CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the Lead Agency for evaluating the environmental impacts of the proposed Basin Plan amendment to incorporate a prohibition for septic systems and onsite waste-water treatment systems for the Civic Center area of the City of Malibu.

The Secretary of Resources has certified the State and Regional Boards' basin planning process as exempt from certain requirements of the California Environmental Quality Act (CEQA), including preparation of an initial study, negative declaration, and environmental impact report (14 CCR §15251(g)). As the proposed amendment to the Basin Plan is part of the basin planning process, the environmental information developed for and included with the amendment is considered a substitute to an initial study, negative declaration, and/or environmental impact report.

The "certified regulatory program" of the Regional Board, however, must satisfy the substantive requirements of California Code of Regulations (CCR), title 23, section 3777(a) which requires a final written report that includes a description of the proposed activity, an alternatives analysis, and an identification of mitigation measures to minimize any significant adverse impacts. Section 3777(a) also requires the Regional Board to complete an environmental checklist as part of its substitute environmental documents.

Water Code section 13281 requires that the Board consider all relevant evidence related to the discharge, including but not limited to, possible adverse impacts if the discharge is permitted, failure rates of any existing individual systems, evidence of any contamination, existing and planned land use, dwelling density, and historical population growth.

The Regional Board is prohibited from specifying the manner of compliance with its regulations (Water Code §13360), and accordingly, the actual environmental impacts will necessarily depend upon the compliance strategy selected by the local agencies and other permittees. In this case, the local agency and permittees have identified methods of eliminating reliance on septic and onsite wastewater treatment systems, including the construction of a centralized wastewater treatment plant.

The attached checklist and the technical report entitled "Septic and Onsite Wastewater Treatment Prohibition for the Civic Center of the City of Malibu" (Staff Report), with the responses to comments, and the resolution approving the amendment, will fulfill the requirements of title 23, CCR, section 3777(a), and the Regional Board's substantive CEQA obligations.

Potential environmental impacts associated with the project are dependent on the compliance methods designed by the responsible parties, most of whom are public agencies subject to their own CEQA obligations.). Adverse environmental impacts could result from improper implementation or mitigation at the project level. The substitute environmental documents identify broad mitigation approaches that could be considered at the project level. Consistent with CEQA, the substitute environmental documents do not engage in speculation or conjecture. Rather, the documents consider reasonably foreseeable environmental impacts of foreseeable methods of compliance, reasonably foreseeable, feasible, mitigation measures, and reasonably foreseeable, means of compliance, which would avoid, eliminate, or reduce identified environmental impacts.

The Regional Board recognizes that there may be project-level impacts that local public agencies may determine are not feasible to mitigate. To the extent that alternatives or mitigation measures are not deemed feasible by responsible agencies, the benefit of implementing the prohibition may outweigh the unavoidable adverse environmental effects.

I. DESCRIPTION OF PROPOSED ACTIVITY

The project is the implementation of a Basin Plan amendment that will prohibit any discharge from septic systems and onsite wastewater treatment systems in the Malibu Civic Center on the date the Regional Board adopts the Basin Plan amendment.

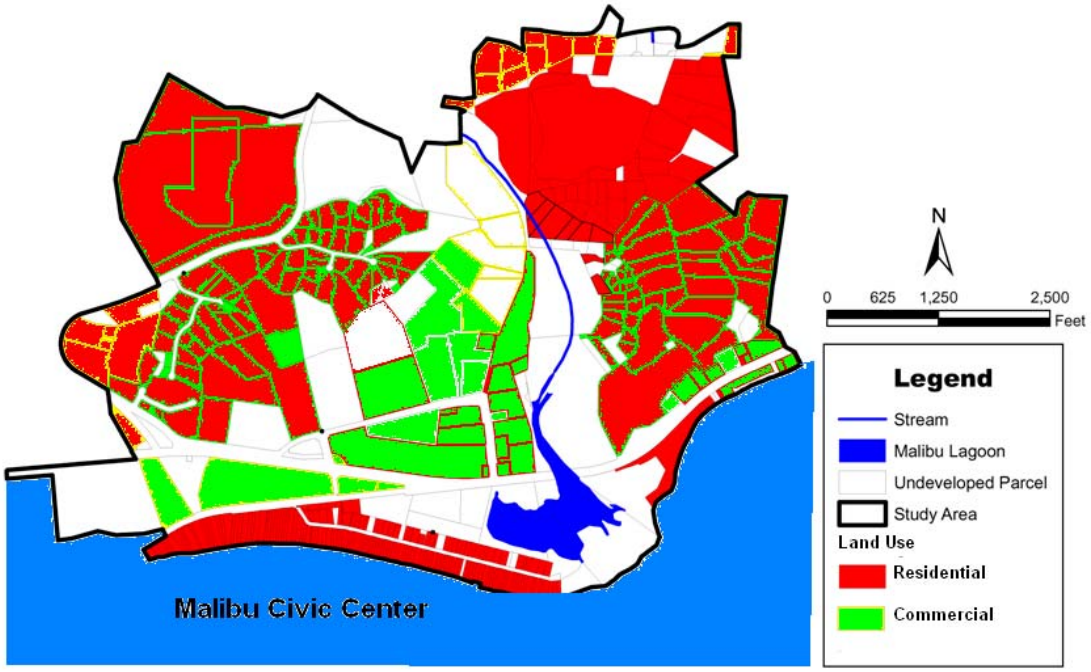
Setting

The Malibu Civic Center is an important recharge area for groundwater in aquifers which discharge to Malibu Creek and Lagoon (Figure 1) to create a fresh/saltwater lagoon with protected ecological features and heavily utilized public beaches. As designated in *the Water Quality Control Plan for the Los Angeles Region*, adopted on June 14, 1994 (hereafter *Basin Plan*), existing beneficial uses of groundwater and surface water for Malibu Valley, Malibu Creek and Lagoon and ocean water.

All wastewaters in the Civic Center are discharged to groundwater through permitted and unpermitted septic systems or onsite wastewater treatment systems.

About 1,000 people reside in the Civic Center area of Malibu, as defined by the watershed boundaries used in the 2005 Stone report and identified in Resolution No. R4-08-011. Residences in the Malibu Civic Center area are clustered on the upgradient hills and the oceanfront and all may contribute nutrients to the watershed and ocean, including; Serra Retreat, Malibu Colony, and the hills adjacent to Pepperdine University. Six commercial waste discharge requirements have been granted in the Civic Center for existing businesses within the area identified in the Stone report as potentially contributing bacteria to Malibu Creek or Lagoon.

Figure 1



Water Quality Impairment and Loss of Beneficial Uses:

On November 22, 2008, the Regional Board directed staff to prepare this prohibition for the Civic Center area of Malibu.

The State Water Resources Control Board lists the receiving waters for the Civic Center area, Malibu Creek, Malibu Lagoon and Santa Monica Bay at Malibu, as impaired. Each is listed separately in the federally required List of Water Quality Limited Segments for indicator bacteria and nutrients in the 2002 and 2006 CWA section 303(d) list of Water Quality Limited Segments (303(d) list). On January 24, 2002 and on December 12, 2002, the Regional Board adopted a Total Maximum Daily Load (TMDL) for bacteria during dry and wet weather, respectively, into Santa Monica Bay which was amended to the Basin Plan. On December 13, 2004, the Regional Board also adopted a TMDL for bacteria in Malibu Creek and Lagoon which was included in the Basin Plan. On March 21, 2003, the United States Environmental Protection Agency (USEPA) promulgated a nutrient TMDL for Malibu Creek Watershed. The 2006 303(d) list contains these water bodies with the notation that they are 'subject to a USEPA approved TMDL.'

The beneficial uses which may continue to be impaired by bacteria and nutrients through non-compliance with TMDL load allocations include: Industrial Service Supply (IND), Navigation (NAV), Contact (REC-1) and Non-contact Recreation (REC-2), Commercial and Sport Fishing

(COMM), Marine Habitat (MAR), Migration of Aquatic Organisms (MIGR), Spawning, Reproduction, and/or Early Development (SPWN), Shellfish Harvesting (SHELL), Wildlife Habitat (WILD), and Rare, Threatened or Endangered Species (RARE).

Project Objective

The goal in adopting this prohibition is to restore the beneficial uses at the Malibu Civic Center by identifying and implementing mitigation measures which will (a) allow successful permitting, oversight and management activities of waste disposal systems and (b) reduce exceedances of numeric limits in the existing and future bacteria and nutrient water quality objectives as enumerated in the Los Angeles Basin Plan.

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
1.	**Earth. Will the proposal result in:**				
	a. Unstable earth conditions or in changes in geologic substructures?		x		
	b. Disruptions, displacements, compaction or overcoming of the soil?		x		
	c. Change in topography or ground surface relief features?				X
	d. The destruction, covering or modification of any unique geologic or physical features?		X		
	e. Any increase in wind or water erosion of soils, either on or off the site?		X		
	f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?		X		
	g. Exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards?				X
2.	**Air. Will the proposal result in:**				
	a. Substantial air emissions or deterioration of ambient air quality?		X		
	b. The creation of objectionable odors?		X		
	c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?				X

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
3.	**Water. Will the proposal result in:**				
	a. Changes in currents, or the course of direction or water movements, in either marine or fresh waters?				X
	b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?			X	
	c. Alterations to the course of flow of flood waters?		X		
	d. Change in the amount of surface water in any water body?				X
	e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?				X
	f. Alteration of the direction or rate of flow of ground waters?				X
	g. Change in the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	X			
	h. Substantial reduction in the amount of water otherwise available for public water supplies?				X
	i. Exposure of people or property to water related hazards such as flooding or tidal waves?				X
4.	**Plant Life. Will the proposal result in:**				
	a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?				X

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	b. Reduction of the numbers of any unique, rare or endangered species of plants?		X		
	c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?				X
	d. Reduction in acreage of any agricultural crop?				X
5.	**Animal Life. Will the proposal result in:**				
	a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?		X		
	b. Reduction of the numbers of any unique, rare or endangered species of animals?		X		
	c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?				X
	d. Deterioration to existing fish or wildlife habitat?		X		
6.	**Noise. Will the proposal result in:**				
	a. Increases in existing noise levels?		X		
	b. Exposure of people to severe noise levels?		X		
7.	**Light and Glare. Will the proposal:**				
	a. Produce new light or glare?		X		
8.	**Land Use. Will the proposal result in:**				
	a. Substantial alteration of the present or planned land use of an area?				X
9.	**Natural Resources. Will the proposal result in:**				

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	a. Increase in the rate of use of any natural resources?		X		
	b. Substantial depletion of any nonrenewable natural resource?				X
10.	**Risk of Upset. Will the proposal involve:**				
	a. A risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?		X		
11.	**Population. Will the proposal:**				
	a. Alter the location, distribution, density, or growth rate of the human population of an area?				X
12.	**Housing. Will the proposal:**				
	a. Affect existing housing, or create a demand for additional housing?				X
13.	**Transportation/Circulation. Will the proposal result in:**				
	a. Generation of substantial additional vehicular movement?		X		
	b. Effects on existing parking facilities, or demand for new parking?				X
	c. Substantial impact upon existing transportation systems?		X		
	d. Alterations to present patterns of circulation or movement of people and/or goods?				X
	e. Alterations to waterborne, rail or air traffic?				X
	f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?				X

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
14.	**Public Service. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:**				
	a. Fire protection?				X
	b. Police protection?		X		
	c. Schools?				X
	d. Parks or other recreational facilities?		X		
	e. Maintenance of public facilities, including roads?		X		
	f. Other governmental services?		X		
15.	**Energy. Will the proposal result in:**				
	a. Use of substantial amounts of fuel or energy?		X		
	b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?			X	
16.	**Utilities and Service Systems. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:**				
	a. Power or natural gas?			X	
	b. Communications systems?				X
	c. Water?		X		
	d. Sewer or septic tanks?	X			
	e. Storm water drainage?		X		

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
	f. Solid waste and disposal?				X
17.	**Human Health. Will the proposal result in:**				
	a. Creation of any health hazard or potential health hazard (excluding mental health)?		X		
	b. Exposure of people to potential health hazards?		X		
18.	**Aesthetics. Will the proposal result in:**				
	a. The obstruction of any scenic vista or view open to the public?		X		
	b. The creation of an aesthetically offensive site open to public view?		X		
19.	**Recreation. Will the proposal result in:**				
	a. Impact upon the quality or quantity of existing recreational opportunities?				X
20.	**Archeological/Historical. Will the proposal:**				
	a. Result in the alteration of a significant archeological or historical site structure, object or building?				X
21.	**Mandatory Findings of Significance**				
	Potential to degrade: Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
	Short-term: Does the project have the potential to achieve short-term, to the disadvantage of		X		

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
	long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)				
	Cumulative: Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)		X		
	Substantial adverse: Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

III. EVALUATION OF ENVIRONMENTAL IMPACTS

1. Earth. a. Will the proposal result in unstable earth conditions or in changes in geologic substructure?

Answer: Less than significant impact with mitigation incorporation

Reasonably foreseeable methods of compliance are not anticipated to have an impact on earth, resulting in unstable earth conditions or change geologic substructures. Impacts associated with construction and infrastructure improvements are temporary and would not required excavation or disturbance of earth that would result in environmental impacts.

1. Earth. b. Will the proposal result in disruptions, displacements, compaction or overcoming of the soil?

Answer: Less than significant with mitigation incorporation

Standard construction techniques, including but not limited to, shoring, piling and soil stabilization can mitigate any potential short-term impacts. In addition, adverse impacts could be mitigated to less than significant levels if structural methods are properly designed and sited in areas where the risk of soil disruption is minimal. Infrastructure improvements can be properly sited, studied, and monitored to prevent disruption.

1. Earth. c. Will the proposal result in change in topography or ground surface relief features?

Answer: No impact

No impact is expected because foreseeable methods of compliance, including infrastructure improvement could be of the size or scale necessary to minimize impact to the topography or ground surface relief features.

1. Earth d. Will the proposal result in the destruction, covering or modification of any unique geologic or physical features?

Answer: Less than significant with mitigation incorporation

Infrastructure improvements can be properly sited, designed, and studied to mitigate the modification of physical features.

1. Earth. e. Will the proposal result in any increase in wind or water erosion of soils, either on or off the site?

Answer: Less than significant with mitigation incorporation

The construction impacts are temporary.

1. Earth. f. Will the proposal result in changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?

Answer: Less than significant with mitigation incorporation

Infrastructure improvements can be properly sited, designed, and studied to mitigate the modification of physical features.

1. Earth. g. Will the proposal result in exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to earth in the exposure of people or property to geological hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards.

2. Air. a. Will the proposal result in substantial air emissions or deterioration of ambient air quality?

Answer: Less than significant with mitigation incorporation

The principal impacts to air will result from infrastructure construction activities. Construction of infrastructure improvements will increase air emissions and may create objectionable odors through the usage of heavy machinery and transportation vehicles. These impacts are temporary and localized to construction activities alone. Construction BMPs can be implemented to mitigate air impacts along with the use low emission vehicles as well as other SCAQMD recommended mitigation measures.

The infrequency of maintenance is not anticipated to increase air emissions or objectionable odors. Waste remove schedules can be synchronized with general trash removal times.

The alternative remedy of trucking all waste would have significant impacts on air quality which cannot be mitigated.

2. Air. b. Will the proposal result in creation of objectionable odors?

Answer: Less than significant with mitigation incorporation

The alternative remedy of trucking all waste would have significant impacts on odors which cannot be mitigated.

See response to Air 2.a.

2. Air. c. Will the proposal result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

Answer: No Impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to air in the alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally.

3. Water. a. Will the proposal result in changes in currents, or the course of direction or water movements, in either marine or fresh waters?

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to water currents or the direction of water movements, either locally or regionally.

If waste is disposed into the Ocean, significant impacts could result which cannot be mitigated.

3. Water. b. Will the proposal result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?

Answer: Less than significant

The majority of compliance strategies have no impact on absorption rates, drainage patterns, or the rate and amount of surface water runoff. Infrastructure improvements have the potential to impact the amount of surface water runoff.

3. Water. c. Will the proposal result in alterations to the course of flow of flood waters?

Answer: Less than significant with mitigation incorporated

The course of flow of flood waters may change depending on the chosen Infrastructure improvements. Impacts to the flow of flood waters can be mitigated with proper design and siting.

3. Water. d. Will the proposal result in change in the amount of surface water in any water body?

Answer: No Impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an negative impact to water: (1) in the amount of surface water in any water body, (2) in the discharge to surface waters, or in any alteration of surface water quality including but not limited to temperature, dissolved oxygen, or turbidity, (3) in the alteration of the direction or rate of flow of ground waters, (4) in changing the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, (5) result in substantial reduction in the amount of water otherwise available for surface water supplies, (6) or expose people or property to water related hazards such as flooding or tidal waves.

The alternative remedy of removing all waste from the watershed might have impacts on groundwater recharge rates and amount of surface receiving waters which cannot be mitigated.

3. Water. e. Will the proposal result in discharge to surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?

Answer: No Impact, enhancement expected.

See response to Water 1.d.

3. Water. f. Will the proposal result in alteration of the direction or rate of flow of ground waters?

Answer: No Impact.

See response to Water 1.d.

3. Water. g. Change in the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

Answer: Potentially significant impact

Changes in the quantity and quality of the groundwater will occur when septic system discharges cease. The discharge from septic systems contains nitrogen and other pollutants in excess of water quality objectives. If septic system discharges cease, then pollutant loading into the aquifer from septic systems will be eliminated. This is expected to improve water quality over the long term.

3. Water. h. Will the proposal result in substantial reduction in the amount of water otherwise available for public water supplies?

Answer: No Impact

See response to Water 1.d.

3. Water. i. Will the proposal result in exposure of people or property to water related hazards such as flooding or tidal waves?

Answer: No Impact

See response to Water 1.d.

4. Plant Life. a. Will the proposal result in change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?

Answer: No impact

Because these areas are already fully urbanized it is unlikely that their implementation would cause the removal, disturbance or change in diversity of any plant species. Assuming any unique species are present, mitigation measures could be implemented to ensure that potential impacts to plant number and species diversity are less than significant. Plant number and species diversity could be maintained by either preserving them prior, during, and after the construction of infrastructure or by re-establishing and maintaining the plant communities post construction.

4. Plant life. b. Will the proposal result in reduction of the numbers of any unique, rare or endangered species of plants?

Answer: Less than significant with mitigation incorporated

It is anticipated that Infrastructure improvements will take place on highly urbanized areas. It is unlikely that compliance strategies would result in a reduction of the numbers of any unique, rare or endangered species of plants Mitigation measures

could be implemented to ensure that potential impacts unique, rare or endangered plant species are less than significant. When the specific projects are developed and sites identified, a search of the California Natural Diversity Database could be employed to confirm that any potentially sensitive plant species in the site area are properly identified and protected as necessary. Focused protocol plant surveys for special-status-plant species could be conducted at each site location, if appropriate. If sensitive plant species occur on the project site mitigation shall be required in accordance with the Endangered Species Act. Mitigation measures shall be developed in consultation with the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS). Responsible agencies should endeavor to avoid compliance measures that could result in reduction of the numbers of any unique, rare or endangered species of plants, and instead opt for such measures as enforcing litter ordinances in sensitive habitat areas.

4. Plant life. c. Will the proposal result in introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to plant life: (1) in the introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species, (2) or reduce the acreage of any agricultural crops.

4. Plant life. d. Will the proposal result in reduction in acreage of any agricultural crop?

Answer: No impact

See response to Plant Life 4.c.

5. Animal Life. a. Will the proposal result in change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?

Answer: Less than significant with mitigation incorporated

Responsible parties may also choose to implement compliance strategies that incur less impact on animal life. The overall benefits of restoring beneficial uses at the Malibu

Civic Center outweigh the potentially significant adverse impacts associated with those reasonably foreseeable methods of compliance.

5. Animal Life. b. Will the proposal result in reduction of the numbers of any unique, rare or endangered species of animals?

Answer: Less than significant with mitigation incorporated

See response to Animal Life 5.b.

5. Animal Life. c. Will the proposal result in introduction of new species of animals into an area, or in a barrier to the migration or movement of animals?

Answer: No Impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to animal life in the introduction of new species of anime into an area, or in a barrier to the migration or movement of animals.

5. Animal Life. d. Will the proposal result in deterioration to existing fish or wildlife habitat?

Answer: Less than significant with mitigation incorporated

The construction of infrastructure improvements may cause temporary impacts to fish and wildlife habitat. Mitigation measures are available in the design and timing phase to reducing time of construction and the amount of habitat altered.

6. Noise. a. Will the proposal result in increases in existing noise levels?

Answer: Less than significant with mitigation

The proposal may result in increases in existing noise levels, particularly in the case of construction and operation of infrastructure. Responsible parties may choose to implement compliance strategies that result in less impact to noise level.

The alternative remedy of trucking all waste would have significant impacts on noise which cannot be mitigated.

6. Noise. b. Will the proposal result in exposure of people to severe noise levels?

Answer: Less than significant with mitigation

See response to Noise 6.a.

7. Light and Glare. Will the proposal produce new light or glare?

Answer: Less than significant with mitigation incorporated

Implementation of the proposed Basin Plan amendment is not likely to produce new light or glare because the reasonably foreseeable means of compliance involve minimal additional lighting. Should night time construction activities be proposed, or should lighting be used to increase safety around treatment facilities, potential impacts should be evaluated at the project level. A lighting plan could be prepared to include shielding on all light fixtures and address limiting light trespass and glare through the use of shielding and directional lighting methods, including but not limited to, fixture location and height. Potential mitigation efforts may also include screening and low-impact lighting.

8. Land Use. a. Will the proposal result in substantial alteration of the present or planned land use of an area?

Answer: No Impact

It is not anticipated that reasonably foreseeable methods of compliance will result in substantial alteration of the present or planned land use of an area.

9. Natural Resources. a. Will the proposal result in increase in the rate of use of any natural resources,

Answer: Less than significant with mitigation implemented

Reasonably foreseeable methods of compliance could potentially increase the rate of use of natural resources. Infrastructure improvements require a significant amount of material during construction. Proper siting and study could mitigate the amount of materials that need to be replaced. The use of electric and fuel will be discussed in the Energy portion of the document.

The alternative remedy of trucking all waste would have significant increase in fuel consumption which cannot be mitigated.

9. Natural Resources. b. Will the proposal result in substantial depletion of any non-renewable natural resource

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in substantial depletion of any non-renewable natural resources

The alternative remedy of trucking all waste would have significant impacts on hydrocarbon resources which cannot be mitigated.

10. Risk of Upset Will the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?

Answer: Less than significant with mitigation

It is not reasonably foreseeable that implementation of the proposed Basin Plan amendment would involve a risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions. Nor would it be anticipated to result in any increased exposure to hazards or hazardous material. While some use of hazardous materials (e.g., paint, oil, gasoline) is likely during construction, potential risks of exposure can be mitigated with proper handling and storage procedures.

11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to population in the altering the location, distribution, density, or growth rate of human population of an area, The highest rate of increase in the population of Malibu after 1991 occurred after septic tanks were allowed and before 2003, when centralized treatment in the Civic Center was proposed by the Malibu City Council.

12. Housing. Will the proposal **a**ffect existing housing, or create a demand for additional housing?

Answer: No Impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to existing housing, or create a demand for additional housing. Structural BMPs will be installed on the beach or Harbor water and no on existing housing. Infrastructure improvements are also constructed on the beach or on local agency right of way land. Neither form of compliance is likely to impact housing.

13. Transportation/Circulation. a. Will the proposal result in generation of substantial additional vehicular movement?

Answer: Less than significant with mitigation incorporated

Potential impacts transportation and circulation are primarily associated with construction. Proper siting and timing of construction activities can mitigate the extent of impacts to vehicle, waterborne, bicyclists, or pedestrian traffic and existing transportation systems. A construction management and control plan can be developed to limit the timing and amount of street and waterway closures. Alternative routing can also serve to mitigation potential impacts to transportation systems and mitigate the creation of traffic hazards.

The alternative remedy of trucking all waste would have such a significant increase in vehicular movement it cannot be mitigated.

13. Transportation/Circulation. b. Effects on existing parking facilities, or demand for new parking?

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact to transportation and circulation in effecting existing parking facilities, or demand for new parking or alter present patterns of circulation or movement of people and or goods.

The alternative remedy of trucking all waste would have such significant impacts on parking and circulation that they cannot be mitigated.

13. Transportation/Circulation. c. Will the proposal result in substantial impacts upon existing transportation systems?

Answer: Less than significant with mitigation incorporated

See response to Transportation/Circulation 13.a.

13. Transportation/Circulation. d. Will the proposal result in alterations to present patterns of circulation or movement of people and/or goods?

Answer: No impact

See response to Transportation/Circulation 13.b.

13. Transportation/Circulation. e. Will the proposal result in alterations to waterborne, rail or air traffic?

Answer: No impact

See response to Transportation/Circulation 13.a.

13. Transportation/Circulation. f. Will the proposal result in increase in traffic hazards to motor vehicles, bicyclists or pedestrians?

Answer: No impact

See response to Transportation/Circulation 13.a.

14. Public Service. a. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: Fire protection?

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact resulting in a need for new or altered governmental service for fire protection and schools.

14. Public Service. b. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: Police protection?

Answer: Less than significant with proposed mitigation

Increased traffic control during construction projects may cause temporary delays in response time of police vehicles due to road closure/traffic congestion during construction activities. The responsible agencies could notify local police service providers of construction activities and road closures and could coordinate with local

police providers to establish alternative routes and traffic control during construction projects. In addition, an Emergency Preparedness Plan could be developed for the proposed new facilities in consultant with local emergency providers to ensure that the proposed project's contribution to cumulative demand on emergency response services is less than significant and would not result in a need for new or altered police protection services. Most jurisdictions have in place established procedures to ensure safe passage of emergency vehicles during periods of road maintenance, construction, or other attention to physical infrastructure, and there is no evidence to suggest that installation of structural devices would create any more significant impediments than such other ordinary activities.

Implementation of administration actions could also impact police protection. Increased enforcement of existing vandalism, litter, and illicit discharge laws and fines may further tax police protection. Selecting use of volunteers and added education and outreach could help mitigate the added demands on the police force.

14. Public Service. c. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: Schools?

Answer: No impact

See response to Public Service 14.a.

14. Public Service. d. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: Parks or other recreational facilities?

Answer: Less than significant with proposed mitigation

Reasonably foreseeable methods of compliance could potentially impact the availability of Legacy Park. Compliance strategies are designed to restore the beneficial uses of these all recreational areas in Malibu in long run and result in the positive use of these that would otherwise be unavailable due to high bacterial densities.

14. Public Service. e. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: maintenance of public facilities, including roads?

Answer: Less than significant with mitigation incorporated

Infrastructure improvements could potentially impact public service requiring additional maintenance. These devices can be further designed and engineered to lessen the amount of maintenance and servicing required.

14. Public Service. f. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: other government services?

Answer: Less than significant with mitigation incorporated

See response to Public Service 14.b.

15. Energy. a. Will the proposal result in use of substantial amounts of fuel or energy?

Answer: Less than significant impact with mitigation incorporated

Compliance should not result in the use of substantial additional amounts of fuel or energy, or a substantial increase in demand upon existing sources of energy, or require the development of new sources of energy.

Construction of infrastructure improvements require energy and fuel for heavy equipment, machinery, and vehicles. Energy demands during construction are temporary and nominal. Responsible parties can further mitigate fuel and energy consumption during construction through the use of more energy efficient vehicles and equipment.

Reasonable foreseeable infrastructural improvements require infrequent maintenance and are unlikely to use substantial amount of fuel or energy, substantially increase demand upon existing sources of energy, or require the development of new sources of energy.

The alternative remedy of trucking all waste would have significant increases in energy demand which cannot be mitigated.

15. Energy. b. Will the proposal result in a substantial increase in demand upon existing sources of energy, or require the development of new sources of energy.

Answer: Less than significant impact

See response to Energy 15.a.

16. Utilities and Service Systems. a. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: power or natural gas?

Answer: Less than significant impact

Infrastructure completion may require minor alterations to existing power or natural gas systems. The degree of alteration depends upon local system layouts and careful placement and design can mitigate. Responsible parties may choose to install solar panels to eliminate the need for installing power lines. However, it is not foreseeable that this proposal will result in a substantial increase need for new systems, or substantial alterations to power or natural gas utilities

16. Utilities and Service Systems. b. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: communications systems?

Answer: No impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact resulting in a need for new or substantial alterations to communication utilities.

16. Utilities and Service Systems. c. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: water,?

Answer: Less than significant impact

It is not foreseeable that this proposal will result in a substantial increase need for new systems, or substantial alterations to water utilities

16. Utilities and Service Systems. d. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: Sewer or septic tanks?

Answer: Potentially significant impact

The proposed activity will prohibit the use of septic systems in the Civic Center.

16. Utilities and Service Systems. e. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: storm water drainage?

Answer: Less than significant impact with mitigation incorporated

See response to Utilities and Service Systems 16.d.

16. Utilities and Service Systems. f. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: solid waste and disposal?

Answer: Less than significant impact

Nominal amounts of Construction debris maybe generated by infrastructure improvements. Construction debris can be recycled at aggregate recycling centers or disposed of at landfills. Improved sorting and recycling methods can reduce the total amount of disposable wastes from increased waste collection. It is not anticipated that reasonably foreseeable methods of compliance will result in significant impact resulting in a need for new or substantial alterations to solid waste and disposal utilities.

17. Human Health. a. Will the proposal result in creation of any health hazard or potential health hazard (excluding mental health)?

Answer: Less than significant with mitigation incorporated

See response to 10. Upset. Use of heavy equipment during construction of infrastructure may add to the potential for construction accidents. Unprotected sites may also result in accidental health hazards for people. Fencing, timing, and proper site can decrease the overall expose of health hazards associated with construction. Potential health hazards attributed to installation and maintenance of infrastructure can be mitigated by use of OSHA construction and maintenance, health and safety guidelines. Potential health hazard attributed to infrastructure maintenance can be mitigated through OSHA industrial hygiene guidelines.

In addition, the operation of certain infrastructure improvements have the potential to create and expose people to health hazards. Potential health hazards can be mitigated through proper siting and design. Devices may include protective metal cages to mitigate the accidental expose and interaction of people and these devices.

17. Human Health. b. Will the proposal result in exposure of people to potential health hazards?

Answer: Less than significant with mitigation incorporated

See response to Human Health 17.a.

18. Aesthetics. a. Will the proposal result in the obstruction of any scenic vista or view open to the public?

Answer: Less than significant impact with mitigation incorporated

Infrastructure improvements can potentially result in an impairment of scenic and opens views to the public and create an aesthetically offensive site open to public view. Temporary impacts to aesthetics can occur during the construction of infrastructure improvements. Construction BMPs like screening can help mitigate aesthetic impacts.

Proper design of other structural devices can mitigate aesthetic impacts associated with their operation. Responsible parties may also choose to implement compliance strategies that are less aesthetically offensive.

18. Aesthetics. b. Will the proposal result in the creation of an aesthetically offensive site open to public view?

Answer: Less than significant impact with mitigation incorporation

See response to Aesthetics 18.a.

19. Recreation. a. Will the proposal result in impact on the quality or quantity of existing recreational opportunities?

Answer: Less than significant impact with mitigation incorporated

Installation of infrastructure may impact the usage of the Legacy Park recreational site. For instance, usage of the park may become temporary unavailable during the construction of infrastructure improvements. Recreation impacts associated with construction are temporary. Impacts to recreation opportunities can be mitigated through construction BMPs and planning by the responsible agency

Implementation of the project will gradually improve the quality of the water body. Signs have been posted at the Surfrider Beaches discouraging water contact recreation due to high indicator bacterial densities. Implementation of compliance strategies will create a positive impact and increase recreational opportunities throughout the water body by restoring water contact recreation. The benefits of restoring beneficial uses at the Malibu Beaches outweigh potential adverse impacts to recreation associated with certain compliance strategies.

20. Archeological/Historical. Will the proposal result in the alteration of a significant archeological or historical site structure, object or building?

Answer: No Impact

It is not anticipated that reasonably foreseeable methods of compliance will result in an impact resulting in the alteration of a significant archeological or historical site structure, object or building.