

SMC MALIBU CAMPUS PROJECT FINAL ENVIRONMENTAL IMPACT REPORT



Prepared For:
Santa Monica Community College District
1900 Pico Boulevard
Santa Monica, CA 90405



December 4, 2015

SCH No. 2012051052

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Appendices¹

Appendix K:	Copies of Comment Letters on the Draft EIR
Appendix L:	Historic Resource Assessment Report, Sheriff’s Station and Malibu Civic Center, Leslie Heumann and Jenna Snow, October 2015.

¹ Appendices A through J were assigned to appendices within the Draft EIR.

1. INTRODUCTION

This document comprises the Final Environmental Impact Report (“Final EIR”) for the Santa Monica College – Malibu Campus Project (“Proposed Project”). This document, together with the Draft EIR and its technical appendices, comprise the complete Final EIR for the Proposed Project.

The Santa Monica College (SMC) Board of Trustees is the designated lead agency and is the primary decision-maker in carrying out the Proposed Project. In July 2015, SMC published the Notice of Completion (NOC) for the Draft EIR, which was prepared in accordance with CEQA, the State CEQA Guidelines (California Code of Regulations (C.C.R.), Title 14, Division 6, Chapter 3, § 15000-15387, as amended), and the Santa Monica College Guidelines for Implementation of CEQA (January 2002). The Draft EIR was circulated for 60 days, with the review period ending on September 7, 2015. Before approving a project, CEQA requires the Lead Agency to prepare and certify the Final EIR. The Lead Agency must provide each agency that commented on the Draft EIR with a copy of the Lead Agency’s proposed response at least 10 days before certifying the Final EIR.

In accordance with Section 15132 of the CEQA Guidelines, this Final EIR contains the following components:

- (a) The Draft EIR or a revision of the Draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.

For purposes of addressing the above requirements in an orderly fashion, this Final EIR is organized in the following sections:

1. **Introduction.** This Section provides a brief overview of this document.
2. **Executive Summary.** This Section provides a brief overview of the Proposed Project, a summary of the environmental impacts and mitigation measures, as provided in the Draft EIR and as modified by any additions and corrections that are identified in Section 3 of this Final EIR.
3. **Responses to Comments on the Draft EIR.** This Section includes all of the comments received on the Draft EIR and provides written comments to each comment as necessary. The comment letters were transcribed into Microsoft Word format to allow for the lead agency’s responses to be viewed in

context with the comments. Copies of actual comment letters are provided in Appendix K to this Final EIR.

4. **Additions and Corrections to the Draft EIR.** This Section is intended to provide a supplement to the Draft EIR and identifies any additions or corrections necessary to make the information in the Draft EIR clear or to correct the record.
5. **Mitigation Monitoring and Reporting Program.** The MMRP is provided in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines. The MMRP identifies each of the required mitigation measures that are required by the lead agency to reduce or avoid potential adverse environmental impacts.

2. EXECUTIVE SUMMARY

1. INTRODUCTION

The California Environmental Quality Act (CEQA) (Public Resources Code (P.R.C.) Division 13, § 21000 et seq.) was enacted in 1970 with the main objective of providing public disclosure to inform decision makers and the public of the significant environmental effects of proposed activities and to require agencies to avoid or reduce the environmental effects by implementing feasible alternatives or mitigation measures. CEQA applies to all discretionary activities proposed to be carried out or approved by California public agencies, including state, regional, county, and local agencies. The proposed Santa Monica College (SMC) - Malibu Campus Project (“Proposed Project”) requires discretionary approvals from multiple governmental agencies and is therefore subject to CEQA.

a. Lead Agency

The Lead Agency is defined by CEQA as “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment. (CEQA § 21067.) The SMC Board of Trustees (Trustees) is the primary governmental institution responsible for proposing, funding and carrying out the Proposed Project. Therefore, the Santa Monica Community College District (“SMCCD” or “SMC”) is identified as the Lead Agency for the Proposed Project.

b. Responsible Agencies

(1) County of Los Angeles

The Project Site is located within the Malibu Civic Center, which is a public facility that is owned and operated by the County of Los Angeles. Accordingly, the EIR, ground lease, and Proposed Project must be approved by the County of Los Angeles Board of Supervisors before the Project can commence. Accordingly, the County of Los Angeles is identified as a responsible agency pursuant to CEQA.

(2) City of Malibu

The Project Site is located within the jurisdiction of the coastal zone within the City of Malibu. Development within the City of Malibu is authorized through the Coastal Development Permit process, pursuant to the policies and procedures set forth in the City of Malibu Local Coastal Program - Land Use Plan and Local Implementation Plan (LUP/LIP). Accordingly, the City of Malibu is identified as a responsible agency pursuant to CEQA.

(3) The Malibu Public Facilities Authority

The Malibu Public Facilities Authority was formed on October 12, 2004 through a Joint Powers Authority (JPA) agreement between the City of Malibu and Santa Monica College for purposes of acquiring property and planning for the operation of public facilities in Malibu. The Malibu Public

Facilities Authority is identified as a responsible agency and will rely on information contained in the EIR for any necessary approvals that may fall under its purview.

c. CEQA Process

This Project-Level Final Environmental Impact Report (EIR) was prepared in accordance with CEQA, the State CEQA Guidelines (California Code of Regulations (C.C.R.), Title 14, Division 6, Chapter 3, § 15000-15387, as amended), and the Santa Monica College Guidelines for Implementation of CEQA (January 2002). The State CEQA Guidelines § 15121(a) provides the following description of an EIR:

An EIR is an informational document which will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency.

(1) Notice of Preparation and EIR Scope

The Notice of Preparation (NOP) for the Draft EIR was published and circulated for a 30-day review period starting on May 17, 2012 and ending on June 17, 2012. The NOP and Initial Study are provided in their entirety in Appendix A to this Draft EIR. Agency and public responses to the NOP are included in Appendix B to this Draft EIR. Based on a review of the agency and public comments received in response to the NOP, the Lead Agency determined that the following environmental issue areas should be included within the scope of the EIR:

- Aesthetics (Views, Light and Glare)
- Air Quality
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services (Police and Fire Protection)
- Transportation (Traffic and Parking)
- Public Utilities (Water, Sewer, Energy Conservation)

(2) Public Participation

CEQA requires the lead agency to circulate a Draft EIR for a minimum 45-day public review period to all responsible agencies, trustee agencies, and the general public (P.R.C. § 21091 (a)). Consistent with this requirement, the Draft EIR was circulated for a 60-day review period that began on July 10, 2015 and ended on September 7, 2015.

2. PROJECT OVERVIEW

The Proposed Project is located at 23555 Civic Center Way, Malibu, CA. The Project Site consists of an approximately 128,500 square-foot (2.94 acres) irregularly shaped ground lease area within the larger 9.19-acre Los Angeles County-owned and operated Civic Center complex. The existing portions of the Los Angeles County Civic Center complex that include the former Los Angeles County Superior Court operations, the Los Angeles County Public Works Office, the helipad, the newly renovated public library, and associated parking and maintenance areas are located outside of the ground lease area and are therefore not a part of the Proposed Project.

The Project Site is currently improved with the former Los Angeles County Sheriff's Station, which was decommissioned in the early 1990s. The existing Sheriff's Station building includes approximately 23,882 square feet of developed floor area, of which approximately 7,279 square feet is located below grade in a basement level and approximately 16,603 square feet is located at-grade. The Proposed Project includes the demolition of the existing former Sheriff's Station building and the construction of a new joint community college satellite campus facility and Community Sheriff's Substation and Emergency Operations and Planning Center. The new construction will include a 2-story above-grade, approximately 25,310 square foot educational facility including an approximately 5,640 square foot Community Sheriff's Substation and Emergency Operations and Planning Center on the ground floor. The Proposed Project would yield a net increase of 1,428 square feet as compared to the size of the existing Sheriff's Station building. The total proposed developed floor area ratio (FAR) is approximately 0.20 to 1. The Proposed Project will also involve the relocation and replacement of the existing 70 foot high emergency communications antenna, with a new approximately 75 foot high monopole emergency communications antenna, which will be located approximately 10 to 20 feet to the west of its current location.

Upon completion, the SMC-Malibu Campus would include 5 classrooms and labs; a multi-purpose community room that will convert into an Emergency Operations Center (EOC) for local emergencies; a computer lab; and administrative offices to accommodate up to 210 students (FTE) and 12 faculty and staff members during peak time periods. The SMC-Malibu Campus also proposes an interpretive center to support Legacy Park or other programs to highlight Malibu's unique coastal environment and cultural history. The Proposed Project will also include ancillary improvements within the Project Site associated with pedestrian and vehicular access, surface parking, open space, landscaping improvements, and relocation of on-site utilities, which may include but is not limited to, relocating an existing communications antenna. It is anticipated that the occupancy and operation of the Proposed Project will be conditioned on connecting to the City's proposed Civic Center Wastewater Treatment Facility when it becomes operational. The Proposed Project is anticipated to become operational in 2017.

3. AREAS OF CONCERN

Included in Appendix B to the Draft EIR, are written comment letters that were submitted to the Lead Agency during the NOP public review period. Comment letters on the NOP were received by the following governmental agencies, organizations and individuals: California Department of Transportation (Caltrans), California Native American Heritage Commission (NAHC), Los Angeles County Fire Department (LACFD), Los Angeles County Metro (Metro), South Coast Air Quality Management District (SCAQMD), City of Malibu, Wishtoyo Foundation, Sally Benjamin, Joan C. Lavine, and Steve Uhring.

In addition to these written comments, verbal comments were made during the course of three public outreach meetings, including one formal scoping session. The Project Scoping meeting was noticed in the NOP and was held at Malibu City Hall on May 31, 2012 from 6:00 p.m. to 7:00 p.m. Verbal and written comments received in response to the NOP focused on the issues of project operations, traffic, parking, aesthetics/architecture, nighttime lighting and illumination, glare from architectural materials and photovoltaic panels, water supply, waste disposal, construction noise, cultural resources, wastewater, and cumulative impacts associated with increased development within the Malibu Civic Center. Collectively, these issues are addressed within the scope of this EIR within the respective sections contained in Section 4.0, Environmental Impact Analysis.

4. PROJECT ALTERNATIVES

Section 15126.6(c) of the State CEQA Guidelines requires that the Draft EIR include a reasonable range of project alternatives that could feasibly accomplish most of the basic objectives of the Proposed Project and could avoid or lessen one or more of the significant effects of the Proposed Project. The following Alternatives are analyzed in this Draft EIR:

- **No Project Alternative:** The No Project Alternative would be the result of not approving the Proposed Project. Under this scenario, the existing Sheriff Station building and communications tower would remain in place and no further development would occur. The existing former Sheriff's Station would remain vacant.
- **Zoning Compliant Alternative:** This Alternative would consist of redesigning the Proposed Project to conform to the Malibu Zoning Code and Local Coastal Program (LCP) for purposes of avoiding the variances that are currently being requested. The height of the structure would be reduced to 28 feet to conform to the height limit of the Institutional zone and the Project would be redesigned to accommodate the required parking spaces in conformance with the City's parking stall dimensions. The communications tower would remain in place and would not be upgraded.

As required pursuant Section 15126.6 of the State CEQA Guidelines, this Draft EIR includes selection of an "environmentally superior" alternative from amongst the Project Alternatives analyzed and includes a discussion of the reasons for such selection. The environmentally superior alternative is the alternative that would be expected to generate the least adverse impacts. Based on the Analysis contained in Section

6.0 - Project Alternatives, the environmentally superior alternative is Alternative 2, Zoning Compliant Alternative. Section 6.0 - Alternatives to the Proposed Project, includes a detailed description of each of the above-listed alternatives.

5. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table 2.1 on the following pages summarizes the various environmental impacts associated with the construction and operation of the Proposed Project. Mitigation measures are proposed for significant environmental impacts, and the level of impact significance after mitigation is also identified.

**Table 2.1
Summary of the Project’s Environmental Impacts and Mitigation Measures**

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>Aesthetics (Views, Light and Glare):</p> <p><i>Construction:</i> The existing visual character of the Project Site would temporarily change from an underutilized lot to an active construction site. The temporary nature of construction activities, combined with Mitigation Measure AES-1, would reduce potential aesthetic impacts on the quality and character of the Project Site to a less than significant level.</p> <p><i>Operation:</i> Construction of the Project would provide a modern two-story building with a green roof and public open space, as a Santa Monica College satellite campus for the City of Malibu. With implementation of Mitigation Measures AES-1 and AES-2, possible visual impacts will be mitigated to a less than significant level.</p> <p><i>Obstruction of Views:</i> The Project is not expected to significantly alter the existing viewsheds and aesthetic character of the area. The Proposed Project would not adversely impact or block any existing scenic views within the immediate Project vicinity. Therefore, the Project would have a less than significant impact with respect to public scenic vistas.</p> <p><i>Light Pollution:</i> Light emanating from the proposed lighting plan would not adversely impact other properties in the immediate area. With the implementation of Mitigation Measure AES-4, impacts related to nighttime lighting would therefore be less than significant.</p> <p><i>Glare:</i> The proposed modern building would enhance the visual appearance of the Project Site and the area by introducing a new structure with modern architecture. With the implementation of AES-3, impacts associated with glare from building elements would be less than significant.</p>	<p>AES-1 Construction equipment, debris, and stockpiled equipment shall be enclosed within a fenced or visually screened area to effectively block the line of sight from the ground level of neighboring properties. Such barricades or enclosures shall be maintained in good appearance throughout the construction period. Graffiti shall be removed immediately upon discovery.</p> <p>AES-2 Prior to the issuance of a grading permit, SMC shall submit a landscape plan that incorporates native plant species to the satisfaction of the City of Malibu Planning Department and Los Angeles County Department of Regional Planning. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained during the life of the Project.</p> <p>AES-3 The exterior of the proposed building shall be constructed of glare-reducing materials that minimizes glare impacts on motorists and other persons on and off-site.</p> <p>AES-4 Outdoor lighting shall be incorporate low-level lighting fixtures and shall be designed and installed with directional shields so that the light source cannot be seen from adjacent land uses, consistent with the Rural Outdoor Lighting District Ordinance.</p>	<p><i>Construction:</i> Less than significant.</p> <p><i>Operation:</i> Less than significant.</p> <p><i>Obstruction of Views:</i> Less than significant.</p> <p><i>Light Pollution:</i> Less than significant.</p> <p><i>Glare:</i> Less than significant.</p>
<p>Air Quality</p> <p><i>AQMP Consistency:</i> The Proposed Project would be consistent with the underlying assumptions of the SCAQMD’s 2012 AQMP and does not cause or worsen an exceedance of an ambient air quality standard, the Proposed Project is concluded to be consistent with the AQMP and these</p>	<p>AQ-1 The Project Applicant shall include in construction contracts the control measures required and/or recommended by the SCAQMD at the time of development, including but not limited</p>	<p><i>AQMP Consistency:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>impacts are less than significant.</p> <p><i>Regional Construction Air Quality Impacts:</i> The peak daily emissions generated during the construction of the Proposed Project would not exceed any of the regional emission thresholds recommended by the SCAQMD. Therefore, regional air quality impacts associated with the Project-related construction emissions would be considered less than significant.</p> <p><i>Localized Construction Air Quality Impacts:</i> Localized On-Site Peak Daily Construction Emissions, on-site emissions generated by the Project would exceed the established SCAQMD localized thresholds for PM_{2.5} emissions. Therefore, the localized air quality impacts resulting from construction emissions associated with the Project would be potentially significant.</p> <p><i>Regional Operational Air Quality Impacts:</i> The operational emissions associated with the Project would not exceed the established SCAQMD threshold levels during the summertime (smog season) or wintertime (non-smog season). Therefore, impacts associated with regional operational emissions from the Project would be less than significant.</p> <p><i>Localized Operational CO Impacts:</i> Implementation of the Project would not expose any possible sensitive receptors (such as residential uses, schools, or hospitals) located in close proximity to the studied intersections to substantial localized pollutant CO concentrations. Thus, impacts with respect to exposure of sensitive receptors to substantial pollutant CO concentrations would be less than significant.</p> <p><i>Toxic Air Contaminants (TAC) Impacts:</i> The Project would not include the operations of any land uses routinely involving the use, storage, or processing of carcinogenic or non-carcinogenic toxic air contaminants. The construction activities associated with the Project would be subject to the regulations and laws relating to toxic air pollutants at the regional, state, and federal level that would protect sensitive receptors from substantial concentrations of these emissions. Therefore, impacts associated with the release of toxic air contaminants would be less than significant.</p>	<p>to the following:</p> <p><i>Rule 403 - Fugitive Dust</i></p> <ul style="list-style-type: none"> • Use watering to control dust generation during demolition of structures or break-up of pavement; • Water active grading/excavation sites and unpaved surfaces at least three times daily; • Cover stockpiles with tarps or apply non-toxic chemical soil binders; • Limit vehicle speed on unpaved roads to 15 miles per hour; • Sweep daily (with water sweepers) all paved construction parking areas and staging areas; • Provide daily clean-up of mud and dirt carried onto paved streets from the Site; • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more; and, • An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt if feasible. <p>AQ-2 The Applicant shall comply with SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines to limit potential objectionable odor impacts during the Project’s long-term operations phase.</p> <p>AQ-3 The Applicant shall ensure all construction contractors comply with SCAQMD Rules 1108 and 1113, which include control measures to limit the amount of volatile organic compounds</p>	<p><i>Regional Construction Air Quality Impacts:</i> Less than significant.</p> <p><i>Localized Construction Air Quality Impacts:</i> Less than significant.</p> <p><i>Regional Operational Air Quality Impacts:</i> Less than significant.</p> <p><i>Localized Operational CO Impacts:</i> Less than significant.</p> <p><i>TAC Impacts:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p><i>Odor Impacts:</i> The Project would not create objectionable odors affecting a substantial number of people during construction or long-term operation. Therefore, a less than significant impact would occur with respect to the creation of objectionable odors.</p>	<p>from cutback asphalt and architectural coatings and solvents.</p>	<p><i>Odor Impacts:</i> Less than significant.</p>
<p>Cultural Resources</p> <p>Based on the available evidence, construction and operation associated with the Proposed Project would not result in any adverse impacts upon cultural resources on the Project Site. No known archaeological or cultural resources are known to occur within or beneath the limits of the Project Site. Nevertheless, the potential still exists to uncover unknown archaeological resources or human remains during excavation and/or surface grading activities. Such unforeseen impacts can be avoided by implementing preventative Mitigation Measures CR-1 and CR-2 during the construction. Therefore, impacts to cultural resources would therefore be considered less than significant.</p>	<p>CR-1. In the event that archaeological resources are encountered during the course of grading or construction, all development must temporarily cease in the area of discovery until the resources are properly assessed and subsequent recommendations are determined by a qualified consultant.</p> <p>CR-2. In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify those persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent remains or cultural resources. If evidence of prehistoric artifacts is discovered, construction activities in the affected areas shall not proceed until written authorization is granted by the City of Malibu Planning Director.</p>	<p>Less than significant.</p>
<p>Geology/Soils</p> <p><i>Seismic Hazards:</i> The Project Site might be underlain by the projection of the Malibu Coast Fault. The Malibu Coast Fault has the potential of producing relatively low magnitude earthquakes due to the low slip rate. Therefore, the probability of exposing people or structures to potential substantial adverse effects from earthquakes on the Malibu Coast Fault is considered low. The Project Site is within a Seismic Hazard Zone delineated as having potential for liquefaction as mapped by the California Geological Survey (formerly CDMG) for the Malibu Beach 7.5 Minute Quadrangle. Implementation of Mitigation Measure GEO-1 would ensure</p>	<p>GEO-1 The Proposed Project shall be designed and constructed in accordance with the City and State Building Codes and shall adhere to all modern earthquake standards, including the recommendations provided in the Project’s Final Geotechnical Report, which shall be reviewed by the Division of the State Architect prior to construction.</p>	<p><i>Seismic Hazards:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>the Proposed Project would be constructed in accordance with the final geotechnical recommendations, Malibu’s General Plan (Safety and Health Element), and Local Coastal Program Land Use Plan. Therefore, with implementation of the site development recommendations, development of the Proposed Project would not expose people to significant seismic-related ground failure, including liquefaction, and these impacts would be considered less than significant.</p> <p><i>Landslides:</i> The Project Site is not immediately adjacent to any mountains or steep slopes, and the topography of the Project Site is relatively flat. The Project Site is not located in the City of Malibu designated areas of high susceptibility for landslides. In addition, the Project Site is not located within a Seismic Hazard Zone for earthquake-induced landsliding. Therefore, potential hazards associated with landslides would be less than significant.</p> <p><i>Sedimentation, Soil Erosion, and Loss of Topsoil:</i> Soils could be exposed to the elements during construction. The Project would be designed to comply with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ to prevent short-term construction-induced water quality impacts resulting from erosion and sedimentation issues. Similarly, as a regulatory requirement, the Project requires the preparation of a Stormwater Pollution and Prevention Plan (SWPPP) because construction activities would disturb more than one acre of land. Mitigation Measure WQ-1 in Section 4.7, Hydrology and Water Quality, would minimize soil erosion and the transmission of sediment into the City’s separate storm sewer system. Therefore, Project impacts related to sedimentation, erosion and loss of topsoil would be less than significant.</p> <p><i>Soil Stability:</i> The Preliminary Geotechnical Study indicates that the Project Site is considered to be suitable for the proposed construction from a geotechnical engineering standpoint, provided that the geotechnical recommendations are incorporated into the final construction plans. Mandatory code-compliance measures would ensure project impacts would be less than significant.</p>		<p><i>Landslides:</i> Less than significant.</p> <p><i>Sedimentation, Soil Erosion, and Loss of Topsoil:</i> Less than significant.</p> <p><i>Soil Stability:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p><i>Expansive Soil:</i> The Proposed Project is not expected to withdraw or disrupt any groundwater, nor does the surrounding development. Mitigation Measure GEO-1 would ensure the Proposed Project would be constructed in accordance with the final geotechnical recommendations, City of Malibu’s General Plan (Safety and Health Element), and Local Coastal Program Land Use Plan. Therefore, with implementation of the site development recommendations, development of the Proposed Project would have less than significant impacts related to soil stability.</p> <p><i>Flooding and Inundation:</i> The Project Site lies on the floodplain of Malibu Creek. The approximate eastern half of the Project Site is disposed to flooding during the 100-year-flood and is located in a Special Flood Hazard Area (SFHA) Zone of “AO.” This corresponds to average flood depths (usually sheet flow on sloping terrain of up to two feet during a 100-year flood event). Several dammed reservoirs are located up-canyon from the Project Site. From northwest to southwest these reservoirs include Lake Sherwood (LSW), Westlake Lake (PW), the Las Virgenes Reservoir (WLR), Malibu Lake (MBL), and Century River (CTR). The Project Site lies within an inundation area for one or more of these reservoirs. With the implementation of acceptable design and building practices, the impact of a 100-year-flood and an inundation of up to two feet on the Proposed Project would be considered less than significant.</p> <p><i>Waste Water Disposal Systems:</i> Consistent with the City’s Policy For Environmental Health Review Of Development Projects within The Civic Center Prohibition Area, the Proposed Project plans to connect to the City of Malibu’s planned wastewater treatment facility for the Civic Center Area when it becomes operational. The Project’s anticipated wastewater flow of 9,747 gallons per day has already been factored into the planned treatment capacity for the City’s Wastewater Treatment Facility. Therefore, impacts will be reduced to a less than significant level.</p>		<p><i>Expansive Soil:</i> Less than significant.</p> <p><i>Flooding and Inundation:</i> Less than significant.</p> <p><i>Wastewater Disposal Systems:</i> Less than significant.</p>
<p>Greenhouse Gas Emissions</p> <p>Although the Proposed Project would emit GHGs, compliance with the CalGreen Code would reduce GHG emissions. The total amount of construction related GHG emissions is estimated to be approximately 450.34 CO₂e MTY, or approximately 15.01 CO₂e MTY amortized over a</p>	<p>No mitigation measures required.</p>	<p>Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>30-year period. Operation of the Proposed Project is estimated to generate a net increase of approximately 880.29 CO₂eMTY. The Proposed Project would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California and the City of Malibu. As such, the Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and impacts would be considered less than significant.</p>		
<p>Hazardous Materials</p> <p><i>Construction-Related Impacts</i></p> <p>There are no current identified recognized environmental conditions (RECs) on the Project Site and no evidence of RECs in the current and past uses of adjoining and surrounding properties. There is a seepage pit for septic systems on the northwest corner of the Project Site. The Project Site is listed on the Leaking Underground Storage Tank list for three former USTs. The Project Site LUST was issued closure by the County of Los Angeles Regional Water Quality Control Board and the County of Los Angeles Department of Public Works in the 1990's, which indicates that the investigation and/or remediation have been completed to their satisfaction. The LUST classification on the Project Site represents a historic recognized environmental condition in connection with the Project Site. Additionally, there are two sites that are located within a one-mile radius of the Project Site that have documented spills or leaks of gasoline. Both sites are considered unlikely to have contaminated the Project Site and do not represent an REC in association with the Project Site.</p> <p><i>Asbestos:</i> The structures on the Project Site were built prior to the federal banning of ACMs. Structures have the potential to have been constructed with building materials containing lead-based paint and/or ACMs. The potential release of ACMs is considered to be a significant impact. Mitigation Measure HAZ-2 is recommended to address this potential impact.</p>	<p>HAZ-1. The Project Developer shall obtain all necessary permits from the RWQCB prior to the installation of any temporary and/or permanent dewatering systems. Procurement of all applicable RWQCB permits will ensure the water quality of groundwater discharge into the storm drain infrastructure.</p> <p>HAZ-2. A demolition-level asbestos survey by a licensed contractor shall be conducted for the existing on-site structures. If the survey reveals that these structures contain ACMs, the structures shall be stabilized, removed, and disposed of in accordance with applicable regulations, including but not limited to, SCAQMD Rule 1403 and Cal/OSHA requirements.</p> <p>HAZ-3. During the demolition of existing structures, building materials shall be handled and disposed of in accordance with applicable federal, State, and local regulations regarding lead-containing materials.</p> <p>HAZ-4. Fluorescent light ballasts not specifically labeled as not to contain PCBs shall be presumed to contain them and shall be disposed of in accordance with applicable regulations, including but not limited to, Cal/OSHA requirements.</p> <p>HAZ-5. If any operation within the Project Site includes construction, installation, modification, or removal of underground storage tanks (Los Angeles County Code Title 11, Division 4), the County of Los Angeles must be contacted for required</p>	<p><i>Construction-Related Impacts</i></p> <p>Less than significant.</p> <p><i>Asbestos Impacts</i></p> <p>Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p><i>Radon:</i> Based on the location of the Project Site, elevated levels of radon are not expected to be of concern.</p> <p><i>Lead:</i> Due to the building’s age, it is presumed that lead-based paint is present on the Project Site. The structures on site containing lead-based materials could release lead into the environment during demolition activities. Therefore, Mitigation Measure HAZ-3 is recommended to address this potential impact.</p> <p><i>Polychlorinated Biphenyls (PCBs):</i> It is presumed that fluorescent light ballasts manufactured prior to 1978 might be located on the Project Site. Fluorescent light ballasts manufactured prior to 1978 may contain small quantities of PCBs. It is possible that PCBs could be released into the environment during demolition activities. Therefore, Mitigation Measure HAZ-4 is recommended to address this potential impact.</p> <p><i>Groundwater Sampling and Analysis:</i> All buildings on-site are served by septic systems, and septic tanks are located north of the decommissioned Sheriff Substation. In the early 1990s, four USTs were removed from the Project Site. The soil underlying two unleaded gasoline tanks and one aviation fuel storage tank was contaminated following the tank pull. Groundwater contamination was observed on-site. The Los Angeles Regional Water Quality Control Board granted case closure in October 1996 stating that the Malibu area does not use the aquifer as a potable source of water and “passive remediation should decrease the contamination to acceptable levels.” However, pumped groundwater could potentially draw higher concentrations of contaminants onto the Project Site. Mitigation Measure HAZ-1 is provided to ensure that accidental contamination of the Project Site would not occur during construction activities.</p> <p><i>Operational Impacts:</i> The proposed uses do not involve any materials or activities that would entail the use of hazardous materials that could potentially pose a threat to persons on-site or on immediately adjacent properties. The proposed Sheriff’s Substation would require the on-site storage and handling of explosives and other potentially hazardous projectile materials. The type of explosives that would likely be stored on-</p>	<p>approvals and operation permits.</p>	<p><i>Radon Impacts</i> Less than significant.</p> <p><i>Lead Impacts:</i> Less than significant.</p> <p><i>Polychlorinated Biphenyls (PCBs) Impacts:</i> Less than significant.</p> <p><i>Groundwater Sampling and Analysis:</i> Less than significant.</p> <p><i>Operational Impacts:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>site within the proposed Sheriff’s Station and within secured Sheriff Department vehicles include ammunition with inert projectile, tear gas and smoke, sting balls, and small arms ammunition. All of these items will be stored in the Armory on-site in the Sheriff’s space and in Sheriff Department vehicles that would be parked in a secured and fenced in area in the back lot. Based on the Proposed Project’s required compliance with applicable regulations, the risk of upset and accidental conditions involving the release of hazardous materials into the environment is considered to be less than significant. Additionally, there are no public schools or proposed public schools within a quarter of a miles radius of the Project Site.</p>		
<p>Hydrology and Water Quality:</p> <p><i>Hydrology/Flooding:</i> Construction of the Proposed Project would require excavation of the foundation and basement level of the existing Sheriff’s Station that is proposed for demolition. The finished floors of the Proposed Project would be elevated above the flood level and would not be prone to flooding. Thus, construction of the Proposed Project would not expose people or structures to a significant risk, loss, injury, or death involving flooding. Therefore, potential impacts associated with flooding hazards would be considered less than significant impact.</p> <p><i>Drainage and Water Runoff:</i> The Project would alter the existing configuration of the surface parking lot, which in turn would alter the surface water flows within the Project Site. Surface water runoff would continue to be directed through the Project Site’s surface parking lot areas and into adjacent stormwater bio swale along Civic Center Way. The volume of surface water runoff from the Project Site is expected to decrease as a result of the Proposed Project. As compared to the existing conditions, the Project will increase the site’s permeable surface area by approximately 12,800 square feet, an increase of approximately 46%. Thus, construction of the Proposed Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-site or off-site. Therefore, drainage impacts would be considered less than significant impact.</p>	<p>WQ-1: The Project shall comply with all applicable City and County Low/Impact Development water quality requirements. The Proposed Project shall be designed and constructed in accordance with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ. The Applicant shall submit a Stormwater Pollution and Prevention Plan (SWPPP) to the appropriate governing agency.</p> <p>WQ-2 Prior to the start if any construction activity, SMC or its contractor shall submit a Water Quality Management Plan (WQMP) to the satisfaction of the City of Malibu that incorporates appropriate site design and source control BMPs from Section 17.6 of the LIP and Appendix A to minimize or prevent post-construction polluted runoff.</p>	<p><i>Hydrology/Flooding:</i> Less than significant.</p> <p><i>Drainage and Water Runoff:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p><i>Construction Impacts:</i> There is little exposed soil that would be susceptible to weathering and erosion on the Project Site. The Proposed Project would be designed with BMPs to comply with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ to prevent short-term construction-induced water quality impacts resulting from erosion and sedimentation issues. Similarly, as a regulatory requirement, the Project requires the preparation of a Stormwater Pollution and Prevention Plan (SWPPP) because construction activities would disturb more than one acre of land. Implementation of Mitigation Measure WQ-1 will ensure appropriate and effective BMPs are implemented during construction to minimize soil erosion and the transmission of sediment into the City’s separate storm drain system. Therefore, construction impacts upon water quality would be less than significant.</p> <p><i>Operational Impacts:</i> Post-development stormwater runoff has the potential to contribute pollutants to the stormwater conveyance system and ultimately to the ocean. The quality of stormwater is generally affected by the length of time since the last rainfall, the rainfall intensity, the urban uses of the area, and the quantity of transported sediment. The EPA considers street and parking lot surfaces to be the primary source of stormwater pollution in urban areas. Post-construction phase water quality BMPs are required as stated in Section 17.4.2 of the LCP. Section 17.4.2 of the LCP requires post-construction plans detailing how stormwater and polluted runoff will be managed or mitigated during the life of the project. A WQMP is required for all development that requires a Coastal Development Permit and shall require the implementation of appropriate site design and source control BMPs from Section 17.6 of the LIP and Appendix A to minimize or prevent post-construction polluted runoff. With the preparation, approval and successful implementation of a WQMP, impacts to water quality would be mitigated less than significant levels.</p> <p><i>Groundwater Impacts:</i> Construction of the Proposed Project would require excavation of the foundation and basement level of the existing Sheriff’s Station that is proposed for demolition. Excavations would not extend deeper than required to remove the existing basement level and would be</p>		<p><i>Construction Impacts:</i> Less than significant.</p> <p><i>Operational Impacts:</i> Less than significant.</p> <p><i>Groundwater Impacts:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>filled with approximately 4,200 cy of soil to raise the finished floor to a surface elevation of 23 feet above mean sea level. Thus, the Proposed Project will not include deep excavations into the groundwater table. Therefore, impacts to groundwater would be less than significant.</p>		
<p>Land Use and Planning</p> <p>SMC is seeking approval of a Coastal Development Permit (CDP) from the City of Malibu and approval of the following three Variances from the M.M.C and LCP: (1) a height variance to allow a 35'-10" high building with a sloped roof for the main structure, (2) a height variance for the County's replacement emergency communications tower, and (3) a parking variance to deviate from the standard parking stall dimensions. Impacts related to consistency with the applicable land use planning policies and compliance with the zoning code would be less than significant prior to mitigation.</p>	<p>No mitigation measures are required.</p>	<p>Less than significant.</p>
<p>Noise</p> <p>Construction Noise: Due to the use of construction equipment, surrounding land uses would be exposed to increased ambient exterior noise levels. For purposes of this analysis, the sensitive noise receptors are identified as the Malibu Public Library, located east of the Project Site within the Civic Center, Malibu Legacy Park, south of the Project Site, and the residential homes on Harbor Vista Drive and Colony View Circle, to the north of the Project Site. The Project's construction noise impacts would exceed the maximum allowable exterior noise levels for non-transportation sources at the County Public Works building, the Malibu Public Library, and Legacy Park, although the construction noise levels would be below the threshold for the residential land uses to the north. The Proposed Project's construction noise impacts would be considered significant on a short term and intermittent basis during the construction period.</p> <p><i>Operational Noise (Traffic Noise):</i> During the Proposed Project's operational phase, noise would primarily be generated by traffic associated with implementation of the Project. The Proposed Project's mobile</p>	<p>N-1 Consistent with the City of Malibu Noise Ordinance (Section 4204 G), construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays, and prohibited on Sundays and holidays. Special circumstances may arise where construction activities are permitted during prohibited hours by expressed written permission of the City Manager, or if construction is necessary to preserve life or property when such necessity arises (Section 4205 D).</p> <p>N-2 Noise and groundborne vibration construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be situated away from the nearest noise- and vibration-sensitive land uses wherever feasible to do so.</p> <p>N-3 When possible, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously,</p>	<p><i>Construction Noise:</i> Significant and unavoidable.</p> <p><i>Operational Noise (Traffic Noise):</i></p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>noise impacts were assessed based on the peak hour traffic volumes for existing conditions (2012), future cumulative without project conditions (2017), and future cumulative with project conditions (2017). Project traffic would not increase the ambient noise level at any intersection by more than 3 dBA. As such, the Proposed Project’s mobile source noise impacts would not cause an exceedance of the maximum allowable noise exposure levels from transportation sources. Therefore, Proposed Project’s impacts associated with a permanent increase in ambient noise levels to the surrounding environment from mobile noise sources would be less than significant.</p> <p><i>Operational Event Noise:</i> Outdoor events at the Project Site are predicted to occasionally exceed exterior noise standards at surrounding sensitive noise receptors; however, the types of uses from operation of the Proposed Project in the Civic Center area are not anticipated to result in substantial on-site noise generation. As such, Civic Center noise would incrementally increase, but would not combine with the Proposed Project to contribute to a cumulatively substantial operational increase in Civic Center area noise levels. Therefore, long-term cumulative impacts would be less than significant.</p> <p><i>(c) HVAC Noise:</i> Noise impacts resulting from HVAC systems can vary considerably depending on the equipment selected, the system design, and the location of the equipment relative to the noise sensitive use. Noise levels from commercial HVAC systems are typically in the range of 70 to 92 dBA L_{eq} at a distance of 15 feet. The proposed building’s mechanical and HVAC equipment would be located on the green roof and would be screened from public view. The location and placement of the mechanical equipment on the lower roof and adjacent to a higher wall of the building also would serve to attenuate noise levels at the property’s boundaries. Installation and operation of the HVAC equipment would also be done in accordance with the American Society of Heating and Air-Conditioning Engineers (ASHRAE) Noise and Vibration Control Standards and Best Practices to ensure indoor noise levels are maintained at an acceptable level. As such, noise from HVAC and mechanical equipment would not exceed the ambient noise at the property line and noise impacts would be less than significant.</p>	<p>which causes high noise levels.</p> <p>N-4 Barriers such as plywood structures or flexible sound control curtains shall be erected around the perimeter of the Project Site to minimize the amount of construction noise impacting adjacent off-site land uses. Plywood barriers should have a minimum thickness of ¾ inch (21 mm) and extend to a height of eight (8) feet above grade to effectively block the line of sight from the noise source to the noise receptor.</p> <p>N-5 The project construction contractors shall ensure that equipment is properly maintained per the manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc) or as required by the City’s Department of Building and Safety, whichever is the more stringent.</p> <p>N-6 The project construction contractors shall shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power equipment.</p> <p>N-7 The project construction contractors shall ensure that construction equipment does not idle for extended periods of time.</p>	<p>Less than significant.</p> <p><i>Operational Event Noise:</i> Less than significant.</p> <p><i>HVAC Noise:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>Public Services (Police and Fire Protection)</p> <p><i>Fire Flow:</i> The Proposed Project does not exceed the capacity of existing LACFD services and would not require provision of new or physically altered facilities to maintain service ratios. A Fire Access Plan has been submitted to and approved by the Los Angeles County Fire Department (See Appendix C of this Draft EIR). Based on the Fire Department’s initial review, no adverse impacts associated with fire protection and life safety requirements have been identified. Specific fire and life safety requirements will be addressed and conditions set at the building and fire plan check phase. Once the official plans are submitted for review there may be additional requirements (See Mitigation Measure PS-1). Therefore, with mitigation, impacts related to increased demands for fire protection services would be less than significant.</p> <p><i>Construction Impact (Police):</i> Sheriff service requirements will increase over the existing demands during the construction phase of the Proposed Project. The potential for vandalism and theft will increase due to the presence of construction equipment and building materials, increasing Sheriff’s service demands for property protection.</p> <p><i>Operation Impacts (Police):</i> The operation of a Sheriff’s Substation within the Malibu Civic Center would reduce response times throughout the City and will greatly reduce downtime associated with transportation to and from the Lost Hills Station. The construction and operation of the Proposed Project would incrementally add to the existing demands on the LASD in the City of Malibu, as additional daytime and evening population will be increased between the hours of 7:00 a.m. to 10:00 p.m. The increased presence of people on site would increase marginally the demands for police protection services. However the presence of the on-site Sheriff’s Station alone would serve to increase public safety and reduce response times. As such, impacts upon Sheriff Department services would therefore be less than significant.</p>	<p>PS-1 The Project shall comply with all applicable code and ordinance requirements for construction, emergency access, water main fire flows and fire hydrants.</p>	<p><i>Fire Flow:</i> Less than significant.</p> <p><i>Construction Impact (Police):</i> Less than significant.</p> <p><i>Operation Impacts (Police):</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p>Public Utilities (Water, Sewer, Energy Conservation)</p> <p><i>Sewer:</i> The Proposed Project would generate approximately 9,747 gallons of wastewater per day (gpd). The Proposed Project is prohibited from utilizing the existing septic system on the Project Site, pursuant to Sections 13240 and 13241 of the California Water Code. In light of that, the Proposed Project’s operation is dependent on the construction of the City’s Wastewater Treatment Facility, as the Proposed Project will be required to connect to the new facility once it is operational. It is expected that the increase in the wastewater generated by the Proposed Project would not exceed the amount accounted for in the design and construction of the Wastewater Treatment Facility for the Civic Center Area and impacts associated with wastewater would be less than significant with incorporation of the Mitigation Measures PU-1 through PU-3.</p> <p><i>Water:</i> The Proposed Project would generate a demand for 10,115 gallons per day (gpd). The estimated water demand for the Proposed Project was based on standard wastewater generation factors according to land use and irrigation demands. Should any additional on-site water system facilities or upgrades be identified at the time of construction to meet the requirements of the County/City Engineer and the County Fire Chief, they will be completed at the expense of the Applicant and in consultation with Water District 29 and the Fire Department. The Applicant will also be required to pay appropriate connection fees, including meter fees, capital and local improvement charges, and financially participate in the Civic Center Infrastructure Improvement Project prior to approval of water plans, start of construction, and installation of any additional permanent water service.</p> <p>Water efficiency will be a major consideration, as well as maintenance in the selection of all plumbing fixtures. Impacts associated with a net increase in water consumption would be less than significant as the project would be fitted with water efficient plumbing fixtures which would reduce the Project’s water demand. Impacts associated with water supply would be less than significant and further reduced with implementation of Mitigation Measures PU-4 through PU-10.</p>	<p>PU-1 Occupancy and operation of the Proposed Project shall be conditioned upon the successful operation of and connection to the City’s proposed Civic Center Wastewater Treatment Facility, not on-site. The average wastewater generation rate for the project shall not exceed 11,102 gallons per day.</p> <p>PU-2 Certificate(s) of Occupancy for this Project shall not be issued until the Civic Center Wastewater Treatment Facility (under separate permit CDP 13-057) is constructed and operational, and all on-site sewer connections to the new sewer laterals are completed.</p> <p>PU-3 Conditions of approval by the City of Malibu Public Works Department for Sewer are incorporated by reference into the Environmental Health Conditions of approval.</p> <p>PU-4 Prior to the issuance of a building permit, the Applicant shall pay any applicable and lawful fees adopted by the City and generally and uniformly imposed by the City’s Environmental Sustainability Department and/or Public Works Department for construction of new water supply and distribution facilities.</p> <p>PU-5 Automatic sprinkler systems shall be set to irrigate landscaping during early morning hours or during the evening to reduce water loss from evaporation. Care must be taken to reset sprinklers to water less often in cooler months and during the rainfall season to avoid wasting water by excessive landscape irrigation.</p> <p>PU-6 Selection of native, drought-tolerant, low water consuming plant varieties shall be used to reduce potable irrigation water consumption to the maximum extent feasible.</p> <p>PU-7 Best Management Practices (BMP’s) for water conservation shall be used within buildings to reduce wastewater generation/water use.</p> <p>PU-8 The Applicant shall install high-efficiency toilets (maximum</p>	<p><i>Sewer:</i> Less than significant.</p> <p><i>Water:</i> Less than significant.</p>

Summary of Environmental Impacts	Mitigation Measures	Level of Impact After Mitigation
<p><i>Energy Conservation (Electricity):</i> During the construction period, temporary service outages may result in the surrounding area as construction workers upgrade and extend the necessary infrastructure to serve the Project Site. Due to the temporary and intermittent nature of such outages, such impacts are considered less than significant. The Proposed Project’s energy demands would be approximately 300,227 kWh/yr. This estimate is conservative and is anticipated to be reduced with compliance with the CAL Green Code, Title 24 (2013), and additional sustainability features that are proposed to meet LEED accountability goals. As such, the Proposed Project’s energy demands would be less than significant, and no mitigation measures would be required.</p> <p><i>Energy Conservation (Natural Gas):</i> The Proposed Project is anticipated to result in an increase of approximately 70,290 cubic feet per month of natural gas. Further determinations about necessary infrastructure improvements may be made upon the submission to The Gas Company of “final plans” for the Proposed Project. The Proposed Project would have a less than significant impact upon natural gas services, and no mitigation measures would be required.</p>	<p>1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.</p> <p>PU-9 The Applicant shall install restroom faucets with a maximum flow rate of 1.5 gallons per minute.</p> <p>PU-10 A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for the proposed new building to ensure a separate connection from the library building is maintained.</p>	<p><i>Energy Conservation (Electricity):</i> Less than significant.</p> <p><i>Energy Conservation (Natural Gas):</i> Less than significant.</p>
<p><i>Source: Parker Environmental Consultants, 2015.</i></p>		

3. RESPONSES TO COMMENTS

COMMENT LETTERS

State Agencies

1. State of California
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
Scott Morgan, Director
1400 10th Street
Sacramento, CA 95812-3044
September 9, 2015
2. California Department of Transportation
District 7 – Office of Regional Planning
Dianna Watson, IGR/CEQA Branch Chief
100 S. Main Street, MS 16
Los Angeles, CA 90012
August 28, 2015
3. State of California Office of Historic Preservation
Department of Parks and Recreation
Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100
Sacramento, CA 95816-7053
July 27, 2015

Local Agencies

4. City of Malibu
Bonnie Blue, AICP, Planning Director
23825 Stuart Ranch Road
Malibu, CA 90265-4861
September 7, 2015
5. County of Los Angeles Fire Department
Kevin T. Johnson, Acting Chief Forestry Division Prevention Services Bureau
1900 Pico Boulevard
Santa Monica, CA 90405
July 29, 2015
6. County of Los Angeles Sheriff's Department Headquarters
Jim McDonnell, Sheriff

Tracey Jue, Director, Facilities Planning Bureau
4700 Ramona Boulevard
Monterey Park, California 91754-2169

Organizations

7. Malibu Coalition for Slow Growth
Patt Healy
August 31, 2015
8. Malibu Community Action Network

Individuals

9. Maura Lucus
August 4, 2015

COMMENT LETTER No. 1

State of California
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
Scott Morgan, Director
1400 10th Street
Sacramento, CA 95812-3044
September 9, 2015

COMMENT 1.1

Subject: Santa Monica College- Malibu Campus
SCH#: 2012051052

Dear Greg Brown:

The State Clearinghouse submitted the above named Draft EJR to selected state agencies for review. The review period closed on September 8, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

RESPONSE TO COMMENT 1.1

This comment acknowledges the State Clearinghouse received and transmitted the NOC and Draft EIR to the respective state agencies, in compliance with CEQA and the State Clearinghouse review requirements for draft environmental documents. It is noted that Caltrans and the State of California Office of Historic Preservation, both state agencies, submitted comments directly to the lead agency. Caltrans comments are provided in Comment Letter No. 2, below. The State of California Office of Historic Preservation's letter is provided in Comment Letter No. 3, below. No further response is warranted.

COMMENT LETTER No. 2

California Department of Transportation
District 7 – Office of Regional Planning
Dianna Watson, IGR/CEQA Branch Chief
100 S. Main Street, MS 16
Los Angeles, CA 90012
August 28, 2015

COMMENT 2.1

The California Department of Transportation (Caltrans) has reviewed the Traffic Impact Analysis (TIA) contained in the Draft Environmental Impact Report (DEIR) prepared for the proposed Santa Monica College -Malibu Campus project. The proposed project includes the demolition of the existing Sheriff's Station building, and the new construction of a 2-story, building of approximately 25,300 square feet for an education facility. The new structure would also include approximately 5,600 square feet for a new Community Sheriffs Substation and Emergency Operations. The project site is located within the Civic Center area of Malibu approximately one mile north of Pacific Coast Highway.

RESPONSE TO COMMENT 2.1

This comment letter acknowledges that the California Department of Transportation (Caltrans) has received the Draft EIR for the Proposed Project. Caltrans accurately restates the Project Description with respect to the land uses and size of the Proposed Project. No further response is required.

COMMENT 2.2

According to the Traffic Impact Analysis (TIA) the proposed project is estimated to generate approximately 698 average vehicle trips during weekdays with 71 occurring in the AM peak hour and 66 in the PM peak hour. In addition, the proposed project would generate approximately 378 weekend trips with 44 occurring during the peak hour.

Table 10-1 of the TIA shows that the intersections of Pacific Coast Highway and Cross Creek is forecast to operate at Level of Service (LOS) E weekdays during the PM peak hour and LOS F during the Saturday Mid-day for opening year 2017 cumulative with project and during year 2030 with project.

RESPONSE TO COMMENT 2.2

This comment accurately restates the Proposed Project's estimated generation of vehicle trips during the AM and PM peak hour on weekdays and weekends, as well as the forecasted LOS for weekdays and Saturdays for 2017 and 2030, at the intersection of Pacific Coast Highway and Cross Creek, as analyzed in the Traffic Study (See Appendix J of the Draft EIR). No further response is required.

COMMENT 2.3

The TIA for the two past projects, La Paz Shopping Center and the Whole Foods in the Park, also indicated that these intersections will operate deficiently and have proposed mitigation improvements. A traffic signal has also been warranted at the intersection of Webb Way and Civic Center Drive. Please include reference of these previous traffic studies and obtain details of the planned improvements in the surrounding area from the City of Malibu. Caltrans has been working with the City of Malibu and traffic consultants for the La Paz Shopping Center to implement improvements at the intersection of Pacific Coast Highway and Cross Creek Road.

RESPONSE TO COMMENT 2.3

The results of the two prior traffic studies for the La Paz Development and the Whole Foods in the Park Project are public information and were reviewed by the EIR authors during the preparation of the EIR. The cumulative impacts of the La Paz Shopping Center and the Whole Foods in the Park projects were included within the Traffic Impact Study prepared for the Proposed SMC Malibu Campus Project. The La Paz Shopping Center is identified as related project number M14. The Whole Foods in the Park Project is identified as related project number M15. See Table 7-1, Related Project Trip Generation, in Appendix J to the Draft EIR and Table 3.1, Related Projects List, and Figure 3.1, Related Project Location Map, in Section 3.0 Environmental Setting of the Draft EIR.

The traffic analysis for the SMC Malibu Campus Project was submitted to and endorsed by the City of Malibu's traffic engineer. The Traffic Impact Study appropriately analyzes the Project's impacts based on the current intersection configuration, without taking credit for future planned intersection mitigation improvements at Pacific Coast Highway and Webb Way or the signalization of the intersection at Civic Center Drive and Webb Way/Stuart Ranch Road, which is currently a stop controlled intersection. As such, the Traffic Impact Study for the Proposed Project provides a conservative analysis of the project's traffic impact at these roadway intersections.

COMMENT 2.4

According to the TIA the proposed project would not generate enough traffic to exceed the threshold of significance established by the City of Malibu, however, its incremental traffic impact would contribute to potential worsening of the intersections mentioned above. Therefore, we recommend that the project contribute to the funding of planned roadway improvements commensurate with its incremental impacts. In addition, Caltrans recommends provision of a shuttle bus that connects the Santa Monica City College to the proposed Malibu Campus to reduce some vehicle trips.

RESPONSE TO COMMENT 2.4

Based on the findings of the Traffic Impact Study for the Proposed Project, the SMC Malibu Campus Project would result in a less than significant impact at the intersections of Pacific Coast Highway & Webb Way and Civic Center Drive & Webb Way/Stuart Ranch Road. The Traffic impacts were evaluated for the Existing Plus Project traffic conditions as well as the Future Cumulative With Project traffic conditions. Both scenarios concluded that the Project's traffic volume during the a.m. and p.m. peak hours would be below the level of significance criteria for concluding project impact or a cumulative project impact. As such, the Traffic Study appropriately concluded that the Project's impacts to local intersections would be less than significant and did not warrant any traffic mitigation measures.

COMMENT 2.5

Transportation of heavy construction equipment, materials, or other special equipment, which requires the use of oversized-transport vehicles on State highways, will require a Caltrans transportation permit. Please require that construction related truck trips are scheduled during off-peak commuting periods.

RESPONSE TO COMMENT 2.5

In the event any oversized-transport vehicles are required during the construction of the Proposed Project, a Caltrans transportation permit will be applied for. A requirement to schedule heavy duty truck trips outside of peak hours when possible has been incorporated as a project mitigation measure. See Section 4, Additions and Corrections and Section 5, Mitigation Monitoring and Reporting Program.

COMMENT 2.6

If you have any questions regarding these comments, you may contact Elmer Alvarez, project review coordinator at (213) 897-6696 or electronically at elmer.alvarez@dot.ca.gov

RESPONSE TO COMMENT 2.6

Caltrans' concerns have been noted for the record and will be forwarded to the decision makers for their consideration. No further response is required.

COMMENT LETTER No. 3

State of California Office of Historic Preservation
Department of Parks and Recreation
Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100
Sacramento, CA 95816-7053
July 27, 2015

COMMENT 3.1

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the proposed Malibu Campus Project. Pursuant to the National Historic Preservation Act and the California Public Resources Code, the State Historic Preservation Officer (SHPO) and the OHP have broad responsibility for the implementation of federal and state historic preservation programs in California. Our comments are offered with the intent of protecting historic and cultural resources, while allowing the Santa Monica Community College District (Lead Agency) to meet its program needs. The following comments are based on the information included in the Draft Environmental Impact Report (DEIR) for the proposed Malibu Campus Project (proposed project).

RESPONSE TO COMMENT 3.1

This comment letter acknowledges that the California Office of Historic Preservation (OHP) has reviewed the Draft EIR for the Proposed Project. The commenter discusses their concerns in more detail under the preceding subheadings of their comment letter. As such, detailed responses to each of these concerns are presented below.

COMMENT 3.2

The proposed project includes construction of a community college facility that will house classrooms, labs, a multipurpose room, and administrative offices. The project site is currently occupied the Malibu Civic Center Complex, which includes several buildings and structures, including: the L.A. County Superior Court, the L.A. County Public Works Office, a helipad, the Public Library, and the L.A. County Sheriff's Substation building. The Sheriff's Substation will be demolished as part of the proposed project. All other buildings and structures on the site will remain.

RESPONSE TO COMMENT 3.2

This comment accurately restates both the proposed and existing land uses on the Project Site. No further response is required.

COMMENT 3.3

The Malibu Civic Center Complex was constructed by L.A. County between 1965 and 1970. The Initial Study for the proposed project identifies the construction date for the Sheriff's Substation building as 1969 (46 years ago) but provides little information about the history of the Civic Center or the substation building itself. Instead, the Initial Study states:

As a general rule, properties that have achieved significance within the past 50 years are not eligible for listing in the California Register of Historical Resources or National Register of Historic Places. Since the existing Sheriff's Station building is less than 50 years old, it is not considered a significant historic resource.

Pursuant to CEQA Guidelines § 15064.1.a.3, in order for a Lead Agency to determine if a resource is historic, the Lead Agency must determine whether the resource meets the criteria for listing in the California Register of Historical Resources (California Register). The California Register does not contain a "general rule" of eligibility, nor does the California Register have a 50-year limitation for eligibility (See California Code of Regulations, Title 14, Chapter 11.5: § 4852 (2)). Instead, the California Register regulations allow resources to be considered eligible for listing once enough time has passed to obtain a scholarly perspective on the events or individuals associated with the resource. Therefore, merely being less than 50 years old is not sufficient information to determine if the Sheriff's Substation or the Malibu Civic Center is, or is not, a historical resource for the purposes of CEQA.

The Sheriff's Substation building appears to have been constructed as part of the larger Malibu Civic Center Complex. The Malibu Civic Center Complex should be evaluated to determine if the Sheriff's Substation building is part of a larger historic district, which could itself be a historical resource for the purposes of CEQA, eligible for listing on the California Register. The Lead Agency should review CEQA Guidelines § 15064.1 in its entirety to understand what is considered a historical resource for the purposes of CEQA and what constitutes a significant impact to historical resources.

RESPONSE TO COMMENT 3.3

The Proposed Project was initially determined to have no potential to impact a historic resource because there was no recognition at the federal, state or local level that any of the structures located on the Project Site were ever listed or considered eligible for listing as historic resources pursuant to CEQA and the buildings did not appear to be old enough to qualify as historic structures. Unless a property possesses exceptional significance, it must be at least fifty years old to be eligible for listing in the National Register

of Historic Places. At the time the Initial Study and NOP were published, the date of construction for the Sheriff's Station and Malibu Civic Center was estimated to have been 43 years old.¹ The Initial Study disclosed the date of construction was in 1969 based on aerial photography and the history of site development as presented in the Phase I Environmental Site Assessment (See Appendix A, NOP and Initial Study Checklist at page 9, and Appendix H to the Draft EIR at page 18). The recommendations of the South Central Coastal Information Center (SCCIC), dated May 24, 2013, suggested the Lead Agency evaluate all buildings and structures over 45 years old. At that time, the structures on the site were less than 45 years old, thus no further analysis was conducted.

Notwithstanding the initial assessment that the Sheriff's Station building was not a historic resource pursuant to CEQA, two qualified architectural historians were consulted to evaluate whether the former Sheriff's Station, which is a component of the Malibu Civic Center, qualifies as a historical resource pursuant to CEQA. The Historic Resource Assessment Report for the Sheriff's Station and Malibu Civic Center (October 2015) is contained in Appendix L to this Final EIR. The Historic Resource Assessment Report was conducted by Ms. Leslie Heumann, who was assisted by Ms. Jenna Snow. Ms. Heumann is an architectural historian with nearly 40 years of experience in all aspects of historic resources evaluation, documentation, preservation, and planning. She has extensive experience in the coordination of cultural resources surveys, assessment of historic significance, and preparation of documentation to support the CEQA, the National Environmental Policy Act (NEPA), and the National Historic Preservation Act. Jenna Snow has an independent historic preservation consulting practice with an office in Los Angeles. She meets the Secretary of the Interior's Professional Qualifications Standards in Architectural History and has authored, co-authored, and/or served as project manager for more than 75 historic preservation projects, including a wide variety of historic resource assessments, impacts analyses, and construction monitoring projects for conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Both Ms. Heumann's and Ms. Snow's full credentials are provided in Appendix L.

The Historic Resource Assessment Report evaluates the significance of the Malibu Civic Center as a potential historic district and the Sheriff's Station, both as a potential contributor to such a district and as an individual resource. The assessment considers the historic significance of the subject property in terms of eligibility for inclusion in the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register). The report concluded that the Malibu Civic Center does not meet any of the National Register of Historic Places or California Register of Historical Resources criteria of significance as a historic district. The Sheriff's Station, which has no importance architecturally outside of the context of the Civic Center, also has no known individual historic significance or associations and therefore does not individually satisfy any of the criteria of significance.

¹ *The NOP and Initial Study for the SMC Malibu Campus Project were completed and circulated for public preview in May 2012.*

Construction of the Malibu Civic Center was completed in 1970. The Malibu Civic Center is a modest example of the New Formalist style of architecture, popular for County buildings during the 1960s. Unlike better examples of this style—for example Compton City Hall (Harold L. Williams, architect) or Pomona City Hall (Welton Becket, architect)—the Malibu Civic Center contains a minimum of the character-defining features that are necessary to link it to this idiom. The architect on record, Maurice Fleishman, was a capable architect but apparently was not the recipient of awards and accolades during his lifetime. Only a few of his many buildings have been recently identified by historic resources surveys as worthy of attention. The National Register defines a “master architect” as a figure of recognized greatness in a field. Maurice Fleishman does not rise to this level. The extant buildings do not have the potential to yield important information in history or pre-history, which is generally applied to archaeological resources. No resources of an archaeological nature were observed during site inspection. The subject property is paved and landscaped and has been highly disturbed by building construction. Based on these findings, the Malibu Civic Center and the Sheriff’s Station therefore do not satisfy the definition of a historical resource under CEQA. Accordingly, the determination presented in Initial Study Checklist contained in Appendix A to the Draft EIR that the Demolition of the Sheriff’s Station would not cause a significant adverse impact to historical resources is reinforced with the conclusions of the Historic Resources Assessment Report contained in Appendix L to this Final EIR.

COMMENT 3.4

The DEIR includes *Appendix E*, a non-confidential records search from the South Central Information Center. This report makes several recommendations that were not included in the DEIR. Specifically, the report recommends the Lead Agency evaluate all buildings and structures over 45 years old, and contact the Native American Heritage Commission to identify any traditional cultural properties or sacred sites that may be impacted by the proposed project.

RESPONSE TO COMMENT 3.4

The Native American Heritage Commission was contacted at the time the NOP was published and when the Draft EIR Notice of Completion was released for public review and submitted a response letter to the NOP, dated May 21, 2012, which is included in Appendix B to the Draft EIR. Mitigation Measure CR-2 requires the Native American Heritage Commission be contacted in the unlikely event any human remains are unearthed during the construction period. While the Civic Center is known to be culturally rich with artifacts and prior archaeological sites, the Project Site was previously developed in the 1960s when the Civic Center Administrative Center was constructed. Prior construction activities from 1968 to 1970 included raising the grade to approximately 3-4 feet above the adjacent grade. Excavation for the basement level in the Sheriff Station building also occurred at that time. The Proposed Project does not propose to excavate or grade the site below the current finished floor level and thus it is not likely that any grading activity would extend beneath the deposited fill materials.

COMMENT 3.5

We recommend the Final EIR include a revised cultural section that includes a complete and thoughtful evaluation of the Malibu Civic Center Complex (including the Sheriff's Substation building) by professionals meeting the Secretary of the Interior Standards Professional Qualifications for Architectural History and Archeology. If historical or cultural resources are identified, and significant impacts will result as part of the proposed project, robust mitigation measures should be also be included in the final environmental document.

RESPONSE TO COMMENT 3.5

As indicated in Response to Comment 3.3, a historic resource assessment was conducted for the Project Site and concluded that the Sheriff's station is not eligible for listing in the California Register of Historical Resources and is not a contributing feature of a historic district. See Response to Comment 3.3, above.

COMMENT 3.6

If you have questions, please contact Sean de Courcy of the Local Government and Environmental Compliance Unit, at (916) 445-7042 or at Sean.deCourcy@parks.ca.gov.

RESPONSE TO COMMENT 3.6

This comment letter has been noted for the record and will be forwarded to the decision makers for their consideration. No further response is required.

COMMENT LETTER No. 4

City of Malibu
Bonnie Blue, AICP, Planning Director
23825 Stuart Ranch Road
Malibu, CA 90265-4861
September 7, 2015

COMMENT 4.1

Thank you for the opportunity comment on the Draft EIR for the Santa Monica Campus Project. The City of Malibu is a responsible agency and is currently processing a coastal development permit for the project under the authority of its certified Local Coastal Program (LCP).

The City asks that the following comments be addressed in the Final EIR:

RESPONSE TO COMMENT 4.1

This comment letter acknowledges that the City of Malibu is a responsible agency, pursuant to CEQA, and has reviewed the Draft EIR for the Proposed Project. The commenter discusses their concerns in more detail under the proceeding outline of their comment letter. As such, detailed responses to each of these concerns are presented below.

COMMENT 4.2

1. The need for a conditional use permit to authorize the community college use in the Institutional zoning district should be addressed in the Land Use and Planning Section (4.8).

RESPONSE TO COMMENT 4.2

The Project's request for a Conditional Use Permit was identified in Section 2.0 Project Description of the Draft EIR. The Project Applicant is also seeking the following relief from the LCP in conjunction with the Proposed Project: A Conditional Use Permit for the construction and operation of a 25,310 square foot joint community college satellite campus facility to accommodate up to 210 students (FTE) within an approximate 128,500 square foot (2.94 acres) lease parcel located within the existing 400,252 square foot (9.19 acres) County of Los Angeles Malibu Civic Center complex. The completed project would result in a floor area ratio (FAR) of 0.20:1 and would include significant public benefits and amenities in the form of the proposed land uses and public services being introduced to the Project Site.

A more detailed discussion of the CUP request has been incorporated into Draft EIR Section 4.8 Land Use and Planning, as noted in Section 4, Additions and Corrections to the Draft EIR.

COMMENT 4.3

2. Existing conditions discussion should clarify why the County's equipment/maintenance outbuilding is not included in gross floor area and FAR floor area calculations in the document and Table 4.8.1.

RESPONSE TO COMMENT 4.3

Per Section 2.1 of the Malibu Local Implementation Plan (LIP), "gross floor area" is defined as the sum of the gross horizontal areas of the several floors of a building measured from the interior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, vehicular maneuvering areas, or any space where the floor-to-ceiling height is less than six feet. The County's Department of Public Works equipment/maintenance building located to the rear of the property is a garage with roll up doors and functions as a storage/equipment shed and space for vehicle storage and maintenance. This structure is classified as a garage and was appropriately excluded from the calculation for determining the existing developed FAR for the Civic Center property.

COMMENT 4.4

3. In Section 4.8, for a communications tower in the Institutional zoning district, the maximum allowable height is 28 feet, (with a site plan review), rather than the 35 feet noted in several locations (applicable to flag poles and satellite dishes).

RESPONSE TO COMMENT 4.4

This comment is noted for the record and will be incorporated into Section 4.8 of the Draft EIR as noted in Section 4, Additions and Corrections to the Draft EIR.

COMMENT 4.5

4. The “Lot Area” for the project upon which several development standards are premised is comprised not of the ground lease area but the total lot area (9.19 Acres). Since there is no formal subdivision for the ground lease area (it is exempt from the Subdivision Map Act), the appropriate lot area is the entire 9.19 acres. The Draft EIR should base its project calculations for yard setbacks, grading, landscape area, permeable area and other calculations [relative to ‘lot area’] on a parcel wide basis (See “lot area” definition in LIP Chapter 2). Please note that additional discretionary applications could be necessary based on these calculations (e.g., landscape area).

RESPONSE TO COMMENT 4.5

The entire 399,880 square foot (9.18 acre) Civic Center property is owned, operated and maintained by the County of Los Angeles. The Malibu Administrative Civic Center was developed in 1968, prior to the incorporation of the City of Malibu and preceded the enactment of the California Coastal Act and the City of Malibu Local Coastal Land Use Plan. As such, the entire civic center property is a pre-existing legal non-conforming land use. The Project Site is defined as the proposed lease area and is set apart from the remaining portions of the Civic Center which are not a part of the Proposed Project. For informational purposes, a calculation of the Proposed Project’s floor area ratio was calculated for the Proposed Project and the entire Civic Center property. As identified in Table 4.8.3, Proposed FAR Calculations, the allowable FAR for the Institutional Zone is 0.20:1, where additional significant public benefits and amenities are provided as part of the Project. The existing lot area of the Project Site is 128,500 square feet. The Proposed Project would result in 25,310 square feet of developed floor area with a FAR of 0.20:1. The resulting developed floor area within the entire 400,252 square foot Civic Center property with the Proposed Project would be 78,070 square feet, which results in a total FAR of 0.20:1. As such the Project would be consistent with the allowable FAR and would not cause or create an exceedance of the allowable FAR for the entire Civic Center property. Yard setbacks, landscaped area, permeable area and other calculations were not performed for the areas within the Civic Center property because those areas fall outside the Project Site and are recognized as pre-existing conditions. The provisions of the LCP/LIP apply to new development. The Proposed Project limits new development to the area defined by a lease agreement between SMC and the County of Los Angeles, as identified in the Project Description.

SMC does not have any authority to make improvements outside of the proposed lease area, and as such, no other new development would occur within the non-lease portions of the Civic Center. If the City of Malibu needs to account for site design criteria in areas that are not within the defined Proposed Project area, the existing buildings should be classified as allowable non-conforming land uses, as these structures and improvements were constructed prior to the adoption of the Coastal Act and LCP/LIP.

COMMENT 4.6

5. The Section 4.8 impact discussion does not address thresholds of significance (a) and (c).

RESPONSE TO COMMENT 4.6

Thresholds of significance questions (a) and (b) were addressed within the Initial Study Checklist that was appended to the Notice of Preparation (NOP) (See Appendix A of the Draft EIR). As noted in the Initial Study, the response to Checklist Question (a) stated that a significant impact may occur if a project were sufficiently large enough or otherwise configured in such a way as to create a physical barrier within an established community (a typical example would be a project that involved a continuous right-of-way such as a roadway which would divide a community and impede access between parts of the community). The Project Site is located in the Los Angeles County Malibu Civic Center Complex, and would not disrupt or divide the current configuration of established land uses within the Malibu Civic Center area. Therefore, implementation of the Proposed Project would not result in an impact to the established community and no further analysis of this issue is required in the Draft EIR.

With respect to threshold of significance question (c), the Initial Study stated that no habitat conservation plans or natural community conservation plans presently exist which govern any portion of the project Site. The Project Site is located in the developed Los Angeles County Malibu Civic Center Complex that has been previously disturbed and graded. No natural or undisturbed habitat exists on site. Therefore, the Proposed Project would not have the potential to conflict with any applicable habitat conservation plan or natural community conservation plan. No impact would occur and no further analysis of this issue is required in the Draft EIR.

COMMENT 4.7

6. The grading requirements noted in Section 4.8 should be corrected to reflect that non-exempt grading in the Institutional zoning district is limited to 1,000 cubic yards *per acre*, rather than per parcel. Please update calculations and evaluate on a parcel-wide basis.

RESPONSE TO COMMENT 4.7

Based on the Total Grading Yardage Verification Certificate dated June 15, 2014, grading for the Proposed Project is estimated to include 23,000 cubic yards (cy) of soil, including 9,400 cy of cut and 13,600 cy of fill (see page 4.8-16 of the Draft EIR). The grading plan requires excavation of the foundation and basement level of the existing Sheriff's Station that is proposed for demolition. Approximately 4,200 cy of soil is anticipated to be imported during the earthwork phase. Because the grading is required to remove existing foundations, the grading is exempt from the 1,000 cy threshold. Therefore, no further analysis is required.

COMMENT 4.8

7. While the City appreciated the potential visual improvement that new construction of the project could bring compared to the uninhabited sheriff substation, the potential aesthetic and land use impacts of the building and tower height and scale compared to the City standards should be more fully evaluated in light of the low-scale, rural character the City seeks to maintain.

RESPONSE TO COMMENT 4.8

The Proposed Project includes a building height of approximately 35'-10" above grade (approximately 11 feet taller than the existing building on the Project Site). As shown in Figure IV.B-1 through Figure IV.B-6 the Project is located in the Malibu Civic Center and would be consistent with the surrounding existing low-scale buildings of the commercial area. The City of Malibu has defined the Civic Center area to be the commercial center for the City. As noted in the Draft EIR, the City aims to maintain through regulatory policies a low-scale and low-rise commercial development for the area of Civic Center, where the Project Site is located.² The Proposed Project's building height is consistent with the surrounding development and Malibu's goals for commercial buildings. As concluded in the Draft EIR, impacts with respect to aesthetics, including the visual character, are determined to be less than significant. The Proposed Project's impacts on land use were analyzed for consistency with the Malibu Municipal Code, the General Plan Land Use Element, the LCP and California Coastal Act. As concluded in the Draft EIR, with approval of the requested discretionary permits the Project Applicant is seeking, impacts associated with Land Use and Planning are less than significant.

COMMENT 4.9

8. Section 4.6 states that the building is being elevated at least one foot above the "highest" point of adjacent grade in order to comply with the AO floodplain requirements (FEMA). Both existing grade and the building's finished floor elevation are approximately +23' msl. The building

² *City of Malibu, Planning Department, Chapter 1.0 Land Use Element of the General Plan, LU Objective 4.3: A Specific Plan in the Civic Center Area, November 1995, website: <http://qcode.us/codes/malibu-general-plan>.*

finished floor is proposed to remain at 23.17 (same as existing building). The precise elevation of the AO floodplain on the property should be verified by the project engineer and the City's Public Works Department to confirm if the proposed finished floor is properly situated at least one foot above the AO floodplain which floodplain appears to be mapped at +25' msl (providing for a minimum required finished floor elevation of +26' msl. It is possible that the prior Civic Center complex was elevated 3' above the AO zone at the time of its original construction and therefore is already in compliance with the floodplain regulations; however, this needs to be confirmed as additional elevation affects overall building height relative to existing grade and height variance.

RESPONSE TO COMMENT 4.9

Comment 4.9 asserts that the building is being elevated at least one foot above the "highest" point of adjacent grade in order to comply with FEMA requirements. The comment also asserts that the existing grade and the proposed grade are approximately +23 feet mean sea level (msl). These statements are inaccurate and were not derived from the information that was presented in the Draft EIR. With respect to the floodplain and the potential for inundation, the Draft EIR states the following:

"Figure 4.7.1, Flood Hazard Map, below, shows the Project Site is partially located within Zone AO and could be subject to flooding and inundation with flood depths between 1 to 3 feet during a 100-year flood event. Additionally, Figure 4.7.2, Dam Inundation Map, shows the areas around the City of Malibu that are susceptible to inundation and flooding. As seen in Figure 4.7.2, it is anticipated that the eastern side of the Project Site is affected during a 100-year-flood." (See Draft EIR at page 4.7-1.)

The Draft EIR further states that

"The finished floors of the Proposed Project would be elevated above the flood level and would not be prone to flooding." (See Draft EIR at page 4.7-9).

The City's suggestion is correct in that the development of the Malibu Civic Center was built several feet above the base flood level and therefore the finished grade of the Proposed Project is already in conformance with the floodplain regulations. Based on a review of the As Built Site Plan for the Malibu Administrative Center (dated 1968), the then existing surface grade elevation in the area of the Project Site was 13 feet to 19 feet above mean sea level with the higher elevations located in the northern area of the Project Site and the lower elevations located to the south at Civic Center Way. The current County Floodway Map indicates the water surface elevation to be 16.1 (NGVD 29) at the Project Site. Thus, the finished floor elevation of +23 feet is in compliance with the LCP/LIP. To provide further confirmation that the Proposed Project is in conformance with the floodplain regulations, the Project Architect will obtain confirmation through an Elevation Certificate from FEMA prior to construction.

COMMENT 4.10

9. In the Project Alternatives chapter, it should be noted that the “conforming alternative” of 28 feet in height would require the City to approve a discretionary site plan review.

RESPONSE TO COMMENT 4.10

This comment is noted for the record. The requirement for the conforming alternative to obtain site plan review will be clarified and incorporated into Section 4, Additions and Corrections to the Draft EIR.

COMMENT 4.11

10. The Draft EIR should evaluate an alternative that includes a new communications tower that is lower than the 75 feet proposed.

RESPONSE TO COMMENT 4.11

As noted in Section 6.3 Project Alternatives - Zoning Compliant Alternative, a height lower than 75 feet was considered but deemed infeasible as it would render the communication devices useless for transmitting emergency signals to other satellite and radio antennas in LA County. Any tower height lower than 75 feet above grade would make it technically impossible to provide for adequate and effective radio and cellular communication between towers pursuant to the approval of the County of Los Angeles Internal Services Department.

COMMENT 4.12

11. The status of the project’s Will-Serve letter should be clarified and it should be noted whether any infrastructure improvement contributions are required of the project to meet water supply and fire flow requirements.

RESPONSE TO COMMENT 4.12

Impacts to water supply and fire flow are discussed in Section 4.10.1 Public Services – Fire Protection. With respect to water supply, the Department of Public Works has indicated that additional water system facilities may have to be installed to serve the Project Site to meet the requirements of the County/City Engineer and the County Fire Chief. As a condition of receiving water service from the Los Angeles County Waterworks District No. 29, Malibu (District), the Santa Monica College may need to install such facilities at the Applicant’s expense. The Applicant may also be required to pay appropriate connection fees, including meter fees, capital and local improvement charges, and financially participate in the Civic

Center Infrastructure Improvement Project prior to approval of water plans, start of construction, and installation of any additional permanent water service.³

With respect to fire flow, a Fire Access Plan for the Proposed Project has been submitted to and approved by the Los Angeles County Fire Department (see Appendix C of this Draft EIR). Specific fire and life safety requirements will be addressed and conditions imposed at the building and fire plan check phase. Once the plans are submitted for formal review there may be additional requirements (see Mitigation Measure PS-1). Based on the Fire Department's initial review, no adverse impacts associated with fire protection and life safety requirements have been identified

COMMENT 4.13

12. The Draft EIR should provide information on the status of review by the Los Angeles County Fire Department for fire safety and access.

RESPONSE TO COMMENT 4.13

As discussed above and in Section 4.10.1 Public Services and based on the Fire Department's initial review of the Proposed Project, no adverse impacts associated with fire protection and life safety requirements have been identified. Specific fire and life safety requirements will be addressed and conditions imposed at the building and fire plan check phase. Once the plans are submitted for review there may be additional requirements (see Mitigation Measure PS-1). Furthermore, the reader is referred to Comment Letter No. 5, below, from the Los Angeles County Fire Department which confirms that the specific fire and life safety requirements and conditions set during the environmental review process will be addressed and conditions imposed at the building and fire plan check phase. (See also Response to Comment 5.3, below)

COMMENT 4.14

13. The parking analysis should address compliance with ADA standards. Also, there appear to be discrepancies in the parking calculations, as noted in the Parking Comments attachment.

RESPONSE TO COMMENT 4.14

The proposed parking plan provides parking in accordance with the ADA requirements of the State of California, and has been reviewed for conformance with the applicable ADA regulations by the State of California, Division of the State Architect. As noted on the Proposed Site Plan, (See Figure 2.4, Proposed Site Plan on page 2-11 of the Draft EIR), the Project proposes to provide a total of six ADA spaces within the Project Site (i.e., four accessible parking stalls and two van accessible parking stalls). The location of

³ *Written correspondence from Gail Farber, Director of Public Works, County of Los Angeles Department of public Works, to Jim Thorsen, City Manager, City of Malibu, dated October 30, 2013.*

these stalls is called out on the Site Plan, and they are located on the north side of the proposed structure, closest to the building entrance.

COMMENT 4.15

14. The Malibu Labor Exchange has been sited within the proposed lease area for many years and provides a variety of important social and employment services to lesser known members of the Malibu community. Malibu Towing is also located within the proposed lease area, and provides a critical local service, specifically, clearing accident vehicles from Malibu's limited road network to help restore emergency and vehicular access. At this time, the project would displace these two uses. The City hopes SMC and/or the County will be able to accommodate the Malibu Labor Exchange and Malibu Towing so these enterprises can continue to operate.

RESPONSE TO COMMENT 4.15

Pursuant to State CEQA Guidelines § 15131(a), economic or social effects of a project "shall not be treated as significant effects on the environment." As a matter of information, the Draft EIR discloses that portions of the Project Site are currently licensed to non-governmental land uses, including the Malibu Tow Yard, the Malibu Community Labor Exchange, and the Malibu Farmer's Market. These license agreements are between the County of Los Angeles and the respective license holders and do not fall under the purview of SMC's lease agreement with the County of Los Angeles. The Malibu Tow Yard is a commercial enterprise and has been informed that its license will terminate in the near future and it will no longer be able to operate on site. The potential relocation of this use to another site within the City limits would be speculative and is beyond the scope of this EIR. In the event this existing land use is relocated to another property within the City limits, it will be subject to the coastal development process and a separate CEQA environmental review process.

With regard to the Malibu Labor Exchange, as a matter of responsive information, the County of Los Angeles and the City of Malibu are actively seeking a solution to relocate this use within the Civic Center area.

COMMENT LETTER No. 5

County of Los Angeles Fire Department
Kevin T. Johnson, Acting Chief Forestry Division Prevention Services Bureau
1900 Pico Boulevard
Santa Monica, CA 90405
July 29, 2015

COMMENT 5.1

Notice of Completion and Availability of a Draft Environmental Impact Report, "Santa Monica College-Malibu Campus", currently improved with the former Los Angeles Sheriff's Station, which

was decommissioned, approximately 23,882 square feet of developed floor area, of which approximately 7,279 square feet is located below grade in a basement level and approximately 16,603 square feet is located at-grade, 23555 Civic Center Drive, Malibu (FFER 201500134) [sic]

The Notice of Completion and Availability of a Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

RESPONSE TO COMMENT 5.1

This comment letter acknowledges that the County of Los Angeles Fire Department (LACoFD) has reviewed the NOP and Draft EIR for the Proposed Project. The commenter discusses their concerns in more detail under the proceeding subheadings of their comment letter. As such, detailed responses to each of these concerns are presented below.

COMMENT 5.2

PLANNING DIVISION:

Section 4. Environmental Impact Analysis, Subsection 10. Public Services, Fire Protection, Environmental Setting, paragraph a. Fire Stations, the second sentence should be corrected as follows:

The Department's operations are divided into three Operational Bureaus, which are composed of 22 Battalions serving all unincorporated areas of Los Angeles County and ~~57~~ 58 ~~contract~~ cities (including the City of Malibu).

RESPONSE TO COMMENT 5.2

This comment notes that the sentence on page 4.10.1-1, in Section 4.10.1 Fire Protection, should be updated to reflect current information provided by the LACoFD. The suggested updated information is incorporated into Section 4, Additions and Corrections to the Draft EIR.

COMMENT 5.3

LAND DEVELOPMENT UNIT:

1. The statutory responsibilities of the County of Los Angeles Fire Department's Land Development Unit are to review and comment on all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for firefighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within contract cities (cities that contract with the County of Los Angeles Fire Department for fire protection services).

We are responsible for all County facilities located within non-contract cities. The County of Los Angeles Fire Department's Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.

2. The County of Los Angeles Fire Department's Land Development Unit's comments are general requirements. Specific fire and life safety requirements and conditions set during the environmental review process will be addressed and conditions set at the building and fire plan check phase. Once the official plans are submitted for review there may be additional requirements.

RESPONSE TO COMMENT 5.3

This comment describes the responsibilities of the LACoFD's Land Development Unit during the environmental review and development phase for projects within the unincorporated areas of the County of Los Angeles. The Proposed Project will comply with all requirements and conditions lawfully imposed by the LACoFD. No further analysis is required.

COMMENT 5.4

3. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.
4. This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance, and fuel modification plans must be met.
5. Every building constructed shall be accessible to Fire Department's apparatus by way of access roadways with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
6. Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.
7. The development may require fire flows up to 8,000 gallons per minute at 20 pounds per square inch residual pressure for up to a four-hour duration. Actual fire flow requirements will be determined upon review of the construction type and square footage of the proposed development. Calculations of the required fire flow are determined by the County of Los Angeles Fire Code Appendix B Table B105.1.

8. Spacing of fire hydrants shall not exceed the distances specified in the County of Los Angeles Fire Code C105.2 and C106. Show all existing public and private on-site fire hydrants on the site plan. Include the location of all public fire hydrants within 300 feet of the lot frontage on both sides of the street. Specify size of the fire hydrant(s) and dimension(s) to property lines. Additional fire hydrant requirements may be required upon review of the required information at the submittal to Fire Prevention Engineering Building Plan Check Unit.
9. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
10. Provide a minimum unobstructed width of 28 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance “clear o sky” Fire Department’s vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building when the height of the building above the lowest level of the Fire Department’s vehicular access road is more than 30 feet high or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. Fire Code 503.1.1 and 503.2.2. Cross hatch the Fire Department’s vehicular access on the site plan and clearly depict the required width.
11. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:
 - a) Provide 34 feet in-width when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.
 - b) Provide 42 feet in-width when parallel parking is allowed on each side of the access roadway/driveway.
 - c) Any access way less than 34 feet in-width shall be labeled “Fire Lane” on the final recording map and final building plans
 - d) For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating “NO PARKING - FIRE LANE” in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.

12. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review prior to implementation.
13. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.
14. Submit three sets of water plans to the County of Los Angeles Fire Department's Land Development Unit. The plans must show all proposed changes to the fire protection water system such as fire hydrant locations and main sizes. The plans shall be submitted through the local water company.

RESPONSE TO COMMENT 5.4

Items 3 through 14 provide specific information pertinent to LA County Fire's site plan review process. The Proposed Project will comply with all applicable LAFCoD code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants, as described above. Furthermore, as discussed in the Draft EIR, in order to ensure that all appropriate fire protection measures will be incorporated into the Proposed Project, the following mitigation measure is included:

PS-1 The Project shall comply with all applicable code and ordinance requirements

COMMENT 5.5

15. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department's Land Development Unit's Inspector Nancy Rodeheffer at (323) 890-4243.
16. The County of Los Angeles Fire Department's Land Development Unit appreciates the opportunity to comment on this project.

RESPONSE TO COMMENT 5.5

Items 15 and 16 provide a contact name and number to follow up with in the event the lead agency has any comments or questions and notes the Department's appreciation for being included with the CEQA review process. No further response is required.

COMMENT 5.6**FORESTRY DIVISION-OTHER ENVIRONMENTAL CONCERNS:**

1. The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

RESPONSE TO COMMENT 5.6

This comment identifies the responsibilities of the LACoFD's Forestry Division and requests that these issues be addressed within the scope of the EIR. The Proposed Project has thoroughly addressed and disclosed impacts relative to the categories described above. Erosion control and watershed management issues are discussed in Section 4.7, Hydrology and Water Quality. Potential impacts to rare and endangered species and vegetation (including oak trees) are addressed in Section 5.1, Less Than Significant Impacts. Impacts associated with the Project's location within a Very High Fire Hazard Severity Zones or Fire Zone 4, is addressed in Section 4.10.3, Public Services – Fire Protection. Archeological and cultural resources are addressed in Section 4.3, Cultural Resources.

COMMENT 5.7

2. This property is located in an area described by the Forester and Fire Warden as being in a Very High Fire Severity Zone. The development of this project must comply with all Fire Hazard severity zone code and ordinance requirements for fuel modification. Specific questions regarding fuel modification requirements should be directed to the Fuel Modification Office at (626) 969-2375.

RESPONSE TO COMMENT 5.7

Section 4.10.1 Public Services - Fire Services of the Draft EIR properly notes that the Project Site is located within a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). As noted in the Draft EIR, the Proposed Project will comply with all applicable fire code and ordinances requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans. No further response is required.

COMMENT 5.8**HEALTH HAZARDOUS MATERIALS DIVISION:**

1. The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has no comment or objection to the project.

RESPONSE TO COMMENT 5.8

The Health Hazardous Materials Division has no comments. No further response is required.

COMMENT 5.9

If you have any additional questions, please contact this office at (323) 890-4330.

RESPONSE TO COMMENT 5.9

This comment letter has been noted for the record and will be forwarded to the decision makers for their consideration. No further response is required.

COMMENT LETTER No. 6

County of Los Angeles Sheriff's Department Headquarters
Jim McDonnell, Sheriff
Tracey Jue, Director, Facilities Planning Bureau
4700 Ramona Boulevard
Monterey Park, California 91754-2169

COMMENT 6.1

Dear Mr. Brown:

REVIEW COMMENTS
DRAFT ENVIRONMENTAL IMPACT REPORT
SANTA MONICA COLLEGE - MALIBU CAMPUS
STATE CLEARINGHOUSE NO. 2012051052

Thank you for inviting the Los Angeles County Sheriff's Department (Department) to review and comment on the Draft Environmental Impact Report (DEIR), dated July 10, 2015, for the Santa Monica College- Malibu Campus Project (Project). The proposed Project, located within the Malibu Civic Center at 23555 Civic Center Way, will demolish certain existing buildings (23,882 square feet) and construct a satellite campus for Santa Monica College (25,310 square feet). The campus will include classrooms/labs and administrative offices, a multi-purpose room that will convert into an emergency operations center for local emergencies, and a sub-station for the Department. The campus will accommodate 210 full-time equivalent students and 12 faculty/staff, while the sub-station will include administrative support space for approximately ten deputies and/or civilian support staff, and three holding cells with a total capacity of six detainees.

The proposed Project is located within the service area of the Department's Malibu/Lost Hills Station (Station). Accordingly, the Station reviewed the DEIR and authored the attached review comments (see correspondence, dated September 1, 2015, from Captain Patrick S. Davoren).

Also, for future reference, the Department provides the following updated contact information for all requests for review comments, law enforcement service information, California Environmental Quality Act documents, and other related correspondence:

Tracey Jue, Director
Facilities Planning Bureau
Los Angeles County Sheriff's Department
4700 Ramona Boulevard, Fourth Floor
Monterey Park, California 91754
Attention: Lester Miyoshi, Departmental Facilities Planner

Should you have any questions regarding this matter, please contact me at (323) 526-5657, or your staff may contact Lester Miyoshi, of my staff, at (323) 526-5664.

Sincerely,

JIM McDONNELL, SHERIFF

RESPONSE TO COMMENT 6.1

This comment restates the project description and provides a contact person for future correspondences. The referenced comments provided by Captain Patrick S. Davoren are addressed below. No further response to this introductory cover letter is required.

COMMENT 6.2

Office Correspondence

From: Patrick S. Davoren, Captain Malibu/Lost Hills Station

To: Tracey Jue, Director Facilities Planning Bureau

Subject: Review Comments On The Draft Environmental Impact Report For The Santa Monica College – Malibu Campus Project

The Traffic Bureau of the Malibu/Lost Hills Station (Station) reviewed the Draft Environmental Impact Report (DEIR), dated July 10, 2015, for the Santa Monica College Malibu Campus Project (Project). The proposed Project, located within the Malibu Civic Center at 23555 Civic Center Way, will demolish the existing former Sheriff's Station (23,882 square feet) and construct a satellite campus (25,310 square feet) for Santa Monica College. The campus will include classrooms/labs and administrative offices (210 students; 12 faculty/staff), a multi-purpose room that will convert into an emergency operations center for local emergencies, and a Sheriff's sub-station (5,640 square feet). The sub-station will include administrative support space for approximately ten deputies and/or civilian support staff, and three

holding cells with a total capacity of six detainees. The proposed Project is approximately ten miles from the Station.

According to DEIR Section 4.10.2, the proposed Project is expected to have a less than significant impact on the Department (see page 4.10.2-4). For the following reasons, Traffic Bureau generally concurs with this assessment: The proposed Project is already within the Station's service area; the provision of a new sub-station could reduce response times to this portion of our service area; the provision of a new sub-station could reduce the amount of downtime associated with certain patrol operations (detainment, shift operations, etc.), and; the new sub-station could be capable of managing a commensurate in calls for service generated at the campus and surrounding areas.

Traffic Bureau has no further comment to submit at this time, but reserves the right to do so upon subsequent reviews of the proposed Project.

Thank you for including the Station in the environmental review process for the proposed Project. If you should have any questions regarding this matter as it relates to the Station in general, or Traffic Bureau in particular, please feel free to contact Sergeant Brad L. Johnson (B1Johnso@lasd.org), at (818) 878-1808.

RESPONSE TO COMMENT 6.2

This comment, provided by the Sheriff's Lost Hills Station ("Station") provides an accurate re-statement of the Project description and acknowledges that the Station concurs with the findings of the EIR that the Project would have a less than significant impact upon the Station. As such, no further response is required.

COMMENT LETTER No. 7

Malibu Coalition for Slow Growth
Patt Healy
August 31, 2015

COMMENT 7.1

Thank you for the opportunity to comment on the draft EIR as follows.

RESPONSE TO COMMENT 7.1

The commenter discusses their concerns in more detail under the proceeding subheadings of their comment letter. As such, detailed responses to each of these concerns are presented below.

COMMENT 7.2Trees

Please tell us the species and size of trees (common name) that will be killed and the size and species being relocated. Are any of these trees native trees that are protected under the Malibu LCP? If so how many of each protected species and where will the required 10 native replacement trees for each native killed be located.

RESPONSE TO COMMENT 7.2

With respect to the commenter's concerns regarding existing trees on the Project Site, existing vegetation on the Project Site is limited to ornamental shrubs, trees and turf within boxed planters and tree wells within the surface parking area. As shown in the Tree Protection/Removal Plan in Figure 2.20 on page 2-28 in the Project Description of the Draft EIR, trees identified on-site include pines, podocarpus sp., California pepper, coral tree, and coast redwoods. Figure 2.20 provides a detailed tree inventory, which identifies the location, botanical name, common name, and caliper of existing trees on the Project Site, and whether the existing tree will be removed, relocated or preserved in place. As shown in Figure 2.20, the Proposed Project will require the removal of 31 trees, the relocation of six trees, and six trees will be preserved in place.

The Project Site does not contain any native oak (*quercus* species), California walnut (*juglans californica*), western sycamore (*platanus racemosa*), alder (*alnus rhombifolia*), or toyon (*heteromeles arbutifolia*) tree or other protected tree species or biological resources. Therefore, implementation of the Proposed Project would not conflict with any local policies or ordinances protecting tree species pursuant to the City's native tree protection ordinance (Chapter 5 of the LCP - LIP).

COMMENT 7.3

What is the chance of the relocated trees surviving transplantation? Who and how will their survival be monitored to ensure that the transplanted tree will continue to grow and be healthy?

RESPONSE TO COMMENT 7.3

A licensed landscape architect and landscape contractor will oversee the relocation of existing trees to ensure the existing trees are transplanted successfully. Specific construction details regarding the relocation of the existing trees are not specified in the Draft EIR as these details are generally resolved during the construction phase of the proposed project's development.

COMMENT 7.4

Will trees be planted in the parking lot to provide shade for vehicles and to buffer the view of the building from Legacy Park? If so, what kind of trees? What size containers will be planted and how will they be maintained?

RESPONSE TO COMMENT 7.4

As noted in the Draft EIR, the proposed planting plan is depicted in Figure 2.21. Trees to be planted in the parking area include Catalina Ironwood (36" box), California Sycamore (48" box), and Coast Live Oak (60" box). These trees will provide shade in the parking area. With respect to views of the Project Site from Legacy Park, view 5, 6 and 7 of Figure 4.1.2, Santa Monica College- Malibu Campus Existing Views of Project Site and the Vicinity: Views 5 – 8, are taken from Legacy Park, looking north across Civic Center Way towards the Malibu Civic Center. As shown in Figure 4.1.2, visual resources within the Project Site from Legacy Park are currently limited to the front surface parking lot and the existing mature pine trees that block any views of the existing Sheriff Station. While proposed landscaping features will continue to provide a visual buffer between the Project Site and Legacy Park portions of the proposed building will be visible from Legacy Park as some of the existing trees will be removed or relocated. Details regarding the maintenance of the proposed landscaping are not specified in the Draft EIR as these details are generally resolved during the construction and operation phase of the proposed project's development.

COMMENT 7.5Rodent and Weed Control

Rodenticide use is prohibited within the city and the use of pesticides is not allowed under our General Plan. Will the college comply with the nonuse of toxins on campus?

RESPONSE TO COMMENT 7.5

The Proposed Project will comply with all applicable federal, state and local regulations with respect to the use of pesticides in open space areas located on the Project Site.

COMMENT 7.6Water*Watertank*

The college is required to pay its fair share toward an 800,000 gallon potable water tank.

RESPONSE TO COMMENT 7.6

As discussed in written correspondence from the Los Angeles County Waterworks District No. 29, Malibu (see Appendix C of the Draft EIR), the Applicant will be required to pay appropriate connection fees, including meter fees, capital and local improvement charges, and financially participate in the Civic Center Infrastructure Improvement Project prior to approval of water plans, start of construction, and installation of any additional permanent water service.

COMMENT 7.7

When will this tank be constructed and operational?

RESPONSE TO COMMENT 7.7

At the date of this response, the Los Angeles County Waterworks District No. 29 has not indicated a construction plan indicating the completion or operation date of the proposed Civic Center Infrastructure Improvement Project. While the Project will provide fair share funding for the capital infrastructure, it should be noted that the Project's potable water and fire flow needs can be met independently of the proposed civic center water tank and Project is not conditioned on the installation or operation of the water tank project.

COMMENT 7.8

What is the college's fair share contribution to the cost of tank?

RESPONSE TO COMMENT 7.8

The District 29 Malibu Water System Master Plan is currently in the planning stages and has not yet been finalized. As such, the total cost of the capital improvement plan has not yet been established. Accordingly, SMC's fair share cost contribution will be assessed by District 29 after the final project costs are determined and at the necessary site specific infrastructure improvements are determined.

COMMENT 7.9

What is the projected total cost of the tank?

RESPONSE TO COMMENT 7.9

See response to comment 7.8, above.

COMMENT 7.10

Please name the other specific properties (vacant and built) that are required to contribute their fair share to the tank's cost.

RESPONSE TO COMMENT 7.10

The improvements proposed under the Water District 29 Water System Master Plan will benefit all properties within the Civic Center that are currently connected to the water system and all proposed future projects within the civic center service area. The financing options for this capital improvement program are still being evaluated by District 29 and the City of Malibu. As such it is undetermined at this time which specific properties will be required to contribute to the fair share funding for the cost of the capital improvements.

COMMENT 7.11

Will the college be allowed to open prior to the tank being operational?

RESPONSE TO COMMENT 7.11

The Proposed Project will need to meet all fire and life safety requirements before a certificate of occupancy will be issued for the operation of the proposed facility. If the potable water and fire flow demands can be met on an interim basis with local infrastructure upgrades, the Project may be operational prior to the District 29 Water System Master Plan being implemented.

COMMENT 7.12

Water usage

Will the college be recycling its potable water for reuse or will it be discharged into the city treatment plant?

RESPONSE TO COMMENT 7.12

Consistent with the City's Policy for Environmental Health Review Of Development Projects within the Civic Center Prohibition Area, the Proposed Project plans to connect to the City of Malibu's planned wastewater treatment facility for the Civic Center Area when it becomes operational. The Draft EIR includes a conditional mitigation measure that ensures the project will not become operational until the City's Wastewater Treatment Facility is constructed and operating. Specifically, Mitigation Measure PU-1 states the following:

"Occupancy and operation of the Proposed Project shall be conditioned upon the successful operation of and connection to the City's proposed Civic Center Wastewater Treatment Facility,

not on-site. The average wastewater generation rate for the project shall not exceed 11,102 gallons per day.”

COMMENT 7.13

Will potable or recycled water be used in watering trees and plants?

RESPONSE TO COMMENT 7.13

All landscaped areas within the Civic Center, including the Proposed Project and adjoining Civic Center property will be irrigated with recycled grey water from the City’s Wastewater Treatment Facility when it becomes operational.

COMMENT 7.14

How much stormwater will be retained on site? Will it be allowed to percolate into the ground? If not why not? If not how will it be discharged?

RESPONSE TO COMMENT 7.14

As discussed in the Draft EIR, Section 4. Hydrology/Water Quality, under new regulations adopted by the LARWQCB, the Proposed Project is required to implement a Standard Urban Stormwater Mitigation Plan (SUSMP), to ensure that stormwater pollution during the operational life of the project is addressed by incorporating “Best Management Practices” (BMPs) in the design phase of development. BMPs selected for use at any project covered by the SUSMP are required to meet the following design standards:

- A. Mitigate (infiltrate or treat) stormwater runoff from either:
 - 1) The 85th percentile 24-hour runoff event determined as the maximized capture stormwater volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998), or
 - 2) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/ Commercial, (1993), or
 - 3) The volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a stormwater conveyance system, or
 - 4) The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for “treatment” (0.75 inch average for the Los Angeles County area) that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event, and
- B. Control peak flow discharge to provide stream channel and over bank flood protection, based on flow design criteria selected by the local agency.

Furthermore, as indicated on the proposed Site Plan (See Figure 2.4 in Section 2.0, Project Description), surface water runoff would continue to be directed through the Project Site's surface parking lot areas and into adjacent stormwater bio swale along Civic Center Way. The volume of surface water runoff from the Project Site is expected to decrease as a result of the Proposed Project. As mandated by the Local Coastal Program, approximately 25% of the total lot area will be improved with landscaping and 0.5% of the total lot area will consist of permeable paving. Combined, approximately 40,779 square feet of the Project Site will consist of permeable surface area. As compared to the existing conditions, the Project will increase the site's permeable surface area by approximately 12,800 square feet, an increase of approximately 46%.

COMMENT 7.15

Will roof top runoff be captured for future use? If not why not? If captured where will it be stored and how?

RESPONSE TO COMMENT 7.15

Runoff from the roof will be captured and retained on site in accordance with the SUSMP requirements as discussed above. Captured roof top runoff will be used to irrigate on-site landscaped areas and will ultimately be discharged.

COMMENT 7.16

Will any of the site runoff contribute to the TMDL of Malibu Creek ?

RESPONSE TO COMMENT 7.16

As discussed in Section 4.7 Hydrology and Water Quality of the Draft EIR, Section 17.4.2 of the LCP requires post-construction plans detailing how stormwater and polluted runoff will be managed or mitigated during the life of the project. A WQMP is required for all development that requires a Coastal Development Permit and shall require the implementation of appropriate site design and source control BMPs from Section 17.6 of the LIP and Appendix A to minimize or prevent post-construction polluted runoff. With the preparation, approval and successful implementation of a WQMP, impacts to water quality would be mitigated to less than significant levels.

COMMENT 7.17

What impact will the runoff have on the existing groundwater?

RESPONSE TO COMMENT 7.17

As stated in Mitigation Measures WQ-1, the Project shall comply with all applicable City and County Low/Impact Development water quality requirements. The Proposed Project shall be designed and constructed in accordance with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ. The Applicant shall submit a Stormwater Pollution and

Prevention Plan (SWPPP) to the appropriate governing agency. Additionally as stated in WQ-2, prior to the start of any construction activity, SMC or its contractor shall submit a Water Quality Management Plan (WQMP) to the satisfaction of the City of Malibu that incorporates appropriate site design and source control BMPs from Section 17.6 of the LIP and Appendix A to minimize or prevent post-construction polluted runoff. With implementation of the mitigation measures listed above, impacts to water quality would be less than significant.

COMMENT 7.18

What is the groundwater level under the current site?

RESPONSE TO COMMENT 7.18

Based on the site-specific geotechnical investigation performed by GEOLABS-Westlake Village, (See Appendix F of this Draft EIR) groundwater underneath the Project Site ranges from six to twenty-three feet in depth. Historic high groundwater in the vicinity of the Project Site is found to be five feet below the surface.

COMMENT 7.19Impermeable Surfaces

What percentage of the site are currently impermeable surfaces?

RESPONSE TO COMMENT 7.19

Based on a review of Figure 2.3, Existing Site Survey, the existing 128,500 square foot Project Site consists of approximately 22 percent (i.e., 28,270 square feet) of permeable surface area and 78 percent (i.e., 100,230 square feet) of impermeable surface area.

COMMENT 7.20

What percentage of the site will be impermeable surfaces after project is completed?

RESPONSE TO COMMENT 7.20

Approximately 87,721 square feet of the Project Site will be developed with impermeable surfaces, or approximately 69 percent of the Project's Site lot area. Approximately 25% of the total lot area will be improved with landscaping and 0.5% of the total lot area will consist of permeable paving. Combined, approximately 40,779 square feet of the Project Site will consist of permeable surface area.

COMMENT 7.21

What percentage of the parking lot will be impermeable and why?

RESPONSE TO COMMENT 7.21

As noted in Figure 2.4, Proposed Site Plan, approximately 6,425 square feet of the parking lot is proposed to be paved with permeable paving materials, which equates to approximately 5 percent of the Project Site area. This project design feature meets the site development criteria under the Institutional Development Standards as provided in Section 3.9.A.3b of the Malibu Local Coastal Program/Local Implementation Plan (LCP/LIP) which states that 25% of the lot area shall be devoted to landscaping and an additional 5% of the lot area shall be devoted to permeable surfaces. Due to soil conditions, extensive soil improvements are proposed under and next to the building to promote adequate drainage and avoid allowing the site to soak up water in close proximity of the building.

COMMENT 7.22

Open Space

Landscaping

What percentage of the site is currently landscaped open space?

RESPONSE TO COMMENT 7.22

The current landscaped open space area within the Project Site is approximately 30,000 square feet, or roughly 23 percent of the total lot area of 128,500 square feet.

COMMENT 7.23

What percentage of the site (excluding the roof) after completion will be landscaped open space?

RESPONSE TO COMMENT 7.23

Excluding the roof top landscaping, approximately 23% of the total lot area (29,984 square feet) will be improved with landscaping.

COMMENT 7.24

Will there still be green space between the college and the remaining civic center east of the site? If so how much of the current green space will be altered by the project?

RESPONSE TO COMMENT 7.24

The existing landscaped quad located between the Sheriff's Station and the Los Angeles County Public Works office will be removed and reconfigured as passive open space as part of the Proposed Project. For information on the exact configuration and site design elements, the reader is referred to Figure 2.4, Proposed Site Plan, the illustrative renderings provided in Figure 2.16, and the Planting Plan depicted in Figure 2.21 of the Draft EIR. As noted in Figure 2.4, Proposed Site Plan, approximately 32,125 square feet (25% of the Site) is required to be landscaped per the Malibu LCP development standards. The Proposed Project proposes approximately 34,354 square feet of landscaped area including 29,984 square feet of ground level landscape and approximately 4,370 square feet of green roof landscape area.

COMMENT 7.25

How much green space percentage wise will be on the roof and how much will be on the ground?

RESPONSE TO COMMENT 7.25

Approximately 23% (29,984 square feet) of the proposed landscaping will be located on the ground level, while approximately 3% (4,370 square feet) will be provided at roof level.

COMMENT 7.26

What will be planted on the roof top?

RESPONSE TO COMMENT 7.26

Landscaping on the rooftop includes Lance-Leaf Live Forever (*Dudleya lanceolata*), Chalk Live Forever (*Dudleya pulverulenta*), Blue Spruce Stonecrop (*Sedum blue spruce*), and Golden Japanese Stonecrop (*Sedum golden*).

COMMENT 7.27

Has or will the fire department agreed to allow a portion of the roof to be landscaped?

RESPONSE TO COMMENT 7.27

As discussed in Section 4.10.1 Public Services, based on the Fire Department's initial review of the Proposed Project, no adverse impacts associated with fire protection and life safety requirements have been identified. Specific fire and life safety requirements will be addressed and conditions set at the building and fire plan check phase. Once the official plans are submitted for review there may be additional requirements (see Mitigation Measure PS-1).

The Fuel Modification Unit of the Los Angeles County Fire Department has already approved and stamped the landscaping plans. In addition, The Division of the State Architect has reviewed and

approved this project affirming conformance with CBC Chapter 7A – “Materials and Construction Methods for Exterior Wildfire Exposure,” since the project is within a “Very-High Fire Hazard Severity Zone.” The roof is irrigated and studies have shown that the succulent plants selected for this project will provide greater fire resistance than a non-vegetated roof.

COMMENT 7.28

Where is and what is the college’s landscape plan?

RESPONSE TO COMMENT 7.28

The proposed planting plan is depicted in Figure 2.21, in Section 2, Project Description. Landscaping will include Xeriscape (drought tolerant) landscaping with native species. The Proposed Project will provide a minimum of 34,354 square feet of landscaped area, which includes approximately 29,984 square feet within the ground level and 4,370 square feet on the roof of the proposed structure. As shown in Figure 2.7, Roof Plan, the Proposed Project features a green roof on top of the proposed structure. Trees to be planted include Jervis Bay Peppermint, Marina Strawberry, Catalina Ironwood, Mexican Palo Verde, Date Palm, California Sycamore, Coast Live Oak, and Western Redbud. Tree sizes will range from 24” box trees to 60” box trees. In addition to the Tree Planting Plan, the Proposed Project will include shrubs and groundcover within the open space areas, landscaped medians within the parking areas, raised planter beds, and on the proposed green roof.

COMMENT 7.29*Parking Lot*

What percentage of the site will be parking lot?

RESPONSE TO COMMENT 7.29

The parking lot area occupies approximately 69,763 square feet, or roughly 54.3% of the total surface area of Project Site.

COMMENT 7.30

What portion of the site will be non-landscaped open space (excluding Parking lot)?

RESPONSE TO COMMENT 7.30

The non-landscaped open space (excluding Parking lot) on the leased portion of the site is 9,700 square feet, or about 7.5% of the total surface area of Project Site.

COMMENT 7.31

The Farmer's Market has always used the site for its Sunday Farmer's Market. Will the college allow continued use of the college parking lot on Sundays' for the Market. If not why not?

RESPONSE TO COMMENT 7.31

The Farmer's Market currently operates under a license agreement with the County of Los Angeles. It is anticipated that the Farmer's Market will continue to operate within the Civic Center property, though the exact location has not been determined.

COMMENT 7.32FAR

What is the current floor area ratio (FAR) of the site?

RESPONSE TO COMMENT 7.32

The Project Site occupies an approximate 128,500 square foot (2.94-acre) parcel. As shown in Table 2.2, Summary of Existing and Proposed Development, of the Project Description, the Project Site is improved with the former Sheriff's Station building, which includes approximately 23,882 of floor area. The total existing developed floor area ratio (FAR) for the Project Site is approximately 0.19 to 1.

COMMENT 7.33

After completion what will be FAR of the site?

RESPONSE TO 7.33

As shown in Table 2.2 of the Project Description, the Proposed Project includes the development of 25,310 square feet of floor area, which would result in a net increase of 1,428 square feet of developed floor area as compared to the size of the existing Sheriff's Station building. The total proposed developed FAR for the proposed Project Site is approximately 0.20 to 1.

COMMENT 7.34

What is the FAR of the one story alternative?

RESPONSE TO COMMENT 7.34

As discussed in Section 6 Project Alternatives of the Draft EIR, under the Zoning Compliant Alternative, the height of the structure would be reduced to 28 feet to conform to the height limit of the Institutional zone. Under this scenario, the new building would be a single-story community college facility with

approximately 18,730 square feet of floor area, which includes an approximate 4,230 square foot Sheriff's Substation. The total proposed developed FAR for this project alternative is approximately 0.14 to 1.

COMMENT 7.35Emergency Evacuation

How will the existence of the college effect the ability of surrounding residents to evacuate in an emergency?

RESPONSE TO COMMENT 7.35

One component of the Proposed Project includes a Los Angeles County Sheriff's Substation and Emergency Operations and Planning Center. As such, the Proposed Project will include the necessary infrastructure to support emergency operations on-site and will be capable of functioning as an emergency evacuation site. The multi-purpose room on the ground floor is designed to function as an evacuation center if the need arises.

The evacuation plan for the SMC Malibu Campus will be the same as for other land uses within the Civic Center. Students and faculty will be advised of an appropriate evacuation route depending on the nature of the emergency and the current status of local roadways and potential roadway closures.

COMMENT 7.36

What is the evacuation Plan for the students, faculty and administration in the event of a wild fire? In the event of a major earthquake?

RESPONSE TO COMMENT 7.36

See response to comment 7.35, above.

COMMENT 7.37Lighting

In order to protect the wildlife and see starlight, Malibu is a dark sky city. Please tell us what are the requirements/criteria in the Rural Outdoor Lighting District Ordinance (ROLDO)?

RESPONSE TO COMMENT 7.37

As discussed in Section 4.1 Aesthetics of the Draft EIR, the Rural Outdoor Lighting District Ordinance took effect on December 13, 2012, and is intended to establish a rural outdoor lighting district and to regulate outdoor lighting in the district to promote and maintain dark skies at night for the residents and wildlife in the district. Although the Project Site is located within the City of Malibu, and is outside of the

specific geographic areas defined in the Ordinance, the Project Site is located on County of Los Angeles owned land. Therefore, in furtherance of the County's Dark Skies Ordinance, the Proposed Project would be subject to the following outdoor lighting requirements for the rural outdoor lighting district:

- A. Light trespass. Outdoor lighting shall cause no unacceptable light trespass.
- B. Shielding. Outdoor lighting shall be fully shielded.
- C. Maximum Height
 - 1) The maximum height for an outdoor lighting fixture, as measured from the finished grade to the top of the fixture shall be 30 feet for a property not located within a residential, agricultural, open space, watershed, or industrial zone.
 - 2) The Project is not planned to have any outdoor recreational facilities or area, therefore there is no need to evaluate C.2. for the Project.
 - 3) Notwithstanding subsections C.1. and C.2., the Director of Regional Planning may permit an outdoor light fixture with a height higher than as otherwise permitted by these subsections through a site plan review, if the applicant demonstrates that a higher light fixture would reduce the total number of light fixtures needed at the involved site, and/or would reduce the light trespass of the outdoor lighting.
- D. Maintenance. Outdoor lighting shall be maintained in good repair and function as designed, with shielding securely attached to the outdoor lighting.

Although the Rural Outdoor Lighting District Ordinance does not contain any specific requirement for educational or institutional land uses, the following requirements are identified for commercial, industrial, or mixed-use land uses:

- A. Building entrances. All building entrances shall have light fixtures providing light with an accurate color rendition so that persons entering or existing the building can be easily recognized from the outside of the building.
- B. Hours of operation.
 - 1) Outdoor lighting shall be turned off between the hours of 10:00 p.m. and sunrise everyday, unless the use on the involved property operates past 10:00 p.m., and the outdoor lighting shall be turned off within one hour after the use's operations ends for the day. Notwithstanding the foregoing, if the use on the involved property requires outdoor lighting between 10:00 p.m. and sunrise everyday for safety or security reasons. If this is the case, outdoor lighting shall be allowed during these hours only if fully-shielded motion sensors are used and at least 50% of the total lumen levels are reduced.
 - 2) Outdoor lighting shall be exempt from hours of operation if such lighting is required by the County Building Code for stairs, steps, walkways, or points of ingress and egress to buildings, or is governed by a discretionary land use permit.
 - 3) Automatic controls. Outdoor lighting shall use automatic control devices or systems to turn the outdoor lighting off so as to comply with the applicable hours of operation requirements of section B.1. These devices or systems shall have backup capabilities so that, if power is

interrupted, the schedule programmed into the device or system is maintained for at least seven days.

The SMC Malibu Campus Project will not have any outdoor recreational facilities/areas, and therefore is not required to comply with the Ordinance standards for recreational lighting areas. In addition to complying with the requirements stated above, outdoor lighting for new signs, including outdoor advertising signs, business signs, and roof and freestanding signs, shall comply with the following:

- 1) The outdoor lighting shall be fully shielded;
- 2) When the signs use externally-mounted light fixtures, they shall be mounted to the top of the sign and shall be oriented downward; and
- 3) Externally-mounted bulbs or lighting tubes used for these signs shall not be visible from any portion of an adjoining property or public right-of-way, unless such bulbs or tubes are filled with neon, argon, krypton, or other self-illuminating substance.

COMMENT 7.38

Do they meet the requirements of the Malibu LCP?

RESPONSE TO COMMENT 7.38

The Project's lighting and photometric plan meets all requirements of the City of Malibu LCP. The Proposed Project is seeking a coastal development permit and variances to operate within the City of Malibu and, as such, all aspects of the Proposed Site Plan will be evaluated by staff for conformance with the LCP.

COMMENT 7.39

Malibu is currently preparing a Model Outdoor Lighting Ordinance for the city including the Civic Center area. If this ordinance is more restrictive than the ROLDO, will the college adhere to it? If not why not.

RESPONSE TO COMMENT 7.39

The proposed lighting and photometric plan is currently designed to conform to the City's LCP requirements and the County of Los Angeles' Dark Skies Ordinance as noted in response to comment 7.38, above. It is anticipated that the City's proposed Model Outdoor Lighting Ordinance will contain similar site constraints and best management practices as the County's Dark Skies Ordinance. It would be speculative to address any future requirements or limitations on the lighting plan for a proposed regulation that has not yet been adopted. Therefore, the lead agency cannot commit to complying with future unknown regulations retroactively, as it may be infeasible to redesign the project after construction is completed.

COMMENT 7.40

Will the college turn off or reduce the intensity all [sic] outdoor lighting an hour after closing? If not why not?

RESPONSE TO COMMENT 7.40

As described in the Draft EIR, lighting for the Proposed Project will be provided in order to illuminate the building entrances, common open space areas, and parking areas, largely to provide adequate night visibility for students, employees and visitors, and to provide a measure of security. The Proposed Project will include directional lighting with pole-mounted hooded lights in the parking lot. The light poles will include downward directional lighting fixtures to ensure outdoor parking areas and security lights do not cast excessive light on adjacent properties. The Exterior Photometric Study is depicted in Figure 2.19, Exterior Photometric Lighting Plan. Lower pedestrian level lights will also be provided within the landscape and hardscape areas illuminating the walkways and entrances to the proposed structure.

COMMENT 7.41

Will the college an hour after closing turn off or reduce the intensity all [sic] interior lighting. If not why not? If yes, to what extent.

RESPONSE TO COMMENT 7.41

SMC aims to achieve Leadership in Energy and Environmental Design (LEED®) certification for the Proposed Project. As such, one of the Proposed Project's sustainable features includes automatic light sensors that turn off lights when rooms are not in use.

COMMENT 7.42

Will the college use only warm color lighting both indoors and outside?

RESPONSE TO COMMENT 7.42

Consistent with SMC's energy efficiency standards, interior lighting will be designed to take advantage of natural light. The lighting plan for the Proposed Project does not propose any bright or thematic colored lighting elements.

COMMENT 7.43Aesthetics*Visibility*

How much more will the college be visible from Legacy Park than the current portion of the structure being remodeled?

RESPONSE TO COMMENT 7.43

Views of the Project Site from Legacy Park were depicted in the Draft EIR. As shown in Figure 4.1.2, Santa Monica College- Malibu Campus Existing Views of Project Site and the Vicinity: Views 5 – 8, view 5, 6 and 7 are taken from Legacy Park, looking north across Civic Center Way towards the Malibu Civic Center. Visual resources within the Project Site from Legacy Park are currently limited to the front surface parking lot and the existing mature pine trees that block any views of the existing sheriff station. While proposed landscaping features will continue to provide a visual buffer between the Project Site and Legacy Park portions of the proposed building will be visible from Legacy Park as some of the existing trees will be removed or relocated.

COMMENT 7.44

What will the college be doing to reduce the visual impact of the college structure from Legacy Park and other public viewing areas?

RESPONSE TO COMMENT 7.44

As discussed above in Response to Comment 7.43 and further discussed in Section 4.1 Aesthetics of the Draft EIR, proposed landscaping features will provide a visual buffer between the Project Site and Legacy Park.

COMMENT 7.45

From what other public locations (besides the Civic Center) and scenic roads as defined in the LCP will the building be visible?

RESPONSE TO COMMENT 7.45

As discussed in Section 4.1 Aesthetics, of the Draft EIR, representative views of the Project Site from various public locations, including Stuart Ranch Road, Webb Way, Civic Center Way, and Legacy Park are shown in Figures 4.1.1 through 4.1.3. The Project will replace the existing one-story building, parking areas, a temporary trailer, and a fenced-in tow yard with a modern two-story building with a green roof element. The proposed building will be visible from the locations listed above. However, proposed landscaping will provide some screening from certain locations along the surrounding public right-of-ways and Legacy Park.

The Project Site is within the vicinity and viewsheds of two scenic highways: the Pacific Coast Highway (PCH) and Malibu Canyon Road. Based on a survey of the existing views available from Malibu Canyon Road, it was determined that the Project Site is not prominently visible from the available designated scenic turnouts on Malibu Canyon Road. Additionally, the current building on the Project Site cannot be

seen from PCH, and it is expected that the Proposed Project will not be seen from PCH. Due to the Project's low-scale and massing, with a proposed building height of approximately 35 feet – 10 inches above grade (approximately 11 feet taller than the existing building on the Project Site), the Project would have a low potential to alter distant scenic views from the Santa Monica Mountains, Malibu Canyon Road, and PCH.

COMMENT 7.46*Height*

Does the college building comply with the maximum allowable height for institutional buildings under the LCP?

RESPONSE TO COMMENT 7.46

As disclosed in the Draft EIR, the proposed structure will include a 2-story building with a maximum height of approximately 35 feet - ten inches (35' – 10") above grade. The Proposed Project will require a variance to exceed the 28-foot base height limit and to replace the existing 70-foot high communications tower with a new monopole structure approximately 75 feet in height. With approval of the requested variances, the Project will be consistent with the policies and procedures of the LCP.

COMMENT 7.47

Since a one story structure is the more environmentally superior alternative we hope and ask the college elect [sic] the one story alternative. One story is more in keeping with and will protect the small town atmosphere of the Civic Center area.

RESPONSE TO COMMENT 7.47

The Draft EIR describes the one-story structure alternative as the Zoning Compliant Alternative, which was selected as the environmentally superior alternative. This Alternative was selected as the environmentally superior alternative because of its ability to reduce the Proposed Project's construction and operational impacts in nearly all impact areas. However, the significant and unavoidable impacts identified for construction related noise would still remain significant and unavoidable under this alternative. The commenter's concerns have been noted for the record and will be forwarded to the decision makers for their consideration. No further response is required.

COMMENT 7.48Malibu Local Coastal Plan (LCP)

Since the LCP is the document that regulates development within the city of Malibu, please analyze the project and let us know where the project adheres and doesn't adhere to the LCP.

RESPONSE TO COMMENT 7.48

The Proposed Project's consistency with the LCP is discussed in detail in Section 4.8 Land Use and Planning, of the Draft EIR. The Proposed Project is generally consistent with the development standards with respect to floor area, setbacks, landscaping and permeability requirements, and grading. With respect to the height standards, the Proposed Project will necessitate a variance to exceed the 28-foot base height limit for the construction of a sloped roof with a peak height of 35' – 10" high as proposed, and to replace the existing communications tower with a new monopole structure approximately 75 feet in height. With approval of the requested variances, the Project will be consistent with the policies and procedures of the LCP. No environmental protection aspects of these land use standards are affected, and no adverse land use impacts would occur.

In accordance with Section 3.12.3, Specific Parking Requirements, of the LCP, the parking standards for the proposed uses would require a total of 189 parking spaces, including 179 spaces for the proposed community college uses and 10 spaces for the Sheriff's Substation. The Proposed Project includes 189 parking spaces and will thus comply with the minimum parking requirements for the proposed uses for the SMC lease parcel.

Although the Proposed Project would comply with the parking standards of the City of Malibu LCP with respect to the number of spaces and the ratio of standard to compact stalls, the Applicant is seeking relief from Section 3.12.5, Development Standards, Subsection D, Layout and Paving, Item 7, as it operates to stall dimensions. The Applicant is seeking approval to delineate the standard parking stalls in accordance with the prevailing Los Angeles County Guidelines for Designing a Commercial Project, which requires standard parking stalls to be 8.5 feet wide by 18 feet deep and compact stalls to be 8 feet wide by 15 feet deep. As compared to the Malibu LCP dimensions, the Los Angeles County Design Guidelines for standard stalls are one-half foot narrower and two feet shorter. The dimensions of the compact stalls are the same under both the City and County regulations. With approval of a Parking Variance, the Proposed Project's parking stalls would be uniform and consistent with the remainder of the stalls within the County's parking lot that is not a part of the Project and not subject to the Coastal Development Permit process under this application. With approval of the requested variance, the Project would be in compliance with the policies and procedures of the LCP.

COMMENT 7.49General Plan

Development has to adhere to the Malibu General Plan. Please analyze the project and let us know where the project adheres and doesn't adhere to the General Plan

RESPONSE TO COMMENT 7.49

The Proposed Project's consistency with the General Plan is discussed in Section 4.8 Land Use and Planning, of the Draft EIR. The Proposed Project is consistent with the development standards and allowable land uses established by the City of Malibu General Plan, Land Use Element. All of the proposed land uses are consistent with the allowable and intended land uses for the Institutional Land Use Designation. The Proposed Project would result in an overall FAR of 0.20, which does not exceed the maximum allowable FAR for Institutional land uses as identified in the Land Use Element.

COMMENT 7.50Lease

Please tell us the length of the college lease with the County.

RESPONSE TO COMMENT 7.50

The Los Angeles County Board of Supervisors on April 19, 2011, authorized the County Chief Executive Office to negotiate a 25-year ground lease of approximately 128,500 square feet of land at the Malibu Civic Center at 23555 Civic Center Way, Malibu, with options to extend the lease for up to an additional 70 years. Los Angeles County and the Santa Monica Community College District are negotiating this lease. Upon conclusion of the negotiations, the lease will be presented to the Los Angeles County Board of Supervisors and to the Santa Monica Community College District Board of Trustees for approvals subsequent to the certification of the Final EIR for the Santa Monica College Malibu Campus project.

COMMENT 7.51

Does the sheriff sublet the space from the college?

RESPONSE TO COMMENT 7.51

It is anticipated that upon completion of the construction of the Santa Monica College Malibu Campus building, including the construction of the Sheriff's Space, the Sheriff's Substation will no longer constitute part of the premises of the lease, and shall be the unencumbered property of the County of Los Angeles.

COMMENT 7.52

How does its presence on site effect the rent of the college?

Is the sheriff's substation on site rent free?

RESPONSE TO COMMENT 7.52

As noted in Response to Comment 7.51 above, after completion of construction, the Sheriff's Substation will no longer constitute part of the premises of the lease, and shall be the property of the County of Los Angeles. As a result, the presence on site of the Sheriff's Substation does not affect the rent paid by SMC.

COMMENT 7.53

Was it the county's or the college's idea was it [sic] to have a substation on site?

RESPONSE TO COMMENT 7.53

The interagency cooperation embodied in this Proposed Project is due to the efforts of multiple individuals and elected officials. The Proposed Project provides a means for the Los Angeles County Sheriff's Office to return on site providing a local presence within the City of Malibu; the Proposed Project provides the County of Los Angeles with the resources from the Santa Monica Community College District to build the Sheriff's Substation; the Proposed Project provides for the permanent return of instructional programs and classes to the City of Malibu; and the Proposed Project provides for a potential opportunity for a nonprofit to house a program of interest to Malibu residents in the interpretative center within the College building.

COMMENT 7.54

What would be the FAR of the site with only the college and not the substation?

RESPONSE TO COMMENT 7.54

The FAR of the proposed educational facility on the Project Site without the Sheriff Station is approximately 0.15:1.

COMMENT 7.55

What happens to the portion of the site to be occupied by the sheriff if the sheriff chooses at some point not to stay on site. Can the college occupy the site at an increased rent?

RESPONSE TO COMMENT 7.55

As noted above in Response to Comment 7.51, above, the Sheriff's Substation will become the unencumbered property of the County of Los Angeles at the completion of Project construction. If for some reason the Sheriff's Office chooses to no longer occupy the Sheriff's Substation, the decision as to what any subsequent uses may occupy the space would be made by the Los Angeles County Board of Supervisors. The College has not negotiated for a right of first refusal to rent the Sheriff's Substation space.

COMMENT 7.56

Who has the right to rent the space out to a third party, the college or the county?

RESPONSE TO COMMENT 7.56

The parties are continuing to negotiate the lease. It is anticipated that the lease will ultimately prohibit SMC from subletting any portion of the leased premises without the written consent of the County of Los Angeles. However, notwithstanding this restriction, SMC would be allowed to sublet or license portions of the premises to users and events in the same manner as occurs from time to time on any of SMC's other campuses, including special events, community groups, workshops, seminars, classes offered by other schools, lectures, vendors, social services, and other types of activities and operations, provided that all such subleases or licenses serve public purposes reasonably related to the permitted uses. In addition, SMC may enter into an agreement with one or more independent third party nonprofit operators of the contemplated interpretative center.

COMMENT 7.57

We look forward to your response to our comments and learning more as to how the college intend [sic] to be part of the Malibu community.

RESPONSE TO COMMENT 7.57

This comment letter has been noted for the record and will be forwarded to the decision makers for their consideration. No further response is required.

COMMENT LETTER NO. 8

Malibu Community Action Network

COMMENT 8.1

The following EIR comments are submitted on behalf of the Malibu Community Action Network.

1. The EIR should identify the operational hours (weekdays and weekends) of the Malibu Campus.

RESPONSE TO COMMENT 8.1

As discussed in Section 2.0 Project Description of the Draft EIR, the normal operating hours for the proposed community college satellite campus facility would be approximately 6:00 a.m. to 11:00 p.m. Monday through Friday. Educational programs may also occur on Saturdays. The specific programming and operational hours for the interpretive center have not yet been confirmed; however, it is anticipated that this component would operate as an ancillary facility to the college and civic center and would be

open to the public seven days a week from approximately 9:00 a.m. to 6:00 p.m. The Sheriff's Department operations are anticipated to occur on-site on a continuous 24-hour basis 7 days a week.

COMMENT 8.2

2. Could the operational hours identified above be extended or modified at any point in the future? If so please describe the maximum operational hours the school could support.

RESPONSE TO COMMENT 8.2

The normal operating hours for the proposed Community College satellite campus facility were disclosed in the Project Description section of the Draft EIR (See page 2-10, in Section 2.0, Project Description). As discussed in the Draft EIR, it is anticipated that the normal operating hours would be approximately 6:00 a.m. to 11:00 p.m. Monday through Friday. Educational programs may also occur on Saturdays. The specific programming and operational hours for the interpretive center have not yet been confirmed, however it is anticipated that this component would operate as an ancillary facility to the college and civic center and would be open to the public seven days a week from approximately 9:00 a.m. to 6:00 p.m. The Sheriff's Department operations are anticipated to occur on site on a continuous 24-hour basis 7 days a week.

The lease governing the College's use of the premises will incorporate and govern the normal operating hours for the proposed community college satellite campus. Any expansion of the normal hours of operation would require an amendment to the lease and is not anticipated as these are the same normal operating hours for SMC's other satellite campuses and its Main Campus and have been in effect for many decades. From time to time, a program or event could be scheduled for a Sunday; however, SMC does not conduct normal operations on Sundays.

COMMENT 8.3

3. The EIR defines the attendance in terms of full time 210 students (FTE). The EIR should also identify the formula and enrollment counts used to determine the FTE. The EIR should identify the number of part time students, the number of full time students and the factor used to convert part time students to FTEs.

RESPONSE TO COMMENT 8.3

FTE is an acronym for Full Time Equivalent. The term FTE has various applications. For example, as a workload measure, the term is written as Full Time Equivalent Students, or FTES. This workload measure is used by the State of California to determine funding for community colleges. Basically, in this application, an FTES (formerly called "average daily attendance," (ADA)) is theoretically derived by considering that one student could be enrolled in courses for three hours a day, five days a week, for an academic year of 35 weeks – resulting in a total of 525 hours per one FTES ($3 \times 5 \times 35 = 525$).

About 32 percent of Santa Monica College students are full-time (12 or more units per semester). Below is a typical report of the distribution of the number of units taken by Santa Monica College students. Santa Monica College would expect that the Malibu campus would have a similar distribution of part-time students and full-time students.

California Community Colleges Chancellor's Office
Student Enrollment Status Summary Report
Spring 2015

Santa Monica College Total	100.00%
0.1 - 2.9 units	2.26%
3.0 - 5.9 units	18.46%
6.0 - 8.9 units	19.29%
9.0 - 11.9 units	18.35%
12.0 -14.9 units	25.33%
15 + units	6.71%
Non-Credit	9.61%

COMMENT 8.4

4. The EIR should identify the maximum number of students the campus can accommodate on a daily basis.

RESPONSE TO COMMENT 8.4

As stated in the project description, the campus is designed to accommodate up to 210 students (FTE) during peak time periods. In this application of the term FTE, the term describes the actual number of students enrolled during peak time periods. It should be noted that peak time periods for community colleges fall outside the range of peak time periods for surrounding traffic volumes. Santa Monica College anticipates that approximately 320 students will be the maximum attending classes on a given day. For purposes of the estimating the traffic impacts, it was estimated that the SMC Malibu Campus would generate approximately 541 daily trips based on rates published in the ITE Trip Generation Manual (ITE Land Use Code 540 (Junior/Community College)).

COMMENT 8.5

5. The EIR should identify the steps the School will take to make sure students park in designated spots in the Civic Center Complex.

RESPONSE TO COMMENT 8.5

As discussed in Section 2.0 Project Description of the Draft EIR, currently an operational parking program has not been finalized. However, it is anticipated that an operational parking program will be addressed in the lease agreement between the County and SMC to include a reciprocal parking agreement to ensure the parking spaces are utilized as intended and in a manner that best accommodates all of the uses within the Civic Center.

COMMENT 8.6

6. The EIR should identify the steps the School will take to insure students do not park in unauthorized parking spaces on Civic Center Way.

RESPONSE TO COMMENT 8.6

As discussed above, it is anticipated that an operational parking program will be addressed in the lease agreement between the County and SMC to include a reciprocal parking agreement to ensure the parking spaces are utilized as intended and in a manner that best accommodates all of the uses within the Civic Center.

COMMENT 8.7

7. The EIR should identify if the college will be hosting any special events that would attract more traffic than can be accommodated in the 299 on-site parking spaces.

RESPONSE TO COMMENT 8.7

SMC does not propose any special events that would exceed the parking availability at the Project Site. Special events, if proposed, will be scheduled so as to avoid conflicts with peak programming at the Campus.

COMMENT 8.8

8. The EIR claims that it recorded traffic at peak hours for the traffic analysis. The EIR measured Saturday traffic between 11 AM and 1 PM which are not peak Saturday hours.

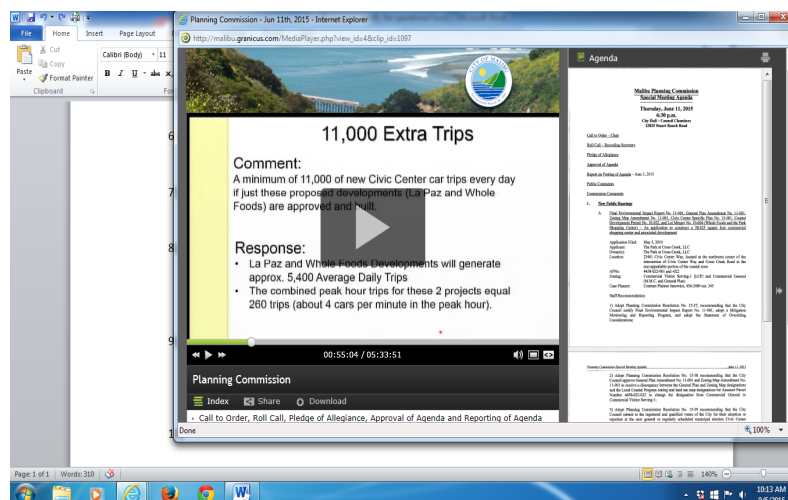
As shown in attachments Doc0047 and Doc 0052 which are City of Malibu automated Saturday traffic counts taken on 7/14/2012 Saturday peak hours actually occur between 3 and 4PM. A new traffic study should be conducted at peak hours to provide accurate information of the traffic impacts of this project.

RESPONSE TO COMMENT 8.8

The project’s Traffic Impact Study included automatic 24-hour machine traffic counts that were provided by the City for a mid-week day (Thursday) and weekend (Saturday) in July 2012 for the analyzed street segments. Copies of the 24-hour machine counts are contained in Appendix E to the Traffic Impact Study. Manual counts of vehicular turning movements also were conducted at the ten study intersections during a weekend day (i.e., Saturday) mid-day period to determine the peak hour traffic volumes. The manual counts provided by the City were conducted at the study intersections from 11:00 AM to 1:00 PM to determine the Saturday mid-day peak hour. The 11:00 AM – 1:00 PM period is appropriate for the analysis of traffic due to the project because Saturday classes typical are scheduled for the morning and conclude by early afternoon. An analysis of traffic impacts during a 3:00 – 4:00 PM hour as suggested in the comment is not required because the project will generate little if any traffic during this later afternoon period on a Saturday. The Project Traffic Study was reviewed and approved in concept by the City of Malibu’s traffic engineer before being incorporated into the Draft EIR. As such, the Traffic Impact Study follows the City’s methodology and approach for analyzing traffic impacts in the City of Malibu.

COMMENT 8.9

9. The EIR Cumulative traffic impacts are understated. Malibu’s traffic consultant said that the actual contribution to additional traffic from Whole Foods and La Paz would be 5400 cars trips per day. (See the screen shot of the consultant’s presentation below). The Project EIR cumulative traffic impact analysis uses a count less than that for La Paz and Whole Foods. Since these two projects are adjacent to the planned College an accurate analysis is important. The Traffic analysis should be revised using these correct cumulative car trips into Central Malibu.



RESPONSE TO COMMENT 8.9

The trip generation assumptions for the La Paz Project and the Whole Foods in the Park Project were identified in Table 7-1 in the Traffic Impact Study contained in Appendix J to the Draft EIR. As identified in Table 7-1, the La Paz Project's trip generation was estimated to be 2,863 daily trip ends, per the information contained in the Malibu La Paz Project Traffic and Circulation Study, prepared by Kaku Associates, in April 2005. The Whole Foods in the Park Project's trip generation was estimated to be 2,296 daily trip ends, per the information contained in the neighborhood Shopping Center, Traffic Impact Analysis, prepared by Overland Traffic Consultants, Inc., in September 2005. These studies provided the most current estimates for these related projects at the time the Traffic Impact Study was completed. The Whole Foods In the Park Draft EIR was published in February 2015, which included an updated trip generation estimate of 2,290 weekday vehicle trips with 101 AM peak hour trips and 154 PM peak hour trips.

The difference between these project's combined daily trips as reported in the Draft EIR and as noted in the comment is 241 daily trips. It is not clear why the slide in the comment has a slightly higher number, but it is irrelevant to the traffic analysis because the analysis of impacts is based on peak hour traffic, not daily (24-hour) trips.

Regarding peak hour trips, it is noted in the slide contained in the comment states that "...the combined peak hour trips for these two projects [La Paz and Whole Foods] equal 260 trips..." It is noted that Table 7-1 in the Traffic Impact Study estimates a combined 404 PM peak hour trips for the two related projects. In this instance, the forecasts provided in the Traffic Impact Study for the PM peak hour are higher (more conservative) as compared to the information provided on the presentation slide.

COMMENT 8.10

10. The traffic studies for the La Paz development were taken in April and May of 2003 and baseline traffic counts are shown in in the following chart. The chart then compares these counts to the baseline traffic counts used in the College traffic analysis. As shown the college baseline counts are significantly lower than the counts taken in the La Paz traffic study.

The EIR should explain the reasons for these large differences. Is it a result of the fact that the college baseline counts were taken when Pepperdine was not in session? If so it suggests that actual traffic impacts will be greater than shown in the EIR whenever Pepperdine is in session which is approximately 8 months a year. In this instance the traffic analysis should be redone to reflect the impact of the Pepperdine traffic.

Is it a result of decreasing traffic on Malibu roads? If this is the answer the EIR should provide additional evidence to demonstrate that traffic has been decreasing.

**Weekday Baseline Civic Center Traffic Counts
Approved La Paz EIR VS SM College**

		A	B	B-A	
		Approved La Paz EIR 2003	Santa Monica College EIR		Traffic Decrease Per College EIR
Location	Direction	La Paz	Whole Foods	Difference	% Decrease
Webb Way on to Civic Center Way	PM	512	432	-88	-16%
Civic Center Way On to Malibu Canyon	PM	837	609	-241	-27%
Cross Creek on to Civic Center Way	PM West	315	208	-112	-34%

RESPONSE TO COMMENT 8.10

With respect to the data in the table presented above, it is unclear as to where the data was derived and what it is purporting to show. For example column “B” indicates one set of data labeled Santa Monica College EIR (Row 1) and Whole Foods (Row 2). The baseline traffic volumes for both the Proposed Project and the Whole Foods in the Park Project were based on the same manual traffic count data provided by the City (conducted in July 2012), though the Proposed Project’s Traffic Impact Study projected a 2 percent annual growth rate to estimate a 2014 baseline condition. Thus, the baseline data for the Proposed Project is not the same as that used in the Traffic Impact Study for the Whole Foods in the Park Project. Furthermore, the locational information describing intersection locations (in the first column) appear to indicate a direction and flow, but the numbers do not correlate to the traffic data reported in the Project’s EIR.

With respect to the broader issue of comparing the baseline traffic counts from the La Paz Project to the Proposed Project, it is important to note that the traffic counts for the La Paz Project were conducted in 2003, approximately 11 years prior to the publication of the Draft EIR for the Proposed Project. As prescribed under CEQA a Project’s impacts must be compared to the environmental conditions that exist at the time the NOP is circulated to the public. Therefore, the baseline counts for the La Paz Traffic Study are not relevant and would be inappropriate to use for purposes of analyzing the Proposed Project’s traffic impacts.

Additionally, the Traffic Impact Study contained in Appendix J to the Draft EIR provides a supplemental analysis based on traffic counts conducted in April 2012. Local schools, including Pepperdine University, were in session at the time of the April 2012 traffic counts. As stated in the Traffic Impact Study, no significant traffic impacts due to the project were identified within the supplemental traffic analysis conducted using the school-time traffic counts.

COMMENT 8.11

11. The Traffic studies for the La Paz development were taken in April and May of 2003 and LOS results are shown in in the following chart. These counts are then compared to the LOS study results from the College traffic analysis. As shown the College LOS shows significant improvement over the results from the La Paz traffic study.

The majority of these intersections are located on streets directly adjacent to the proposed college campus. Understating LOS at intersections near the campus could be dangerous to the residents in Serra Retreat, the students in the College and in the two schools located in the Civic Center and for employees working in the Civic Center if an emergency evacuation is required. The EIR should explain the reasons for the significant LOS improvements shown in the College EIR.

Have improvements taken place on those roadways to account for the improvements and if so what are they? Are the LOS improvements a result of the study being done during a period when Pepperdine was not in session? If so a new study should be conducted to accurately measure the LOS during the 8+ months a year when Pepperdine is in session.

RESPONSE TO COMMENT 8.11

As noted in Section 6.0 of the Traffic Impact Study, manual traffic counts of vehicular turning movements conducted in July 2012 were provided by the City of Malibu at each of the eleven study intersections during the weekday morning and afternoon commuter periods and during a weekend day (i.e., Saturday) mid-day period to determine the peak hour traffic volumes. These counts were used at the insistence of the City of Malibu's transportation engineer and provided a consistent set of data for multiple projects that are proposed within the Civic Center that are undergoing separate environmental review processes. However, because the Proposed Project will operate at substantially reduced levels during summertime periods, a supplemental traffic analysis was prepared based on traffic counts at study intersections conducted during the school-time (i.e., April 2012). In this way, the traffic analysis of the school project can be evaluated within a background of school-time traffic counts. Section 13.0 of the Project Traffic Impact Study (See Appendix J to the Draft EIR) provides a supplemental traffic analysis using traffic count data collected at ten study intersections in April 2012 when local schools in the area were in session. No significant impacts were identified using the school-time traffic count data.

Finally, it is noted that under the City's "sliding scale" significance criteria, the traffic impact thresholds are most "sensitive" at intersections calculated to operate at LOS E or F in the baseline conditions. Hypothetically, even if each of the 11 study intersections were calculated in the traffic analysis to operate at LOS E or F (under existing or future pre-project conditions), the relative traffic impacts of the project would still be considered less than significant because the project's incremental traffic impact to the volume-to-capacity ratio is less than 1% (0.009 or less) at each of the signalized intersections, and less than 5 seconds of delay at each of the unsignalized intersections.

COMMENT LETTER No. 9

Maura Lucas
August 4, 2015

COMMENT 9.1

Thank you for asking for comments. I think the buildings' color should be more like the new Presbyterian church on Malibu Canyon. Its color and shape makes it look almost like an extension of the hill. The shape of the SMC design is lovely, but its exterior color should blend into its surroundings.

RESPONSE TO COMMENT 9.1

This comment letter has been noted for the record and will be forwarded to the decision makers for their consideration. No further response is required.

4. ADDITIONS AND CORRECTIONS TO THE DRAFT EIR

1.0 Executive Summary

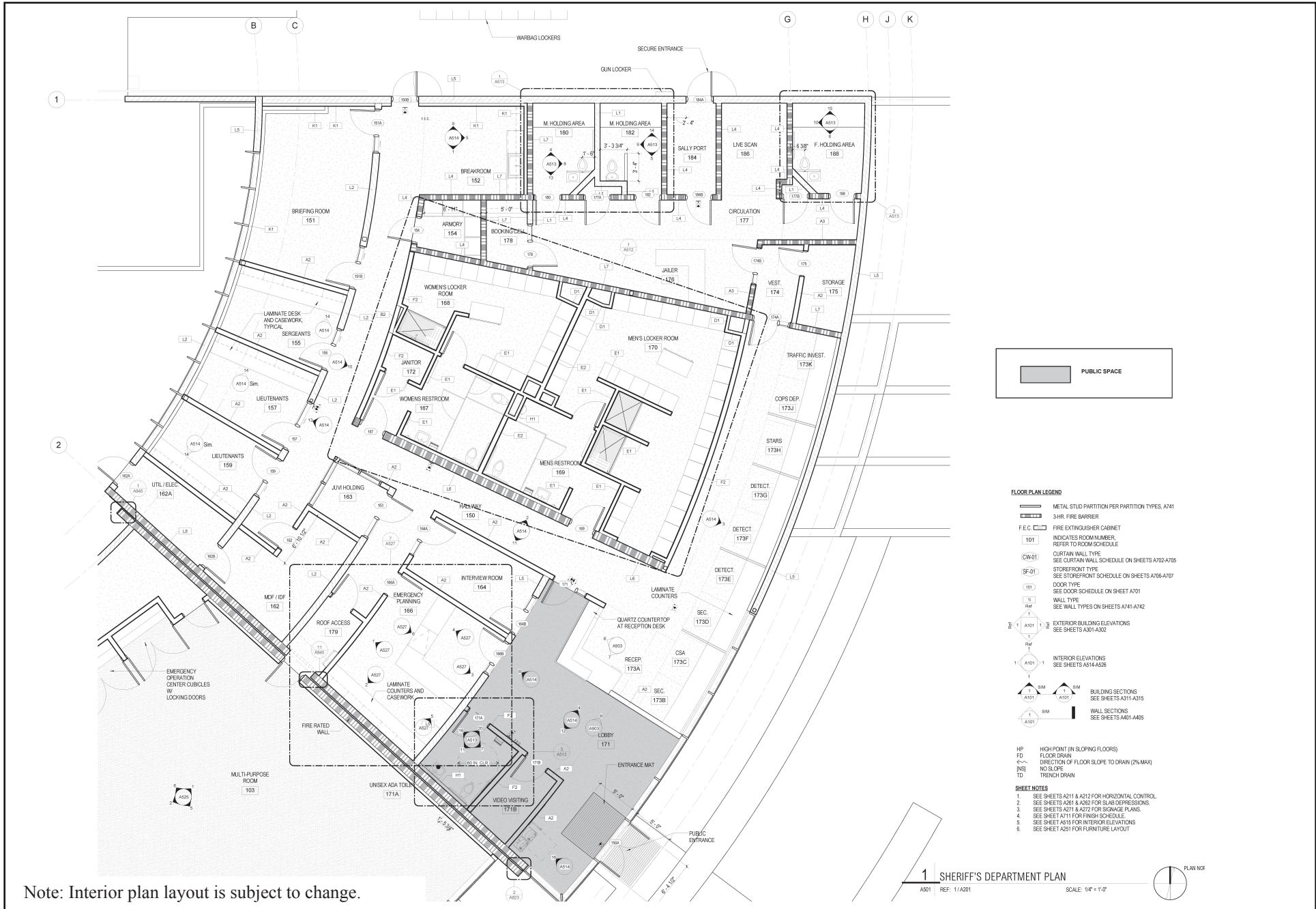
Pages 1-1 to 1-21: The Executive Summary of the Draft EIR is revised in its entirety with Section 2.0, Executive Summary of the Final EIR. This summary incorporates an updated discussion on the EIR process and is amended with any additions and corrections as noted in this Section below.

2.0 Project Description

Figure 2.5(A): Figure 2.5(a), Sheriff's Substation Plan Layout, is added to the Draft EIR to provide a detailed and updated interior plan layout of the Sheriff's Substation space. The interior plan layout does not affect the envelope of the proposed structure and would not result in any environmental impacts. Nevertheless, it was incorporated into the Final EIR at the request of the County of Los Angeles.

Page 2-33: Amend the second sentence of the last paragraph as follows:

“While an operational parking program has not been finalized, it is anticipated that an operational parking program will be addressed in the lease agreement between the County and SMC to include ~~either a shared parking program or~~ a reciprocal parking agreement to ensure the parking spaces are utilized as intended and in a manner that best accommodates all of the uses within the Civic Center.”



Note: Interior plan layout is subject to change.

Source: Quatro Design Group, 6/30/2015.



Figure 2.5(A)
Sheriff's Substation Interior Plan Layout

4.3. Cultural Resources

The Cultural Resources Section of the Draft EIR provided a focused analysis addressing the project's potential impacts upon archaeological and paleontological resources. The issue of historic resources was dismissed from further evaluation in the CEQA Initial Study Checklist (which was circulated with the Notice of Preparation (NOP), and provided as Appendix A to the Draft EIR), because there was no evidence to suggest that any of the structures located on the Project Site were ever listed or considered eligible for listing as historic resources pursuant to CEQA and the buildings did not appear to be old enough to qualify as historic structures. Unless a property possesses exceptional significance, it must be at least fifty years old to be eligible for listing in the National Register of Historic Places. The recommendations of the South Central Coastal Information Center (SCCIC), dated May 24, 2013, suggested the Lead Agency evaluate all buildings and structures over 45 years old. At the time the Initial Study and NOP were published, the date of construction for the Sheriff's Station and Malibu Civic Center was estimated to have been 43 years old. At that time, the structures on the site were less than 45 years old, thus no further analysis was conducted.

In response to the Draft EIR, the State Office of Historic Preservation's (OHP) provided a comment letter suggesting additional analysis be conducted to evaluate whether the Sheriff's Station could be considered a historic resource, or whether the Sheriff's Station could be considered part of a larger Historic District. OHP's comment letter advised that the California Register does not contain a "general rule" of eligibility, nor does the California Register have a 50-year limitation for eligibility (See California Code of Regulations, Title 14, Chapter 11.5: § 4852 (2)). Instead, the California Register regulations allow resources to be considered eligible for listing once enough time has passed to obtain a scholarly perspective on the events or individuals associated with the resource. Therefore, at OHP's request, a Historic Resource Assessment Report for the Sheriff's Station and Malibu Civic Center (October 2015) was subsequently prepared by qualified architectural historians and is contained in Appendix L to this Final EIR. As requested, this report evaluates the significance of the Malibu Civic Center as a potential historic district and the Sheriff's Station, both as a potential contributor to such a district and as an individual resource. The assessment considers the historic significance of the subject property in terms of eligibility for inclusion in the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register). The report concluded that the Malibu Civic Center does not meet any of the National Register of Historic Places or California Register of Historical Resources criteria of significance as a historic district. The Sheriff's Station, which has no importance architecturally outside of the context of the Civic Center, also has no known individual historic significance or associations and therefore does not individually satisfy any of the criteria of significance.

Construction of the Malibu Civic Center was completed in 1970. The Malibu Civic Center is a modest example of the New Formalist style of architecture, popular for County buildings during the 1960s. Unlike better examples of this style—for example Compton City Hall (Harold L. Williams, architect) or Pomona City Hall (Welton Becket, architect)—the Malibu Civic Center contains a minimum of the character-defining features that are necessary to link it to this idiom. The architect of record, Maurice Fleishman, was a capable architect but apparently was not the recipient of awards and accolades during

his lifetime. Only a few of his many buildings have been recently identified by historic resources surveys as worthy of attention. The National Register defines a “master architect” as a figure of recognized greatness in a field. Maurice Fleishman does not rise to this level. The extant buildings on the Project Site do not have the potential to yield important information in history or pre-history, which is generally applied to archaeological resources. No resources of an archaeological nature were observed during site inspection. The Subject Property is paved and landscaped and has been highly disturbed by building construction. Based on these findings, the Malibu Civic Center and the Sheriff’s Station therefore do not satisfy the definition of a historical resource under CEQA. Accordingly, the determination presented in Initial Study Checklist contained in Appendix A to the Draft EIR that the Demolition of the Sheriff’s Station would not cause a significant adverse impact to historical resources is reinforced with the conclusions of the Historic Resources Assessment Report contained in Appendix L to this Final EIR.

4.8 Land Use and Planning

Page 4.8-10 Revise the first full paragraph as follows:

The Malibu Civic Center is a public facility that is owned and controlled by the County of Los Angeles. Because the property was developed prior to the incorporation of the City of Malibu, some features within the Malibu Civic Center property are considered existing non-conforming land uses. For example, the existing emergency communications tower is approximately 70 feet in height, which exceeds the M.M.C.’s allowable height of ~~35 feet~~ 28 feet for such structures. Also, the parking stall dimensions within the existing surface parking lots conform to the Los Angeles County standards for standard and compact stall dimensions, rather than the dimensions set for in the M.M.C. Other aspects of the Malibu Civic Center property, such as the amount of permeable paving and landscaped areas within the parking lot have not been assessed with respect to conformity with the City’s standards.

Page 4.8-12 Under Project Impacts, include the following discussion:

SMC is requesting a Conditional Use Permit for the construction and operation of a 25,310 square foot joint community college satellite campus facility to accommodate up to 210 students (FTE) within an approximate 128,500 square foot (2.94 acres) lease parcel located within the existing 400,252 square foot (9.19 acres) County of Los Angeles Malibu Civic Center complex). The completed project would result in a development floor area ratio (FAR) of 0.20:1 and would include significant public benefits and amenities in the form of the proposed land uses and public services being introduced to the Project Site.

Page 4.8-13 Revise the third sentence under the subheading titled *Replacement Emergency Communications Tower* as follows:

The applicable development standards for communication towers provides that flagpoles and satellite dishes up to a maximum height of ~~35 feet~~ 28 feet are permitted in the Institutional Zone through the Site Plan Review process.

4.10.1 Public Services – Fire Protection

Page 4.10.1-1 The following sentence will be corrected:

The Department’s operations are divided into three Operational Bureaus, which are composed of 22 Battalions serving all unincorporated areas of Los Angeles County and ~~57~~ 58 ~~contract~~ cities (including the City of Malibu).

4.11.1 Transportation and Circulation – Traffic

Page 4.11.1-53: The following mitigation measure has been added to Section 4.0, Mitigation Measures, at the request of Caltrans (see Response to Comment 2.5):

“T-1: Heavy duty truck trips shall be scheduled outside of peak hours when possible during the construction process.”

4.11.2 Transportation and Circulation – Parking

Page 4.11.2-9 Amend the second sentence of the last paragraph as follows:

“While an operational parking program has not been finalized, it is anticipated that an operational parking program will be addressed in the lease agreement between the County and SMC to include ~~either a shared parking program or a reciprocal parking agreement~~ to ensure the parking spaces are utilized as intended and in a manner that best accommodates all of the uses within the Civic Center.”

6.3 Project Alternatives – Zoning Compliant Alternative

Page 6.3-2 Incorporate the following sentence:

A new antenna or satellite equipment structure of 28 feet above grade would require the City to approve a discretionary site plan review.

5. MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the Public Resources Code and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines require adoption of a Mitigation Monitoring and Reporting Program (MMRP) for all projects for which an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) has been prepared. This requirement was originally mandated by Assembly Bill (AB) 3180 which was enacted on January 1, 1989 to ensure the implementation of all mitigation measures adopted through the CEQA process. Specifically, Section 21081.6 of the Public Resources Code states that "...the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment...[and that the program]...shall be designed to ensure compliance during project implementation."

AB 3180 provided general guidelines for implementing monitoring and reporting programs, which are enumerated in more detail in Section 15097 of the CEQA Guidelines. However, specific reporting and/or monitoring requirements to be enforced during project implementation shall be defined prior to final approval of the proposed project by the decision-maker. In response to established CEQA requirements, the proposed MMRP shall be submitted to the Santa Monica College (the designated Lead Agency) for consideration prior to completion of the environmental review process to enable the decision-makers appropriate response to the proposed project. Although the Lead Agency may delegate reporting or monitoring responsibilities to other agencies or entities, it "...remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program."

The MMRP describes the procedures for the implementation of the mitigation measures to be adopted for the proposed project as identified in the Environmental Impact Report (EIR). The MMRP for the proposed project will be in place through all phases of the proposed project, including design (pre-construction), construction, and operation (post-construction both prior to and post-occupancy). SMC shall be responsible for administering the MMRP activities or delegating them to staff, other responsible agencies, consultants, or contractors. SMC will also ensure that monitoring is documented through reports (as required) and that deficiencies are promptly corrected. The designated environmental monitor (e.g. project contractor, certified professionals, etc.) will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems.

Each mitigation measure is categorized by environmental topic area and corresponding number, with identification of:

- The enforcement agency
- The monitoring agency
- The monitoring phase (i.e., the phase of the Project during which the measure should be monitored)
- The monitoring frequency
- The action indicating compliance with the mitigation measure

Table 5-1 Mitigation Monitoring and Reporting Program

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
Aesthetics						
AES-1	Construction equipment, debris, and stockpiled equipment shall be enclosed within a fenced or visually screened area to effectively block the line of sight from the ground level of neighboring properties. Such barricades or enclosures shall be maintained in appearance throughout the construction period. Graffiti shall be removed immediately upon discovery.	Review plan(s) at plan check and during construction.	SMC			
AES-2	Prior to the issuance of a grading permit, SMC shall submit a landscape plan that incorporates native plant species to the satisfaction of the City of Malibu Planning Department and Los Angeles County Department of Regional Planning. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained during the life of the Project.	Review plan(s) at plan check.	SMC, City of Malibu, LA County Dept. of Regional Planning			
AES-3	The exterior of the proposed building shall be constructed of glare-reducing materials that minimizes glare impacts on motorists and other persons on and off-site.	Review plan(s) at plan check.	SMC			
AES-4	Outdoor lighting shall incorporate low-level lighting fixtures and shall be designed and installed with directional shields so that the light source cannot be seen from adjacent land uses, consistent with the Rural Outdoor Lighting District Ordinance.	Review plan(s) at plan check.	SMC, LA County Dept. of Public Works			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
Air Quality						
AQ-1	<p>The Project Applicant shall include in construction contracts the control measures required and/or recommended by the SCAQMD at the time of development, including but not limited to the following: <i>Rule 403 - Fugitive Dust</i></p> <ul style="list-style-type: none"> • Use watering to control dust generation during demolition of structures or break-up of pavement; • Water active grading/excavation sites and unpaved surfaces at least three times daily; • Cover stockpiles with tarps or apply non-toxic chemical soil binders; • Limit vehicle speed on unpaved roads to 15 miles per hour; • Sweep daily (with water sweepers) all paved construction parking areas and staging areas; • Provide daily clean-up of mud and dirt carried onto paved streets from the Site; • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more; and, • An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt if feasible. 	During clearing, grading, earth moving, or excavation operations.	SMC, AQMD			
AQ-2	The Applicant shall comply with SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines to limit potential objectionable odor impacts during the Project’s long-term operations phase.	Project Operation	SMC, AQMD			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
AQ-3	The Applicant shall ensure all construction contractors comply with SCAQMD Rules 1108 and 1113, which include control measures to limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents.	Construction	SMC, AQMD			
Cultural Resources						
CR-1	In the event that archaeological resources are encountered during the course of grading or construction, all development must temporarily cease in the area of discovery until the resources are properly assessed and subsequent recommendations are determined by a qualified consultant.	During clearing, grading, earth moving, or excavation operations.	SMC, OHR			
CR-2	In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify those persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent remains or cultural resources. If evidence of prehistoric artifacts is discovered, construction activities in the affected areas shall not proceed until written authorization is granted by the City of Malibu Planning Director.	During clearing, grading, earth moving, or excavation operations.	SMC, OHR, County Coroner			
Geology and Soils						
GEO-1	The Proposed Project shall be designed and constructed in accordance with the City and State Building Codes and shall adhere to all modern earthquake standards, including the recommendations provided in the Project's Final Geotechnical Report, which shall be reviewed by the division of the State Architect prior to construction.	Prior to the issuance of grading and/or building permits	SMC, DSA			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
Greenhouse Gas Emissions						
	No mitigation measures are required.					
Hazards and Hazardous Materials						
HAZ-1	The Project Developer shall obtain all necessary permits from the RWQCB prior to the installation of any temporary and/or permanent dewatering systems. Procurement of all applicable RWQCB permits will ensure the water quality of groundwater discharge into the storm drain infrastructure.	Pre-Construction	SMC, RWQCB			
HAZ-2	A demolition-level asbestos survey by a licensed contractor shall be conducted for the existing on-site structures. If the survey reveals that these structures contain ACMs, the structures shall be stabilized, removed, and disposed of in accordance with applicable regulations, including but not limited to, SCAQMD Rule 1403 and Cal/OSHA requirements.	Pre-Construction, Construction	SMC, AQMD			
HAZ-3	During the demolition of existing structures, building materials shall be handled and disposed of in accordance with applicable federal, State, and local regulations regarding lead-containing materials.	During the demolition process	SMC			
HAZ-4	Fluorescent light ballasts not specifically labeled as not to contain PCBs shall be presumed to contain them and shall be disposed of in accordance with applicable regulations, including but not limited to, Cal/OSHA requirements.	During the demolition process	SMC			
HAZ-5	If any operation within the Project Site includes construction, installation, modification, or removal of underground storage tanks (Los Angeles County Code Title 11, Division 4), the County of Los Angeles must be contacted for required approvals and operation permits.	During the demolition and construction process	SMC, LA Co. Fire Dept.			
Hydrology and Water Quality						
WQ-1	The Project shall comply with all applicable City and County Low/Impact Development water quality requirements. The Proposed Project shall be designed and constructed in accordance with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ. The Applicant shall submit a Stormwater Pollution and Prevention Plan (SWPPP) to	Verify compliance prior to issuance of grading or building permits.	SMC, RWQCB			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
	the appropriate governing agency.					
WQ-2	Prior to the start of any construction activity, SMC or its contractor shall submit a Water Quality Management Plan (WQMP) to the satisfaction of the City of Malibu that incorporates appropriate site design and source control BMPs from Section 17.6 of the LIP and Appendix A to minimize or prevent post-construction polluted runoff.	Verify compliance prior to issuance of grading or construction permits.	SMC			
Land Use and Planning						
	No mitigation measures are required.					
Noise						
N-1	Consistent with the City of Malibu Noise Ordinance (Section 4204 G), construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays, and prohibited on Sundays and holidays. Special circumstances may arise where construction activities are permitted during prohibited hours by expressed written permission of the City Manager, or if construction is necessary to preserve life or property when such necessity arises (Section 4205 D).	Throughout construction activities.	SMC, City of Malibu			
N-2	Noise and groundborne vibration construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be situated away from the nearest noise- and vibration-sensitive land uses wherever feasible to do so.	Throughout construction activities.	SMC			
N-3	When possible, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.	Throughout construction activities.	SMC			
N-4	Barriers such as plywood structures or flexible sound control curtains shall be erected around the perimeter of the Project Site to minimize the amount of construction noise impacting adjacent off-site land uses. Plywood barriers should have a minimum thickness of ¾ inch (21 mm) and extend to a height of eight (8) feet above grade to effectively block the line of sight from the noise source to	Throughout construction activities.	SMC			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
	the noise receptor.					
N-5	The project construction contractors shall ensure that equipment is properly maintained per the manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc) or as required by the City's Department of Building and Safety, whichever is the more stringent.	Throughout construction activities.	SMC			
N-6	The project construction contractors shall shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power equipment.	Throughout construction activities.	SMC			
N-7	The project construction contractors shall ensure that construction equipment does not idle for extended periods of time.	Throughout construction activities.	SMC			
Public Services						
PS-1	The Project shall comply with all applicable code and ordinance requirements for construction, emergency access, water main fire flows and fire hydrants.	Verify compliance prior to issuance of grading permits.	SMC Departments/ Fire Department			
Transportation and Traffic						
T-1	T-1: Heavy-duty truck trips shall be scheduled outside of peak hours when possible during the construction process.	Throughout construction activities.	SMC, LA County Dept. of Public Works			
Utilities and Service Systems						
PU-1	Occupancy and operation of the Proposed Project shall be conditioned upon the successful operation of and connection to the City's proposed Civic Center Wastewater Treatment Facility, not on-site. The average wastewater generation rate for the project shall not exceed 11,102 gallons per day.	Verify compliance prior to issuance of building permits.	SMC, City of Malibu			
PU-2	Certificate(s) of Occupancy for this Project shall not be issued until the Civic Center Wastewater Treatment Facility (under separate permit CDP 13-057) is constructed and operational, and all on-site sewer connections to the new sewer laterals are completed.	Verify compliance prior to issuance of building permits.	SMC, City of Malibu			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
PU-3	Conditions of approval by the City of Malibu Public Works Department for Sewer are incorporated by reference into the Environmental Health Conditions of approval.	Verify compliance prior to issuance of occupancy permit.	SMC, City of Malibu, LA County Dept. of Public Works			
PU-4	Prior to the issuance of a building permit, the Applicant shall pay any applicable and lawful fees adopted by the City and generally and uniformly imposed by the City's Environmental Sustainability Department and/or Public Works Department for construction of new water supply and distribution facilities.	Verify compliance prior to issuance of occupancy permit.	SMC, City of Malibu LA County Dept. of Public Works			
PU-5	Automatic sprinkler systems shall be set to irrigate landscaping during early morning hours or during the evening to reduce water loss from evaporation. Care must be taken to reset sprinklers to water less often in cooler months and during the rainfall season to avoid wasting water by excessive landscape irrigation.	Site Plan Review	SMC, City of Malibu			
PU-6	Selection of native, drought-tolerant, low water consuming plant varieties shall be used to reduce potable irrigation water consumption to the maximum extent feasible.	Site Plan Review	SMC, City of Malibu			
PU-7	Best Management Practices (BMP's) for water conservation shall be used within buildings to reduce wastewater generation/water use.	Site Plan Review	SMC, City of Malibu			
PU-8	The Applicant shall install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high- efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.	Site Plan Review	SMC, City of Malibu			
PU-9	The Applicant shall install restroom faucets with a maximum flow rate of 1.5 gallons per minute.	Site Plan Review	SMC, City of Malibu, LA County Dept. of Public Works			
PU-10	A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for the proposed new building to ensure a separate connection from the library building is maintained.	Site Plan Review	SMC, City of Malibu, LA County Dept. of Public Works			
END						

Appendix K
Copies of Comment Letters on the Draft EIR



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

September 9, 2015

Greg Brown
Santa Monica Community College District
1900 W. Pico Boulevard
Santa Monica, CA 90405

Subject: Santa Monica College - Malibu Campus
SCH#: 2012051052

Dear Greg Brown:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on September 8, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink that reads "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

1.1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012051052
Project Title Santa Monica College - Malibu Campus
Lead Agency Santa Monica Community College District

Type EIR Draft EIR

Description Note: 60-Day Review

The Project Site consists of an approximately 128,500 sf (2.94 acres) irregularly shaped ground lease area within the larger 9.18-acre Los Angeles County-owned and operated civic center complex. The Project will include the demolition of the existing Sheriff's Station building, and the new construction of a 2-story above-grade, approximately 27,500 sf educational facility including an approximately 5,700 sf Community Sheriff's Substation and Emergency Operations and Planning Center on the ground floor. The Project would yield a net increase of 3,618 sf as compared to the size of the existing Sheriff's Station building. The total proposed developed floor area (FAR) is approximately .20 to 1. Ancillary site improvements to the existing surface parking lot, open space and landscaped areas are also proposed.

Lead Agency Contact

Name Greg Brown
Agency Santa Monica Community College District
Phone 310 434 4000
email
Address 1900 W. Pico Boulevard
City Santa Monica **State** CA **Zip** 90405
Fax

Project Location

County Los Angeles
City Malibu
Region
Lat / Long 34° 2' 12.84" N / 118° 41' 23.54" W
Cross Streets Civic Center Way, Webb Way
Parcel No. 4458-022-904
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 1
Airports No
Railways
Waterways Malibu Lagoon, Pacific Ocean
Schools SMMUSD
Land Use Existing Land Use = Sheriff's Station (Institutional/Civic Center)

Project Issues Air Quality; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Septic System; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 7; Air Resources Board; Regional Water Quality Control Board, Region 4; Native American Heritage Commission

Date Received 07/09/2015 **Start of Review** 07/09/2015 **End of Review** 09/08/2015

DEPARTMENT OF TRANSPORTATION
DISTRICT 7-OFFICE OF REGIONAL PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
www.dot.ca.gov



Serious drought.
Help save water!

August 28, 2015

Mr. Greg Brown
Santa Monica Community College District
1900 Pico Boulevard
Santa Monica, CA 90405

Re: **Santa Monica College – Malibu Campus**
Draft Environmental Impact Report (DEIR)
SCH#2012051052; IGR#150739/EA,
Vic: LA /1/39.00-41.00

Dear Mr. Brown:

The California Department of Transportation (Caltrans) has reviewed the Traffic Impact Analysis (TIA) contained in the Draft Environmental Impact Report (DEIR) prepared for the proposed Santa Monica College – Malibu Campus project. The proposed project includes the demolition of the existing Sheriff’s Station building, and the new construction of a 2-story, building of approximately 25,300 square feet for an education facility. The new structure would also include approximately 5,600 square feet for a new Community Sheriff’s Substation and Emergency Operations. The project site is located within the Civic Center area of Malibu approximately one mile north of Pacific Coast Highway.

2.1

According to the Traffic Impact Analysis (TIA) the proposed project is estimated to generate approximately 698 average vehicle trips during weekdays with 71 occurring in the AM peak hour and 66 in the PM peak hour. In addition, the proposed project would generate approximately 378 weekend trips with 44 occurring during the peak hour.

2.2

Table 10-1 of the TIA shows that the intersections of Pacific Coast Highway and Cross Creek is forecast to operate at Level of Service (LOS) E weekdays during the PM peak hour and LOS F during the Saturday Mid-day for opening year 2017 cumulative with project and during year 2030 with project.

The TIA for the two past projects, La Paz Shopping Center and the Whole Foods in the Park, also indicated that these intersections will operate deficiently and have proposed mitigation improvements. A traffic signal has also been warranted at the intersection of Webb Way and Civic Center Drive. Please include reference of these previous traffic studies and obtain details of the planned improvements in the surrounding area from the City of Malibu. Caltrans has been working with the City of Malibu and traffic consultants for the La Paz Shopping Center to implement improvements at the intersection of Pacific Coast Highway and Cross Creek Road.

2.3

According to the TIA the proposed project would not generate enough traffic to exceed the threshold of significance established by the City of Malibu, however, its incremental traffic impact would contribute

2.4

to potential worsening of the intersections mentioned above. Therefore, we recommend that the project contribute to the funding of planned roadway improvements commensurate with its incremental impacts. In addition, Caltrans recommends provision of a shuttle bus that connects the Santa Monica City College to the proposed Malibu Campus to reduce some vehicle trips.

2.4

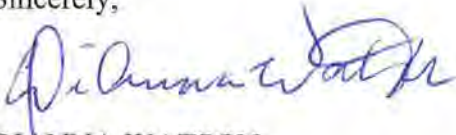
Transportation of heavy construction equipment, materials, or other special equipment, which requires the use of oversized-transport vehicles on State highways, will require a Caltrans transportation permit. Please require that construction related truck trips are scheduled during off-peak commuting periods.

2.5

If you have any questions regarding these comments, you may contact Elmer Alvarez, project review coordinator at (213) 897-6696 or electronically at elmer.alvarez@dot.ca.gov

2.6

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief
Office of Regional Planning

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



July 27, 2015

Greg Brown
Facility Services Manager
Santa Monica Community College District
1900 Pico Boulevard
Santa Monica, CA

Dear Greg Brown,

RE: MABLIU CAMPUS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the proposed Malibu Campus Project. Pursuant to the National Historic Preservation Act and the California Public Resources Code, the State Historic Preservation Officer (SHPO) and the OHP have broad responsibility for the implementation of federal and state historic preservation programs in California. Our comments are offered with the intent of protecting historic and cultural resources, while allowing the Santa Monica Community College District (Lead Agency) to meet its program needs. The following comments are based on the information included in the Draft Environmental Impact Report (DEIR) for the proposed Malibu Campus Project (proposed project).

3.1

The proposed project includes construction of a community college facility that will house classrooms, labs, a multipurpose room, and administrative offices. The project site is currently occupied the Malibu Civic Center Complex, which includes several buildings and structures, including: the L.A. County Superior Court, the L.A. County Public Works Office, a helipad, the Public Library, and the L.A. County Sheriff's Substation building. The Sheriff's Substation will be demolished as part of the proposed project. All other buildings and structures on the site will remain.

3.2

The Malibu Civic Center Complex was constructed by L.A. County between 1965 and 1970. The Initial Study for the proposed project identifies the construction date for the Sheriff's Substation building as 1969 (46 years ago) but provides little information about the history of the Civic Center or the substation building itself. Instead, the Initial Study states:

3.3

As a general rule, properties that have achieved significance within the past 50 years are not eligible for listing in the California Register of Historical Resources or National Register of Historic Places. Since the existing Sheriff's Station building is less than 50 years old, it is not considered a significant historic resource.

Pursuant to CEQA Guidelines § 15064.1.a.3, in order for a Lead Agency to determine if a resource is historic, the Lead Agency must determine whether the resource meets the criteria for listing in the California Register of Historical Resources (California Register). The California Register does not contain a “general rule” of eligibility, nor does the California Register have a 50-year limitation for eligibility (See California Code of Regulations, Title 14, Chapter 11.5: § 4852 (2)). Instead, the California Register regulations allow resources to be considered eligible for listing once enough time has passed to obtain a scholarly perspective on the events or individuals associated with the resource. Therefore, merely being less than 50 years old is not sufficient information to determine if the Sherriff’s Substation or the Malibu Civic Center is, or is not, a historical resource for the purposes of CEQA.

3.3

The Sherriff’s Substation building appears to have been constructed as part of the larger Malibu Civic Center Complex. The Malibu Civic Center Complex should be evaluated to determine if the Sherriff’s Substation building is part of a larger historic district, which could itself be a historical resource for the purposes of CEQA, eligible for listing on the California Register. The Lead Agency should review CEQA Guidelines § 15064.1 in its entirety to understand what is considered a historical resource for the purposes of CEQA and what constitutes a significant impact to historical resources.

The DEIR includes *Appendix E*, a non-confidential records search from the South Central Information Center. This report makes several recommendations that were not included in the DEIR. Specifically, the report recommends the Lead Agency evaluate all buildings and structures over 45 years old, and contact the Native American Heritage Commission to identify any traditional cultural properties or sacred sites that may be impacted by the proposed project.

3.4

We recommend the Final EIR include a revised cultural section that includes a complete and thoughtful evaluation of the Malibu Civic Center Complex (including the Sherriff’s Substation building) by professionals meeting the Secretary of the Interior Standards Professional Qualifications for Architectural History and Archeology. If historical or cultural resources are identified, and significant impacts will result as part of the proposed project, robust mitigation measures should be also be included in the final environmental document.

3.5

If you have questions, please contact Sean de Courcy of the Local Government and Environmental Compliance Unit, at (916) 445-7042 or at Sean.deCourcy@parks.ca.gov.

3.6

Sincerely,



Julianne Polanco
State Historic Preservation Officer



City of Malibu

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

September 7, 2015

Gregory Brown
Director of Facilities Planning
Santa Monica Community College District
1900 Pico Boulevard
Santa Monica, CA 90405

Via Email: Brown_Greg@smc.edu

Reference: **SMC Malibu Campus Project
Comments on Draft EIR**

Dear Mr. Brown:

Thank you for the opportunity to comment on the Draft EIR for the Santa Monica Campus Project. The City of Malibu is a responsible agency and is currently processing a coastal development permit for the project under the authority of its certified Local Coastal Program (LCP).

4.1

The City asks that the following comments be addressed in the Final EIR:

1. The need for a conditional use permit to authorize the community college use in the Institutional zoning district should be addressed in the Land Use and Planning Section (4.8).
2. Existing conditions discussion should clarify why the County's equipment/maintenance outbuilding is not included in gross floor area and FAR floor area calculations in the document and Table 4.8.1.
3. In Section 4.8, for a communications tower in the Institutional zoning district, the maximum allowable height is 28 feet (with a site plan review), rather than the 35 feet noted in several locations (applicable to flag poles and satellite dishes).
4. The "Lot Area" for the project upon which several development standards are premised is comprised not of the ground lease area but the total lot area (9.19 Acres). Since there is no formal subdivision for the ground lease area (it is exempt from the Subdivision Map Act), the appropriate lot area is the entire 9.19 acres. The Draft EIR should base its project calculations for yard setbacks, grading, landscape area, permeable area and other calculations [relative to 'lot area'] on a parcel wide basis (See "lot area" definition in LIP Chapter 2). Please note that additional discretionary applications could be necessary based on these calculations (e.g., landscape area).
5. The Section 4.8 impact discussion does not address thresholds of significance (a) and (c).
6. The grading requirements noted in Section 4.8 should be corrected to reflect that non-exempt grading in the Institutional zoning district is limited to 1,000 cubic yards *per acre*, rather than per parcel. Please update calculations and evaluate on a parcel-wide basis.

4.2

4.3

4.4

4.5

4.6

4.7

- 7. While the City appreciates the potential visual improvement that new construction of the project could bring compared to the uninhabited sheriff substation, the potential aesthetic and land use impacts of the building and tower height and scale compared to City standards should be more fully evaluated in light of the low-scale, rural character the City seeks to maintain.

4.8
- 8. Section 4.7 states that the building is being elevated at least one foot above the “highest” point of adjacent grade in order to comply with the AO floodplain requirements (FEMA). Both existing grade and the building’s finished floor elevation are approximately +23’ msl. The building finished floor is proposed to remain at 23.17 (same as existing building). The precise elevation of the AO floodplain on the property should be verified by the project engineer and the City’s Public Works Department to confirm if the proposed finished floor is properly situated at least one foot above the AO floodplain which floodplain appears to be mapped at +25msl (providing for a minimum required finished floor elevation of +26’ msl. It is possible that the prior Civic Center complex was elevated 3’ above the AO zone at the time of its original construction and therefore is already in compliance with the floodplain regulations; however, this needs to be confirmed as additional elevation affects overall building height relative to existing grade and the height variance.

4.9
- 9. In the Project Alternatives chapter, it should be noted that the “conforming alternative” of 28 feet in height would require the City to approve a discretionary site plan review.

4.10
- 10. The Draft EIR should evaluate an alternative that includes a new communications tower that is lower than the 75 feet proposed.

4.11
- 11. The status of the project’s Will-Serve letter should be clarified and it should be noted whether any infrastructure improvement contributions are required of the project to meet water supply and fire flow requirements.

4.12
- 12. The Draft EIR should provide information on the status of review by the Los Angeles County Fire Department for fire safety and access.

4.13
- 13. The parking analysis should address compliance with ADA standards. Also, there appear to be discrepancies in the parking calculations, as noted in the Parking Comments attachment.

4.14
- 14. The Malibu Labor Exchange has been sited within the proposed lease area for many years and provides a variety of important social and employment services to lesser known members of the Malibu community. Malibu Towing is also located within the proposed lease area, and provides a critical local service, specifically, clearing accident vehicles from Malibu’s limited road network to help restore emergency and vehicular access. At this time, the project would displace these two uses. The City hopes SMC and/or the County will be able to accommodate the Malibu Labor Exchange and Malibu Towing so these enterprises can continue to operate.

4.15

Sincerely,

Bonnie Blue, AICP
 Planning Director

cc: Jim Thorsen, City Manager
 Stephanie Hawner, Associate Planner
 Chris Deleau, Planning Manager

Attachment: Parking Comments



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

July 29, 2015

Greg Brown, Director of Facilities
City of Santa Monica
Santa Monica Community College District
1900 Pico Boulevard
Santa Monica, CA 90405

Dear Mr. Brown:

NOTICE OF COMPLETION AND AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT, "SANTA MONICA COLLEGE - MALIBU CAMPUS", CURRENTLY IMPROVED WITH THE FORMER LOS ANGELES SHERIFF'S STATION, WHICH WAS DECOMMISSIONED, APPROXIMATELY 23,882 SQUARE FEET OF DEVELOPED FLOOR AREA, OF WHICH APPROXIMATELY 7,279 SQUARE FEET IS LOCATED BELOW GRADE IN A BASEMENT LEVEL AND APPROXIMATELY 16,603 SQUARE FEET IS LOCATED AT-GRADE, 23555 CIVIC CENTER DRIVE, MALIBU (FFER 201500134)

5.1

The Notice of Completion and Availability of a Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

Section 4. ENVIRONMENTAL IMPACT ANALYSIS, Subsection 10. PUBLIC SERVICES, FIRE PROTECTION, ENVIRONMENTAL SETTING, paragraph a. Fire Stations, the second sentence should be corrected as follows:

5.2

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

- AGOURA HILLS, ARTESIA, AZUSA, BALDWIN PARK, BELL, BELL GARDENS, BELLFLOWER, BRADBURY, CALABASAS, CARSON, CERRITOS, CLAREMONT, COMMERCE, COVINA, CUDAHY, DIAMOND BAR, DUARTE, EL MONTE, GARDENA, GLENDORA, HAWAIIAN GARDENS, HAWTHORNE, HIDDEN HILLS, HUNTINGTON PARK, INDUSTRY, INGLEWOOD, IRWINDALE, LA CANADA FLINTRIDGE, LA HABRA, LA MIRADA, LA PUENTE, LAKEWOOD, LANCASTER, LAWNSDALE, LOMITA, LYNWOOD, MALIBU, MAYWOOD, NORWALK, PALMDALE, PALOS VERDES ESTATES, PARAMOUNT, PICO RIVERA, POMONA, RANCHO PALOS VERDES, ROLLING HILLS, ROLLING HILLS ESTATES, ROSEMead, SAN DIMAS, SANTA CLARITA, SIGNAL HILL, SOUTH EL MONTE, SOUTH GATE, TEMPLE CITY, WALNUT, WEST HOLLYWOOD, WESTLAKE VILLAGE, WHITTIER

The Department's operations are divided into three Operational Bureaus, which are composed of 22 Battalions serving all unincorporated areas of Los Angeles County and 57 ~~58~~ contract cities (including the City of Malibu).

5.2

LAND DEVELOPMENT UNIT:

1. The statutory responsibilities of the County of Los Angeles Fire Department's Land Development Unit are to review and comment on all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for firefighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within contract cities (cities that contract with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities located within non-contract cities. The County of Los Angeles Fire Department's Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.
2. The County of Los Angeles Fire Department's Land Development Unit's comments are general requirements. Specific fire and life safety requirements and conditions set during the environmental review process will be addressed and conditions set at the building and fire plan check phase. Once the official plans are submitted for review there may be additional requirements.
3. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.
4. This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance, and fuel modification plans must be met.
5. Every building constructed shall be accessible to Fire Department's apparatus by way of access roadways with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.

5.3

5.4

6. Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.
7. The development may require fire flows up to 8,000 gallons per minute at 20 pounds per square inch residual pressure for up to a four-hour duration. Actual fire flow requirements will be determined upon review of the construction type and square footage of the proposed development. Calculations of the required fire flow are determined by the County of Los Angeles Fire Code Appendix B Table B105.1.
8. Spacing of fire hydrants shall not exceed the distances specified in the County of Los Angeles Fire Code C105.2 and C106. Show all existing public and private on-site fire hydrants on the site plan. Include the location of all public fire hydrants within 300 feet of the lot frontage on both sides of the street. Specify size of the fire hydrant(s) and dimension(s) to property lines. Additional fire hydrant requirements may be required upon review of the required information at the submittal to Fire Prevention Engineering Building Plan Check Unit.
9. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
10. Provide a minimum unobstructed width of 28 feet exclusive of shoulders except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance "clear o sky" Fire Department's vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building when the height of the building above the lowest level of the Fire Department's vehicular access road is more than 30 feet high or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. Fire Code 503.1.1 and 503.2.2. Cross hatch the Fire Department's vehicular access on the site plan and clearly depict the required width.

11. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:
 - a) Provide 34 feet in-width when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.
 - b) Provide 42 feet in-width when parallel parking is allowed on each side of the access roadway/driveway.
 - c) Any access way less than 34 feet in-width shall be labeled "Fire Lane" on the final recording map and final building plans.
 - d) For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
12. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review prior to implementation.
13. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.
14. Submit three sets of water plans to the County of Los Angeles Fire Department's Land Development Unit. The plans must show all proposed changes to the fire protection water system such as fire hydrant locations and main sizes. The plans shall be submitted through the local water company.
15. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department's Land Development Unit's Inspector Nancy Rodeheffer at (323) 890-4243.
16. The County of Los Angeles Fire Department's Land Development Unit appreciates the opportunity to comment on this project.

5.4

5.5

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed. 5.6

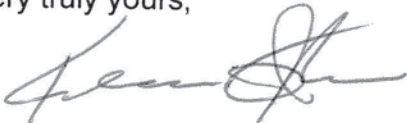
2. This property is located in an area described by the Forester and Fire Warden as being in a Very High Fire Severity Zone. The development of this project must comply with all Fire Hazard severity zone code and ordinance requirements for fuel modification. Specific questions regarding fuel modification requirements should be directed to the Fuel Modification Office at (626) 969-2375. 5.7

HEALTH HAZARDOUS MATERIALS DIVISION:

1. The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has no comment or objection to the project. 5.8

If you have any additional questions, please contact this office at (323) 890-4330. 5.9

Very truly yours,



KEVIN T. JOHNSON, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

KTJ:ad



The McDonnell Sheriff

County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



September 8, 2015

Greg Brown, Director of Facilities Management
Santa Monica Community College District
1900 Pico Boulevard
Santa Monica, California 90405

Dear Mr. Brown:

**REVIEW COMMENTS
DRAFT ENVIRONMENTAL IMPACT REPORT
SANTA MONICA COLLEGE – MALIBU CAMPUS
STATE CLEARINGHOUSE NO. 2012051052**

Thank you for inviting the Los Angeles County Sheriff's Department (Department) to review and comment on the Draft Environmental Impact Report (DEIR), dated July 10, 2015, for the Santa Monica College – Malibu Campus Project (Project). The proposed Project, located within the Malibu Civic Center at 23555 Civic Center Way, will demolish certain existing buildings (23,882 square feet) and construct a satellite campus for Santa Monica College (25,310 square feet). The campus will include classrooms/labs and administrative offices, a multi-purpose room that will convert into an emergency operations center for local emergencies, and a sub-station for the Department. The campus will accommodate 210 full-time equivalent students and 12 faculty/staff, while the sub-station will include administrative support space for approximately ten deputies and/or civilian support staff, and three holding cells with a total capacity of six detainees.

The proposed Project is located within the service area of the Department's Malibu/Lost Hills Station (Station). Accordingly, the Station reviewed the DEIR and authored the attached review comments (see correspondence, dated September 1, 2015, from Captain Patrick S. Davoren).

Also, for future reference, the Department provides the following updated contact information for all requests for review comments, law enforcement service information, California Environmental Quality Act documents, and other related correspondence:

6.1

Mr. Brown

-2-

September 8, 2015

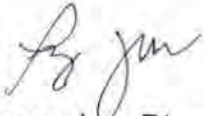
Tracey Jue, Director
Facilities Planning Bureau
Los Angeles County Sheriff's Department
4700 Ramona Boulevard, Fourth Floor
Monterey Park, California 91754

Attention: Lester Miyoshi, Departmental Facilities Planner

Should you have any questions regarding this matter, please contact me at (323) 526-5657, or your staff may contact Lester Miyoshi, of my staff, at (323) 526-5664.

Sincerely,

JIM McDONNELL, SHERIFF

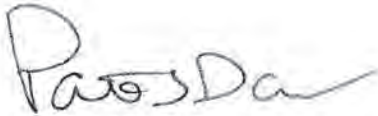


Tracey Jue, Director
Facilities Planning Bureau

6.1

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
"A Tradition of Service"

DATE: September 01, 2015



OFFICE CORRESPONDENCE

FROM: PATRICK S. DAVOREN, CAPTAIN
MALIBU/LOST HILLS STATION

TO: TRACEY JUE, DIRECTOR
FACILITIES PLANNING BUREAU

**SUBJECT: REVIEW COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT
REPORT FOR THE SANTA MONICA COLLEGE – MALIBU
CAMPUS PROJECT**

The Traffic Bureau of the Malibu/Lost Hills Station (Station) reviewed the Draft Environmental Impact Report (DEIR), dated July 10, 2015, for the Santa Monica College Malibu Campus Project (Project). The proposed Project, located within the Malibu Civic Center at 23555 Civic Center Way, will demolish the existing former Sheriff's Station (23,882 square feet) and construct a satellite campus (25,310 square feet) for Santa Monica College. The campus will include classrooms/labs and administrative offices (210 students; 12 faculty/staff), a multi-purpose room that will convert into an emergency operations center for local emergencies, and a Sheriff's sub-station (5,640 square feet). The sub-station will include administrative support space for approximately ten deputies and/or civilian support staff, and three holding cells with a total capacity of six detainees. The proposed Project is approximately ten miles from the Station.

According to DEIR Section 4.10.2, the proposed Project is expected to have a less than significant impact on the Department (see page 4.10.2-4). For the following reasons, Traffic Bureau generally concurs with this assessment: The proposed Project is already within the Station's service area; the provision of a new sub-station could reduce response times to this portion of our service area; the provision of a new sub-station could reduce the amount of downtime associated with certain patrol operations (detainment, shift operations, etc.), and; the new sub-station could be capable of managing a commensurate rise in calls for service generated at the campus and surrounding areas.

Traffic Bureau has no further comment to submit at this time, but reserves the right to do so upon subsequent reviews of the proposed Project.

Thank you for including the Station in the environmental review process for the proposed Project. If you should have any questions regarding this matter as it

relates to the Station in general, or Traffic Bureau in particular, please feel free to contact Sergeant Brad L. Johnson (B1Johnso@lasd.org), at (818) 878-1808.

6.2

PSD:bj

COMMENT LETTER No. 7

To : Greg Brown, Director of Facilities Management Santa Monica Community College
From: Malibu Coalition for Slow Growth by Patt Healy
Re: DEIR Santa Monica College Malibu
Date: 8-31-15

Dear Mr. Brown:

Thank you for the opportunity to comment on the draft EIR as follows.

7.1

Trees

Please tell us the species and size of trees (common name) that will be killed and the size and species being relocated. Are any of these trees native trees that are protected under the Malibu LCP? If so how many of each protected species and where will the required 10 native replacement trees for each native killed be located.

7.2

What is the chance of the relocated trees surviving transplantation? Who and how will their survival be monitored to ensure that the transplanted tree will continue to grow and be healthy?

7.3

Will trees be planted in the parking lot to provide shade for vehicles and to buffer the view of the building from Legacy Park? If so, what kind of trees? What size containers will be planted and how will they be maintained?

7.4

Rodent and Weed Control

Rodenticide use is prohibited within the city and the use of pesticides is not allowed under our General Plan. Will the college comply with the nonuse of toxins on campus ?

7.5

Water

Watertank

The college is required to pay its fair share toward an 800,000 gallon potable water tank.

7.6

When will this tank be constructed and operational?

7.7

What is the college's fair share contribution to the cost of tank?

7.8

What is the projected total cost of the tank?

7.9

Please name the other specific properties (vacant and built) that are required to contribute their fair share to the tank's cost.

7.10

Will the college be allowed to open prior to the tank being operational?

7.11

Water usage

Will the college be recycling its potable water for reuse or will it be discharged into the city treatment plant ?

7.12

Will potable or recycled water be used in watering trees and plants?

7.13

How much stormwater will be retained on site? Will it be allowed to percolate into the ground?

7.14

If not why not? If not how will it be discharged?

7.14

Will roof top runoff be captured for future use? If not why not? If captured where will it be stored and how?

7.15

- Will any of the site runoff contribute to the TMDL of Malibu Creek ? 7.16
- What impact will the runoff have on the existing groundwater? 7.17
- What is the groundwater level under the current site? 7.18

Impermeable Surfaces

- What percentage of the site are currently impermeable surfaces? 7.19
- What percentage of the site will be impermeable surfaces after project is completed? 7.20
- What percentage of the parking lot will be impermeable and why? 7.21

Open Space

Landscaping

- What percentage of the site is currently landscaped open space? 7.22
- What percentage of the site (excluding the roof) after completion will be landscaped open space? 7.23
- Will there still be green space between the college and the remaining civic center east of the site? If so how much of the current green space will be altered by the project? 7.24
- How much green space percentage wise will be on the roof and how much will be on the ground? 7.25
- What will be planted on the roof top? 7.26
- Has or will the fire department agreed to allow a portion of the roof to be landscaped ? 7.27
- Where is and what is the college's landscape plan? 7.28

Parking Lot

- What percentage of the site will be parking lot? 7.29
- What portion of the site will be non-landscaped open space (excluding Parking lot)? 7.30
- The Farmer's Market has always used the site for its Sunday Farmer's Market. Will the college allow continued use of the college parking lot on Sundays' for the Market. If not why not? 7.31

FAR

- What is the current floor area ratio (FAR) of the site? 7.32
- After completion what will be FAR of the site? 7.33
- What is the FAR of the one story alternative? 7.34

Emergency Evacuation

- How will the existence of the college effect the ability of surrounding residents to evacuate in an emergency? 7.35
- What is the evacuation Plan for the students, faculty and administration in the event of a wild fire? In the event of a major earthquake? 7.36

Lighting

- In order to protect the wildlife and see starlight, Malibu is a dark sky city. Please tell us what are the requirements/criteria in the Rural Outdoor Lighting District Ordinance (ROLDO)? 7.37

Do they meet the requirements of the Malibu LCP?	<input type="checkbox"/>	7.38
Malibu is currently preparing a Model Outdoor Lighting Ordinance for the city including the Civic Center area. If this ordinance is more restrictive than the ROLDO, will the college adhere to it? If not why not.	<input type="checkbox"/>	7.39
Will the college turn off or reduce the intensity all outdoor lighting an hour after closing? If not why not?	<input type="checkbox"/>	7.40
Will the college an hour after closing turn off or reduce the intensity all interior lighting. If not why not? If yes, to what extent.	<input type="checkbox"/>	7.41
Will the college use only warm color lighting both indoors and outside ?	<input type="checkbox"/>	7.42
<u>Aesthetics</u>		
<i>Visibility</i>		
How much more will the college be visible from Legacy Park than the current portion of the structure being remodeled?	<input type="checkbox"/>	7.43
What will the college be doing to reduce the visual impact of the college structure from Legacy Park and other public viewing areas?	<input type="checkbox"/>	7.44
From what other public locations (besides the Civic Center) and scenic roads as defined in the LCP will the building be visible?	<input type="checkbox"/>	7.45
<i>Height</i>		
Does the college building comply with the maximum allowable height for institutional buildings under the LCP?	<input type="checkbox"/>	7.46
Since a one story structure is the more environmentally superior alternative we hope and ask the college elect the one story alternative. One story is more in keeping with and will protect the small town atmosphere of the Civic Center area.	<input type="checkbox"/>	7.47
<u>Malibu Local Coastal Plan (LCP)</u>		
Since the LCP is the document that regulates development within the city of Malibu, please analyze the project and let us know where the project adheres and doesn't adhere to the LCP.	<input type="checkbox"/>	7.48
<u>General Plan</u>		
Development has to adhere to the Malibu General Plan. Please analyze the project and let us know where the project adheres and doesn't adhere to the General Plan	<input type="checkbox"/>	7.49
<u>Lease</u>		
Please tell us the length of the college lease with the County.	<input type="checkbox"/>	7.50
Does the sheriff sublet the space from the college?	<input type="checkbox"/>	7.51
How does its presence on site effect the rent of the college?	<input type="checkbox"/>	7.52
Is the sheriff's substation on site rent free?	<input type="checkbox"/>	7.53
Was it the county's or the college's idea was it to have a substation on site?	<input type="checkbox"/>	7.53
What would be the FAR of the site with only the college and not the substation?	<input type="checkbox"/>	7.54
What happens to the portion of the site to be occupied by the sheriff if the sheriff chooses at some point not to stay on site. Can the college occupy the site at an increased rent?	<input type="checkbox"/>	7.55

Who has the right to rent the space out to a third party, the college or the county?



7.56

We look forward to your response to our comments and learning more as to how the college intend to be part of the Malibu community.



7.57

Malibu Community Action Network

The following EIR comments are submitted on behalf of the Malibu Community Action Network.

- 1) The EIR should identify the operational hours (weekdays and weekends) of the Malibu Campus. 8.1
- 2) Could the operational hours identified above be extended or modified at any point in the future? If so please describe the maximum operational hours the school could support. 8.2
- 3) The EIR defines the attendance in terms of full time 210 students (FTE). The EIR should also identify the formula and enrollment counts used to determine the FTE. The EIR should identify the number of part time students, the number of full time students and the factor used to convert part time students to FTEs. 8.3
- 4) The EIR should identify the maximum number of students the campus can accommodate on a daily basis. 8.4
- 5) The EIR should identify the steps the School will take to make sure students park in designated spots in the Civic Center Complex. 8.5
- 6) The EIR should identify the steps the School will take to insure students do not park in unauthorized parking spaces on Civic Center Way. 8.6
- 7) The EIR should identify is the college will be hosting any special events that would attract more traffic than can be accommodated in the 299 on-site parking spaces. 8.7
- 8) The EIR claims that it recorded traffic at peak hours for the traffic analysis. The EIR measured Saturday traffic between 11 AM and 1 PM which are not peak Saturday hours. 8.8

As shown in attachments Doc0047 and Doc 00 52 which are City of Malibu automated Saturday traffic counts taken on 7/14/2012 Saturday peak hours actually occur between 3 and 4PM. A new traffic study should be conducted at peak hours to provide accurate information of the traffic impacts of this project.

- 9) The EIR Cumulative traffic impacts are understated. Malibu's traffic consultant said that the actual contribution to additional traffic from Whole Foods and La Paz would be 5400 cars trips per day. (See the screen shot of the consultant's presentation below). The Project EIR cumulative traffic impact analysis uses a count less than that for La Paz and Whole Foods. Since these two projects are adjacent to the planned College an accurate analysis is important. The Traffic analysis should be revised using these correct cumulative car trips into Central Malibu. 8.9

Malibu Community Action Network



8.9

- 10) The traffic studies for the La Paz development were taken in April and May of 2003 and baseline traffic counts are shown in in the following chart. The chart then compares these counts to the baseline traffic counts used in the College traffic analysis. As shown the college baseline counts are significantly lower than the counts taken in the La Paz traffic study.

The EIR should explain the reasons for these large differences. Is it a result of the fact that the college baseline counts were taken when Pepperdine was not in session? If so it suggests that actual traffic impacts will be greater than shown in the EIR whenever Pepperdine is in session which is approximately 8 months a year. In this instance the traffic analysis should be redone to reflect the impact of the Pepperdine traffic.

Is it a result of decreasing traffic on Malibu roads? If this is the answer the EIR should provide additional evidence to demonstrate that traffic has been decreasing.

8.10

Malibu Community Action Network

Weekday Baseline Civic Center Traffic Counts
Approved La Paz EIR VS SM College

Location	Direction	A	B	B-A	Traffic
		Approved La Paz EIR 2003 La Paz	Santa Monica College EIR Whole Foods	Difference	Decrease Per College EIR % Decrease
Webb Way on to Civic Center Way	PM	512	432	-88	-16%
Civic Center Way On to Malibu Canyon	PM	837	609	-241	-27%
Cross Creek on to Civic Center Way	PM West	315	208	-112	-34%

8.10

11) The Traffic studies for the La Paz development were taken in April and May of 2003 and LOS results are shown in in the following chart. These counts are then compared to the LOS study results from the College traffic analysis. As shown the College LOS shows significant improvement over the results from the La Paz traffic study.

The majority of these intersections are located on streets directly adjacent to the proposed college campus. Understating LOS at intersections near the campus could be dangerous to the residents in Serra Retreat, the students in the College and in the two schools located in the Civic Center and for employees working in the Civic Center if an emergency evacuation is required. The EIR should explain the reasons for the significant LOS improvements shown in the College EIR.

8.11

Have improvements taken place on those roadways to account for the improvements and if so what are they? Are the LOS improvements a result of the study being done during a period when Pepperdine was not in session? If so a new study should be conducted to accurately measure the LOS during the 8+ months a year when Pepperdine is in session.

Malibu Community Action Network

Level Of Service Studies Identify Problem Areas Understating Is Dangerous

Location	Direction	A	College EIR	Improved Per College EIR
		Approved La Paz EIR 2003 LOS*		
Malibu Canyon and PCH	AM	C	B	←
	PM	D	B	
Webb Way and PCH	AM	B	A	←
	PM	D	B	
Cross Creek and PCH	AM	C	A	←
	PM	D	C	
Malibu Canyon and Civic Center Way	AM	B	A	←
	PM	C	A	

* Level of Service

Understating Level Of Service Studies Is Dangerous

Location	Direction	A	B	Improved Per College
		Approved La Paz EIR 2003 LOS	College EIR LOS	
Webb Way and Civic Center Way	AM	C	B	←
	PM	F	C	
Cross Creek and Civic Center Way	AM	A	A	←
	PM	B	A	

VOLUME

Pacific Coast Hwy e/o Cross Creek Rd

Day: Saturday
Date: 7/14/2012

City: Malibu
Project #: CA12_5300_007

DAILY TOTALS						NB	SB	EB	WB	Total				
						0	0	23,049	23,741	46,790				
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL			
00:00			49	66	115	12:00			396	432	828			
00:15			54	55	109	12:15			419	479	898			
00:30			31	54	85	12:30			427	447	874			
00:45			29	163	49	224	12:45		443	1685	498	1856	941	3541
01:00			39	39	78	13:00			396	443	839			
01:15			22	41	63	13:15			405	442	847			
01:30			18	27	45	13:30			380	490	870			
01:45			15	94	45	152	13:45		415	1596	433	1808	848	3404
02:00			10	32	42	14:00			456	479	935			
02:15			8	34	42	14:15			474	439	913			
02:30			9	22	31	14:30			431	442	873			
02:45			6	33	15	103	14:45		428	1789	498	1858	926	3647
03:00			16	16	32	15:00			431	450	881			
03:15			11	13	24	15:15			421	485	906			
03:30			10	12	22	15:30			463	438	901			
03:45			12	49	13	54	15:45		469	1784	479	1852	948	3636
04:00			5	8	13	16:00			461	422	883			
04:15			11	9	20	16:15			466	484	950			
04:30			9	12	21	16:30			498	425	923			
04:45			17	42	29	58	16:45		467	1892	460	1791	927	3683
05:00			27	30	57	17:00			518	408	926			
05:15			41	27	68	17:15			489	414	903			
05:30			49	32	81	17:30			447	419	866			
05:45			35	152	47	136	17:45		457	1911	387	1628	844	3539
06:00			65	55	120	18:00			477	339	816			
06:15			59	64	123	18:15			469	368	837			
06:30			67	82	149	18:30			446	333	779			
06:45			79	270	133	334	18:45		417	1809	365	1405	782	3214
07:00			98	183	281	19:00			386	386	772			
07:15			109	175	284	19:15			380	318	698			
07:30			124	252	376	19:30			356	280	636			
07:45			138	469	245	855	19:45		328	1450	250	1234	578	2684
08:00			156	297	453	20:00			301	241	542			
08:15			155	248	403	20:15			272	208	480			
08:30			182	345	527	20:30			325	213	538			
08:45			181	674	311	1201	20:45		294	1192	166	828	460	2020
09:00			239	271	510	21:00			275	190	465			
09:15			273	277	550	21:15			246	183	429			
09:30			242	323	565	21:30			226	156	382			
09:45			270	1024	395	1266	21:45		195	942	154	683	349	1625
10:00			296	381	677	22:00			200	170	370			
10:15			309	386	695	22:15			183	127	310			
10:30			306	415	721	22:30			153	144	297			
10:45			375	1286	450	1632	22:45		203	739	151	592	354	1331
11:00			369	434	803	23:00			148	129	277			
11:15			366	422	788	23:15			125	118	243			
11:30			354	452	806	23:30			141	123	264			
11:45			415	1504	398	1706	23:45		86	500	115	485	201	985
TOTALS				5760	7721	13481	TOTALS			17289	16020	33309		
SPLIT %				42.7%	57.3%	28.8%	SPLIT %			51.9%	48.1%	71.2%		

DAILY TOTALS						NB	SB	EB	WB	Total
						0	0	23,049	23,741	46,790

AM Peak Hour	11:45	11:30	11:45	PM Peak Hour	16:30	14:30	16:15
AM Pk Volume	1657	1761	3413	PM Pk Volume	1972	1875	3726
Pk Hr Factor	0.970	0.919	0.950	Pk Hr Factor	0.952	0.941	0.981
7 - 9 Volume	1143	2056	3199	4 - 6 Volume	3803	3419	7222
7 - 9 Peak Hour	08:00	08:00	08:00	4 - 6 Peak Hour	16:30	16:00	16:15
7 - 9 Pk Volume	674	1201	1875	4 - 6 Pk Volume	1972	1791	3726
Pk Hr Factor	0.926	0.870	0.889	Pk Hr Factor	0.952	0.925	0.981

VOLUME

Malibu Canyon Rd n/o Civic Center Way

Day: Saturday
Date: 7/14/2012

City: Malibu
Project #: CA12_5300_005

DAILY TOTALS		NB		SB		FB		WB		Total
		1882		3696		5578		8006		20,568
AM Period	NB	SB	TOTAL	FB	WB	TOTAL	FB	WB	TOTAL	FC
00:00	29	15	44	12:00	132	231			363	
00:15	29	14	43	12:15	133	265			398	
00:30	14	12	26	12:30	126	286			412	
00:45	21	93	18	59	12:45	129	520	255	1037	384
01:00	19	6	25	152	13:00	150	275		425	1557
01:15	16	10	26		13:15	160	266		426	
01:30	8	5	13		13:30	160	241		401	
01:45	13	56	6	27	13:45	154	624	272	1054	426
02:00	16	11	27		14:00	166	242		408	
02:15	12	6	18		14:15	170	219		389	
02:30	13	3	16		14:30	163	212		375	
02:45	2	43	8	28	14:45	192	691	234	907	426
03:00	8	6	14		15:00	180	200		380	
03:15	5	4	9		15:15	205	204		409	
03:30	5	5	10		15:30	211	238		449	
03:45	3	21	3	18	15:45	224	820	231	873	455
04:00	5	2	7	39	16:00	219	181		400	1693
04:15	2	0	2		16:15	233	180		413	
04:30	3	4	7		16:30	251	189		440	
04:45	2	12	13	19	16:45	218	921	163	713	381
05:00	4	12	16		17:00	260	162		422	
05:15	8	22	30		17:15	221	168		389	
05:30	6	24	30		17:30	234	171		405	
05:45	7	25	37	95	17:45	248	963	156	657	404
06:00	14	44	58	120	18:00	262	148		410	1620
06:15	13	40	53		18:15	239	152		391	
06:30	22	52	74		18:30	232	134		366	
06:45	21	70	74	210	18:45	212	945	155	589	367
07:00	39	89	128		19:00	184	123		307	
07:15	33	99	132		19:15	198	123		321	
07:30	35	120	155		19:30	189	119		308	
07:45	41	148	113	421	19:45	169	740	84	449	253
08:00	45	108	153		20:00	184	66		250	1189
08:15	57	105	162		20:15	181	61		242	
08:30	62	118	180		20:30	140	73		213	
08:45	61	225	131	462	20:45	146	651	54	254	200
09:00	66	146	212		21:00	134	48		182	905
09:15	67	146	213		21:15	114	47		161	
09:30	96	143	239		21:30	118	67		185	
09:45	93	322	177	612	21:45	91	457	43	205	134
10:00	94	167	261		22:00	108	44		152	662
10:15	97	159	256		22:15	90	49		139	
10:30	88	201	289		22:30	97	33		130	
10:45	106	385	237	764	22:45	88	383	44	170	132
11:00	114	242	356		23:00	81	22		103	553
11:15	116	220	336		23:15	78	17		95	
11:30	136	264	400		23:30	71	19		90	
11:45	116	482	255	981	23:45	61	291	18	76	79
TOTALS	1882	3696	5578		TOTALS	8006	6984		14990	
SPLIT %	33.7%	66.3%	27.1%		SPLIT %	53.4%	46.6%		72.9%	

DAILY TOTALS		NB		SB		FB		WB		Total
		1882		3696		5578		8006		20,568
AM Peak Hour	11:30	11:45	11:45	PM Peak Hour	17:30	12:30	15:30			
AM Pk Volume	517	1037	1544	PM Pk Volume	983	1082	1717			
Pk Hr Factor	0.950	0.906	0.937	Pk Hr Factor	0.938	0.946	0.943			
7 - 9 Volume	373	883	1256	4 - 6 Volume	1884	1370	3254			
7 - 9 Peak Hour	08:00	08:00	08:00	4 - 6 Peak Hour	17:00	16:00	16:15			
7 - 9 Pk Volume	225	462	687	4 - 6 Pk Volume	963	713	1656			
Pk Hr Factor	0.907	0.882	0.895	Pk Hr Factor	0.926	0.943	0.941			

COMMENT LETTER No. 9

Subject: SMC Malibu

Date: Tuesday, August 4, 2015 10:21:09 AM Pacific Daylight Time

From: Maura Lucas

To: Brown_Greg@smc.edu

Thank you for asking for comments. I think the buildings' color should be more like the new Presbyterian church on Malibu Canyon. Its color and shape makes it look almost like an extension of the hill. The shape of the SMC design is lovely, but its exterior color should blend into its surroundings.

Maura Lucas

Appendix L
Historic Resource Assessment Report, Sheriff's
Station and Malibu Civic Center, Leslie Heumann
and Jenna Snow, October 2015.

HISTORIC RESOURCE ASSESSMENT REPORT

SHERIFF'S STATION and MALIBU CIVIC CENTER

Prepared for:

Parker Environmental Consultants
23822 Valencia Boulevard, Suite 301
Valencia, CA 91355

Prepared by:

Leslie Heumann, Architectural Historian
Jenna Snow, Architectural Historian

October 2015

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INTRODUCTION

Purpose of Report

This Historic Resources Assessment has been prepared to assess whether the former Sheriff's Station (the subject property), which is a component of the Malibu Civic Center, in the City of Malibu (City) is a historical resource as defined by the California Environmental Quality Act (CEQA). Specifically, the report evaluates the significance of the Malibu Civic Center as a potential historic district and the Sheriff's Station, both as a potential contributor to such a district and as an individual resource. The assessment considers the historic significance of the subject property in terms of eligibility for inclusion in the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register). The results of the evaluation will be used to determine whether a project proposed by the Santa Monica Community College District for the site of the Sheriff's Station may impact historical resources in accordance with the thresholds established by CEQA (Public Resources Code Section 21084.1) and the California CEQA Regulations (California Code of Regulations Section 15064.5). The project, the proposed Malibu campus, would entail the demolition of the former Sheriff's Station building.

Property Location

The Malibu Civic Center occupies an approximately 9.2-acre parcel at 23555 Civic Center Drive, north of Pacific Coast Highway (PCH), between Cross Creek Road on the east and Stuart Ranch Road on the west, identified by APN 4458-022-906 (previously 4458-022-904 and 905) (Maps 1 - 3). An irregular rectangle in shape, the complex measures approximately 700 feet along Civic Center Drive and has an average depth of approximately 600 feet. It is surrounded primarily by open space that climbs up towards the Santa Monica Mountains on the north. To the southeast are low scale shopping centers on both sides of Cross Creek Road between PCH and Civic Center Way. Malibu City Hall is located about a quarter of mile northwest on Stuart Ranch Road. The property contains four buildings: the Sheriff's Station, the combined Superior Court of California Los Angeles County Malibu Courthouse and Los Angeles County Waterworks District building, the Malibu Library, and a Maintenance Building (Figure 1).

Methods Used

All applicable professional standards for the identification and evaluation of historic resources were utilized in the preparation of this historic assessment, including (but not limited to):

- Secretary of the Interior's Standards for Preservation Planning
- *National Register Bulletin 24. Guidelines for Local Surveys: A Basis for Preservation Planning*
- *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*
- *Instructions for Recording Historical Resources* (State of California Office of Historic Preservation)

The methodology employed for the assessment encompassed several tasks. A site visit was performed on September 10, 2015 and digital photographs of the exteriors and portions of the interiors were made. Aerial and bird's eye views of the properties available through google.com and bing.com were also consulted. Site-specific research included review of building plans. Additional research was performed online including materials available through Ancestry.com and historic newspapers from Proquest (accessed through the Los Angeles Public Library). Previously prepared historic narratives were reviewed and summarized to provide a historic context for the evaluation of the property. The

properties were evaluated for significance under applicable criteria, including those for the National Register and California Register. The City of Malibu does not have an ordinance enabling local designation of historic, built environment properties (see Regulatory Setting, below).

The historic assessment was conducted by Ms. Leslie Heumann, who was assisted by Ms. Jenna Snow. Ms. Heumann is an architectural historian with nearly 40 years of experience in all aspects of historic resources evaluation, documentation, preservation, and planning. She has extensive experience in the coordination of cultural resources surveys, assessment of historic significance, and preparation of documentation to support the California Environmental Quality Act, the National Environmental Policy Act, and the National Historic Preservation Act. Additional areas of expertise include application of the Secretary of the Interior's Standards for the Treatment of Historic Properties, preparation of Historic American Buildings Survey (HABS) documents, National Register of Historic Places and other registration program applications, and historic school modernization issues. Over the course of her career, Ms. Heumann has participated in historic resources projects in eight western states. Ms. Heumann satisfies the Secretary of the Interior's Professional Qualification Standards as an Architectural Historian. Currently, Ms. Heumann is an independent consultant specializing in a range of historic preservation services.

Jenna Snow has an independent historic preservation consulting practice with an office in Los Angeles. She meets the Secretary of the Interior's Professional Qualifications Standards in Architectural History. Prior to founding her practice, Ms. Snow worked at Los Angeles-based Chattel, Inc. between 2002 and 2014. As a Principal Associate at Chattel, she authored, co-authored, and/or served as project manager for more than 75 historic preservation projects, including a wide variety of historic resource assessments, impacts analyses, and construction monitoring projects for conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. With over fifteen years of professional experience, Ms. Snow has worked on both the east and west coasts, as well as internationally. Ms. Snow holds a M.S. in Historic Preservation from Columbia University and a B.A. in Fine Arts focusing on architectural history from Brandeis University. Ms. Snow satisfies the Secretary of the Interior's Professional Qualification Standards as an architectural historian.

REGULATORY SETTING

The identification, evaluation, and treatment of historic resources in Malibu are governed by federal, state, and local laws and regulations.

Federal

National Register of Historic Places

First authorized by the Historic Sites Act of 1935, the National Register of Historic Places was established by the National Historic Preservation Act of 1966 as "an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment."¹ The National Register recognizes properties that are significant at the national, state and local levels. To be eligible for listing in the National Register, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Four criteria have been established to determine significance:

- A. Association with events or activities that have made a significant contribution to the broad patterns of our history;
- B. Association with persons significant in our past;
- C. Embodiment of the distinctive characteristics of a type, period, or method of construction or representation of the work of a master, or possession of high artistic values, or representation of a significant and distinguishable entity whose components may lack individual distinction; and/or
- D. Potential to yield information important in prehistory or history.

A property eligible for the National Register must meet one or more of these criteria. In addition, unless the property possesses exceptional significance, it must be at least fifty years old to be eligible for National Register listing. Exceptional significance can only be demonstrated if the property is closely associated with an extraordinarily important event; the property belongs to a fragile, endangered class of resources; or sufficient scholarly study has been completed to allow evaluation within a defined context. Comparative analysis with other properties in the same class of resources (i.e. of the same property type and associated with the same historic context) must be undertaken to prove that the property best represents the context. Other criteria considerations address special circumstances related to religious properties, moved properties, birthplaces or graves, cemeteries, reconstructed properties, and commemorative properties.

Districts, sites, buildings, structures, and objects of potential significance must also possess integrity. The National Register defines integrity as "the ability of a property to convey its significance." Understanding a property type's character-defining features and their relationship to its significance is paramount when evaluating a resource's integrity. There are seven aspects of integrity:

- **Location** is the place where the historic property was constructed or the place where the

¹ Code of Federal Regulations (CFR), 36 Section 60.2.

historic event occurred. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons.

- **Design** is the combination of elements that create the form, plan, space, structure, and style of a property. The design results from decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture.
- **Setting** is the physical environment of a historic property. It refers to the character of the place in which the property played its historic role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space.
- **Materials** are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
- **Workmanship** is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- **Feeling** is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.
- **Association** is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.

Certain aspects of integrity may be more or less important in evaluating a property, depending on the specific criterion of significance. For example, a property that is significant under criterion C for its exemplification of the distinctive characteristics of an architectural style needs to retain a high degree of integrity of design, setting, materials, workmanship, and feeling. On the other hand, a property significant for its association with an important person may not emphasize integrity of design as much as association.

Relationship to subject property: Neither the Sheriff's Station nor the Malibu Civic Center, built 1968-1970, has been listed in, or formally determined eligible for listing in, the National Register, and, for the reasons presented in this report, neither appears eligible for such listing.

State

California Environmental Quality Act

Pursuant to CEQA, a historical resource is defined as a resource listed in, or eligible for listing in, the California Register. Resources listed in or formally determined eligible for listing in the National Register are automatically listed in the California Register. In addition, resources included in a local register of historical resources or identified as significant in a local survey conducted in accordance with state guidelines also are considered historical resources under CEQA, unless a preponderance of the facts demonstrates otherwise. According to CEQA, the fact that a resource is not listed in or determined eligible for listing in the California Register or is not included in a local register or survey shall not preclude a Lead Agency from determining that the resource may be a historical resource as defined in California Public Resources Code Section 5024.1.

CEQA stipulates that a project with an effect that may cause a substantial adverse change in the significance of an historical resource may have a significant effect on the environment. Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. The significance of an historical resource is materially impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of the resource that convey its historical significance and justify its inclusion or eligibility for inclusion in the California Register.²

Relationship to subject property: Neither the Sheriff's Station nor the Malibu Civic Center has been listed in, or formally determined eligible for listing in, the National or California Registers, and, for the reasons presented in this report, neither appears eligible for such listing. Therefore, the Sheriff's Station is not a historical resource as defined by CEQA and a substantial adverse change in its significance is not an applicable threshold of adverse environmental impact.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the California Register of Historical Resources is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change."³ A property eligible for inclusion in the California Register:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

² California Public Resources Code Division 13, Section 21084.1 and California Code of Regulations, Title 14, Chapter 3, Section 15064.5.

³ California Public Resources Code Section 5024.1(a)

4. Has yielded, or may be likely to yield, information important in prehistory or history.

These criteria are based upon National Register criteria; however, the California Register does not impose as specific requirements for integrity and age as the National Register. Resources eligible for listing in the California Register must retain enough of their historic character or appearance to be recognizable as historic resources and to convey the reasons for their significance. It is possible that resources which may not retain sufficient integrity for listing in the National Register may still be eligible for the California Register. Moved or reconstructed buildings, structures, or objects may also be considered for listing in the California Register under specific circumstances. In addition, properties that were constructed less than fifty years ago or which achieved significance less than fifty years ago may be eligible for inclusion in the California Register provided that sufficient time has passed to understand their historic context.

Relationship to subject property: Neither the Sheriff's Station nor the Malibu Civic Center has been listed in, or formally determined eligible for listing in, the California Register, and, for the reasons presented in this report, neither appears eligible for such listing.

Local

The City of Malibu Municipal Code (Section 15.20.040) defines a "historic structure" as: properties individually listed or determined eligible for listing in the National Register by the Secretary of the Interior; a certified contributor to a registered historic district or a district determined eligible for such designation; or individually listed in a state or local inventory certified as meeting state and federal standards. While procedures exist in the Code for the consideration of historic structures under certain circumstances (for example, the granting of variances), no mechanism for local designations of landmarks or historic districts has been enacted. The City does have a Cultural Resource Preservation ordinance (Section 17.54 of the Code), which is directed specifically at archaeological and Native American resources rather than historic era, built environment resources. The recent adoption of an historic preservation ordinance by the County of Los Angeles only affects unincorporated areas of the County, which excludes the incorporated City of Malibu.

Relationship to subject property: The Sheriff's Station is not a historic structure, as defined in the Malibu Municipal Code.

HISTORIC CONTEXT

History of Malibu

The first non-native usage of the Malibu area began circa 1800, during the era in which the Spanish rulers of Alta California had begun granting large tracts of land, called ranchos, to loyalists.⁴ Around that year, Jose Bartolome Tapia, a member of the overland expedition of Juan Bautista de Anza which had passed through Malibu in 1776, was given use of the Rancho Topanga Malibu Sequit by the Spanish commandant of the Santa Barbara presidio. Tapia established a working ranch on the property and used it to graze livestock. Stretching along a narrow strip of coastline sandwiched between the Santa Monica Mountains and the Pacific Ocean, the area was isolated and was mostly untouched by the transition to Mexican rule, which occurred following Mexican independence in 1821, and the secularization of the missions, the closest of which was Mission San Buena Ventura, in 1834. Two generations later, in 1848, Tapia's widow sold the rancho to their granddaughter's husband, French émigré Leon Victor Prudhomme. The transaction coincided with another transition, as California became a territory of the United States in 1848 and a state in 1850.

With the coming of American rule, the relatively informal land grants made by the Spaniards and Mexicans required confirmation by the U.S. Lands Commission, and Prudhomme was unsuccessful in his attempt to validate his claim to the rancho. Nonetheless, he was able to sell the rancho to Irishman Matthew Keller in 1857. A prominent Los Angeles businessman with extensive real estate holdings, Keller was able to gain clear title to the property, comprising over 13,000 acres, in 1872. Keller apparently continued ranching operations and also granted timber harvesting rights to fellow Angelino, Phineas Banning. In 1891-1892, his son and heir, Henry Workman Keller, sold the Rancho Malibu to a wealthy couple from Massachusetts, Frederick Hastings Rindge and his wife, (Rhoda) May K. Rindge. The Rindges supplemented their purchase with additional acreage, until their holdings exceeded 17,000 acres, including 27 miles of coastline. With their primary residence in Los Angeles, they operated a working ranch in Malibu. Frederick Rindge was a philanthropist and a capitalist, involved in the founding and running of the forerunner of the Pacific Mutual Insurance Company, Union Oil Company, and Los Angeles (later Southern California) Edison Company.

The story of Malibu as it evolved over the next century into the community it is today is in large part due to the over forty years that the Rancho Malibu was controlled by the Rindge family. These years were spent battling the Southern Pacific Railroad, the State of California, the County of Los Angeles, and other land claimants and would-be developers, until Malibu was the one of the last and largest privately held ranchos in California. Frederick Rindge died at the age of 48, in 1905. His wife, May, carried on the fight until her death in 1941. To counter the aggressive tactics of the Southern Pacific, who wanted to fill in a gap in their coastal route through California by building through Rindge lands, the Rindges built the Hueneme, Malibu and Port Los Angeles Railroad from one end of the Malibu rancho to the other, which carried supplies and brought ranch goods to the Malibu pier, first built in 1903, for shipment. The private line operated from 1908 until the 1920s. Southern Pacific was denied a permit to build a parallel track line. Then the County began fighting to secure a right-of-way through the property to build a coastal road, eventually obtaining the necessary land through condemnation. May Rindge countered with fences, guards, and other means to keep people off of her land. The state joined the battle, with the intent of building a coastal highway, eventually winning the right in the courts. First, the county road

⁴ The year that Tapia was given use of rancho varies in modern accounts between 1800, 1802, and 1804.

opened in 1921, then, the road became the Roosevelt Highway, now Pacific Coast Highway, in 1929, connecting Santa Monica to Oxnard and bringing a steady stream of outsiders through the rancho.

In the midst of the struggles, May established the Malibu Potteries in 1926. A 44,000 square-foot factory with three kilns was built along the coastline and the company produced tile and other architectural products, mostly using clay extracted from deposits on the rancho. The company was managed by Rufus Keeler and marketing was aimed at architects, contractors, and others in the building trades. In June 1926, the *Los Angeles Times* reported that the new potteries were inspected by a large party, including several well-known architects such as Frederick Roehrig and A. C. Martin. Malibu tile found its way into numerous homes and public buildings; one of its most elaborate installations was at Los Angeles City Hall, completed in 1928. At its height, the potteries employed over 125 workers. A devastating fire in 1931, followed by the slowing of building activity as a result of the Depression, resulted in the closure of the enterprise in 1932.

Perhaps deciding to capitalize on the new road for her own benefit in a way that allowed her to maintain control, and to refill coffers depleted by litigation, in 1926 Mrs. Rindge began offering leases along a limited stretch of beachfront land west of Malibu lagoon. Hollywood film stars and other entertainment world luminaries were the first takers, building beach cottages, with Mrs. Rindge's permission, on land that they did not own. Soon, it became known as the Malibu Film Colony and acquired an international reputation that forever would link Malibu with celebrity and exclusivity.

Not long after the leasing began, a need for business property to serve the new residents was identified. Four small stretches of frontage, totaling 800 feet, were set aside for this purpose at the mouths of Las Flores, Malibu, and Trancas Canyons and at Sequit, near the Ventura county line. Potential developers were warned: "Ordinary beach peanut and hot dog stand class of improvements will not be permitted."⁵ Recreational pursuits such as sport fishing off of the pier and surfing, were also introduced to the community.

In 1928, the first subdivision on the rancho was announced. "Rancho Malibu La Costa" was marketed by the Harold G. Ferguson Corporation on acreage in Los Flores Canyon purchased from Mrs. Rindge for \$6,000,000. Touting Malibu as suitable for year-round instead of merely seasonal occupation, the Ferguson Corporation reported sales and new home construction in weekly articles in the *Los Angeles Times*. The opening of the Roosevelt Highway was seen as a spur to sales. A 1930 advertisement proclaimed: "You cannot stretch the shoreline. Your year 'round home at Rancho Malibu La Costa is provision against the day when all desirable ocean shore property is gone. Values here will ever increase, making of home ownership a rare investment."⁶ Unfortunately, the Ferguson Corporation financial practices violated the Corporate Securities Act and the executives were tried and imprisoned. The land was repossessed by the Marblehead Land Company (the Rindge land management operation), and the Walter H. Leimert Company became the new sales agents in June 1931. Lot sales and home construction continued, with the Leimert Company reporting in September 1931 that a total of 147 home sites had been purchased by celebrities and by business and professional men and women.

A third subdivision, "Malibu Encinal," opened in 1932 on 200 acres at the foot of Encinal Canyon, bringing the total subdivisions to three, including the Colony, and the total acreage available for home building to 300. The Malibu Township, however, remained scarcely populated. Everything changed in

⁵ "Business Sites Are Announced." *Los Angeles Times*, 17 October 1926, E8.

⁶ Display ad, *Los Angeles Times*, 10 October 1930, D2.

1938, when May Rindge, faced with legal fees, business setbacks, and outstanding tax debt totaling over a million dollars, declared bankruptcy. The Marblehead Land Company was put into control of a trustee corporation and plans to subdivide the 17,000 acres were laid. Part of the settlement included offering lease holders in Malibu Colony the opportunity to buy the land on which their homes were situated. Initial plans called for selling the entire rancho in parcels ranging from small home sites to 640-acre ranches. Grazing land was leased to cattle ranchers. A handful of new subdivisions were announced between 1939 and 1941 and limited commercial buildings were constructed, but World War II and the resulting scarcity of building materials intervened. May Rindge passed away in 1941. Her daughter, Rhoda Rindge Adamson, became president of the Marblehead Land Company and managed to retain 4,000 acres, including the Adamson House, now the Malibu Lagoon Museum.

Subdivision activity resumed following the war, but development in Malibu did not really begin to escalate until after 1950. By that year, Malibu had a population of 2,328 and its first local elementary school had been completed the prior year. Beginning in the mid-1950s, the County of Los Angeles began to plan for large scale suburban development of the type that was enveloping much of the rest of Southern California. In 1961, the Regional Planning Commission asked for community input on their vision of Malibu zoned for an eventual population of 300,000. Other accounts lowered the anticipated population count to 65,000 in 1970 and 175,000 or 180,000 in 1980. The State announced plans to build the Pacific Coast Freeway, possibly with an offshore causeway and a cloverleaf intersection at the mouth of Malibu Canyon. There was talk of constructing a nuclear power plant in Corral Canyon. Beginning in the mid-1950s, the County, led by Fourth District Supervisor Burton Chace, sought a site to centralize County services in Malibu. The Malibu Civic Center, also called the Malibu Administrative Center, opened in 1970 (see below).

The tension between those favoring expansive development—a coalition of business and real estate interests who had the ear of the County—and homeowners, whose vision of Malibu more closely resembled the status quo, continued to deepen over the next twenty years. In 1971, deed restrictions imposed by the Marblehead Land Company expired, allowing freer development than was previously possible. County zoning encouraged a proliferation of business development and signage along PCH. More homes were built in Malibu between 1960 and 1980 than in any previous 20-year period. Mobile home parks and multi-family housing were also constructed. By 1990, Malibu's population had grown to 12,500. The conflict over the future of the community crystallized with the County's plan to install a sewer system, which both sides interpreted as a means to facilitate further development. The proponents of local control ultimately triumphed, when Malibu incorporated as a city in 1991.

Malibu Civic Center

A few years after the Malibu Rancho was first opened for limited development, the Sheriff's Station, local jail, and Malibu Justice Court moved into a one-story, Spanish style building built in 1933.⁷ As community growth accelerated in the post-war years, County departments operated from leased space. Faced with a growing community and plans to accelerate that growth, the County, under the direction of 4th District Supervisor Burton W. Chace, began actively searching for a site to locate an administrative center in the mid-1950s, initiating condemnation proceedings for property at PCH and Malibu Road in 1956. The County abandoned this site when costs rose and in 1959 began negotiating for approximately 15 acres near PCH and Stuart Ranch Road. An out-of-court settlement was reached with the landowners in 1962.

⁷ Marcus, Ben and Marc Wanamaker. *Images of America: Malibu*. Charleston: Arcadia Publishing, 2011. Page 74.

Stating that the proposed center would house the sheriff; court; regional offices of the County Clerk, Building and Safety, Assessor, and Probation Department; and a branch of the county library, Chace said the center “will not only take care of the needs of Malibu at the present time, but also will be adequate for expansion in the years ahead.”⁸ Architect Maurice H. Fleishman was engaged to design the complex. Initial plans and speculations for the \$1.9 million center to be constructed on eight of the acres were approved by the Board of Supervisors in January 1963. In September of that year, plans were again submitted to the Board, this time carrying an estimated cost of \$2,098,395. County budget slashing threatened the project in June 1964, when Fleishman was in the final stages of plan preparation. It was announced that the proposed center would have three buildings. The largest, at 59,107 square feet, would house the municipal court, branch library, county engineer’s regional office, branch offices of the assessor, district attorney, health officer, marshal, probation officer, public defender, and Regional Planning Commission. The Sheriff’s Station would be 24,140 square feet and include detention facilities. Maintenance facilities for the Sheriff’s automotive fleet would be provided in the smallest building, with 5,660 square feet. The complex would also include parking for 265 cars, a heliport, and its own sewage disposal plant.

Ground-breaking for the center finally took place in May 1968, with completion slated for the following year. The building contract was awarded to the low bidder, Greynald Construction Company, at \$2,472,000. Financing for the construction had been obtained from the County Employees Retirement Board, who undertook this project and several others as pension fund investments. The arrangement provided for the County to lease the completed buildings, with an option to buy. Delays in construction due to county changes, bad weather, and a building industry strike pushed the opening date to May 14, 1970. Another hurdle that had been overcome was a conflict with the State, who had wanted the land for the proposed freeway.

Despite the 15-year effort to get the Civic Center constructed, it became redundant, in some respects, following the incorporation of Malibu and construction of a City Hall. Although the City contracts with the County for policing, the Sheriff’s Station in Malibu was abandoned in favor of the Lost Hills station in the 1990s. The library remains a focal point of the City and was completely remodeled, exterior and interior, in 2012.

Maurice Harry Fleishman, Architect (1909-2009)

Maurice Fleishman’s obituary remembered him for “his ‘mid-century’ modern style of civic buildings.”⁹ Fleishman received his architectural training at the Ecole des Beaux Arts in Paris between 1929 and 1931 and McGill University School of Architecture, completing his studies in 1936.¹⁰ He worked as a draftsman in the offices of John Byers (1936), Walker and Eisen (1937-1938), William Stickney (1938-1939), William E. Foster (1939-1940), and Herman H. Light (1940-1941) and as staff architect for the engineering firm of Donald R. Warren.¹¹ Fleishman began his own architecture firm in 1945, and established an office in Beverly Hills.

⁸ “County Orders Move to Acquire Land.” *Los Angeles Times*, 13 December 1959, WS7.

⁹ “Maurice Harry Fleishman,” *Los Angeles Times*, September 12, 2009, <<http://www.legacy.com/obituaries/latimes/obituary.aspx?n=maurice-harry-fleishman&pid=132684365>>.

¹⁰ *American Architects Directory*, 1956, (New York: R.R. Bowker LLC, 1955), page 174.

¹¹ *American Institute of Architects Application*.

Early in his career, Fleishman worked on a number of residential, as well as commercial projects. In addition to designing homes for entertainers, including film producer David Selznick, baseball manager Leo Durocher and actress Lorraine Day, and comedian Ken Murray,¹² Fleishman also designed tract homes for the Peerless Building Corporation in West Los Angeles.¹³ His Gloria Home Apartments, located off of Martin Luther King Jr. Blvd, immediately east of La Brea Avenue, features a complex of two-story apartment buildings constructed in a park-like setting, not so dissimilar from its neighbor, the Village Green. The complex was completed in 1951.¹⁴

Maurice Fleishman generally followed popular architectural trends, but did not innovate or influence those trends. Fleishman used the Late Moderne style at the Gerry Building in 1947. His Air Reserve Building located at the southeast corner of Wilshire Boulevard and Federal Avenue in Los Angeles (1957, extant)¹⁵ showcased a variant of the Corporate International Style. In the 1960s as architectural trends shifted, Fleishman modified his style to reflect the emerging popularity of “New Formalism.” By that time, he had started working on larger, civic projects, such as the East San Gabriel Valley Regional Library in West Covina (1960),¹⁶ Beverly Hills Unified School District Master Plan and Administration Building (1960-1961),¹⁷ and the Olympic West Building, located at 1543 West Olympic Boulevard in Los Angeles (1966, extant).¹⁸ Fleishman’s most well-known work was completed in the late 1960s and early 1970s, and included the Santa Monica Municipal Courts (1968), Beverly Hills Municipal Courts (1970), and the Los Angeles Criminal Courts Building (1973).

By the end of his career, Fleishman shifted gears stylistically again to a more Brutalist style. His work at the Cerritos Public Library (1974), Lomita Civic Center (1977, extant), and Cerritos Civic Center (1978),¹⁹ all exhibit typical Brutalist stylistic elements, such as striking repetitive angular geometries and sometimes dynamic shapes, typically constructed of concrete that often is left in its raw, unfinished state.

Although admired for his ability to secure County work, Maurice Fleishman did not receive recognition for his designs in his life or after. The first architectural critic for the *Los Angeles Times*, John Pastier, wrote, “On the whole, the buildings put up by Los Angeles County are not only architectural mediocrities but also wastes of taxpayers’ money.”²⁰ The article goes on to cite Maurice Fleishman as one of the County of Los Angeles’ seven “regulars” who is guilty of both architectural mediocrity and wasting taxpayers’ money. While he appears to have been quite prolific, his obituary does not cite any awards Fleishman received, either individually or for any of his work. None of Maurice Fleishman’s buildings are designated at the local, state, or federal level, although recent historic resources surveys have identified the Gerry Building and Air Reserve Building, and possibly others, as worthy of further study.

¹² “Maurice Harry Fleishman.” *Los Angeles Times*, 12 September 2009,

<<http://www.legacy.com/obituaries/latimes/obituary.aspx?n=maurice-harry-fleishman&pid=132684365>>.

¹³ “30-Home Tract Will Be Shown.” *Los Angeles Times*, 13 May 13 1951, E7.

¹⁴ “Gloria Homes Apartment Project Announced Open.” *Los Angeles Times*, 10 June 10 1951, E5.

¹⁵ “Dedication Set for Air Reserve Building.” *Los Angeles Times*, 3 November 1957, G4.

¹⁶ “County Will Open Regional Library.” *Los Angeles Times*, 25 September 1961, 20.

¹⁷ *American Architects Directory*, 1962, (New York: R.R. Bowker LLC, 1961), page 217.

¹⁸ “Photo Standalone 23.” *Los Angeles Times*, 24 July 1966, N11.

¹⁹ Green, Terence M. “Nation’s First Solar City Hall Dedicated.” *Los Angeles Times*, 2 April 1978. J29.

²⁰ Pastier, John. “Monetary Waste Inexcusable – but so is Mediocre Design,” *Los Angeles Times*, 4 October 1972, C7.

New Formalism

New Formalism began in the 1960s as a rejection of strict Modernism that had stripped buildings of all ornamentation. Neo-Formalism employed highly stylized forms based on Classical precedents in terms of building proportion and scale, and featured strict symmetry and the suggestion of columns and entablatures. Single volume buildings were either rectangular or circular. The use of a colonnade as a compositional device, the introduction of arches (often elliptical), and the use of ornamental screens of concrete characterize New Formalist buildings. At the same time, buildings designed in a New Formalist style made use of new technologies that allowed for a more plastic and fluid use of concrete such as umbrella shells, waffle slabs and folded plates. Wall surfaces on larger, civic projects were intended to look more expensive and often used marble and cast stone. The style was popularized by Minoru Yamasaki, architect of the Century Plaza Hotel (1966) and Edward Durrell Stone, designer of the Perpetual Savings Bank at the corner of Wilshire Boulevard and Malcolm Avenue in Westwood (1962) and the Ahmanson Center (Wilshire Colonnade; 1967), close to Fleishman's 1543 West Olympic Boulevard. Several County of Los Angeles buildings from the period exhibit the style, including the Music Center (Welton Becket and Associates, 1964-1969) and the original three pavilion design of the Los Angeles County Museum of Art (Pereira and Associates, 1964).

EVALUATION OF SIGNIFICANCE

Description of Subject Property

The Malibu Civic Center consists of four buildings, a colonnade, and open space in the form of a grassy courtyard, a helipad, and paved parking areas (Figure 1).²¹ The Sheriff's Station building is located at the west end of the building complex. In the center, the larger main building consists of two wings: the Waterworks on the west and the Municipal Court on the east. At the east end, the library abuts the east wall of the main building and extends to the south. All three buildings are roughly rectangular in plan, one-story in height, and capped with flat roofs. Originally, all three buildings had exterior walls composed of modular panels of brown brick laid in running bond and accented by concrete piers, spandrels, and soffits; however, the exterior of the library wing of the main building has been recently altered. Fenestration is limited on all buildings and consists of modular bands of metal-framed, fixed windows and double-glass doors. Both the Sheriff's Station and the Waterworks/Courthouse are oriented towards the south while the Library faces west; the three together form an L-shaped configuration which is elevated several steps above a public parking area. A monumental concrete colonnade unites all three buildings, terminating at the library entrance on the east and spanning the south facades of the Sheriff's Station and Waterworks/Courthouse (Figures 2-7). With columns shaped like I-beams rising up two-stories and spanning the underside of the flat, very slightly overhanging roof, the colonnade is architectural focus of the ensemble. The courtyard is located behind the colonnade, bookended by the Sheriff's Station and Waterworks/Courthouse (Figure 8). Centered behind the courtyard, the helipad separates the public areas of the complex from the rear (north) service areas, which include the fourth, Maintenance, building, additional parking, and service yards.

The Sheriff's Station is entered on the south via a deep, one-story, covered porch that is sandwiched below the colonnade at the southeast corner of the building (Figures 9-14). A pair of centered, glazed doors topped by transoms and pairs of floor-to-ceiling windows occupy the entire south wall. The remainder of the façade projects southward in increments without fenestration and is mostly hidden from view by vegetation. Facing the courtyard, the east elevation is devoid of fenestration. Two widely spaced openings are located on the north elevation. The west elevation is not accessible. Other than the porch, the colonnade that towers above it, and the fenestration, the only exterior feature of architectural interest is the treatment of the soffit, which is a shallow extension of the horizontal roof plane placed above small recess so that it appears to hover in space. A large lobby area is accessed via the south entry, which in turn leads to a rabbit warren of corridors, interior and exterior offices, and jail cells (Figures 15-19). Two staircases lead to the basement level. Finishes include painted brick exterior walls, plastered interior walls, and acoustical tile ceilings. Floors are terrazzo in corridors, concrete in the cells, and carpeted elsewhere. One office is wood paneled; other uses of wood include hallway storage and wood slab doors.

The Waterworks occupies the west half of the main building and is oriented west towards the courtyard. It shares the same materials and design as the Sheriff's Station (Figures 20-26). The south half of the east elevation is spanned by a six-bay covered porch that is designed as a one-story version of the colonnade. A band of windows set over solid spandrel panels lines the porch except in its northernmost bay, which contains glazed, double doors that serve as the main public entry to this half of the building, and the third bay in, which contains a single, glazed, secondary door. The remainder of this elevation is

²¹ Newspaper articles describing the construction of the Civic Center count the County offices and library as one building, but for ease of description and analysis, they will be considered separately in this report.

unfenestrated, as is the south elevation, where inset concrete piers echo the vertical lines of the colonnade in front of it. The north elevation is U-shaped, with a band of windows spanning the central section. Similar to the Sheriff's Station, the public lobby is just inside the east, main doors and is a large space surrounded by public counters. Interior finishes include plaster and brick walls, linoleum floors, glued-on acoustical ceilings, and wood slab doors.

The south elevation of the Courthouse, constituting the east half of the main building, is the most impressive of the public elevations of the complex (Figures 27-32). Rising the full two-story height of the colonnade, this façade consists of a continuous band of windows and doors topped by tall concrete panels. This façade is in stark contrast to the north and east elevations, which are highly utilitarian with minimal fenestration. Like the façade, the main lobby was also designed more to impress, with its higher than usual ceiling height, terrazzo floors, and marble-veneered wall. A large dedication plaque is mounted on the east wall of the lobby. Accessed from the lobby, a broad public corridor is lined with inset benches. Wood-paneled courtrooms and associated judge's quarters open off the corridor.

Set perpendicular to the Courthouse, the library has recently been veneered in blue panels, completely obscuring the original walls and leaving only the slightly projecting soffit from the original design (Figures 33-37). The south elevation retains a centered, five-bay porch, similar in appearance to the west porch of the Waterworks. A new public garden has been installed outside of this elevation. The interior of the library, consisting of a small lobby paved with a Malibu tile "carpet" and the large, open library space, has been completely remodeled.

Located in the northwest corner of the parcel, the maintenance building is not visible from the public right of way (Figures 38-41). Although utilitarian in purpose, it continues the same basic design of brick panels, slightly overhanging soffit, and concrete canopy over a driveway which is detailed similarly to the porches on the other buildings in the complex. There is no fenestration, and doors are metal, with louvered vents above them. Chain-link encloses work spaces open to the exterior. A storage shed has been added to the west elevation and mechanical equipment to the roof.

Integrity

The Civic Center, which is not yet 50 years old, retains substantial integrity in three of its four buildings. In particular, the Sheriff's Station, which is the subject of this report, retains integrity to the year of its construction. However, the refinishing of the exterior of the library detracts substantially from the original, unified appearance of the Civic Center complex as a whole:

- Location. The Civic Center was constructed at this location; therefore, it retains integrity of location.
- Design. The original layout of the Civic Center is substantially intact and the Sheriff's Station, Waterworks/Courthouse, and Maintenance building, plus the colonnade and courtyard also retain integrity of design. Modifications to each of these buildings, structures, and spaces have been minimal. However, renovation of the library in 2012 has retained the original massing but replaced most of the interior and exterior materials and details. The property therefore has compromised integrity of design.
- Setting. The setting of the Civic Center is similar to when it was constructed. Some elements of the property landscape appear to be original. Open space still surrounds the Center. At least one

of the two nearby shopping centers was constructed concurrently with the Civic Center. Although development in vicinity may have intensified since 1970, the survival of the adjacent open space negates any impact on the historic setting. The property retains integrity of setting.

- **Materials.** With the exception of the Library, the Civic Center retains integrity of materials. The rather jarring appearance of the blue-paneled library, however, does result in compromised integrity of materials.
- **Workmanship.** Because of the relative simplicity of the original design, there is little outlet for displays of workmanship. However, to the extent that three of the four buildings retain original materials, the Civic Center also retains this aspect of integrity.
- **Feeling.** With the exception of the Library, the property continues to express its rather minimal New Formalist aesthetic and is recognizable as a product of the 1960s; therefore, with the same caveat regarding the Library as with other aspects of integrity, the Civic Center retains integrity of feeling.
- **Association.** The complex is clearly recognizable as an improvement constructed by Los Angeles County during the 1960s and therefore retains integrity of association.

Application of Criteria of Significance

The criteria for the National Register and California Register are closely aligned and are therefore considered together.

Association with Significant Historic Patterns (Criterion A/1)

The Malibu Civic Center is in many ways symbolic of a failed vision for the future of Malibu. It was conceived and executed between the late 1950s and early 1970s, when Los Angeles County, represented by Regional Planning Commission and 4th District Supervisor Chace, planned a “build-out” scenario for a community that had traditionally embraced its isolation and rural character. The County’s plan, along with transportation and energy planners, saw Malibu as integral to an inevitable march of progress in the form of massive amounts of housing, a twelve-fold increase in population, a coastal freeway and other infrastructure improvements, most notably, a sewer system. Ultimately, this vision was rejected by Malibu residents, when they voted to incorporate in 1991. Construction of the Civic Center does not mark a particular moment or pattern in the history of Malibu; rather, it represents the unsuccessful attempt of the County to mold Malibu into a different kind of community. In some ways, the Civic Center even failed in its goal to support even the more modest growth that the community has allowed. The Sheriff’s Station has been vacated, the Library remodeled, and many of the functions of the main building have been assumed by the City at its new City Hall. Moreover, construction of the Malibu Civic Center was just one piece of a massive County building program at the time and was nearly canceled due to budget constraints. Clearly, the Malibu Civic Center does not rise to a level of significance, much less the exceptional significance required of a less-than-50 year old resource, necessary to be eligible under this criterion. The Malibu Civic Center, and its component building, the Sheriff’s Station, are not significant for association with historic patterns or events.

Association with Significant Historic Persons (Criterion B/2)

Research did not identify any person or persons important in history that were significantly associated with either the Malibu Civic Center or Sheriff's Station. The construction of the Civic Center was most directly associated with the 4th District Supervisor, Burton W. Chace. However, no information was uncovered that suggests this was a significant contribution to the history of Malibu, as the above discussion indicates, and no studies suggest that Chace's place in local history rises the level of contribution necessary to justify consideration of this association. The Malibu Civic Center and the Sheriff's Station are not significant under this criterion.

Distinctive Architecture or Association with a Master Architect or Designer (Criterion C/3)

The Malibu Civic Center is a modest example of the New Formalist style of architecture, popular for County buildings during the 1960s. Unlike better examples of this style—for example Compton City Hall (Harold L. Williams, architect) or Pomona City Hall (Welton Becket, architect)—the Malibu Civic Center contains a minimum of the character-defining features that are necessary to link it to this idiom. References to classical design are so subtle as to be non-existent; use of expensive materials was eschewed; stylization is minimal; and symmetry, a critical component of New Formalism, is almost missing entirely. The most successful component of the design is the colonnade. The property clearly does not embody distinctive characteristics of the style, method of construction, or period. In fact, it may well be subject to the criticism leveled by architecture critic John Pastier, that of mediocrity. With that said, no high artistic values are present.

Maurice Fleishman was a capable architect, but, with the County as client, his buildings tended towards the undistinguished. He apparently was not the recipient of awards and accolades during his lifetime and only a few of his many buildings have been recently identified by historic resources surveys as worthy of attention. The National Register defines a "master architect" as a figure of recognized greatness in a field. Maurice Fleishman does not rise to this level.

The Malibu Civic Center, as a whole, and the Sheriff's Station, individually, are not significant under this criterion.

Potential to Yield Important Information in History or Pre-History

The extant buildings do not satisfy this criterion, which is generally applied to archaeological resources. No resources of an archaeological nature were observed during site inspection. The subject property is paved and landscaped and has been highly disturbed by building construction. Further evaluation of potential archaeological significance of the subject property is outside the scope of this report.

CONCLUSIONS

This historic assessment has demonstrated that the Malibu Civic Center does not meet any of the National Register of Historic Places or California Register of Historical Resources criteria of significance as a historic district. The Sheriff's Station, which has no importance architecturally outside of the context of the Civic Center, also has no known individual historic significance or associations and therefore does not individually satisfy any of the criteria of significance. The Malibu Civic Center and the Sheriff's Station therefore do not satisfy the definition of a historical resource under the California Environmental Quality Act. Demolition of the Sheriff's Station would not cause a significant adverse impact to historical resources.

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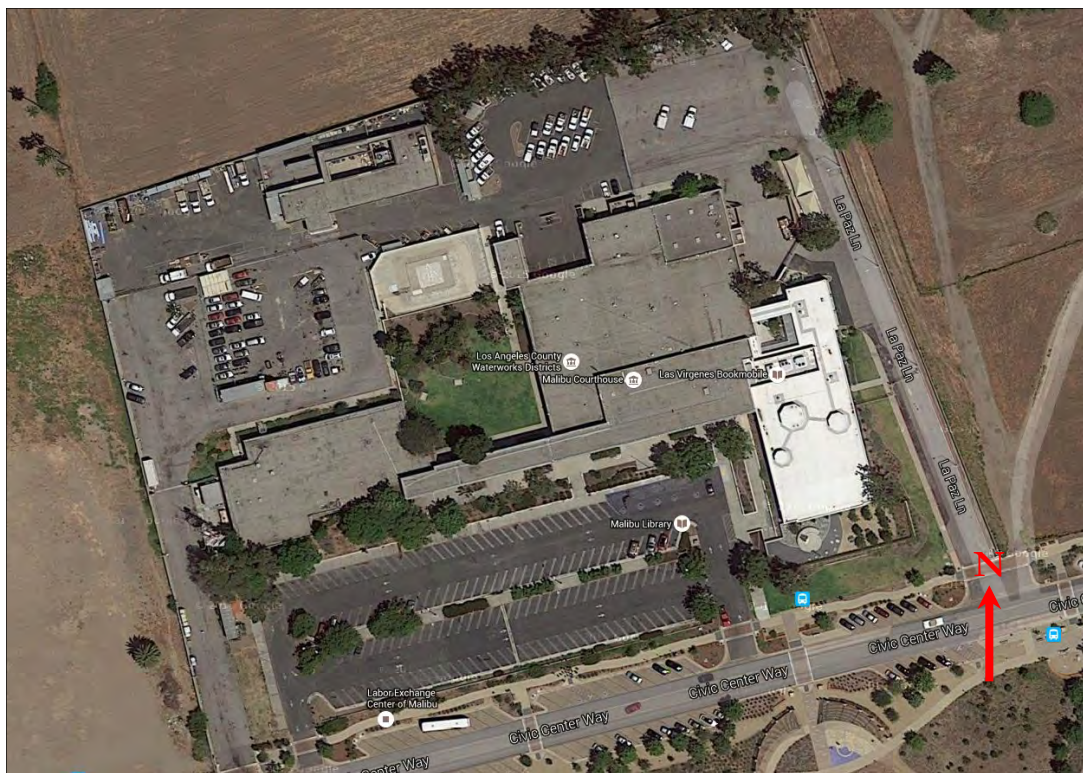
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Attachment A: Maps



Map 1: Location map, Malibu Civic Center outlined (Source: Google maps, 2015)



Map 2: Detail of location map (Source: Google maps, 2015)

Attachment A: Maps



Map 3: Location map (Source: Los Angeles County Assessor, 2015)

Attachment B: Contemporary Photographs

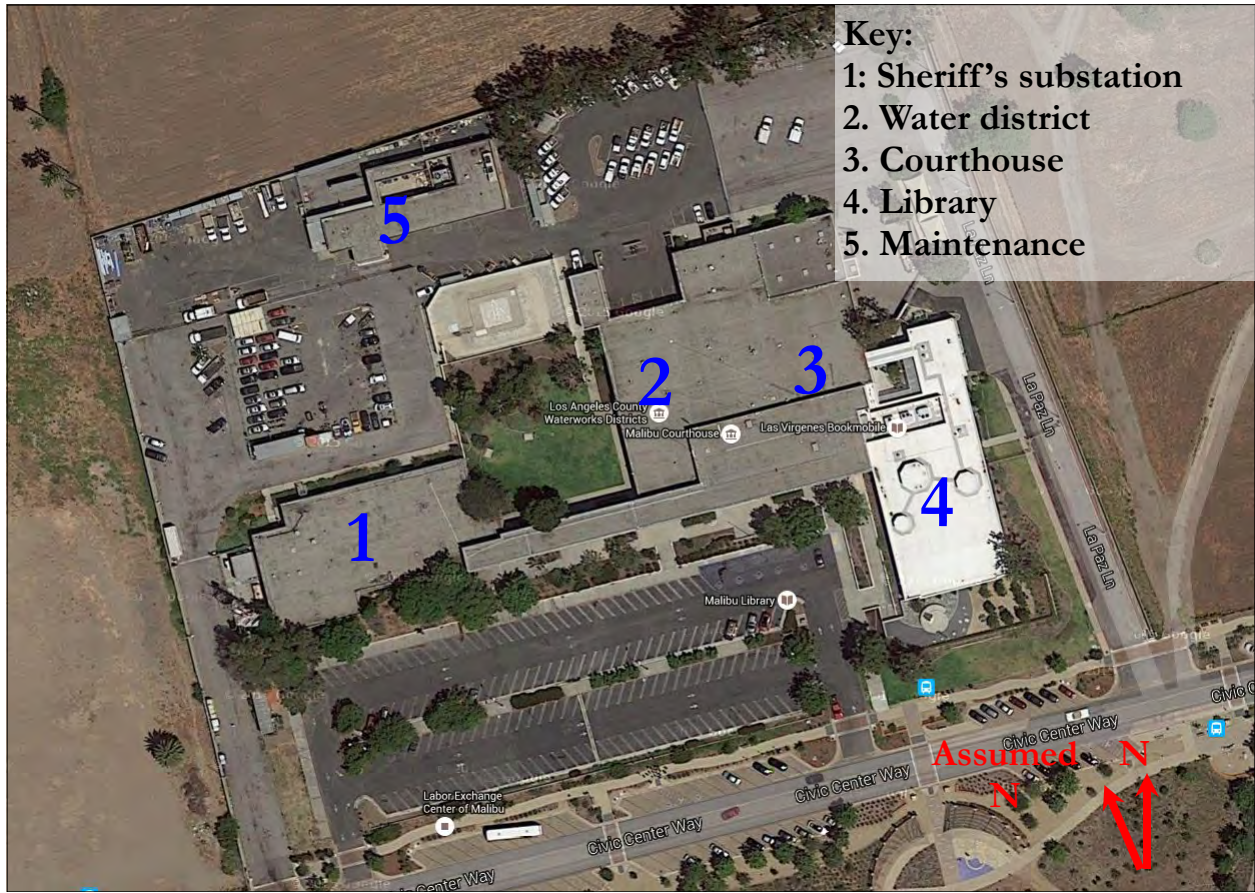


Figure 1: Contemporary map identifying buildings at the subject property

Attachment B: Contemporary Photographs



Figure 2: Arcade from Library, view northwest (Heumann, 2015)



Figure 3: Arcade, view northwest, (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 4: Arcade, view northeast (Heumann, 2015)



Figure 5: Arcade, view west (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 6: Arcade, view west (Heumann, 2015)



Figure 7: Arcade, view east (Heumann, 2015)



Figure 8: Courtyard, view northwest (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 9: Sheriff's Station, south elevation, main entrance from parking, view north (Heumann, 2015)



Figure 10: Sheriff's Station, south elevation, main entrance, note continuation of arcade, north view (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 11: Sheriff's Station, south elevation, view northeast (Heumann, 2015)



Figure 12: Sheriff's Station, west elevation (left) and south elevation (right), view northeast (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 13: Sheriff's Station, north elevation, view southwest (Heumann, 2015)



Figure 14: Sheriff's Station, east elevation, view west across courtyard (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 15: Sheriff's Station, main entry interior, view southwest (Heumann, 2015)



Figure 16: Sheriff's Station, main entry interior, view northwest (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 17: Sheriff's Station, interior, typical corridor (Heumann, 2015)

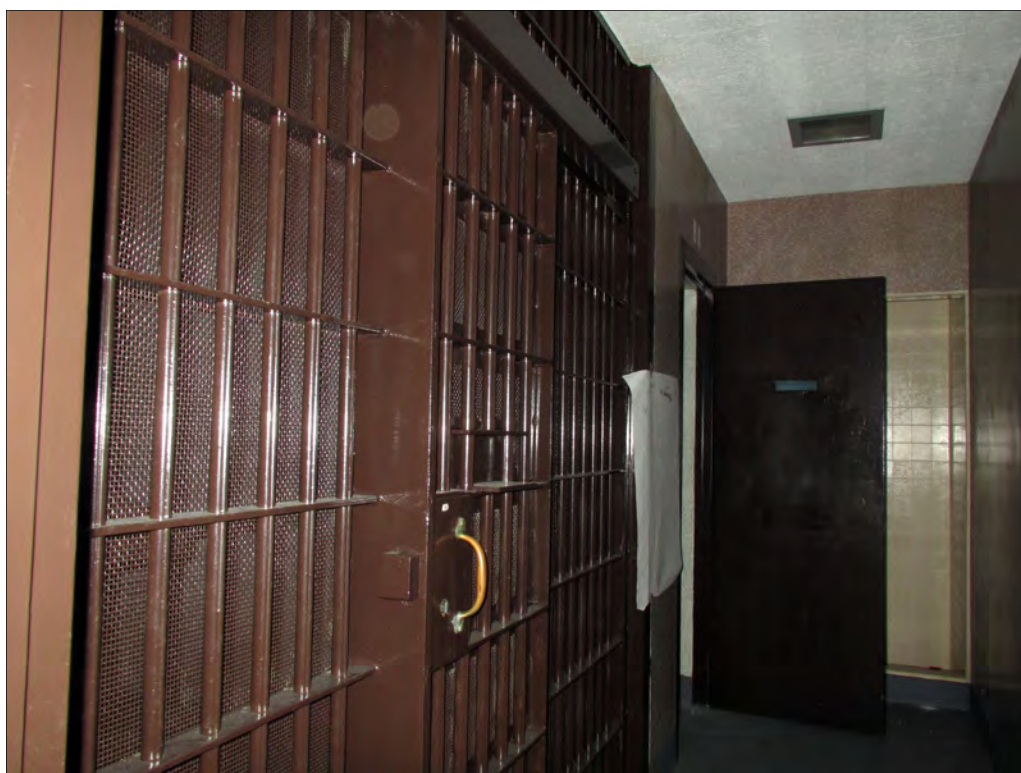


Figure 18: Sheriff's Station, interior, typical holding cell (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 19: Sheriff's Station, office interior, view southwest (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 20: Water district, south elevation, view west from arcade (Heumann, 2015)



Figure 21: Water district, east elevation, view southwest across courtyard (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 22: Water district (right) and Courthouse (left), north elevation, view southeast (Heumann, 2015)



Figure 23: Water district, north elevation, view south (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 24: Water district, interior, main entry, view west (Heumann, 2015)



Figure 25: Water district, interior, public counter (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 26: Water district, interior, typical corridor (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 27: Courthouse, south elevation, view northwest (Heumann, 2015)



Figure 28: Courthouse, north elevation, view southeast (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 29: Courthouse, east elevation (left) and north elevation (right), view southwest (Heumann, 2015)



Figure 30: Courthouse, main lobby, view northwest (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 31: Courthouse, main corridor, view south (Heumann, 2015)



Figure 32: Courthouse, typical court room (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 33: Library, west elevation, view east (Heumann, 2015)



Figure 34: Library, west elevation, view southeast (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 35: Library, south elevation, view northeast (Heumann, 2015)



Figure 36: Library, east elevation, view north (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 37: Library, interior (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 38: Maintenance, south elevation, view northwest (Heumann, 2015)



Figure 39: Maintenance, west elevation (left) and south elevation (right), view northeast (Heumann, 2015)

Attachment B: Contemporary Photographs



Figure 40: Maintenance, east elevation, view northwest (Heumann, 2015)



Figure 41: Maintenance, interior (Heumann, 2015)