

**CITY OF MALIBU
NOTICE OF INTENT TO ADOPT
MITIGATED NEGATIVE DECLARATION**

Notice is hereby given that the City of Malibu, as lead agency under the California Environmental Quality Act (CEQA), has prepared and plans to adopt a Mitigated Negative Declaration (MND) for the project listed below.

Project Title: Broad Beach Road Malibu, LLC Residence and Lot Merger

Project Applicant: Broad Beach Road Malibu, LLC

Project Locations: 31800 Broad Beach Road / APN 4470-025-005
31814 Broad Beach Road / APN 4470-025-006
31817 Seafield Drive / APN 4470-025-007

Lead Agency: City of Malibu

Application Nos. Initial Study No. 18-002
Mitigated Negative Declaration No. 18-003
Coastal Development Permit No. 15-046
Minor Modification No. 19-013
Lot Merger No. 19-013
Conditional Certificate of Compliance Nos. 23-002 and 23-003

Staff Contact: Tyler Eaton, Principal Planner, (310) 456-2489, extension 273
teaton@malibucity.org

Project Description: The project proposes a lot merger between three parcels and the construction of a new 18-foot tall, approximately 1,954 square-foot (sf) single-family residence with 1,084 sf basement and 420 sf two-car garage, an onsite wastewater treatment system, patios, decks, landscaping, walls and fences, and approximately 1,701 cubic yards of grading. The project requests a 50% reduction in the required front yard setback. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Proposed Findings: The Draft MND identifies potentially significant environmental impacts for cultural resources and tribal cultural resources. The Draft MND finds that the project, with incorporation of mitigation measures, would have no significant environmental impacts.

Availability of the Draft MND: The Draft MND, and all documents referenced in the Draft MND, are available for public review during normal business hours at the City of Malibu City Hall, 23825 Stuart Ranch Road, Malibu, CA 90265. The Draft MND can be viewed at <https://www.malibucity.org/CEQA>

Public Comments: The Draft MND is available a 30-day public review period that starts on **Thursday, May 29, 2025, and ends at 5:30 PM on Monday, June 30, 2025**. Comment letters stating specific environmental concerns with the Draft MND should be sent to: City of Malibu Planning Department, Attn: Tyler Eaton, 23825 Stuart Ranch Road, Malibu, CA 90265 or emailed to teaton@malibucity.org. Comments are due at 5:30 p.m. on June 30, 2025. *A public hearing has not been scheduled for this item.

By: Maureen Tamuri, Interim Planning Director
May 29, 2025

Draft

**Initial Study / Mitigated Negative Declaration
for
Coastal Development Permit, Minor Modification and
Lot Merger of Three Parcels for One Single-Family Residence and
Associated Development located at
31800 and 31814 Broad Beach Road and 31817 Seafield Drive**

Initial Study (IS) No. 18-002
Mitigated Negative Declaration (MND) No. 18-003



Prepared by:
City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265-4861

May 2025



City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265-4861

INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

Coastal Development Permit, Minor Modification and Lot Merger
located at 31800 and 31814 Broad Beach Road and 31817 Seafield Drive

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City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265-4861

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

Coastal Development Permit, Minor Modification and Lot Merger for One Single-Family Residence and Associated Development Located at 31800 and 31814 Broad Beach Road and 31817 Seafield Drive

(Initial Study No. 18-002, Mitigated Negative Declaration No. 18-003, Coastal Development Permit No. 15-046, Minor Modification No. 19-013 and Lot Merger No. 15-003)

INTRODUCTION

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

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

**CITY OF MALIBU
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

1. Project Title: Construction of One Single-Family Residence and Associated Development Located at 31800 and 31814 Broad Beach Road and 31817 Seafeld Drive
2. Project Location: 31800 and 31814 Broad Beach Road and 31817 Seafeld Drive
Assessor's Parcel Numbers (APNs):
4470-025-005, 4470-025-006 and 4470-025-007
3. Application: Coastal Development Permit (CDP) No. 15-046
Minor Modification (MM) No. 19-013
Lot Merger (LM) No. 15-003
Initial Study (IS) No. 18-002
Mitigated Negative Declaration (MND) No. 18-003
4. Lead Agency Name and Address: City of Malibu
Planning Department
23825 Stuart Ranch Road
Malibu, CA 90265-4861
5. Contact Person and Phone Number: Tyler Eaton
Principal Planner
(310) 456-2489, Ext. 273
6. Project Applicant Name and Address: Fariborz Eslamieh
6740 Tampa Avenue
Reseda, CA 91335
7. Property Owner: Fariborz Eslamieh
6740 Tampa Avenue
Reseda, CA 91335
8. Malibu Municipal Code (MMC) Zoning: Single Family, Medium (SFM)
9. General Plan Designation: SFM
10. Local Coastal Program Zoning: SFM
11. LCP Land Use Designation: SFM

12. Project Overview:

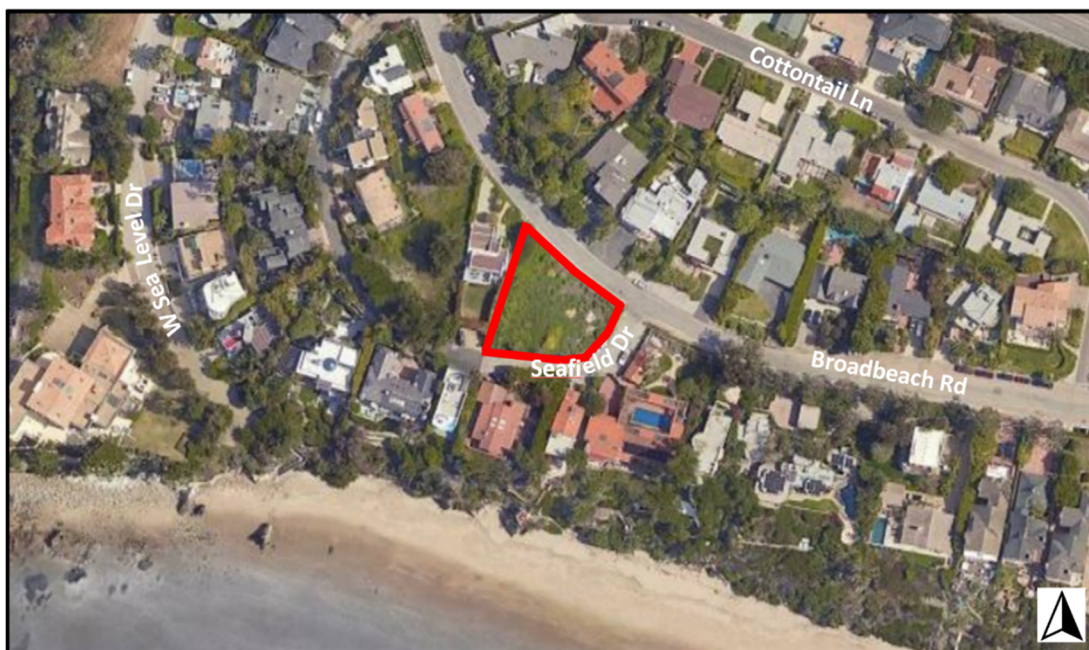
The California Environmental Quality Act (CEQA) requires that projects be evaluated for any potential effects to the environment. For this reason, an Initial Study has been prepared to identify any potential environmental impacts for the proposed coastal development permit, minor modification, lot merger and development of a single-family residence and associated improvements. As a result of the Initial Study, it has been determined that a less than significant impact to the environment with mitigations is anticipated.

The proposed project includes an application for Coastal Development Permit (CDP) No. 15-046 for the construction of a new single-family residence with a basement, garage, landscaping, retaining walls and onsite wastewater treatment system (OWTS); Minor Modification (MM) No. 19-013 for a 50 percent reduction in the required front yard setback; and Lot Merger (LM) No. 15-003 to merge three existing lots into one. The property is located at 31800 and 31814 Broad Beach Road and 31817 Seafield Drive along the south side of Broad Beach Road at its intersection with Seafield Drive.

12.1 Project Site and Surrounding Land Uses

The project site is located in a single-family residential neighborhood in western Malibu between Pacific Coast Highway and the Pacific Ocean. The subdivision tract map for the neighborhood was originally recorded in 1932. The project site includes three parcels totaling 10,345 square feet located on the seaward side of Pacific Coast Highway (PCH), immediately south of Broad Beach Road and west of Seafield Drive (See Figure 1). There is a 20-foot-wide public utilities easement along the northern edge of the property. The site is designated and zoned SFM by the Malibu General Plan, Local Coast Program (LCP) and the Malibu Municipal Code (MMC). These designations allow one single-family residence per 0.25 acre. The site is also located in the Post-LCP Certification Appeal Jurisdiction meaning that the City's decision on the project is appealable to the California Coastal Commission.

Figure 1 - Aerial Photograph of Project Site



Google Maps, 2023

The project site slopes gently from approximately 89 feet above mean sea level (AMSL) at the northwest corner of the site to 81 feet AMSL at the south-central portion of the site. The site is vacant and was previously graded in the 1950s in conjunction with grading and development of the subdivision (Figures 1 and 2). There is no record of any past development on the site beside grading. The site contains pockets of ornamental vegetation as well as scattered patches of debris, dirt and gravel. The property is not designated Environmentally Sensitive Habitat Area (ESHA) as shown on LCP ESHA and Marine Resources Map. In addition, the project site cannot be seen from any public scenic areas, including beaches, parks, or trails. However, it can be seen from Broad Beach Road, which is considered a scenic road by the LCP because it is a public road that provides scenic views of the ocean.

Surrounding uses include one and two-story single-family dwellings which are zoned SFM. Table 1 outlines the land uses and lot sizes of properties immediately adjacent to the project site:

Table 1 – Adjacent Uses			
Direction	Address	Use	Lot Size
North	31811 Broad Beach Road	Single-Family Residence	7,065 sq. ft.
	31805 Broad Beach Road	Single-Family Residence	7,436 sq. ft.
West	31820 Broad Beach Road	Single-Family Residence	8,757 sq. ft.
South	31810 Seafeld Drive	Single-Family Residence	9,968 sq. ft.
	31804 Seafeld Drive	Single-Family Residence	3,837 sq. ft.
East	31776 Broad Beach Road	Single-Family Residence	8,492 sq. ft.

Figure 2 - Site Photographs



Facing north/northeast from Seafeld Drive. Existing single-family residence at 31805 Broad Beach Road shown in background. Story poles present onsite.



Facing northwest from Seafeld Drive. Existing single-family residence at 31820 Broad Beach Road shown in background. Story poles present onsite.



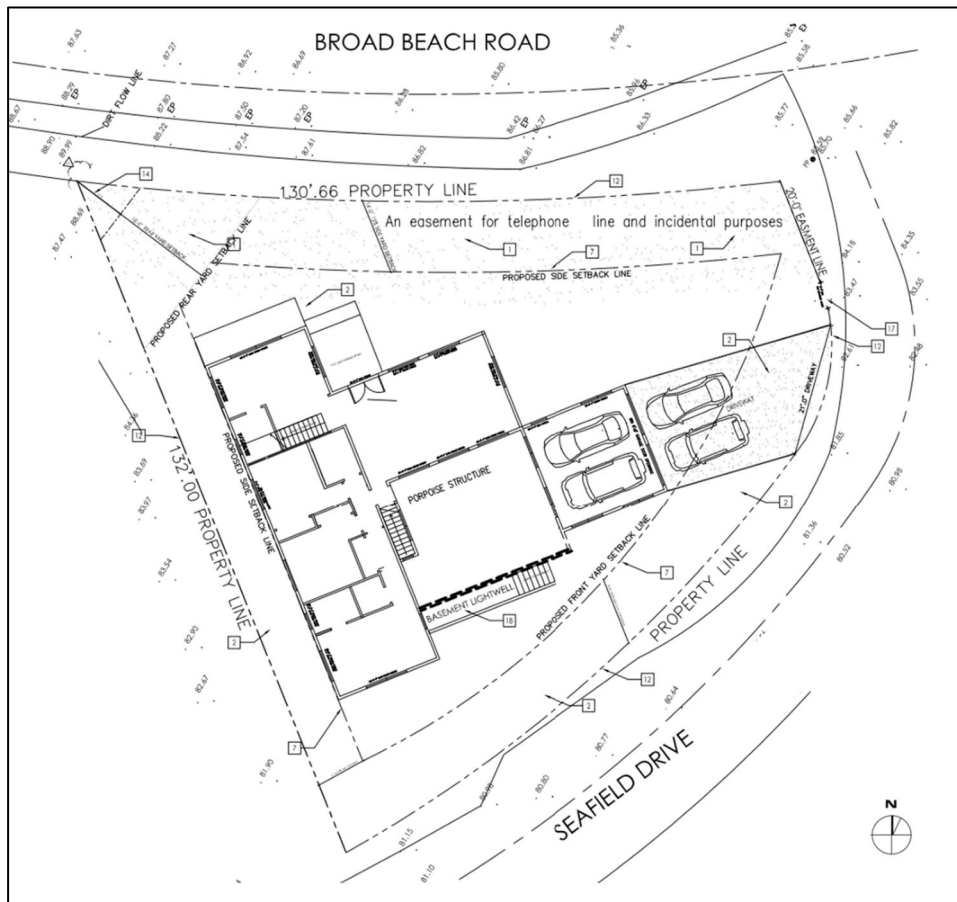
Facing southwest from Broad Beach Road. Story poles present onsite.

12.2 Project Description

The proposed single-family dwelling would be a 1,954 square-foot residence plus a 1,084 square-foot basement and a 420 square-foot two-car garage with access via a crushed gravel driveway to the east from Seafeld Drive (Figure 3). An onsite wastewater treatment system (OWTS) would be located beneath the driveway and other facilities would include associated patios, decks,

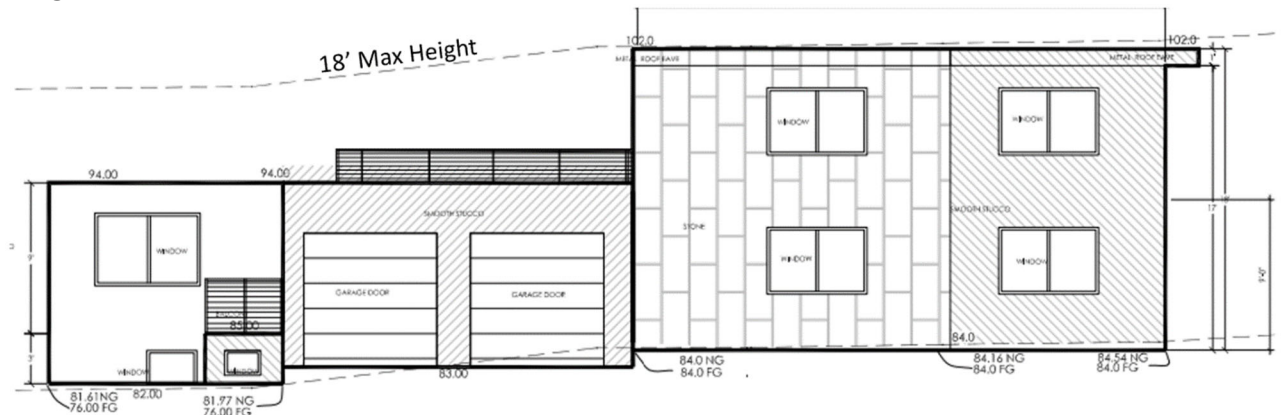
landscaping, walls and fences. The project has been designed with several stepped levels and the structure would have a maximum height of 18 feet. Figures 4 and 5 illustrate the east and south elevations of the structure. Exterior materials would include stucco, wood siding, vertical stone siding, metal deck railings and the extensive use of glass.

Figure 3 - Site Plan



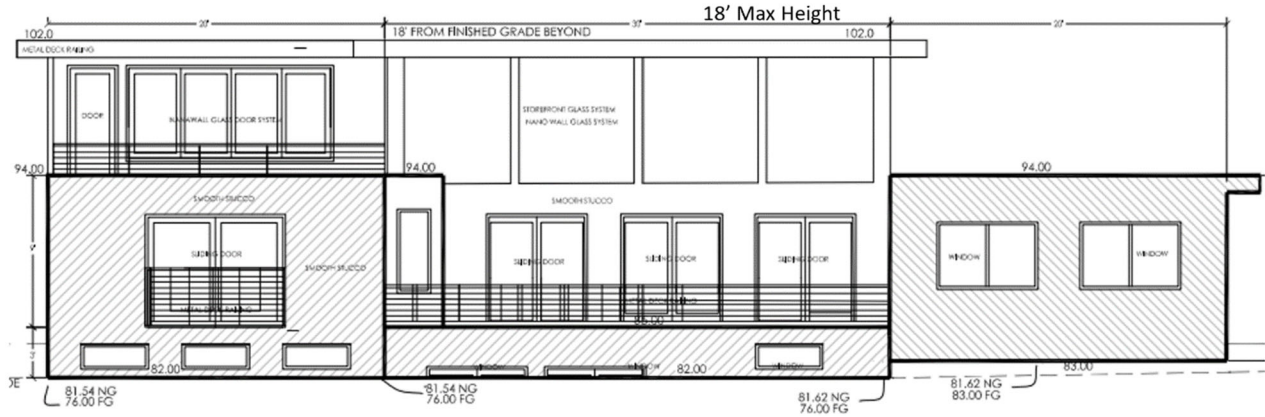
Source: TADIARchitecture, 2022

Figure 4 - East Elevation



Source: TADIARchitecture, 2022

Figure 5 - South Elevation



Source: TADIARchitecture, 2022

Grading would include a total of 1,701 cubic yards of which 251 cubic yards would be non-exempt per the City's single-family residential development standards. Grading would be conducted to level the site, remove soil at the basement level and remove and re-compact soil 5 feet under the building pad per the recommendation of the soils engineer. Five-foot-high retaining walls would be constructed along the western and southern property boundaries and drainage pipes, a catch basin and dry well would be installed on the site to manage runoff.

Landscaping would be divided into three zones including an irrigated zone with groundcovers, shrubs and trees along the northern portion of the site, and non-irrigated zones along the southern and western project boundaries with only groundcovers, crushed gravel and other pervious material.

The proposed minor modification would allow a 50 percent reduction of the required front yard setback along the southern edge of the property fronting Seafeld Drive. This is being requested to create a suitable development pad as development may not occur within the public utilities easement along the northern edge of the property.

The proposed lot merger would merge three adjacent parcels into a single parcel of approximately 10,345 square feet in size as shown on Table 2 and Figure 6. In addition, although Lot 2 and 3 are substandard in size based on the current MMC, conditional certificates of compliance were issued in the 1980s which established these as legal, buildable lots.

Table 2 – Existing and Proposed Lot Area			
Address (Broad Bch)	Lot No.	Existing Square Feet (approximate)	Proposed Square Feet
31800	1	4,169	10,345
31814	2	3,174	--
31817	3	3,002	--

Figure 6 - Existing Lots



Source: City GIS

13. Project Approvals

The project requires the following City of Malibu approvals:

- a. Approval of Initial Study No. 18-002 and Mitigated Negative Declaration No. 18-003
- b. Approval of Coastal Development Permit No. 15-046
- c. Approval of Minor Modification No. 19-013
- d. Approval of Lot Merger 15-003

The project has undergone Planning stage review for conformance by the agencies listed below. Their recommendations are summarized below.

City of Malibu Environmental Health Administrator – The Environmental Health Administrator completed a conformance review of the proposed OWTS and determined that final review and approval of the final OWTS system is needed for plan check approval.

City of Malibu Biologist – The City Biologist determined the project is consistent with City goals and policies related to the protection of biological resources. Conditions will be required for landscaping, irrigation and exterior lighting.

City of Malibu Geotechnical Consultant Reviewers – The City Geotechnical consultant reviewers approved the project from a geotechnical perspective with geotechnical comments and notes required to be addressed at the building plan check stage.

City of Malibu Public Works Department – The City Public Works Department reviewed the project and found it to be in conformance with the City's LCP and MMC. Conditions will be imposed to ensure the project City requirements prior to the issuance of building and grading permits.

Los Angeles County Fire Department (LACFD) – The LACFD has approved the project for compliance with all applicable code and ordinance requirements for construction, access, water main fire flows, and fire hydrants associated with future development.

Los Angeles County Waterworks District No. 29 (WD29) – The applicant has received approval from WD29 and shall obtain an updated Will Serve Letter to demonstrate that the proposed single-family residence will have access to water.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

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

Tyler Eaton
Principal Planner

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

A. AESTHETICS

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
3. Conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program Land Use Plan and Local Implementation Plan; Public Resources Code; City of Malibu Trails System Maps; and site and aerial photographs.

Impact Discussion

1. **No impact.** The project site is located on the seaward side of Pacific Coast Highway in a residential neighborhood and is surrounded on all sides by local roads and one- and two-story single-family residences. There are currently no ocean views over the property and no designated scenic vistas on or near the project site. The development of an 18-foot-high, single-family residential structure on the site is in keeping with the visual aesthetics of the neighborhood and would not impact any scenic vistas. No impact would occur.
2. **No impact.** The project site is located approximately 450 feet seaward of Pacific Coast Highway, a LCP-designated scenic highway, and is approximately 400 feet landward of the shoreline, a LCP-designated scenic area. However, the site is not visible from either of these locations due to intervening landscaping, topography and development. The site is also located adjacent to Broad Beach Road which is defined as a local scenic road by the LCP as it is a public road with scenic views of the ocean. However, there are no scenic ocean views available from Broad Beach Road over the property. In addition, the site does not contain any scenic trees, rock outcroppings or historic buildings. No impact would occur.
3. **Less than significant impact.** The project includes the development of a single-family residence on a vacant lot and would comply with the General Plan, LCP and MMC, including policies and regulations related to visual quality. A minor modification is proposed to permit a 50 percent reduction in the required front yard setback to allow for a 15-foot setback where 26.5 feet is required. This is proposed to create an adequate development pad on a lot with a public utilities easement and would not conflict with regulations governing scenic quality. The project would be subject to all City standard conditions of approval as outlined below and a less than significant impact would occur.

4. ***Less than significant impact.*** The proposed project includes a single-family home and related development on a presently undeveloped site. Indoor and outdoor lighting would be that typically used on single-family homes. Conditions of approval will require compliance with the City's lighting regulations and Dark Sky Ordinance (MMC Chapter 17.41) to minimize light pollution through the use of directional lighting, fixture location, height and the use of shields and/or motion sensors and timers. In addition, reflective glossy, polished and/or roll-formed type metal siding and other reflective materials are prohibited, with the exception of solar energy panels or cells. Therefore, a less than significant impact would occur in terms of light and glare.

City Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to aesthetics.

- The residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material. Reflective glossy, polished and/or roll-formed type metal siding is prohibited.
- The project is visible from scenic roads or public viewing areas, therefore, shall incorporate colors and exterior materials that are compatible with the surrounding landscape.
 - Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. Colors shall be reviewed and approved by the Planning Director and clearly indicated on the building plans.
 - The use of highly reflective materials shall be prohibited except for solar energy panels or cells, which shall be placed to minimize significant adverse impacts to public views to the maximum extent feasible.
 - All windows shall be comprised of non-glare glass.
- All driveways shall be a neutral color that blends with the surrounding landforms and vegetation. Retaining walls shall incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. The color of driveways and retaining walls shall be reviewed and approved by the Planning Director and clearly indicated on all grading, improvement and/or building plans.
- Exterior lighting must comply with the Dark Sky Ordinance and shall be minimized, shielded, or concealed and restricted to low intensity features, so that no light source is directly visible from public view. Permitted lighting shall conform to the following standards:
 - Lighting for walkways shall be limited to fixtures that do not exceed two feet in height and are directed downward and limited to 850 lumens (equivalent to a 60-watt incandescent bulb).
 - Security lighting controlled by motion detectors may be attached to the residence provided it is directed downward and is limited to 850 lumens.

- Driveway lighting shall be limited to the minimum lighting necessary for safe vehicular use. The lighting shall be limited to 850 lumens.
- Lights at entrances as required by the Building Code shall be permitted provided that such lighting does not exceed 850 lumens.
- Site perimeter lighting shall be prohibited.
- Outdoor decorative lighting for aesthetic purposes and lighting of the shore are prohibited.
- Night lighting for sports courts or other private recreational facilities shall be prohibited.
- No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness. Lighting levels on any nearby property from artificial light sources on the subject property(ies) shall not produce an illumination level greater than one foot candle.
- Night lighting from exterior and interior sources shall be minimized. All exterior lighting shall be low intensity and shielded directed downward and inward so there is no offsite glare or lighting of natural habitat areas. Lighting of the shore and up-lighting of landscaping are prohibited.
- String lights are allowed in occupied dining and entertainment areas only and must not exceed 3,000 Kelvin.
- Motion sensor lights shall be programmed to extinguish ten minutes after activation.
- Three violations of the conditions by the same property owner will result in a requirement to permanently remove the outdoor light fixture(s) from the site.
- Up-lighting of landscaping is prohibited.

B. AGRICULTURE AND FORESTRY RESOURCES

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
4. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
5. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Sources: City of Malibu General Plan; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; California Department of Conservation, Farmland Mapping and Monitoring Program; California Public Resources Code; and California Government Code.

Impact Discussion

- 1-5. **No impact.** The proposed project would not result in the conversion of farm or forest land to non-agricultural or non-forestry uses. There is no land designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance within the City of Malibu. Additionally, there are no lands under a Williamson Act contract, forest land (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) located on or near the project site. The project site is a disturbed urban infill site that would not affect agriculture or forestry resources. No impact would occur.

C. AIR QUALITY

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
3. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
4. Result in other emissions (such as those leading to odors) affecting a substantial number of people?	☐	☐	☒	☐

Sources: City of Malibu General Plan; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; and Air Quality Management Plan for the South Coast Air Quality Management District.

Impact Discussion

1. **Less than significant impact.** The proposed project would combine three lots into one thereby reducing potential future development on the site. Construction of one single-family residence on the site would be consistent with the SFM General Plan, LCP and MMC designations on the site as well as with the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP) which is based on Southern California Association of Government (SCAG) and local General Plan, LCP and MMC designations. Any air quality impacts resulting from construction activities on the site would be short term in nature and controlled by standard conditions of approval. Thus, the project would not conflict with or obstruct implementation of the applicable air quality plan and a less than significant impact would result.
2. **Less than significant impact.** The City of Malibu is located in the South Coast Air Basin (SoCAB) which is a nonattainment area for state and federal ozone (O₃) and particulate matter (PM₁₀ and PM_{2.5}) standards. Air quality emissions associated with the project would include short-term construction emissions and long-term operational impacts. Construction activities would include land clearing and grading operations which would generate fugitive dust and contribute to local levels of suspended particulate matter in the air. The implementation of standard conditions of approval including SCAQMD's Rule 403 for fugitive dust control would minimize dust generation. Emissions would also be generated by construction vehicles and equipment, such as forklifts, skip loaders and dump trucks. However, these emissions would be short-term in nature and are not anticipated to violate any air quality standards.

Long-term operational air quality impacts associated with the project would include emissions resulting from heating, cooling, fireplaces and motorized equipment. The

project is compatible with the surrounding development and consistent with the underlying general plan and MMC designations. The project includes one single-family residence and is not anticipated to generate emissions over the long-term that would violate any air quality standard or contribute substantially to an existing or projected air quality violation. Thus, air quality impacts would be less than significant.

3. ***Less than significant impact.*** Sensitive receptors include facilities where persons more sensitive to the adverse effects of air pollution are concentrated, such as hospitals, schools, and convalescent facilities. There are no sensitive receptors in the vicinity of the project site. However, construction activities associated with the development of a single-family home have the potential to expose nearby residents to pollution from diesel emissions, fugitive dust emissions and other activities. However, given the relatively small scale of the project and short-term nature of construction activities, it is not expected that residents would be exposed to substantial amounts of pollutant emissions. In addition, prevailing sea breezes would help to disperse emissions any emissions that are generated. Thus, the project would not expose sensitive receptors to substantial pollutant concentrations and would have a less than significant impact.
4. ***Less than significant impact.*** Odors generated during construction would include diesel emissions from construction equipment and vehicles but would be temporary and limited in nature and affect a substantial number of people. Long term operation of the project includes one single-family residence and a new OWTS. The operation of the OWTS is required to comply with AQMD Rule 402 and as such, no significant sources of odors would occur on the project site. The City's Environmental Health Administrator has included a condition of approval requiring the property owner to file an operating permit application with the City as well as enter into a contract for the continued maintenance and operation of the OWTS which would monitor the facility of objectionable odors. Thus, impacts from objectionable odors would be minimized and a less than significant impact would result.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to air quality.

- Prior to the issuance of a building permit, the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of LIP Section 18.9 related to continued operation, maintenance and monitoring of onsite facilities.
- Prior to final Environmental Health Administrator approval, a final OWTS plot plan shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Plumbing Code (MPC) and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property.
- Prior to final Environmental Health Administrator approval, a maintenance contract executed between the owner of the subject properties and an entity qualified in the opinion of the City of Malibu to maintain the proposed OWTS after construction shall be submitted.

D. BIOLOGICAL RESOURCES

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

Sources: City of Malibu General Plan, Land Use and Conservation Elements; City of Malibu Local Coastal Program Environmentally Sensitive Habitat Area and Marine Resources Map; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; and Biological Review Sheet, May 5, 2016.

Impact Discussion

1. **No impact.** The project site comprises three infill lots in a built-out residential subdivision that have previously been graded and disturbed and contains scattered ornamental plant species. No plant materials identified as a candidate, sensitive, or special status species

are known or expected to occur onsite and the project would not directly affect any candidate plants or animal species. No impact would occur.

- 2-3 **No impact.** The project site does not contain riparian, wetland or other sensitive habitat. In addition, according to the LCP ESHA and Marine Resources Map, no environmentally sensitive habitat areas occur onsite. Thus, the project would not have an adverse effect on any riparian habitat, sensitive natural community or federally-protected wetland area identified or defined by applicable plans, policies, regulations, or laws. No impact would occur.
4. **No impact.** The project is not expected to substantially interfere with the movement of any native resident or migratory fish or wildlife species, as the site has not been identified as a migratory corridor. No impact would occur.
5. **No impact.** There are no native or protected trees on the project site. The proposed project would not conflict with any local policies or ordinances protecting biological resources and would not impact protected native trees.
6. **No impact.** There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan in effect in the immediate project vicinity. As such, no impact would occur.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to biological resources.

- Except as permitted pursuant to the provisions in LUP policies 3.18 and 3.20, throughout the City of Malibu, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time.
- Prior to final Planning inspection or other final project sign off (as applicable), the applicant shall submit to the Planning Director for review and approval a certificate of completion in accordance with MMC Chapter 17.53. The certificate shall include the property owner's signed acceptance of responsibility for maintaining the landscaping and irrigation in accordance with the approved plans and MMC Chapter 17.53.
- No portion of the project development shall be placed within the protected zone of a protected native tree.
- Invasive plant species, as determined by the City of Malibu, are prohibited.
- Vegetation shall be situated on the property so as not to significantly obstruct the primary view from private property at any given time (given consideration of its future growth).

- The landscape plan shall prohibit the use of building materials treated with toxic compounds such as creosote or copper arsenate.
- Construction fencing shall be placed within five feet of the southern limits of grading. Construction fencing shall be installed prior to the beginning of any construction and shall be maintained throughout the construction period to protect the site's sensitive habitat areas.
- The landscape and fuel modification plan has been conditioned to protect natural resources in accordance with the Local Coastal Program. All areas shall be planted and maintained as described in the landscape and fuel modification plan. Failure to comply with the landscape conditions is a violation of the conditions of approval for this project.
- All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, with native plant species, to the satisfaction of the Planning Director.
- Native species of the Santa Monica Mountains, characteristic of the local habitat, shall be used on graded slopes or where slope plantings are required for slope stabilization, erosion control, and watershed protection. Plants should be selected to have a variety of rooting depths. A spacing of 15 feet between large woody (≥ 10 -foot canopy) shrubs is recommended by the LACFD. Lawns are prohibited on slopes > 5 percent.
- Slope planting measures such as contour planting and terracing or other techniques shall be incorporated on slopes to interrupt the flow and rate of surface runoff in order to prevent surface soil erosion.
- A detailed landscaping plan must be submitted to the Planning Department for review by the City Biologist and approval by the Planning Department prior to any planting. Should the applicant intend to plant any new or altered vegetation with a potential to grow over six feet in height at full maturity for an area of 500 square feet or more of landscaping for a new residence, or 2,500 square feet or more of landscaping for an existing residence, a detailed Landscape Documentation Package is required.
- Prior to installation of any landscaping, the applicant shall obtain a plumbing permit for the proposed irrigation system from the Building Safety Division.
- Prior to a final plan check approval, the property owner /applicant must provide a landscape water use approval from the Los Angeles County Waterworks District No. 29.
- Vegetation forming a view impermeable condition serving the same function as a fence or wall (also known as a hedge) located within the side or rear yard setback shall be maintained at or below a height of six feet. A hedge located within the front yard setback shall be maintained at or below a height of 42 inches. Three violations of this condition will result in a requirement to permanently remove the vegetation from the site.
- Vegetation in excess of six feet in height shall not obstruct the primary view of existing residences located within a 1,000-foot radius at any given time (given consideration of its future growth).
- Plantings required for fuel modification, except for within irrigated Zone A nearest to approved residential structures, must be native, drought-tolerant species and shall blend with the existing natural vegetation and natural habitats on the site.

- 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.
- Earthmoving shall be scheduled only during the dry season from April 1 through October 31. If it becomes necessary to conduct earthmoving activities from November 1 through March 31, a comprehensive erosion control plan shall be submitted to the City Biologist for approval prior to the issuance of a grading permit and implemented prior to initiation of vegetation removal and/or earthmoving activities.
- 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.

E. CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
3. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Sources: Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program Land Use Plan and Local Implementation Plan; City of Malibu Cultural Resource Sensitivity Map; Phase II Archaeological Testing Report, C.A. Singer, 2007; CA-LAN-114 Data Recovery Plan, Envicom Corporation, 2023..

Impact Discussion

1. **No impact.** The project site is vacant and does not contain any structures or buildings which could be considered historically significant as defined in CEQA Guidelines Section 15064.5 (PRC § 5024.1) or by a local register of historical resources. As such, no impact to historic resources would result and no mitigation is required.
2. **Less than significant with mitigation.** A 2007 Phase II Archaeological Testing Report was prepared by C.A. Singer and is on file with the City of Malibu. As outlined in the Report, the project site is part of a much larger archaeological site, CA-LAN-114, a 10-acre prehistoric settlement originally identified in 1956. The larger site has been substantially degraded and altered over the past 50+ years by construction of Pacific Coast Highway and general construction and grading in the area. Likewise, the project site exhibits a lack of stratigraphic integrity that implies moving, mixing, and redeposition which likely occurred during mechanical cutting and grading of the original subdivision in the 1950s. Nonetheless, in order to determine whether significant archaeological resources are present on the project site, Phase II archaeological testing was performed.

Phase II testing involved fifteen 0.6-meter-wide trenches. Thirteen trenches were excavated to a depth of 1.2 to 1.6 meters deep and two were excavated to 6.0 meters. The trenches confirmed that the soils onsite have been altered over time. Artifacts and ecofacts discovered during trenching included marine shell fragments, stone cobbles, milling implements, large flakes and bone fragments determined to be secondary midden mixed and deposited during subdivision grading. No mortuary materials or human remains were discovered.

The Singer report concluded that because the soil deposits onsite have been moved, mixed and redeposited, there is a strong likelihood that any archaeological resources contained therein are not stratigraphically intact and have lost their original context. As such, they would not meet the minimum criteria for classification as unique archaeological

resources as defined by California Public Resources Code Section 21083.2. However, due to the location of the project site within a known archaeological site, there is still a potential that important subsurface archaeological resources could be encountered during project construction. In order to ensure that any subsurface resources are appropriately evaluated, the report called for the development of an archaeological monitoring plan outlining the process to be used during grading activities to mitigate impacts to archaeological resources.

In 2023, a Phase III Mitigation/Data Recovery Plan was prepared by Envicom Corporation to outline the process to be used to mitigate archaeological impacts during grading of the project site. The Mitigation Plan is on file with the City of Malibu. The Plan reviewed the findings of the Singer Report relative to archaeological site CA-LAN-114 and determined that due to the extensive disturbance of the site, the data recovery plan should concentrate on the recovery of important artifacts during grading, rather on the methodical excavation of shovel test pits. The Mitigation Plan further identified that the site contains two subsurface layers including a darker impacted layer with artifacts from the surface to roughly 1.0 meters below the surface and a lighter-colored and deeper sterile layer without artifacts. Archaeological monitoring will be required for grading operations in the artifact-bearing layer, with prehistoric materials collected as they are encountered.

The Phase II Mitigation/Data Recovery Plan included the following four recommendations: 1) monitoring by a qualified archaeologist and Native American monitor during grading of the artifact-bearing layer of the site; 2) implementation of an archaeological discovery protocol in the event that significant intact archaeological deposits are encountered; 3) procedures to be implemented in the unlikely event that human remains are identified; and 4) submittal of a Final Monitoring/Data Recovery Report to the City and the South Central Coastal Information Center (SCCIC). Each of these measures is described in detail in the following mitigation measures which will be included in the project's Mitigation Monitoring and Report Program. With the incorporation of Mitigation Measures CULT-1, CULT-2, CULT-3 and CULT-4, impacts to cultural resources would be less than significant.

Mitigation Measures

CULT-1: ***Archaeological and Native American Monitoring.*** Grading of the artifact-bearing layer on the site will be monitored by an archaeological and a Native American monitor. The Native American monitor will be associated with the historical Tribal Groups that once were located in the project area, which include the Chumash and the Tongva. The archaeological monitor will collect any prehistoric artifacts that are uncovered through grading within the artifact-bearing upper layer on the project site and can halt construction within 30-feet of a potentially significant discovery if necessary. Artifacts collected from a disturbed context or that do not warrant additional assessment can be collected, without the need to halt grading. If few artifacts are encountered, then monitoring can be reduced to a daily spot-check by the principal archaeologist until project subsurface excavation within the artifact-bearing layer is completed.

However, if intact stratigraphy, artifact concentrations, or prehistoric features are encountered, which cannot be removed during grading and that the monitor believes will need further assessment, then the project "discovery" protocol will be followed. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery can be described in the monitor's daily logs, which will be compiled in a final monitoring/data recovery report that will

be submitted to the City at the end of the project. All recovered artifacts will be cleaned, analyzed, and described within the final monitoring/data recovery report, which will also be submitted to the SCCIC at the end of the project. All materials will be curated at a state-approved depository or reburied under the supervision of Native American representatives at the end of the project. Costs related to site monitoring, artifact analysis, and the production of a final report are the responsibility of the project applicant.

CULT-2: ***Archaeological Discovery Protocol.*** If unexpected, potentially significant intact archaeological deposits (artifacts or features) are encountered within an undisturbed context, then a cultural resource “discovery” protocol will be followed. If older historic or prehistoric features, artifact concentrations, or larger significant artifacts are encountered during project grading, then all work in that area shall be halted or diverted away from the discovery to a distance of 30-feet until the project principal archaeologist can evaluate the nature and/or significance of the find(s). If the principal archaeologist confirms that the discovery is potentially significant, then the City and the applicant will be contacted and informed of the discovery. Construction will not resume in the locality of the discovery until consultation between the principal archaeologist, the landowner, the City, and any other concerned parties (such as additional regulatory agencies or tribal groups), takes place and reaches a conclusion approved by the City. If a significant cultural resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be avoided, further survey work, evaluation tasks, or data recovery of the significant resource may be required by the City. The City may also require additional site monitoring based on the nature of the discovery. All costs for additional site monitoring, discovery assessment, discovery evaluation, or data recovery will be the responsibility of the applicant. All individual daily reports generated by the discovery event will be submitted to the City and all project reports will be submitted to the City and the SCCIC at the end of the project.

CULT-3: ***Inadvertent Discovery of Human Remains.*** The inadvertent discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 addresses these findings. This code section states that in the event human remains are uncovered, no further disturbance shall occur until the County Coroner has made a determination as to the origin and disposition of the remains pursuant to California Public Resources Code Section 5097.98. The Coroner must be notified of the find immediately, together with the City and the property owner. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials and an appropriate re-interment site. The City and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site development, which may include additional archaeological and Native American monitoring or subsurface testing.

CULT-4: ***Final Monitoring/Data Recovery Report.*** All findings from the archaeological and Native American monitoring of the artifact-bearing layer located within the project development footprint will be summarized in a final monitoring/data

recovery report to be submitted to the City at the end of the project and to the SCCIC after review by the City. This report will include all analysis and tabulation of recovered Native American artifacts and ecofacts. All daily logs will be included with this report as proof of compliance. An updated site form for CA-LAN-114 will also be produced and submitted to the SCIC. All impacts from project construction will be detailed in the updated site along with a new site map showing a current understanding of the boundary of the site based upon project monitoring.

3. ***Less than significant with mitigation.*** As outlined in No. 2, above, no human remains or mortuary materials were discovered during trenching. However, due to the location of the project site within a known archaeological site, there is a potential that significant archeological resources, including human remains, could be discovered during grading operations on the project site. Mitigation Measure CULT-3 addresses the protocol to be followed in the event that human remains are discovered on the site and will require archaeological monitoring during all earth disturbing operations. With mitigation, potential impacts to human remains would be less than significant.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to cultural resources.

- In the event that potentially important cultural resources are found in the course of geologic testing or during construction, work shall immediately cease until a qualified archaeologist can provide an evaluation of the nature and significance of the resources and until the Planning Director can review this information. Thereafter, the procedures contained in LIP Chapter 11 and those in MMC Section 17.54.040(D)(4)(b) shall be followed.
- 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.
- A qualified archaeologist and designated Chumash monitor shall review approved grading, construction and landscape plans for both parcels, and estimate the number of days of field work based on excavation schedule. The archaeologist shall discuss the scope of work with field personnel, machine operators, property owners, and the developer prior to commencement of work. Additionally, the archaeologist shall attend a preconstruction meeting with the excavation contractor and construction personnel to discuss monitoring protocol, data field techniques, legal requirements if human remains are discovered, etc.
- The archaeologist and Chumash monitor shall observe surface grading, mechanical excavations and earth moving activities. Monitors shall observe and document daily activities, record soil conditions and work related incidents, map and collect soil samples and retrieve artifacts. The archaeologist and monitor shall have the authority to direct and control grading and construction activities in such a manner as to avoid adverse impacts to cultural resources. Proof of contract with monitors must be provided to the Planning Director prior to the issuance of any development permits.

- Samples shall be washed, sorted, identified, and classified; materials shall be cataloged, labeled and packed for museum storage.
- Applicable technical studies shall be carried out on recovered artifacts, such as radiocarbon dating, lithic technology, bone identification, obsidian sourcing and hydration dating, at the owners' expense not to exceed the maximum contribution required by law. If feasible, the 1989 samples may be retrieved from the Autrey Museum and reanalyzed.
- A final report shall be prepared by the archaeologist and submitted to the City Planning Department, the client and the South Central Coastal Information Center prior to the issuance of a certificate of occupancy.

F. ENERGY

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Sources: City of Malibu General Plan, Land Use and Conservation Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan, State of California Department of Conservation, State of California Building Standards Code, State of California Energy Code, State of California Green Building Standards Code (CALGreen).

Impact Discussion

1. **No impact.** As a single-family residential development, the project would utilize minimal energy resources. During construction, trucks and heavy equipment would consume diesel fuel and gasoline but would be required to conform with local state and federal regulations for energy consumption including reducing idling times. During operation, occupants of the single-family residence would utilize electricity and natural gas for heating, cooling and other energy demands. The project would be subject to energy conservation requirements of the California Building Standards Code (Title 24), the California Energy Code (Part 6) and CALGreen which require efficient energy systems. Therefore, the project would not result in wasteful, inefficient or unnecessary energy consumption and no impact would result.
2. **No impact.** The project proposes a single-family residence in an urbanized area and would not obstruct the use of renewable energy or serve as a barrier to the use of development of renewable energy resources. In addition, the project would not displace any existing renewable energy facilities. No impact would occur.

G. GEOLOGY AND SOILS

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault?	☐	☐	☒	☐
b. Strong seismic ground shaking?	☐	☐	☒	☐
c. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
d. Landslides?	☐	☐	☐	☒
2. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use and Safety & Health Elements; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; Geotechnical Review Sheet, September 23, 2016; Preliminary Geotechnical and Engineering Geologic Investigation for Proposed Single Family Residence at 31800 Broad Beach Road by Strata-Tech, Inc., February 25, 2016.

- 1a-b. ***Less than significant impact.*** A 2016 geotechnical report prepared by Strata-Tech, Inc. and approved by the City documented geotechnical conditions on the project site, including seismic hazards. Southern California is an active seismic region and moderate to strong earthquakes can occur on numerous faults. However, the project site is not located within a currently-designated Alquist-Priolo Earthquake Zone and no known active faults are mapped on the project site. The Malibu Coast Fault is estimated to be located within 2 kilometers of the project site and the property will likely be shaken by future earthquakes produced on this or other local or regional faults. However, secondary effects, such as surface rupture, lurching or flooding are not considered probable. The project will be conditioned to remove and recompact loose native soils, utilize continuous spread footings and incorporate other measures to stabilize the proposed structure. As such, the exposure of people to strong ground shaking or fault rupture will be minimized and the impact would be less than significant.
- 1c. ***No impact.*** Based on the "Seismic Hazards Zone Map" published by the State of California on February 7, 2002 for the Point Dume Quadrangle, the project site is not mapped in an area susceptible to the occurrence of liquefaction. No impact would occur.
- 1d. ***No impact.*** Based on the "Seismic Hazards Zone Map" published by the State of California for the Point Dume Quadrangle, appended as Plate 6, the project site is not mapped in an area subject to potential seismic induced landslides. No impact would occur.
2. ***Less than significant impact.*** The project site contains medium expansive clay soils and cobbley gravels some of which have been disturbed and are relatively soft and loose. Project development will require the removal and recompaction of soft and loose soil to provide adequate support for the proposed improvements. Implementation of landscaping and irrigation will stabilize soil on other portions of the site and the project would not promote substantial soil erosion or the loss of top soil. A less than significant impact would result.
3. ***No impact.*** The project site is not located on a slope and the nearest slope is a sea bluff approximately 200 feet south of the property. In addition, the site is underlain by terrace deposits about 50 feet thick. Thus, the project site is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. The project would not result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse and no impact would result.
4. ***Less than significant impact.*** As outlined in No. 2, above, the project site contains clay soils and cobbley gravels. The clay soils are considered to be moderately expansive and will require the incorporation of grading techniques to ensure buildings and other improvements are not affected by the soil. A less than significant impact would result.
5. ***Less than significant impact.*** Based on the geotechnical report prepared for the project, with removal and recompaction, the onsite soils are capable of adequately supporting the onsite water treatment system (OWTS). A less than significant impact would result.
6. ***Less than significant impact.*** The project site has been previously graded and altered by development of the original subdivision and does not contain any unique geologic features. In addition, the site has a very low probability of containing paleontological resources due to the soils on the site having been thoroughly churned and recompacted by previous activities. Thus, a less than significant impact would result.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to geology and soils.

- A grading and drainage plan containing the following information shall be approved, and submitted to the Public Works Department, prior to the issuance of grading permits for the project.
- Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner/applicant shall submit the Public Works Department an Erosion and Sediment Control Plan (ESCP) for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil engineer.
- The Building Official may approve grading during the rainy season to remediate hazardous geologic conditions that endanger public health and safety.
- Exported soil from a site shall be taken to the Los Angeles County Landfill or to a site with an active grading permit and the ability to accept the material in compliance with LIP Section 8.3.
- All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.
- All recommendations of the consulting certified engineering geologist or geotechnical engineer and/or the City geotechnical consultant reviewers shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City geotechnical consultant reviewers prior to the issuance of a grading permit.
- Final plans approved by the City geotechnical consultant reviewers shall be in substantial conformance with the approved CDP relative to construction, grading, sewage disposal and drainage. Any substantial changes may require a CDP amendment or a new CDP.

H. GREENHOUSE GAS EMISSIONS

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Sources: City of Malibu General Plan; Air Quality Management Plan for the South Coast Air Quality Management District; and California Code of Regulations.

Impact Discussion

1. **Less than significant impact.** The earth's atmosphere is a collection of atmospheric gases, known as greenhouse gases (GHGs) that trap a sufficient amount of solar energy to keep the global average temperature in a suitable range. These gases, mainly water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃) and chlorofluorocarbons (CFCs) all act as effective global insulators, reflecting back to earth visible light and infrared radiation. Human activities such as producing electricity and driving vehicles have contributed to the elevated concentration of these gases in the atmosphere. This, in turn, is causing the earth's temperature to rise. A warmer earth may lead to changes in rainfall patterns, much smaller polar ice caps, a rise in sea level, and a wide range of impacts on plants, wildlife, and humans.

An individual project cannot generate enough GHG emissions to influence global climate change. The project necessarily produces an incremental amount of emissions due to vehicle trips and energy use during the construction phase. Nevertheless, the proposed project only represents a temporary increase in emissions during construction and the quantities of GHG emissions during this phase would be negligible. Furthermore, the vehicle trips and energy use during the construction phase would be minimal. Thus, the project's contribution to GHG emissions would not be cumulatively considerable and would not result in a cumulative impact when combined with other sources.

The ongoing operation of a single-family residential unit on the subject parcel would be considered long term. However once built, the project would only generate de minimis operational emissions, and consequently would not contribute to a considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard. In addition, the project would be subject to standard conditions of approval related to fugitive dust and air quality emissions which would further reduce GHG emissions. A less than significant impact would result.

2. **Less than significant impact.** In 2006, California passed Assembly Bill No. 32 (a.k.a., California Global Warming Solution Act), which required the California Air Resources Board (CARB) to design and implement GHG emission limits and other related regulations. In 2008, CARB adopted the first Climate Change Scoping Plan which

contained measures to reduce statewide GHG emissions to 1990 levels by 2020. The document was subsequently amended in 2014 and 2017 with new goals for the reduction of GHGs. In 2022, CARB adopted the latest Scoping Plan which focuses on measures to achieve carbon neutrality in California by the year 2045.

Appendix D of the 2022 CARB Scoping Plan encourages local jurisdictions to develop their own GHG reduction plans in part to assess the GHG impacts of new development. Absent a GHG reduction plan, CARB recommends methodologies for assessing project impacts, including employing thresholds of significance recommended by the applicable air quality management district of other local agency. To date, the City of Malibu has not adopted a GHG reduction plan. However, the South Coast Air Quality Management District (SCAQMD) has developed two options for assessing GHG impacts which, although not mandatory, may be used to assess GHG impacts at the discretion of the local agency. Option 1 sets a numerical threshold for GHG generation of 3,500 metric tons of carbon dioxide equivalent per year (MTCO₂e/yr) for residential projects and Option 2 includes use of a single numerical threshold of 3,000 (MTCO₂e/yr) for all non-industrial projects.

As outlined above, the proposed single-family residence would generate a negligible amount of GHG emissions during construction and operation. Levels would thus be far less than the draft standards established by SCAQMD and the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. In addition, the project would be subject to standard conditions of approval related to fugitive dust and air quality emissions. A less than significant impact would result.

I. HAZARDS AND HAZARDOUS MATERIALS

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

Sources: City of Malibu General Plan, Safety & Health Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; Air Quality Management Plan for the South Coast Air Quality Management District; County of Los Angeles Very High Fire Hazard Severity Zone Map, Incorporated City of Malibu; LACFD Review Sheet; March 11, 2021, and California Code of Regulations.

Impact Discussion

- 1-2. ***Less than significant impact.*** The proposed construction and operation of a single-family residential unit would not involve the routine transport, use, or disposal of significant hazardous materials. Project construction and typical residential activities may involve the use of small amounts of solvents, cleaners, paint, oils/fuel and pesticides/herbicides. However, use of these common hazardous materials in small quantities would not represent a significant hazard to the public or environment. In addition, there are numerous regulations in place that regulate proper handling and disposal of hazardous materials to protect public safety including the Clean Air Act, Clean Water Act and the Toxic Substances Control Act. A less than significant impact would occur as a result of the project.
3. ***No impact.*** As outlined above, project construction and operation would involve the use of a minimal amount of hazardous materials and substances. The project site is not located within a quarter mile of an existing or proposed school. The closest schools to the project site are Juan Cabrillo Elementary School and Malibu High School, both of which are located approximately 2.3 miles southeast of the project site. No hazards or hazardous materials related to the project would impact schools within one-quarter mile of the site.
4. ***No impact.*** The project site is not included on a list of hazardous materials sites (Cortese List¹). Therefore, no impacts concerning hazardous waste transport, disposal, release, or emissions would occur as a result of the project.
5. ***No impact.*** The project site is not located within two miles of a public airport and is not included within an airport land use plan. The closest public airports to the project site are the Oxnard Airport, located approximately 22 miles to the northwest, and the Santa Monica Airport, located approximately 24 miles to the southeast. No impacts to airport safety hazards would occur as a result of the project.
6. ***Less than significant impact.*** The proposed project includes the development of one single-family residence and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. In addition, standard conditions of approval will require implementation of a construction management plan to ensure that construction activities do not affect emergency access. Therefore, a less than significant impact would occur.
7. ***Less than significant impact.*** The General Plan identifies that the entire City of Malibu is located within an extreme fire hazard area, identified as a Very High Fire Hazard Severity Zone (VHFHSZ) by the Los Angeles County Fire Department (LACFD). The LACFD serves the City, as well as the California Department of Forestry, if needed. In the event of major fire, Los Angeles County has mutual aid agreements with cities and counties throughout the State of California so that additional personnel and firefighting equipment can augment the LACFD.

The project site is an infill site in an otherwise built-out subdivision. The project site is located on the seaward side of Pacific Coast Highway and is not located at the wildland interface. The site is located just under a mile from Fire Station No. 99 at 32550 Pacific Coast Highway which would allow for a reasonable response time from the LACFD in case

¹The Cortese List is a list of Hazardous Waste and Substances Sites in California that is used by the state, local agencies and developers to comply with the CEQA requirements in providing information about the location of hazardous materials release sites.

of an emergency. LACFD standard conditions of approval will apply to the project including providing five-foot clear to sky access, fuel modification and building construction. Thus, the project would have a less than significant impact related to exposing people or structures to a significant risk of loss due to wildfire.

Standard Conditions of Approval

The following condition of approval will be placed on the project and serve to minimize impacts to hazards and hazardous materials.

- Prior to the issuance of final building permits, the project shall receive LACFD approval of a Final Fuel Modification Plan.

J. HYDROLOGY AND WATER QUALITY

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
a. Result in a substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
b. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
c. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
d. Impede or redirect flood flows?	☐	☐	☒	☐
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; City of Malibu, Emergency Response Plan for Tsunami Operations, Addendum to Malibu Standardized Emergency Management System; Public Works Review Sheet, August 23, 2016.

Impact Discussion

1. ***Less than significant impact.*** The proposed project includes the development of a single-family residence and an OWTS. Per LIP Section 17.3, prior to the issuance of a grading or building permit, the project applicant shall be required to submit a Water Quality Mitigation Plan (WQMP) that meets all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit. The WQMP shall include sign design best management practices (BMPs) to treat, prevent and reduce water pollution. Implementation of the measures identified in the WQMP would ensure the project would not violate any water quality or waste discharge standards. A less than significant impact would result.
2. ***No impact.*** The proposed project would utilize municipal water resources and would not use water wells or localized groundwater resources. A Will Serve Letter from Waterworks District No. 29 will be required indicating potable water will be provided to the site. No impact would occur.
- 3a-d. ***Less than significant impact.*** According to the LCP ESHA and Marine Resources Map, there are no mapped streams located within approximately 500 feet of the project site. The project will be required to submit a Storm Water Management Plan, a Storm Water Pollution Prevention Plan and a Water Quality Mitigation Plan to ensure that runoff from the site is minimized and that filtration methods are put in place to intercept any pollutants before they enter the drainage and stormwater systems. A less than significant impact would occur.
4. ***No impact.*** The project site is not located within a 100-year flood hazard area as determined by the existing and proposed City and Federal Emergency Management Agency (FEMA) Flood Hazard Boundary Maps. There are no dams or levees in the area and the site is not susceptible to loss of property or life in the event of a failure of these devices. In addition, the project site is located outside of any seiche or tsunami zones identified by the State of California. Therefore, no impact would occur.
5. ***Less than significant impact.*** The project would not rely on groundwater and would not obstruct implementation of a groundwater management plan. In addition, the project will be required to submit a Storm Water Management Plan, a Storm Water Pollution Prevention Plan and a Water Quality Mitigation Plan to ensure that runoff is minimized and filtration methods are in place to minimize the possibility of pollutants would enter the groundwater system. A less than significant impact would occur.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to hydrology and water quality.

- The ocean between Latigo Point and the west City limits has been established by the State Water Resources Control Board as an Area of Special Biological Significance (ASBS) as part of the California Ocean Plan. This designation prohibits the discharge of any waste, including stormwater runoff, directly into the ASBS. The applicant shall provide a drainage system that accomplishes the following:
 - Installation of BMPs that are designed to treat the potential pollutants in the stormwater runoff so that it does not alter the natural ocean water quality. These pollutants include trash, oil and grease, metals, bacteria, nutrients, pesticides, herbicides and sediment.

- Prohibits the discharge of trash.
- Only discharges from existing storm drain outfalls are allowed. No new outfalls will be allowed. Any proposed or new storm water discharged shall be routed to existing storm drain outfalls and shall not result in any new contribution of waste to the ASBS (i.e., no additional pollutant loading).
- Elimination of non-storm water discharges.
- A Water Quality Mitigation Plan (WQMP) shall be submitted for review and approval of the Public Works Director. The WQMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the predevelopment and post development drainage on the site. The WQMP shall meet all the requirements of the City's current Municipal Separate Stormwater Sewer System (MS4) permit.
- A Local Storm Water Pollution Prevention Plan (LSWPPP) shall be provided prior to issuance of grading/building permits.
- All Best Management Practices (BMP) shall be in accordance to the latest version of the California Stormwater Quality Association (CASQA) BMP Handbook. Designated areas for the storage of construction materials, solid waste management, and portable toilets must not disrupt drainage patterns or subject the material to erosion by site runoff.
- Prior to the approval of any permits and prior to the submittal of the required construction general permit document to the State Water Quality Control Board, the property owner / applicant shall submit the Public Works Department an Erosion and Sediment Control Plan (ESCP) for review. The ESCP shall contain appropriate site-specific construction site BMPs prepared and certified by a qualified SWPPP developer (QWD). All structural BMPs must be designed by a licensed California civil engineer.
- Storm drainage improvements are required to mitigate increased runoff generated by property development. The applicant shall have the choice of one method specified within LIP Section 17.3.2.B.2.
- A Storm Water Management Plan (SWMP) shall be submitted for review and approval of the Public Works Director. The SWMP shall be prepared in accordance with the LIP Section 17.3.2 and all other applicable ordinances and regulations. The SWMP shall be supported by a hydrology and hydraulic study that identifies all areas contributory to the property and an analysis of the pre-development and post-development drainage of the site. The SWMP shall identify the site design and source control BMPs that have been implemented in the design of the project. The SWMP shall be reviewed and approved by the Public Works Department prior to the issuance of the grading or building permit for this project.
- Prior to the issuance of a building permit, the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of LIP Section 18.9 related to continued operation, maintenance and monitoring of onsite facilities.
- Prior to final Environmental Health Administrator approval, a final OWTS plot plan shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Plumbing Code (MPC) and the LCP, including necessary construction details, the

proposed drainage plan for the developed property and the proposed landscape plan for the developed property.

- Prior to final Environmental Health Administrator approval, a maintenance contract executed between the owner of the subject properties and an entity qualified in the opinion of the City of Malibu to maintain the proposed OWTS after construction shall be submitted.

K. LAND USE AND PLANNING

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Physically divide an established community?	☐	☐	☐	☒
2. Conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

1. **No impact.** The 10,345-square-foot project site includes three infill lots within an otherwise built-out single-family residential subdivision. The proposed development of a single-family residential dwelling unit would be compatible with surrounding development and would occur entirely on private property. Thus, the proposed project would not physically divide an established community and no impact would occur.
2. **Less than significant impact.** The project site and vicinity is designated and zoned for single-family medium density residential use by the City's General Plan, LCP/LIP and MMC. Although two of the three parcels are substandard in size under the SFM zone, as legal lots, each could be developed with a single-family structure. The proposed lot merger would combine three lots into one thereby reducing the potential density on the site. The lot merger would also result in one new lot that would be closer to 0.25 acre lot size requirements for the single-family medium density zoning district than the three existing lots. A minor modification is proposed to permit an up to 50 percent reduction in the required front yard setback to allow for a 15-foot setback where 26.5 feet is required, due to the configuration of the site. The neighborhood in which the project site is located is comprised of single-family residences of varying sizes on lots with varying lot sizes and setbacks. As such, the proposed project would not be inconsistent with surrounding development in the area. In addition, the project would conform with all other General Plan, LCP/LIP and MMC policies and regulations. A less than significant impact would occur.

L. MINERAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Sources: City of Malibu General Plan, Land Use and Conservation Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan, State of California Department of Conservation.

Impact Discussion

- 1-2. **No impact.** Sand and gravel resources are the only mineral resources that have been mapped in western Los Angeles County. According to the State of California Department of Land Conservation, the project site and much of the Malibu coastline are designated Mineral Resource Zone-3 (MRZ-3) which refers to “areas containing mineral deposits the significance of which cannot be evaluated from available data.” However, there are no known locally important mineral resources on the site and mineral extraction would not be permitted onsite by City regulations. Therefore, no impact to mineral resources would occur.

M. NOISE

Would the proposed project result in:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
2. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
3. For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Sources: City of Malibu General Plan, Land Use and Noise Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

- 1-2. **Less than significant impact.** The project site and surrounding area are part of a single-family residential neighborhood with relatively low levels of ambient noise and vibration. The project includes the development of one single-family residential unit and ancillary uses. The project would generate short term noise and vibration typically associated with building activities during construction. However, the project would comply with the MMC Chapter 8.24 requirements for construction noise and vibration, including a limitation on construction hours of operation to avoid sensitive times of the day and night. In addition, long term use and operation of the project would generate minimal levels of noise and vibration characteristic of single-family residential structures. A less than significant impact would occur.
3. **No impact.** The project site is not located within two miles of an airport or near an airstrip; therefore, no impact would occur.

Standard Condition of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts related to noise.

- 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.

- 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.

N. POPULATION AND HOUSING

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infrastructure)?	☐	☐	☐	☒
2. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Sources: City of Malibu General Plan, Land Use and Housing Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

1. **No impact.** As previously identified, although the existing three parcels are substandard in size under the SFM zone, as legal lots, each could be developed with a single family structure. The proposed merger of three lots into one would therefore reduce the potential density and population of the site. The project includes the development one single-family residence which complies with the density assumptions of the City's land use and regulatory documents. The project would not result in substantial population growth and no impact would occur.
2. **No impact.** The project site is currently vacant. The development of one single-family residential dwelling unit on the site would not displace any housing or residents. Thus, no impact would occur.

O. PUBLIC SERVICES

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☒	☐
d. Parks?	☐	☐	☒	☐
e. Other public facilities?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan Local Implementation Plan, and Park Land Map, August 2002; and LACFD Review Sheet, dated March 11, 2021.

Impact Discussion

- 1a-e. **Less than significant impact.** The project includes a coastal development permit, minor modification and lot merger for the development of a single-family residential dwelling unit on the project site. The project would reduce the potential number of units on the site from three to one by merging the three lots onsite and would therefore reduce the need for public services. In addition, as a single-family residence, the project would generate a minimum number of calls for emergency service over its lifespan and would not negatively affect emergency response times from the LACFD or Los Angeles County Sheriff's Department for properties in the project area. Likewise, the project is anticipated to have a negligible effect on schools, parks and other public services. The project would be required to pay all applicable development impact fees including parkland development, LACFD and school fees. A less than significant impact would occur.

P. RECREATION

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
2. Include recreational facilities or require the construction of expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

1-2. **Less than significant impact.** The project includes the development of one single-family residential structure on the site. By combining three lots into one, the project would reduce the potential density on the project site. There are no public recreational facilities included as part of the proposed project. The project would negligibly increase the use of parks and recreational facilities in the vicinity of the project site and would not cause a substantial physical deterioration of existing facilities. In addition, the project would not generate a need for additional recreational facilities in the area. A less than significant impact would occur to recreational resources.

Q. TRANSPORTATION

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Conflict with an applicable program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
2. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
4. Result in inadequate emergency access?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use and Circulation Elements; City of Malibu Municipal Code; City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan; City of Malibu Trails System Maps; State of California Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA, Institute of Transportation Engineers Trip Generation Manual, 10th Edition.

Impact Discussion

1. **No impact.** Although the existing three parcels are substandard in size under the SFM zone, as legal lots, each could be developed with a single-family structure. The proposed merger of three lots into one would therefore reduce the potential density and traffic generation of the site. The development of one single-family residence on the site is consistent with the General Plan, LCP/LIP and MMC and thus would not conflict with a program, plan, ordinance or policy addressing the circulation system. No impact would result.
2. **Less than significant impact.** Section 15064.3 of the CEQA Guidelines states that a project's transportation impacts should be analyzed through an assessment of its vehicle miles travelled (VMT). VMT refers to the amount and distance of automobile travel attributable to a project. A 2018 Technical Advisory published by the California Office of Planning and Research (OPR) states that, for the purposes of VMT, projects that generate fewer than 110 trips per day may be assumed to have a less than significant transportation impact. Based on Institute of Transportation Engineers (ITE) Trip Generation Manual (2017), the project would generate 9.4 trips per day. Thus, the project would generate fewer trips than the 110 trips per day threshold and a less than significant transportation impact would result.
3. **No impact.** The project site is an infill development site within an otherwise built-out residential subdivision. Development would occur on a private lot and the project would not alter the design of local roadways or include hazardous design features or incompatible land uses. No impact would result.

4. ***Less than significant impact.*** The LACFD Land Division Unit has reviewed the proposed development and has no objection to the project as proposed. The proposed single-family residence would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and standard conditions of approval will require implementation of a construction management plan to ensure that construction activities do not affect emergency access. Therefore, a less than significant impact would occur.

Standard Condition of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts related to transportation.

- 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.

R. TRIBAL CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☒	☐	☐
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Sources: City of Malibu General Plan, Land Use and Conservation Elements; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan, AB 52 tribal consultation, archaeological resources study, records search, Phase II Archaeological Testing Report, C.A. Singer, 2007.

Impact Discussion

- 1a-b. **Less than significant with mitigation.** As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

As outlined in Section E, Cultural Resources, the project site is part of a much larger archaeological site, CA-LAN-114, a prehistoric settlement originally identified in 1956. Although the larger site has been substantially degraded and altered by construction on the site and in the area, there is a potential that significant tribal resources could be discovered during grading. Mitigation Measures CULT 1-4 have been incorporated into the project and require monitoring during grading of the artifact-bearing layer on the site, an archaeological discovery protocol in the event that potentially significant intact archaeological deposits encountered' protocols in the inadvertent discovery of human remains, and submission of a final monitoring/data recovery report. With the incorporation of Mitigation Measures CULT 1-4, potential impacts to Tribal Cultural Resources would be less than significant.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency. The City of Malibu prepared and mailed formal notification letters in accordance with the provisions of AB 52 to four Native American tribes requesting notification on May 24, 2017. No responses were received within the 30-day response period or to the present time and no tribes have requested formal consultation on the project.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to tribal cultural resources.

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

- A qualified archaeologist and designated Chumash monitor shall review approved grading, construction and landscape plans for both parcels, and estimate the number of days of field work based on excavation schedule. The archaeologist shall discuss the scope of work with field personnel, machine operators, property owners, and the developer prior to commencement of work. Additionally, the archaeologist shall attend a preconstruction meeting with the excavation contractor and construction personnel to discuss monitoring protocol, data field techniques, legal requirements if human remains are discovered, etc.
- The archaeologist and Chumash monitor shall observe surface grading, mechanical excavations and earth moving activities. Monitors shall observe and document daily activities, record soil conditions and work related incidents, map and collect soil samples and retrieve artifacts. The archaeologist and monitor shall have the authority to direct and control grading and construction activities in such a manner as to avoid adverse impacts to cultural resources. Proof of contract with monitors must be provided to the Planning Director prior to the issuance of any development permits.
- Samples shall be washed, sorted, identified, and classified; materials shall be cataloged, labeled and packed for museum storage.
- Applicable technical studies shall be carried out on recovered artifacts, such as radiocarbon dating, lithic technology, bone identification, obsidian sourcing and hydration dating, at the owners' expense not to exceed the maximum contribution required by law. If feasible, the 1989 samples may be retrieved from the Autrey Museum and reanalyzed.
- A final report shall be prepared by the archaeologist and submitted to the City Planning Department, the client and the South Central Coastal Information Center prior to the issuance of a certificate of occupancy.

S. UTILITIES AND SERVICE SYSTEMS

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
3. Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
4. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, and Land Use Plan and Local Implementation Plan.

Impact Discussion

- 1&3. **Less than significant impact.** No wastewater treatment system presently exists on the project site. The State Water Resource Control Board requires all residential development located within the City that is not served by a public or private sewage utility to provide treatment of wastewater that meets minimum design standards intended to protect public health. A new OWTS would be constructed onsite beneath the driveway serving the single-family residence. The proposed OWTS would meet all applicable requirements of the County of Los Angeles Code, the City of Malibu Plumbing Code, and the City of Malibu Local Coastal Program/Local Implementation Plan (Chapter 18 – Onsite Wastewater Treatment Systems Standards Ordinance). The facility would handle all wastewater generated on site and would be maintained by a qualified wastewater maintenance

provider approved by the City of Malibu. Therefore, wastewater impacts would be less than significant as a result of the proposed project.

2. ***Less than significant impact.*** The project site is located within Los Angeles County's WD29. The 2015 Urban Water Management Plan (UWMP) for WD29 outlines how the projected demand for water will be met using local and imported water supplies. Water demand is based on historical use patterns and on uses allowed by the City's General Plan and Local Coastal Program (LCP). The proposed project would merge three lots into one would therefore reduce the potential density and need for utilities and service systems on the site. The proposed single-family residential dwelling unit is consistent with the General Plan, MMC and LCP and thus consistent with the UWMP. WD29 will be required to issue a Will Serve Letter for the proposed project prior to development. They have already reviewed and tentatively approved the project to move forward. A less than significant impact would occur related to water supplies.
- 4-5. ***Less than significant impact.*** The proposed project would generate solid waste during construction and operation. Solid waste generated during construction would be a short-term event and would not result in a significant impact to solid waste management infrastructure. Solid waste generated during long term occupation of the residence would be minimal and consistent with that generated by average single-family residences. Recyclables and organic/yard wastes would be separated out of the waste stream and would reduce the amount of waste transported to landfills. Local landfills have adequate capacity to accommodate the limited amount of waste anticipated to be generated by the project and a less than significant impact would occur.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts to utilities and service systems.

- Prior to the issuance of a building permit, the applicant shall demonstrate, to the satisfaction of the Building Official, compliance with the City of Malibu's onsite wastewater treatment regulations including provisions of LIP Section 18.9 related to continued operation, maintenance and monitoring of onsite facilities.
- Prior to final Environmental Health Administrator approval, a final OWTS plot plan shall be submitted showing an OWTS design meeting the minimum requirements of the Malibu Plumbing Code (MPC) and the LCP, including necessary construction details, the proposed drainage plan for the developed property and the proposed landscape plan for the developed property.
- Prior to final Environmental Health Administrator approval, a maintenance contract executed between the owner of the subject properties and an entity qualified in the opinion of the City of Malibu to maintain the proposed OWTS after construction shall be submitted.

T. WILDFIRE

Would the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the un-controlled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infra-structure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including down-slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Sources: City of Malibu General Plan, Safety Element; City of Malibu Municipal Code; City of Malibu Local Coastal Program, and Land Use Plan and Local Implementation Plan, City of Malibu Emergency Operations Plan, City of Malibu Mass Evacuation Plan, Las Virgenes-Malibu Council of Governments Multi-Jurisdictional Hazard Mitigation Plan.

Impact Discussion

- 1a. **Less than significant impact.** The proposed single-family residence would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan including the Las Virgenes-Malibu Council of Governments Multi-Jurisdictional Hazard Mitigation Plan (2018), the City of Malibu Mass Evacuation Plan (2020), or the City of Malibu Emergency Operations Plan (2018). Standard conditions of approval will require implementation of a construction management plan to ensure that construction activities do not affect emergency access. Therefore, a less than significant impact would occur.
- 1b. **Less than significant impact.** The General Plan shows the entire City of Malibu located within an extreme fire hazard area, identified as a Very High Fire Hazard Severity Zone (VHFHSZ) by the Los Angeles County Fire Department (LACFD). The LACFD serves the City, as well as the California Department of Forestry, if needed. In the event of major fire,

Los Angeles County has mutual aid agreements with cities and counties throughout the State of California so that additional personnel and firefighting equipment can augment the LACFD.

The project site is an infill site in an otherwise built-out subdivision. The project site is located on the seaward side of Pacific Coast Highway and is not located at the wildland interface. The site is located just under a mile from Fire Station No. 99 at 32550 Pacific Coast Highway which would allow for a reasonable response time from the LACFD in case of an emergency. The LACFD Land Division Unit has reviewed the proposed coastal development permit, minor modification and lot merger and has no objection to the project as proposed. In addition, LACFD standard conditions of approval will apply to the project including providing five-foot clear to sky access, fuel modification and building construction. Thus, the project would have a less than significant impact related to exposing people or structures to a significant risk of loss due to wildfire.

- 1c. **No impact.** The project involves the construction of a single-family residence and related facilities on a private lot. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk or result in temporary or ongoing impacts to the environment. No impact would result.
- 1d. **Less than significant impact.** The project would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. The site is currently vacant and would be minimally graded to accommodate the proposed single-family residence and related facilities. In addition, the project would not substantially alter the local drainage pattern or increase the risk of flooding in the surrounding area. The project would minimize water runoff during construction and operation as outlined in Section J, Hydrology and Water Quality. A less than significant impact would result.

Standard Conditions of Approval

The following conditions of approval will be placed on the project and serve to minimize impacts related to wildfire.

- Prior to the issuance of final building permits, the project shall receive LACFD approval of a Final Fuel Modification Plan.
- 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.

U. MANDATORY FINDINGS OF SIGNIFICANCE

Does the proposed project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate plant or animal community, substantially reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
2. Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
3. Have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Sources: City of Malibu General Plan, Land Use Element; City of Malibu Municipal Code; and City of Malibu Local Coastal Program, Land Use Plan and Local Implementation Plan.

Impact Discussion

1. **Less than significant impact.** As outlined in the previous discussion and analysis in this Initial Study, the proposed project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Thus, a less than significant impact would result.
2. **Less than significant impact.** The proposed merger of three lots into one would reduce the potential residential density on the project site by merging three lots into one. In addition, the project site is an infill site within a built-out subdivision and the proposed development of a single-family residence on the project site is consistent with the underlying General Plan, LCP/LIP and MMC designations. Thus, the project would have a less than significant cumulative impact.

3. **No impact.** The proposed project would not have adverse environmental effects and would not cause substantial adverse effects on human beings, either directly or indirectly. Thus, no impact would result.

REFERENCES

These references and those previously cited within the text of this Initial Study are intended to provide a list of supporting information sources and/or evidence Planning Department staff has relied upon in completing this document and in reaching the conclusions contained herein. In addition, the materials that were submitted by the applicant have also been used in completing this document.

If any person or entity reviewing this Initial Study has a question regarding the supporting information source and/or evidence, they may contact the staff planner at the address and telephone number noted on the front page of this document during the public review period.

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