperdine University's Alumni Park (a privately-owned recreation area); and Malibu Bluffs Park. The Malibu Colony, a residential development, is located in the southern portion of the Prohibition Zone, south of PCH. Pepperdine University, located outside of the Prohibition Zone (and outside the City limits) and approximately 2,000 feet west of the proposed wastewater treatment facility site, is the largest single development in the vicinity.



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### ***Proposed Wastewater Treatment Facility Site***

The proposed wastewater treatment facility would be located at 24000 Civic Center Way on a site that is bounded by Civic Center Way to the north and PCH to the south. The site is currently developed with the existing Winter Canyon Wastewater Treatment Facility. The proposed wastewater treatment facility site is in the central portion of the Prohibition Zone and is zoned Commercial Visitor Serving-2 (CV-2) in all City land use documents.

The proposed wastewater treatment facility site slopes from northwest to southeast and is divided into two terraces, an upper terrace, where the majority of the existing Winter Canyon Wastewater Treatment Facility has been developed, and a lower plateau. A drainage channel that connects to Winter Canyon Creek is located along the southeastern edge of the site. Wetland features line the drainage, and the area is considered an ESHA.

Existing facilities on the site include six buried wastewater treatment tanks, four above-grade trickling filters, leach pits, aboveground electrical facilities, and an effluent distribution header.

Access to the site is provided by a gated driveway on Civic Center Way. A dirt driveway runs through the site in a U-shaped configuration.

### ***Collection and Distribution System***

The Phase 1 pipelines would run along Civic Center Way, Malibu Canyon Road, Winter Canyon Road, Webb Way, Stuart Ranch Road, Cross Creek Road, and Malibu Road. Major land uses surrounding these streets generally consist of Pepperdine University and Malibu Bluffs Park along Malibu Canyon Road; residential condo developments, and public uses such as Webster Elementary School, Legacy Park, and Malibu Library along Civic Center Way; the [Malibu Colony Plaza \(including Ralphs grocery\)](#) commercial development along Malibu Road; Malibu City Hall along Stuart Ranch Road; and commercial uses along Cross Creek Road. In addition to collection and distribution pipelines, pump stations would be located within the Malibu Bluffs Park parking lot, and along the edge of Legacy Park near Civic Center Way. In addition, the proposed injection wells would be located along the Malibu Road, behind the [Malibu Colony Plaza/Ralphs grocery](#) building. Phase 2 and 3 pipelines are generally intended to serve residential properties along Malibu Canyon Road, Malibu Road, and Cross Creek Road and within the Malibu Colony, Serra neighborhood, and Malibu Knolls. With the exception of the pump stations, injection wells, and some recycled water distribution pipes, all pipeline infrastructure would be constructed within existing roadway right-of-way [and street easements, although some new easements may have to be acquired.](#)

## **4.8.2. Environmental Impact Analysis**

The analysis of land use and planning impacts involves a qualitative discussion of the proposed land use changes compared with existing site conditions and applicable planning documents. Potential land use and planning impacts are evaluated in the context of the proposed wastewater treatment facility site and Prohibition Zone and surrounding community. The impact analysis below evaluates any potential for changes to the existing community as a result of physical development of the Project site. An evaluation of consistency with applicable land use and planning documents, including any habitat or natural community conservation plans, is also provided. It should be noted

that partial inconsistency with plans and policies alone would not necessarily constitute a significant impact unless the inconsistency were to result in an adverse physical change to the environment.

## Thresholds of Significance

For the purposes of this EIR and in accordance with Appendix G of the 2013 State CEQA Guidelines, the proposed Project would have a significant impact on the environment if it would:

- Physically divide an established community.
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

## Impacts

### Impact LU-1: Would the Project Physically Divide an Established Community?

#### Proposed Wastewater Treatment Facility

The proposed Project would include the construction of a new centralized wastewater treatment facility as part of Phase 1 of the Project that would treat wastewater flows from properties in the Prohibition Zone. The proposed wastewater treatment facility would be located at 24000 Civic Center Way, between Civic Center Way on the north, PCH on the south, and vacant land on the west. The site is currently developed, in part, with the existing small scale, privately owned and operated wastewater treatment facility serving the Malibu Colony Plaza shopping center (-located on the south side of PCH), the Supercare/Malibu Medical Building, and facilities located at 23661 PCH and 23648 to 23670 PCH ~~Winter Canyon Wastewater Treatment Facility~~. The remaining portions of the site are undeveloped and vacant. No residential uses are located on this site. The closest residences are within the Maison Deville, Toscana, Malibu Canyon Village, and Vista Pacifica condominium complexes on DeVille Way; the south side of the complexes is visible from Civic Center Way, opposite and extending east of the treatment plant site. Construction and operation of the proposed wastewater treatment facility would not divide an established community. Specifically, construction and operation of the proposed wastewater treatment facility, including miscellaneous associated facilities, would not affect the connectivity of surrounding land uses, as the treatment facility site is the location of an existing wastewater treatment plant and is separated from the nearest residences by Civic Center Way. Phases 2 and 3 may also require the design and construction of recycled water storage tanks and booster pump stations to accommodate the delivery of recycled water; ~~however, these facilities would be sited within the proposed wastewater treatment facility site~~. Similar to Phase 1, Phases 2 and 3 would not divide an established community. No significant land use impacts would occur.

#### Proposed Collection and Recycled Water Distribution Systems

As stated in Chapter 3, Project Description, Phase 1 of the MOU requires commercial properties within the core of the Civic Center area to connect to the proposed wastewater treatment facility by November 5, 2015. As shown in Figure 4.8-2, the mix of land uses located in the Civic Center area includes commercial, public open space, institutional and residential uses.

Under Phase 1, the proposed collection and the recycled water distribution systems would follow existing street alignments, including Civic Center Way, Stuart Ranch Road, Cross Creek Road, Webb Way, Malibu Road, Malibu Canyon Road, Winter Canyon Road, and a small portion of PCH. No residential uses would be converted or displaced directly as a result of construction or operation of the collection and distribution systems.

Phase 2 would require the connection of residential properties located adjacent to or in proximity to the impaired bodies of water identified in the Prohibition resolution. Phase 2 development in the County would include the construction of pipelines along residential streets (such as Palm Canyon Lane). Under Phase 3, the connection of the remainder of the residential properties located within the Prohibition Zone would occur only if implementation of Phases 1 and 2 fail to result in meaningful reductions in the bacterial and nutrient impairments of the identified water bodies pursuant to the MOU. No residential uses would be converted or displaced directly as a result of construction or operation of the distribution systems proposed under Phases 2 and 3.

Pipelines for the collection and distribution systems would generally be constructed in existing roadways using cut-and-cover techniques. In locations where major roadways or streams would be crossed, some form of trenchless technology would be employed for pipeline installation. Cut-and-cover construction would include removing pavement, excavating a trench, placing pipe, refilling the trench, and repaving. With cut-and-cover construction, approximately 50 to 100 feet of pipeline could be installed each day. These construction activities could result in short-term temporary disruptions to access to surrounding uses. Because these impacts would be temporary and short term, the land use impacts would be less than significant.

Construction and implementation of the proposed collection and recycled water distribution systems, as well as associated pump stations and injection wells, would not physically divide any residential communities in the surrounding area. Operation and maintenance of the Project would require routine truck traffic to the wastewater treatment facility each week as well as inspections of the pump stations, injection wells, and pipelines every 2 to 3 months. These activities would not require any limitations on access along local roads such that a temporary division of the community would occur. No significant impacts would occur.

**Impact LU-2: Would the Project Conflict with any Applicable Land Use Plan, Policy, or Regulation of an Agency with Jurisdiction over the Project (including, but not limited to, the General Plan, Specific Plan, Local Coastal Program, or Zoning Ordinance) Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect?**

The proposed Project has been designed to meet the requirements of the MOU, which was formally executed on August 19, 2011, with approval from the State Water Resources Control Board. Implementation of the proposed Project would not conflict with the goals of regional or local plans and policies. Specifically, the proposed Project's goals to maximize reuse of recycled water and minimize saltwater intrusion with injection of highly treated effluent ~~to~~ support the Basin Plan beneficial use designation and would not conflict with SCAG's regional goals.

Final design has not been completed but would be subject to development standards found in the LCP and City of Malibu Municipal Code. The City is processing a Local Coastal Program (LCP) amendment to create an overlay zone and development standards for the Civic Center Wastewater Treatment Facility. A corollary amendment, specifically a zone text amendment and zoning map

amendment to the Municipal Code, is being processed concurrently to ensure consistency between the two codes. The proposed Project would be consistent with LCP and the Municipal Code.

The maximum structure heights of treatment plant facilities would be between 18 and 28 feet, depending on final design. Any potential impacts on native trees, ESHAs, visual resources, or water resources/quality would be consistent with the standards of the LCP. Due to unique characteristics of a wastewater treatment plant, existing use of the site as a wastewater treatment facility, and in order to maintain compatibility with nearby uses, the [CCWTF Civic Center Wastewater Treatment Facility](#) Institutional Overlay District would allow the proposed project as a conditional use in the CV-2 zone.

The proposed Project would also be consistent with relevant local objectives and policies, including the City of Malibu General Plan Land Use Element and the Transportation and Infrastructure Element. As such, a consistency analysis is presented below in Table 4.8-1. It presents a side-by-side comparison of applicable City General Plan objectives and policies and shows how the Project would implement the City's General Plan. Additionally, as described in [Section 3.6 of](#) Chapter 3, Project Description, the proposed Project would require several discretionary approvals at the state and local level. City of Malibu discretionary approvals would include a Coastal Development Permit, including a conditional use permit. An LCP amendment and zoning text and map amendments would also be required to make the Project consistent with the LCP Land Use Plan and City zoning. Approval of the LCP amendment is subject to certification by the Coastal Commission. Because the proposed Project would not result in a significant physical impact on the environment due to an inconsistency with the City's General Plan, Zoning Code, Municipal Code, or LCP, no impacts would occur, and no mitigation measures would be necessary. In addition, Phase 2 pipelines that would be located within unincorporated County jurisdiction are not anticipated to conflict with County land use policies or plans because these pipelines would be constructed within the street rights of way [or easements](#) and all properties served by these pipelines would [remain residential or vacant](#) ~~be used in a manner~~, consistent with existing land uses.

### **Impact LU-3: Would the Project Conflict with any Applicable Habitat Conservation Plan or Natural Community Conservation Plan?**

There are no Habitat Conservation Plans or Natural Community Conservation Plans that are applicable to the Project area. Additionally, as described in Section 4.3, Biological Resources, the LCP/LIP ESHA map does not designate the wastewater treatment facility site or the proposed disturbance areas for the collection and distribution system as ESHAs. Winter Canyon Creek, which is located in the southeastern portion of the wastewater treatment facility site, is depicted as a blue-line stream on the Malibu Beach topographic quadrangle map (USGS 1950) and the LCP/LIP ESHA map. A jurisdictional delineation prepared for the Project determined that approximately 0.37 acre of jurisdictional wetland occur within the proposed wastewater treatment facility site within the Winter Canyon Creek drainage located approximately 100 feet from the nearest wastewater treatment facility [component](#) ~~infrastructure~~. These wetland features are considered ESHA under the LIP.

Construction and operation of the proposed Project would be subject to requirements and standards set forth in the LCP, M.M.C. and General Plan regarding development adjacent to designated ESHAs. This would include any applicable design, construction, and operational requirements. The proposed Project would comply with all City of Malibu requirements and policies related to

developments located adjacent to ESHAs and the proposed LCPA/ZTA because no construction work would directly affect the wetland features in the Winter Canyon Creek drainage and the LCP amendment includes specific allowances for a reduced ESHA buffer as well as requirements for construction and operation of the Project to meet in order for the Project to comply with the LIP ESHA requirements. Accordingly, the Project would not conflict with LIP ESHA requirements.

Pipelines associated with the collection and distribution systems would be installed within existing public roadways [and private easements](#). Phase 1 pump stations and other similar infrastructure are proposed to be constructed in disturbed and/or paved areas in Malibu Bluffs Park (within [and adjacent to](#) the parking lot) and Legacy Park (within an area vegetated with native habitat adjacent to the Civic Center Way parking stalls [and pathway](#)) where the potential for disrupting sensitive habitat is least likely in these park facilities. The LCPA/ZTA would conditionally permit infrastructure related to the Project in the [Public Open Space \(POS\)](#) zone, which includes Malibu Bluffs Park. Injection wells would be installed along Malibu Road in the right-of-way adjacent to commercial development and roadways where there is limited habitat and no ESHA. Areas adjacent to where the pipeline and injection well infrastructure would be installed are generally developed with residential and commercial uses. However, there are patches of open space between some developments. These areas are not within any mapped ESHA, except where the pipelines would need to cross Malibu Creek in Phase 2. Infrastructure construction is not proposed within an ESHA; however, some components are within the [standard](#) 100 feet required for wetland ESHA buffers. The buffer areas that would be affected are disturbed and/or paved and do not contain any sensitive habitat, vegetation, or wetland features. As described above, the LCPA/ZTA would allow for a reduced ESHA buffer if it can be demonstrated that all treatment plant facilities are sited within previously disturbed areas as much as feasible, the proposed driveway is located along the existing unpaved driveway at the treatment plant site, any fuel modification that encroaches into the ESHA buffer is limited to thinning only, onsite pipelines and equipment located within 100 feet of ESHA shall be installed under pavement or within previously disturbed areas, and that the area of reduced ESHA buffer is offset with ESHA enhancement elsewhere on the site on a one to one basis and incorporated into the site landscape plan subject to City Biologist approval. It is anticipated that the Project would meet all of the requirements outlined in the LCP amendment. According to the LCP, the purpose of the ESHA buffer is to protect transitional habitat. The reduced ESHA buffer as proposed would be considered a less-than-significant impact because no transitional habitat would be disturbed and new habitat would be planted to offset the reduced buffer area on a one-to-one basis. No mitigation measures would be required.

**Table 4.8-1. Land Use and Planning Consistency Analysis**

| Goals and Policies   | Consistency Analysis  | Finding           |
|--|---|-------------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>   |   |                   |
| <b>Land Use Element</b>  |   |                   |
| <p>LU Objective 1.1: Development that does not degrade the environment.</p>  | <p>The proposed Project would construct a centralized wastewater treatment facility to treat wastewater flows that would no longer be served by OWDSs. The Proposed Project would maximize reuse of recycled water, minimize saltwater intrusion, and avoid or minimize impacts on coastal resources.</p>   | <p>Consistent</p> |
| <p>LU Policy 1.1.1: The City shall protect the natural environment by regulating design and permitting only land uses compatible with the natural environment.</p>                       | <p>See Response to Objective 1.1, above. Additionally, the proposed Project would comply with all applicable City LCP and General Plan requirements as well as with development standards set forth in M.M.C. Title 17. Implementation of the proposed Project would be compatible with the natural environment. Additionally, as previously described, the proposed Project would be required to obtain a Coastal Development Permit and an LCP amendment. As previously stated, the Project includes an LCP amendment and zoning text amendment to create an overlay zone and development standards for the Civic Center Wastewater Treatment Facility. A corollary amendment to the Municipal Code would also be processed concurrently to ensure consistency between the two codes.</p>   | <p>Consistent</p> |
| <p>LU Policy 1.1.2: The City shall ensure that land uses avoid or minimize adverse impacts on water quality and natural resources, such as undisturbed watershed and riparian areas.</p> | <p>The purpose of the proposed Project is to treat wastewater that would no longer be treated by OWDSs, with the goal of improving water quality within the Malibu Lagoon and related natural resources. The preparation of a Project-specific SWPPP would ensure that impacts to storm water quality are less than significant. Recycled water generated by the wastewater treatment facility would comply with the State’s General Permit for Landscape Irrigation Uses of Municipal Recycled Water and would be treated to Title 22 standards, which would ensure protection of surface and groundwater quality. As result of groundwater injection, the overall loading of nutrients to the groundwater basin would be reduced because of improved wastewater effluent treatment, and the discharges would be limited to a few locations within the groundwater basin rather than dispersed throughout the basin. Additionally, groundwater modeling demonstrates that all flows would go to the Pacific Ocean/Santa Monica Bay and not Malibu Creek or Lagoon.</p> | <p>Consistent</p> |

| Goals and Policies  | Consistency Analysis  | Finding           |
|---|---|-------------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>  |   |                   |
| <p>LU Policy 1.1.3: The City shall control surface runoff into coastal waters, wetlands, and riparian areas.</p>          | <p>See Response to LU Policy 1.1.2, above. Additionally, as stated in Section 4.3, Biological Resources, no impacts on Winter Canyon Creek, Malibu Creek, or Malibu Lagoon would occur as a result of implementation of the proposed Project.</p>   | <p>Consistent</p> |
| <p>LU Policy 1.1.4: The City shall preserve the City’s rural residential character.</p>                                   | <p>Construction and operation of the proposed Project would not alter the City’s’ rural residential character. The proposed wastewater treatment facility would be located in the Civic Center area of the City on a parcel that is currently used for wastewater treatment uses. The LCP amendment would ensure that the Project design would incorporate landscape screening, colors, and materials to enhance its compatibility with the surrounding area and require that the proposed Project would serve the level of development allowed under the LCP and the General Plan and would not induce growth. The proposed collection and distribution systems would generally be constructed in existing street rights-of-way.</p> | <p>Consistent</p> |
| <p>LU Policy 1.1.5: The City shall require careful site planning that blends development with the natural topography.</p> | <p>As stated in Section 4.1, visual quality at four of the six key observation points (KOPs) would not change in any way. At the two remaining KOPs, minor, less-than-significant changes to visual quality would occur; however, the overall visual quality rating would remain the same. The proposed Project would adhere to screening requirements included in the LCP amendment that are aimed at reducing visual impacts. These could include the use of vegetative screening, walls, and fencing to soften views of a given development.</p>   | <p>Consistent</p> |
| <p>LU Objective 1.2: Preserve and protect resource protection areas.</p>  | <p>A drainage channel that connects to Winter Canyon Creek is located along the eastern edge of the site. Wetland features line the drainage, and the area is considered an ESHA. However, as described in Section 4.3, Biological Resources, no impacts on Winter Canyon Creek, Malibu Creek, or Malibu Lagoon would occur as a result of implementation of the proposed Project</p>   | <p>Consistent</p> |
| <p>LU Policy 1.2.1: The City shall prohibit development in ESHAs unless no feasible alternative is available.</p>         | <p>See Response to LU Objective 1.2, above. As described above, the Project would not directly disturb any ESHAs. Additionally, the proposed Project has been designed to avoid the adjacent ESHA within the Winter Canyon Creek drainage. Furthermore, the proposed LCPA/ZTA makes allowances for a reduced ESHA buffer given that</p>   |                   |

| Goals and Policies  | Consistency Analysis   | Finding    |
|---|--|------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>  |  |            |
|   | specific requirements are met by the Project. As described above, it is anticipated that the Project would meet all of the requirements outlined in the LCPA/ZTA.  |            |
| LU Policy 1.2.2: The City shall require development in and adjacent to Resource Protection Areas to be designed to mitigate environmental impacts to the fullest extent feasible. | See Response to LU Objective 1.2, above.   | Consistent |
| LU Policy 1.2.3: The City shall require any proposed new public access to and through ESHAs to be consistent with the natural resources of the area.                              | See Response to LU Objective 1.2, above. No new public access would be created.  | Consistent |
| LU Objective 1.3: Land uses consistent with flood, geologic, and fire safety requirements.  | Impacts related to public services, including fire safety, have been considered during project design. A fuel modification plan would be prepared for the Project and received and approved by the fire department. The project would comply with City and state building codes and employ best management practices to mitigate potential geologic, seismic, and soil hazards. See Section 4.5, Geology and Soils, and Section 4.11, Public Services, for further discussion. | Consistent |
| LU Policy 1.3.1: The City shall regulate development in floodways.  | See Section 4.7, Hydrology and Water Quality. The Project does not include construction of any habitable structures in floodways. Specifically, the wastewater treatment plant site and Bluffs Park pump station would be outside the 100-year floodplain, but the Legacy Park pump station and two other future phase pump stations would be within the 100-year floodplain.  | Consistent |
| LU Policy 1.3.2: The City shall require proposed development to avoid geologic safety hazards created by development.   | See Response to LU Objective 1.3 above and Section 4.05, Geology and Soils.  | Consistent |
| LU Policy 1.3.3: The City shall require fire protection measures for development.   | See Response to LU Objective 1.3, above  | Consistent |
| LU Objective 1.4: Development consistent with the preservation of the natural topography and viewshed protection.   | As stated in Section 4.1, Aesthetics, the proposed wastewater treatment facility would be constructed in accordance with applicable development standards and the proposed LCPA/ZTA, which aim to preserve the natural topography and viewshed. See Response to LU Policy 1.1.5.   | Consistent |

| Goals and Policies  | Consistency Analysis   | Finding    |
|---|--|------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>  |  |            |
| <p>LU Policy 1.4.3: The City shall minimize the alteration of existing landforms and require design consistent with natural topography and processes of the site (i.e., geological, soils, hydrological, water percolation, and runoff).</p>              | <p>See Section 4.1, Aesthetics; Section 4.5, Geology and Soils; and Section 4.7, Hydrology and Water Quality, for impacts and mitigation measures. The proposed Project would be consistent with the LCP and applicable zoning requirements through approval of the LCPA and ZTA. Design of the Project has incorporated the wastewater treatment facility site’s natural topography and would not require substantial amounts of grading. Proposed structures and equipment would be sited and designed to minimize visual impacts using methods including, but not limited to: locating development below ground level where possible; utilizing landscape screening to soften views of the development and allowing it to blend with the surrounding environment.</p> | Consistent |
| <p>LU Policy 1.4.4: The City shall require development to protect significant natural drainage courses and, where safety considerations necessitate modification, projects to provide a natural appearance.</p>   | <p>See Response to LU Policy 1.4.3, above. Pipeline crossings of Malibu Creek and Malibu Lagoon, would not affect the natural drainage courses because construction methods would not require disturbance of the channel or riparian habitat.</p>  | Consistent |
| <p>LU Policy 1.5.1: The City shall scrutinize proposed development for any potential individual or cumulative adverse environmental impact, in addition to those impacts that are peculiar to development otherwise consistent with the general plan.</p> | <p>This document analyzes the proposed Project’s impacts on the environment, including its consistency with the City of Malibu General Plan. Impacts on land use would be considered less than significant. No mitigation measures would be required.</p>  | Consistent |
| <p>LU Objective 2.2: Development consistent with efficient operation of the traffic system and service infrastructure, with adequate capacity to serve all residents.</p>   | <p>Once completed and operational, the proposed Project would generate very minor amounts of traffic. Temporary, short-term impacts on traffic circulation would occur during construction of the pipeline collection and distribution system along local roadways, which would rely on cut-and-cover techniques. A Traffic Control Plan would be prepared and implemented to minimize impacts on traffic and maintain traffic flow during pipeline construction.</p>  | Consistent |
| <p>LU Policy 2.2.1: The City shall require adequate infrastructure, including, but not limited to, roads, water, and wastewater disposal capacity, as a condition of proposed development.</p>  | <p>The proposed Project would include the construction of a wastewater treatment facility and collection and distribution system in compliance with the MOU with the LARWQCB. The proposed Project does not include the development of new unplanned residential or commercial uses that would require new infrastructure.</p>   | Consistent |

| Goals and Policies   | Consistency Analysis  | Finding           |
|--|---|-------------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>   |   |                   |
| <p>LU Policy 2.2.3: The City shall permit only development that is consistent with the capital improvement plan and economic health of the City.</p>   | <p>See Response to LU Policy 2.2.1, above.</p>  | <p>Consistent</p> |
| <p>LU Policy 2.2.4: The City shall manage development in accordance with the efficient operation of the traffic system and service infrastructure.</p>   | <p>Construction activities associated with the proposed collection and distribution systems would generally occur within existing street rights-of-way. The proposed Project would not disrupt the efficient operation of the traffic system and service infrastructure. Also see Response to LU Objective 2.2, above.</p>  | <p>Consistent</p> |
| <p>LU Policy 2.2.5: The City shall evaluate the effect on road capacity of traffic impacts from all sources when determining the type and intensity of land use.</p>   | <p>No changes to land uses would occur within the Project Area under the proposed Project except for the proposed CCWTF Overlay District, which would make the proposed wastewater treatment facility consistent with the LUP and City zoning code. The proposed Project would result in less traffic than most other allowable uses permitted under the CV-2 zone. See also Response to LU Policy 2.2.1.</p>   | <p>Consistent</p> |
| <p>LU Policy 2.2.6: The City shall coordinate with utility providers to underground all utility transmission lines and pipes when and where feasible, unless aboveground location is required for geotechnic or hydrologic safety.</p> | <p>The proposed collection and distribution system would mostly be located underground. Components of the system, including enclosures may be located above-ground. The proposed project would adhere to all applicable City guidelines and policies pertaining to utility lines and pipes.</p>   | <p>Consistent</p> |
| <p>LU Policy 2.2.7: The City shall implement the recommendations of the 1992 Malibu Wastewater Management Study or equivalent program.</p>   | <p>As discussed in Chapter 3, Project Description, the City of Malibu entered into a negotiated MOU with the LARWQCB regarding phased implementation of Basin Plan amendments prohibiting discharges from on-site wastewater disposal systems in the Malibu Civic Center area. The wastewater treatment facility would be designed to meet waste discharge requirements established by the LARWQCB, which would consider water quality objectives established in the Basin Plan and Ocean Plan (i.e., the statewide water quality control plan that establishes policies and standards involving marine waters), recycled water treatment objectives set forth in Title 22 of the California Code of Regulations, and the Total Maximum Daily Load (TMDL) for nutrients that has been established for Malibu Creek and Malibu Lagoon.</p> | <p>Consistent</p> |
| <p>LU Policy 2.2.8: The City shall require adequate wastewater management for development.</p>   | <p>See Response to LU Policy 2.27. As indicated in Section 4.12, Utilities, no significant impacts on wastewater would occur. Additionally, according to the LCP amendment, a septic</p>  | <p>Consistent</p> |

| Goals and Policies  | Consistency Analysis   | Finding           |
|---|--|-------------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>  |  |                   |
|   | decommissioning program would be developed as a condition of approval for the coastal development permit.  |                   |
| <p>LU Policy 4.3.2: The City shall require buildings within the Civic Center area to reflect (a) the uniqueness of this location as the City’s town center, (b) its proximity to the beach and ocean, and (c) a “community village” character with small-scale, low-rise buildings. Development in the Civic Center will be guided by those policies and implementation measures in the plan that are generally applicable to commercial development.</p> | <p>The proposed Project would adhere to screening requirements included in the proposed LCP amendment and ZTA that are aimed at reducing visual impacts. These could include the use of vegetative screening, walls, and fencing to soften views of a given development.</p>   | <p>Consistent</p> |
| <p>LU Objective 4.5: Environmentally sensitive, efficient, and effective treatment of commercially generated sewage and wastewater that meets all health standards.</p>   | <p>The wastewater treatment facility would be designed to meet waste discharge requirements established by the LARWQCB, which would consider water quality objectives established in the Basin Plan and Ocean Plan (i.e., the statewide water quality control plan that establishes policies and standards involving marine waters), recycled water treatment objectives set forth in Title 22 of the California Code of Regulations, and the Total Maximum Daily Load (TMDL) for nutrients that has been established for Malibu Creek and Malibu Lagoon (i.e., 0.65 milligram per liter [mg/L] total nitrogen [TN] and 0.1 mg/L total phosphorus [TP] during the summer period [April 15 to November 15] and 1 mg/L TN and 0.2 mg/L TP for the winter period [November 16 to April 14])</p> | <p>Consistent</p> |
| <p>LU Policy 4.5.1: The City shall require commercial wastewater to be managed on-site unless an environmentally acceptable alternative exists.</p>   | <p>As discussed in Chapter 3, Project Description, the City of Malibu entered into a negotiated MOU with the LARWQCB regarding phased implementation of Basin Plan amendments prohibiting discharges from OWDSs in the Malibu Civic Center area. The proposed Project would construct a wastewater treatment facility to treat wastewater that would no longer be served by OWDSs.</p>   | <p>Consistent</p> |
| <p>LU Policy 4.5.2: The City shall allow cooperative wastewater treatment among commercial neighbors.</p>   | <p>The proposed Project would be implemented in three phases. As part of Phase 1, core Civic Center commercial properties in the central portion of the Prohibition Zone would be connected to the proposed wastewater treatment facility. The Prohibition allows for a community-based solution.</p>  | <p>Consistent</p> |

| Goals and Policies   | Consistency Analysis   | Finding           |
|--|--|-------------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>   |  |                   |
| Circulation and Infrastructure Element   |  |                   |
| <p>C Objective 2.1: Contamination and pollution from waste disposal reduced to the maximum extent practical by 2000.</p> | <p>Once the treatment facility is operational, it is anticipated that four to six tanker trucks per week would be required under buildout conditions to haul sludge material from the treatment facility to either the Hyperion Treatment Plant in the City of Los Angeles or another suitable permitted facility for disposal. The proposed Project would comply with all applicable standard conditions for construction and demolition recycling.</p>   | <p>Consistent</p> |
| <p>C Policy 2.1.2: The City shall protect the quality of surface and groundwater.</p>                                    | <p>The proposed collection and distribution systems would distribute Title 22 disinfected effluent (recycled water) from the wastewater treatment facility to various land uses for reuse purposes as well as to groundwater injection wells for protection against seawater intrusion. As indicated in Section 4.7, Hydrology and Water Quality, no significant impacts on groundwater and surface water would occur. Based on the Assimilative Capacity and Anti-Degradation Analysis (Appendix G2) required by the RWQCB, groundwater quality improvements would be gained by eliminating nitrogen loading in the shallow alluvium. Past, present, and probably beneficial uses of the groundwater basin would either be improved or would remain unaffected. Based on the Ocean Dilution Technical Memorandum (Appendix G1) prepared for the proposed Project, it is estimated that a 1:10 fresh-groundwater-to-ocean-water dilution ratio would occur within 2 feet of the mixed groundwater/recycled water emerging from the ocean floor. Assuming an initial ocean nitrate concentration of 1.5 mg/L and an injected nitrate concentration of 8 mg/L (which is conservative, given that the injected recycled water would be mixing with ambient groundwater, thereby lowering the nitrate concentration in the combined water dispersing to the ocean), ocean nitrate concentrations would increase a maximum of 8 percent to approximately 1.62 mg/L, assuming a 10-foot mixing depth. Dilution of this level would not substantially affect ocean water quality. The preparation of a Project-specific SWPPP would ensure that impacts to storm water quality are less than significant.</p> | <p>Consistent</p> |

| Goals and Policies  | Consistency Analysis   | Finding    |
|---|--|------------|
| <b>City of Malibu General Plan – Objectives and Policies</b>  |  |            |
| C Policy 2.1.4: The City shall encourage utilization of innovative alternative methods of wastewater treatment. | The proposed Project would construct a wastewater treatment facility to treat wastewater that would no longer be served by OWDSs. The treatment facility would be designed to meet waste discharge requirements established by the LARWQCB using MBR technology, highly treated and disinfected wastewater would be recycled to the maximum extent possible or injected into the groundwater basin. Operation of the proposed wastewater treatment facility would allow many conventional, malfunctioning OWDSs to be taken offline. | Consistent |

### 4.8.3. Mitigation Measures

No significant impacts on land use would occur under the proposed Project. Therefore, no mitigation measures would be required.

### 4.8.4. Unavoidable Significant Adverse Impacts

No unavoidable significant adverse land use impacts would occur as a result of construction and operation of the proposed Project.

### 4.8.5. Cumulative Impacts

The study area for the cumulative impacts analysis includes the Project area and the related projects listed in Table 3-1.3 in Chapter 3. As shown in this table, related projects would include a modest level of new development and a range of land uses, including residential, commercial, road, mixed use, office, and institutional (college.) Similar to the proposed Project, each of these projects would be subject to applicable regional and local land use plans and policies. The proposed Project would not result in any substantial conflicts with land use plans or policies that are intended to avoid or mitigate an environmental effect, it would not physically divide an established community, and it would not conflict with any Applicable Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, the proposed Project would not contribute to cumulatively considerable land use impacts.