Regional Planning Commission Transmittal Checklist

Hearing Date
May 4, 2011
Agenda Item No.
TBD

Project Number: R2007-03064-(3)

Case(s): Conditional Use Permit No. 200700203
Parking Permit No. 200700014
Environmental Assessment No. 200700169

Planner: Mr. Kim Szalay, AICP

- ☒ Factual
- ☒ Property Location Map
- ☒ Staff Report
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ CUP and Parking Permit Findings
- ☒ CUP and Parking Permit Conditions, Agency CUP Conditions and Requirements, and MMRP hard copy
- ☒ CUP and Parking Permit Burden of Proof Statements
- ☒ Environmental Documentation – FEIR, MMRP, DEIR, CEQA Findings and SOC supplied on disc (CEQA Findings hard copy)
- ☒ Correspondence since Hearing Examiner Hearing, and Hearing Examiner Transcripts
- ☒ Photographs and Photo Simulations of Visual Effects (within FEIR, DEIR)
- ☒ Aerial Images (within FEIR, DEIR)
- ☒ Land Use Radius Map
- ☐ Tentative Tract / Parcel Map
- ☒ Exhibit "A" - Site Plan and Elevations
- ☒ Development Table
- ☐
- ☐
- ☐
- ☐

Reviewed By: _____

Los Angeles County Department of Regional Planning 320 West Temple Street Los Angeles, California 90012 **PROJECT NUMBER: R2007-03064-(3)** **CONDITIONAL USE PERMIT NUMBER: RCUP 200700203** **PARKING PERMIT NO. RPKP 200700014** **ENVIRONMENTAL ASSESSMENT NO. 200700169**	PUBLIC HEARING DATE May4, 2011 (RPC)	AGENDA ITEM TBD
	RPC CONSENT DATE	CONTINUE TO

APPLICANT	OWNER	REPRESENTATIVE
Pepperdine University	Pepperdine University	Cindy Starrett, Latham & Watkins

PROJECT DESCRIPTION

The Campus Life Project proposes to develop and re-develop property in an existing approximately 365-acre campus development area within the 830-acre property in a 12-year, two-phase development program. Six components of proposed development include a maximum of 456,940 sq. ft. of new development less a maximum 62,803 sq. ft. of demolition for a total of a maximum 394,137 sq. ft. of net new development comprised of the following: 1) Student Housing Rehabilitation (150,692 net new sq. ft.); 2) Athletics and Events Center (maximum 5,470-seat, 235,845 net new sq. ft.), and two underground levels and five above ground levels of parking; 3) Upgraded NCAA Soccer Field and Maintenance Facilities (1,500 net new sq. ft.); 4) Town Square and Welcome Center (4,500 net new sq. ft.), and two levels of underground parking; 5) Enhanced Recreation Area (1,600 net new sq. ft.), debris basin (9,100 c.y.), and underground two million gallon HVAC chilled water tank; 6) School of Law Parking Structure (three above ground levels). A total of 2,013 new parking spaces are proposed with the loss of 1,217 spaces for a net increase of 796 spaces of onsite proposed parking and a total of 5,380 maximum spaces at project build-out. A parking permit is requested to authorize parking based on parking demand at various phases of Project development. Project related earth movement is comprised of approximately 434,000 cubic yards consisting of approximately 198,000 cubic yards of cut (including 70,000 cubic yards of residual cut grading comprised of bedrock from Component 4 Town Square, which may be required to be exported) and approximately 236,000 cubic yards of fill. Any deficit in fill may use up to approximately 125,000 cubic yards of fill to be obtained from the approved Graduate Campus project site pad and any other usable onsite fill material. With the exception of up to 70,000 cubic yards of bedrock which may be required to be exported, grading will be balanced onsite. New development area landscaping is proposed.

REQUIRED ENTITLEMENTS

Conditional Use Permit: To authorize a development program for construction, operation, and maintenance of 394,137 net new square feet of development and onsite grading in excess of 100,000 cubic yards within approximately 365 acres of existing core campus area on an 830-acre site in the A-1-1-DP (Light Agricultural-One Acre Minimum Required Area-Development Program) zone.

Parking Permit: To establish parking requirements for existing and proposed university facilities in the A-1-1-DP zone.

LOCATION/ADDRESS

24255 Pacific Coast Highway (PCH), Malibu, CA 90263; located near the intersection of Malibu Canyon Rd. and PCH, Malibu

SITE DESCRIPTION

Approximately 365 acres of the 830-acre subject property is improved within a university core-campus area with associated infrastructure such as roads and drainage improvements. All development proposed is located within the existing core-campus boundaries including the existing stockpile and debris basin located at the northerly portion of the core-campus boundary. The subject core-campus area is naturally hilly and sloping within the coastal fringe of the Santa Monica Mountains, includes flat to sloping terraced pads for existing and proposed development, and overlooks the Pacific Ocean above the City of Malibu which fans out to the east and west. Approximately 465 acres of the property is comprised of undisturbed open space surrounding the core-campus to the north, northeast and northwest. Approved and permitted, but not yet constructed public trails are currently proposed to cross the northerly undeveloped portion of the subject property to link trails east and west of the property. Approximately 115 acres of undisturbed open space, or 15% of the property, is located at the most northerly portion of the site within Malibu Canyon and Lagoon Significant Ecological Area ("SEA") No. 5. The closest project related development is approximately one half mile south of the SEA No. 5 southerly boundary. A portion of Inland Environmentally Sensitive Ecological Area ("EHSA") I.D. No. 188 is located within SEA No. 5 on the Pepperdine property. No part of Project is located within or adjacent to the ESHA. The residential community called Malibu Country Estates ("MCE") is located adjacent and southwest of the subject property. Malibu Canyon Road is located adjacent to the southeast along the eastern boundary of the subject property. In addition to the Malibu Knolls residential community above the Malibu Civic Center, church, elementary school, other commercial uses, and vacant properties are located to the southeast of the site in the City of Malibu. PCH, Malibu Bluffs State Recreation Area, the Malibu Road Community, and Malibu Coastline SEA No. 1 are located directly south of the Pepperdine property. Oak trees are located onsite and are to remain untouched and un-encroached upon by the proposed development. Native and non-native species of plants are located throughout the site. Three local drainage features, partially altered by existing improvements, run through the development area. Existing access is from PCH and Malibu Canyon Road.

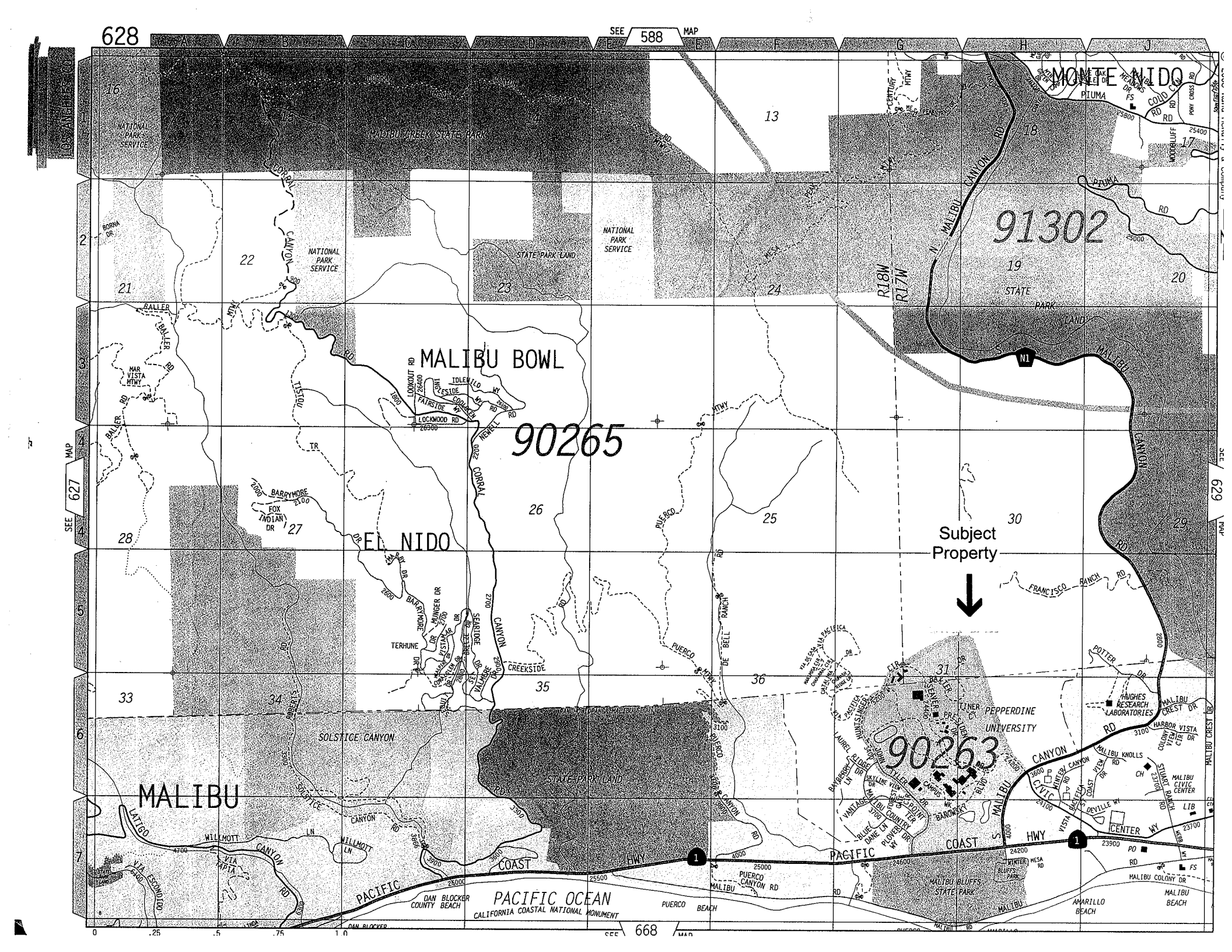
ACCESS	ZONED DISTRICT
Seaver Drive at Malibu Canyon Road; John Tyler Drive at Pacific Coast Highway	The Malibu
ASSESSORS PARCEL NUMBERS: CLP Components 1-6 4457-004-051,053; 4458-037-020,028,029,031,033; 4458-038-003,004,007,008,010	**COMMUNITY** Malibu
SIZE Project Development Area: Approximately 365 Acres Project Site: 830 Acres (including the 365 acres)	**COMMUNITY STANDARDS DISTRICT** None

	EXISTING LAND USE	EXISTING ZONING
Project Site	Pepperdine University	A-1-1-DP
North	Malibu Creek State Park	A-1-1
East	Malibu Creek State Park; Vacant; Research Labs; Church; School; Various Commercial	A-2-5 (Heavy Agricultural-Five Acres Minimum Required Area); SR-D (Scientific Research and Development); City of Malibu
South	Malibu Bluffs State R; Vacant; Single Family Residence; Church	City of Malibu
West	Vacant	City of Malibu; A-2-5

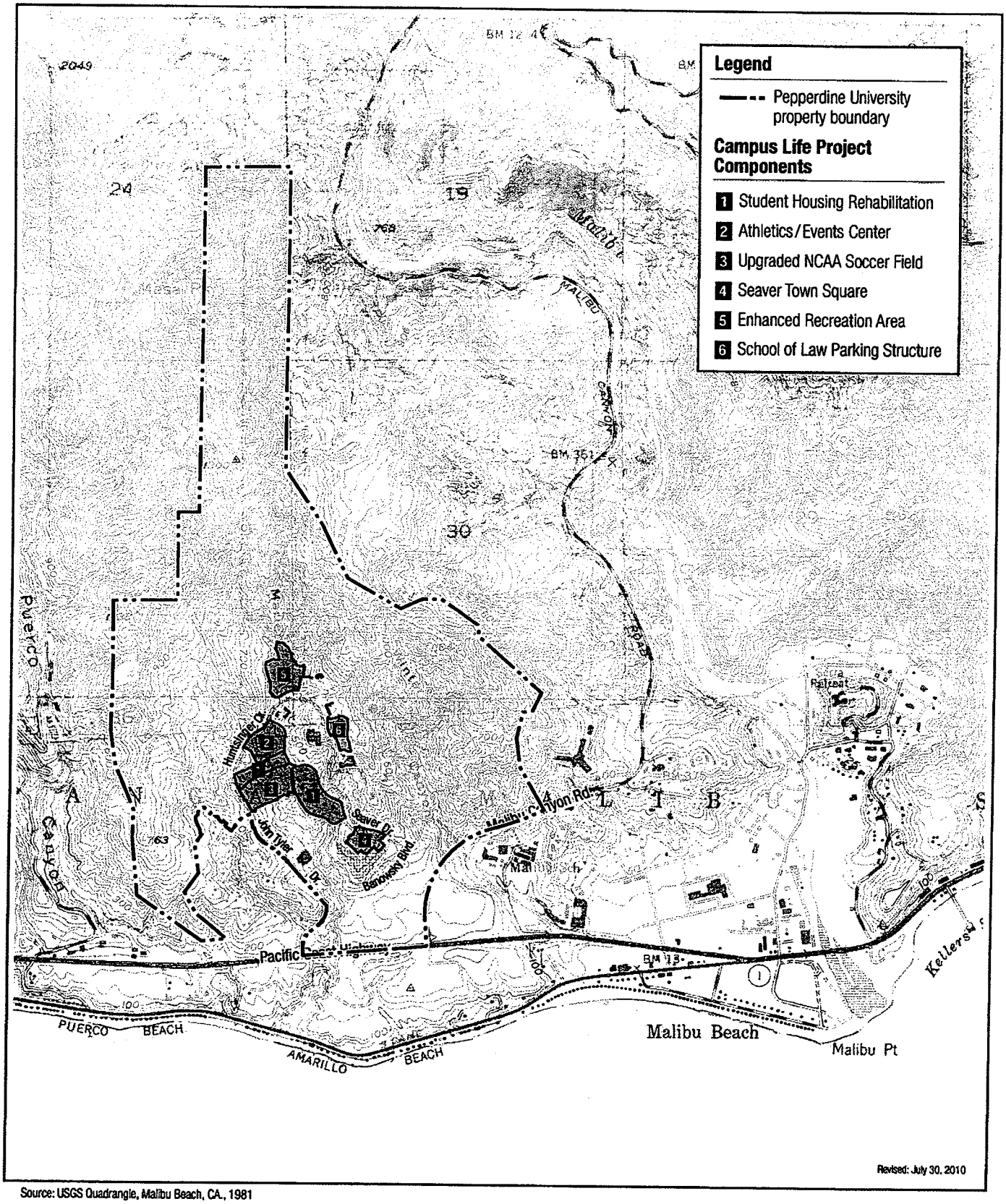
GENERAL PLAN/COMMUNITY PLAN	LAND USE DESIGNATION	MAXIMUM DENSITY
Land Use Plan of the Malibu Local Coastal Program	11 (Institution and Public Facilities) M2 (Mountain Lands)	M2 - 1 DU / 20 Acres

ENVIRONMENTAL DETERMINATION

Environmental Impact Report (EIR)



628
SEE 588 MAP
MONTE NIDO
91302
MALIBU BOWL
90265
EL NIDO
MALIBU
90263
Subject Property
PEPPERDINE UNIVERSITY
PACIFIC OCEAN
CALIFORNIA COASTAL NATIONAL MONUMENT
MALIBU CREEK STATE PARK
NATIONAL PARK SERVICE
STATE PARK LAND
SOLSTICE CANYON
MALIBU BLUFFS STATE PARK
HUGHES RESEARCH LABORATORIES
MALIBU CIVIC CENTER
SEE 627 MAP
SEE 629 MAP
668



Source: USGS Quadrangle, Malibu Beach, CA., 1981

PEPPERDINE UNIVERSITY CAMPUS LIFE PROJECT – DRAFT EIR

ENVICOM CORPORATION

Site Location on USGS Quadrangle

0 1,000 2,000 FEET

STAFF REPORT

STAFF ANALYSIS

PROJECT NO. R2007-03064-(3)
CONDITIONAL USE PERMIT NO. 200700203
PARKING PERMIT NO. 200700014
ENVIRONMENTAL ASSESSMENT NO. 200700169

PROJECT DESCRIPTION

The applicant, Pepperdine University, is requesting a conditional use permit for the construction, grading, operation and maintenance of the Campus Life Project ("Project") which proposes to develop and re-develop approximately 365 acres of an existing 830-acre university campus in a 12-year, two-phase development program. The proposed development consists of six components which include a maximum of 456,940 square feet of new development less 62,803 square feet of demolition for a total of 394,137 square feet of net new development comprised of the following: 1) Student Housing Rehabilitation (150,692 net new square feet; 468 net new beds); 2) Athletics and Events Center (maximum 5,000 fixed seats and 470 temporary seats, 235,845 net new square feet) and two underground levels and five above ground levels of structured parking; 3) Upgraded Soccer Field and Maintenance Facilities (1,500 net new square feet); 4) Town Square and Welcome Center (4,500 net new square feet) with two levels of underground parking; 5) Enhanced Recreation Area (1,600 net new square feet); 6) School of Law Parking Structure (three above ground levels). A total of 2,013 new parking spaces are proposed with the loss of 1,217 spaces for a net increase of 796 spaces of onsite proposed parking and up to a total of 5,380 maximum spaces at project build-out. A parking permit is also requested to establish minimum parking requirements based on parking demand at various development phases of the Project to accommodate a maximum of 3,500 full time equivalent ("FTE") student population. Project related earth movement is comprised of approximately 434,000 cubic yards consisting of approximately 198,000 cubic yards of cut (including 70,000 cubic yards of residual cut grading comprised of bedrock from Component 4 Town Square, which may be required to be exported) and approximately 236,000 cubic yards of fill. Any deficit in fill may use up to approximately 125,000 cubic yards of fill to be obtained from the approved Graduate Campus project site pad and any other usable onsite fill material. With the exception of up to 70,000 cubic yards of bedrock which may be required to be exported, grading will be balanced onsite.

REQUIRED ENTITLEMENTS

- A Conditional Use Permit to authorize a development program for construction, operation, and maintenance of 394,137 net new square feet of development and grading in excess of 100,000 cubic yards within approximately 365 acres of existing 830-acre university campus in the A-1-1-DP (Light Agricultural-One Acre Minimum Required Area-Development Program) zone.

- A Parking Permit to establish parking requirements for existing and proposed university facilities in the A-1-1-DP zone.

LOCATION AND ACCESS

The Pepperdine University Campus is located to the west of the City of Malibu Civic Center near the intersection of Malibu Canyon Road at Pacific Coast Highway ("PCH"). Access to the campus is through two entrances, John Tyler Drive to the southwest at PCH, and Seaver Drive at Malibu Canyon Road north of PCH. Both Malibu Canyon Road and PCH are designated as adopted Scenic Highways and Major Highways in the Countywide General Plan.

SITE DESCRIPTION

Approximately 365 acres of the 830-acre subject property is improved within a university campus ("core-campus") and associated infrastructure such as roads and drainage improvements. All development proposed is located within the existing core-campus boundaries including the existing stockpile and debris basin located at the northerly portion of the core-campus boundary. The subject core-campus area is naturally hilly and sloping within the coastal fringe of the Santa Monica Mountains, includes flat to sloping terraced pads for existing and proposed development, and overlooks the Pacific Ocean above the City of Malibu which fans out to the east and west. Approximately 465 acres of the property is comprised of undisturbed open space surrounding the core-campus to the north, northeast and northwest. Approved and permitted, but not yet constructed public trails are currently proposed to cross the northerly undeveloped portion of the subject property to link trails east and west of the property. Approximately 115 acres of undisturbed open space, or 15% of the property, is located at the most northerly portion of the site within Malibu Canyon and Lagoon Significant Ecological Area ("SEA") No. 5. The closest project related development is approximately one half mile south of the SEA No. 5 southerly boundary. A portion of Inland Environmentally Sensitive Ecological Area ("EHSA") I.D. No. 188 is located within SEA No. 5 on the Pepperdine property. As with SEA No. 5, no part of Project is located within or adjacent to the ESHA, as such the Project is exempt from review by the Significant Ecological Area Technical Advisory Committee ("SEATAC") or Environmental Review Board ("ERB"). The residential community called Malibu Country Estates ("MCE") is located adjacent and southwest of the subject property. Malibu Canyon Road is located adjacent to the southeast along the eastern boundary of the subject property. In addition to the Malibu Knolls residential community above the Malibu Civic Center, church, elementary school, other commercial uses, and vacant properties are located to the southeast of the site in the City of Malibu. PCH, Malibu Bluffs State Recreation Area, the Malibu Road Community, and Malibu Coastline SEA No. 1 are located directly south of the Pepperdine property. Deer and other native animals inhabit the surrounding property and pass through or occupy portions of the unfenced areas. Oak trees are located onsite and are to remain untouched and un-encroached upon by the proposed development. Native and non-native species of plants are located throughout the site. Three local drainage features, partially altered by existing improvements, run through the development area. Existing access from PCH and Malibu Canyon Road connect to the existing internal circulation system.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning ("DRP") determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an Environmental Impact Report ("EIR") was necessary for the Project. The areas of potential environmental impact addressed in the EIR include the following:

- Geotechnical Hazards
- Hydrology and Water Quality
- Fire Hazards
- Noise
- Air Quality
- Biota
- Cultural Resources
- Visual Qualities
- Traffic and Access
- Public Services including Fire Protection and Sheriff Protection services
- Public Utilities including Water Supply, Sewage Disposal, and Solid Waste
- Land Use
- Global Climate Change

The following areas required no further environmental review as described in the Initial Study.

- Mineral Resources
- Agriculture Resources
- Education
- Other Factors - General
- Population/Housing/Employment
- Parks and Recreation
- Public Utilities including Electricity/Gas
- Environmental Safety

A Draft EIR ("DEIR") was circulated for public review and comment from November 10, 2010 to January 10, 2011 (60 days) and copies delivered to the Regional Planning Commission. Oral and written comments were received from members of the public at a Hearing Examiner public hearing held on December 2, 2010 at the Pepperdine University campus. As identified in the DEIR, after implementation of the required mitigation measures, the Project would result in no significant and unavoidable impacts to the environment with the exception of special event traffic as follows:

Traffic and Access

The Project would decrease traffic on the surrounding roadway network following completion of both Phase I and II of the Project. A required Transportation Demand Management ("TDM") program, Event Management Plan, and the conversion of

commuter students to resident students facilitated by the housing program, plus the onsite facilities provided by upgraded athletic, recreation, wellness, support programs, etc., would reduce the number of trips to and from the campus. Thus, the DEIR concludes that on average the Project would reduce impacts to the local roadway system. However, the DEIR conservatively evaluates potential worst-case impacts that could occur resulting from well-attended "Major Events" defined as exceeding 3,750 attendees at the proposed Athletics/Events Center ("AEC") that are scheduled to start or end during week-day (Monday through Friday) peak hour periods (7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.) with 60 percent or more of attendees from offsite locations. During these limited instances the Project would result in significant and unavoidable impacts at eight intersections as identified in the Traffic section of the DEIR. A Statement of Overriding Considerations is required to address impacts to these intersections as discussed in the Traffic section. Such statement would demonstrate how the benefits of the Project would exceed the negative consequences of these limited impacts, and that feasible mitigation measures along with Project modifications were considered to lessen the impacts from the Project.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of a Regional Planning Commission Hearing by mail, newspaper, property posting, library posting and on the Department's website. Newspaper notices are scheduled to be published on April 4, 2011 in La Opinion and in the Malibu Times. Notices to property owners located within a 500-foot radius of the property boundaries were mailed on March 29, 2011 and to two local libraries on March 30, 2011. Notices were posted on the subject property and made available on the Department's website prior to April 4, 2011.

PREVIOUS CASES/ZONING HISTORY

Initial Campus Established

On February 3, 1971 the Los Angeles County Regional Planning Commission ("Planning Commission") approved Zoning Case No. 5687 to change zoning to allow the site to be used for post-secondary educational purposes. On July 11, 1972, Conditional Use Permit ("CUP") No. 133 was approved by the Planning Commission to establish the initial Pepperdine University campus in unincorporated Los Angeles County in the Malibu area, and Variance No. 82 to establish a parking ratio of one space per full time equivalent student. Further expansion of the campus was approved by the Planning Commission on December 4, 1974 by CUP No. 538. CUP No. 1949 was approved by the Planning Commission on September 22, 1982 for expansion of the Malibu Mesa Wastewater Reclamation Plant and implementation of additional recycled water irrigation.

Long Range Development Plan ("LRDP"), Specific Plan for Development ("SPD"), and Development Program Zone ("DPZ")

On February 11, 1987, CUP No. 2432 was conceptually approved by the Planning Commission to establish a conceptual LRDP/SPD for long range development of the campus, and approve construction of the first phase of the LRDP/SPD including a contingency approval of the Malibu Mesa Wastewater Treatment Plant expansion. On July 7, 1987, Zone Change ("ZC") No. 85007 was adopted by the County Board of Supervisors ("Board") to establish the DPZ and conditionally adopt the conceptual LRDP/SPD to provide a tiered process for expansion of the campus and implementation of the LRDP/SPD during the future years. The approvals required submission and approval of future conditional use permits and appropriate environmental documents to analyze and mitigate the impacts at each phase of development. Future analysis of traffic and sewage generation and the identification and costs of any necessary public infrastructure expansions to accommodate the LRDP/SPD were specified by the Board. On April 12, 1990, the Executive Director of the California Coastal Commission ("Coastal Commission") effectively certified the LRDP/SPD which included up to 1.2 million square feet of new development in addition to development existing at that time, and a total student enrollment cap of 5,000 FTE.

Other Permit Approvals

The following permits were conceptually approved by the Planning Commission for further expansion of the campus subsequent to the adoption of the LRDP/SPD and DPZ: CUP and Parking Permit No. 90181 on August 29, 1990; CUP and Parking Permit No. 91156 on July 1, 1992; and CUP and Parking Permit No. 96049 and Oak Tree Permit No. 96050 on October 15, 1997.

Graduate Campus

On May 25, 1999, the Board conceptually approved CUP, Parking Permit, and Oak Tree Permit No. 97191 to establish the graduate student campus at the most northwesterly portion of the campus development area, and limited campus student enrollment to 3,500 FTE.

Coastal Commission

Required final actions by the Coastal Commission were obtained to authorize implementation, and/or revised implementation, of all County approvals to date. The current request includes minor amendments to the LRDP/SPD to enable build out of the majority of the campus as contemplated by the LRDP/SPD. Once the Planning Commission or Board considers the subject entitlement requests and issue the approval in concept, the Coastal Commission will consider final action on the Project and LRDP/SPD amendments requested.

STAFF EVALUATION

Project consistency with the Coastal Commission approved LRDP/SPD, County of Los Angeles General Plan and Local Area Plan, compliance with the County Zoning

Ordinance, compatibility with neighborhood and other existing onsite land uses, and evaluation of the applicant's ability to meet the Conditional Use Permit and Parking Permit Burdens of Proof, are determined by the Planning Commission following the previously held Hearing Examiner public hearing. The Hearing Examiner public hearing was held primarily to receive public testimony on the merits of the Project and its environmental document prior to Project consideration by the Planning Commission.

Countywide General Plan ("General Plan"), Malibu Local Coastal Program, Land Use Plan ("Local Plan"), and LRDP/SPD Consistency

The proposed Project is consistent with the goals and policies of the General Plan Public and Semi-Public land use designation, Local Plan land use designations 11 (Institution and Public Facilities) and M1 (Mountain Lands), and the Pepperdine LRDP/SPD as detailed in Table 5.11-1 through Table 5.11-4, Section 5.11, Land Use, of the DEIR. Consistency of the Project with Coastal Commission and County Plans is summarized as follows:

General Plan Consistency

The Project is consistent with the Countywide General Plan as follows:

1. General Policy 15. Protect significant natural resources.

   The Project proposes to keep all development within the 365-acre existing development area of the 830-acre property. Consequently, biological resources located on the property outside of the development area, including Significant Ecological Areas No. 5 and No. 1 and nearby Environmentally Sensitive Habitat Areas, are to remain protected. Development is clustered near existing roadways and highways for adequate access and further protection of sensitive resources. The Project has analyzed all sensitive biological resources and included adequate mitigation measures to reduce its potential impacts to less than significant.

2. General Policies 17 and 22. Conserve energy.

   In addition to standard energy conservation requirements, energy conservation is further achieved through proposed use of underground chilled water storage for air conditioning systems, and reduction of 468 offsite student commutes is proposed through the addition of 468 student beds and related student residential services.

3. General Policy 18. Conserve water supply and protect water quality.

   Onsite irrigation will use 99 percent recycled wastewater. Stormwater runoff is proposed to be retained and/or processed to the extent feasible to maintain existing or less outflow.

4. General Policy 20. Recycle non-renewable resources.

A minimum diversion rate of 70 percent recycling of solid waste and construction waste is proposed.

5. General Policy 34. Protect residential areas from incompatible uses.

   The project proposes to relocate the primary athletic events center from an existing facility (Firestone Fieldhouse) and site adjacent to residences, to a location on campus buffered by hills and other existing campus facilities. The existing facility will have all assembly seating removed and be limited to non-assembly student activities. Existing globe lighting surrounding the existing soccer field, baseball field and Firestone Fieldhouse athletic facilities is proposed to be removed and replaced by shielded state-of-the-art lighting reducing standard night lighting impacts to nearby residences. No new uses located adjacent to neighbors are proposed. Construction and standard operational traffic, noise, and air quality impacts are mitigated to less than significant levels.

6. Land Use Element Policy 14. Provide compatible design.

   The project proposes various facilities and landscaping similar in architectural and functional design to existing facilities and landscaping, including additional drought tolerant native and compatible non-invasive ornamental landscaping keeping within the existing 365-acre development area.

7. Circulation Element Policies 18, 24, 37, and 38. Provide transportation improvements.

   The project is required to establish two significant transportation planning instruments: 1) A Major Event TDM program to minimize multiple vehicle use by students, staff, and service suppliers, and maximize efficient use of car/van pooling, shuttles, timing of multiple events, car sharing, public transportation subsidies, and staggered hours incentives, etc.; and 2) A Event Management Plan for AEC events exceeding 3,500 attendees, to organize, monitor, staff, enforce, and manage large events circulation, parking, and neighborhood protections.

8. Conservation, Open Space and Recreation Element Policy 19. Protect visual qualities of the area.

   The existing visual quality of surrounding hillsides, ridgelines, and scenic views from public roads, trails, and key vantage points, such as from the newly approved campgrounds to be located in the Malibu Bluffs Recreation Area, are protected by the Project. The Project retains all new development within the existing 365-acre development area, does not propose any undisturbed hillside grading, proposes state-of-the-art shielded and buffered lighting, and includes construction compatible with existing conditions. Views from: Scenic Highways PCH and Malibu Canyon

Road; Federal and State lands; and other conservation properties are not blocked by the Project.

9. Noise Element Policy 11. Reduce transportation-related noise.

   The project proposes new onsite student housing which reduces daily operational automobile trips and resultant auto-generated noises. Implementation of a TDM Program and Event Management Plan are required when holding Major Events and large events over 3,500 attendees at the proposed AEC to enable auto-generated noises to remain at a level of no significant impact.

10. Safety Element Policy 17 and 18. Reduce all fire hazards.

    New structures are required to be built to higher fire standards than structures being replaced. Existing fire access, fire flow water supply, and fuel modification buffers will be extended or expanded as necessary to maintain existing and provide added fire protection.

11. Safety Element Policy 19. Manage watershed runoff and debris movement.

    The Project proposes modifications to its existing hydrogeologic monitoring program to include new development proposed and to maintain or exceed drainage standards and requirements. Modifications to the existing debris basin are proposed to further insure continued debris flow management above and within the campus.

Malibu Local Coastal Program, Land Use Plan ("Local Plan") Consistency

Many policies of the Local Plan reinforce policies of the General Plan cited above. The Project is consistent with the policies of the Local Plan. In addition to similar General Plan policies already discussed above, applicable Local Plan Policies are summarized as follows:

1. Policy P37. Avoid mutual intrusion of trails and adjacent development.

   The Project is designed to be constructed entirely within the existing 365-acre development area. Proposed public trails are located to the north of the development area within the subject property connecting to proposed trails to the east and west of the subject property. Neither the proposed trails nor the proposed development intrude into each other. Previous agreements require dedication of open space and trails in the northerly portion of the subject property.

2. Policies P68 and P69. Protect Environmentally Sensitive Habitat Areas (ESHA's).

   None of the proposed Project disturbance is within or adjacent to an ESHA as defined by the County's Local Plan. Nevertheless, stormwater runoff that could

potentially impact the Malibu Coastline Significant Ecological Area No. 1 located to the south of the Pepperdine property, is mitigated to a level of no significant impact in compliance with the County's Low Impact Development ordinance and other required mitigation plans and best management practices. ESHA's located to the north of the Project (not adjacent) remain protected from Project impacts.

3. Policy P76. Comply with Coastal Act regarding substantial stream source alterations.

   The Project, including redevelopment of the Enhanced Recreation Area, debris basin, and stockpile located in the northerly portion of the 365-acre development area, includes use of the existing development footprint of existing facilities. Additionally, a minor alteration of the streambed slightly above the northerly tip of the existing debris basin is necessary for the purpose of flood control and insuring public and campus protection.

4. Policies P81 and P86. Comply with Coastal Act regarding stormwater runoff into coastal waters, and mitigate runoff to other sensitive riparian habitats.

   The Coastal Act requires the maximum rate of runoff into coastal waters from new development to not exceed the peak level existing prior to development. Various mitigation measures identified in the DEIR reduce maximum stormwater runoff into coastal waters and sensitive riparian habitats to existing or better conditions.

5. Policy P84. Landscaping in disturbed areas shall balance long-term stability of plantings with the provision of fire retardant plants.

   The Project proposes landscaping that is drought tolerant, native or non-invasive ornamental, and in compliance with Fire Department safety requirements.

6. Policies P125, P129, P130, P131, P134, P135, P136, and P137. Siting of new development shall protect public views, be compatible with surroundings and prevailing architectural and visual character of the area, minimize alteration of natural land forms, and cluster development to maximize view protections.

   The Project is designed to integrate with the cluster of development currently existing in the 365-acre development area. Similar architecture and landscaping is proposed compatible with existing structures and landscaping. Only previously disturbed land is proposed to be graded and altered using existing development footprints and contour grading techniques.

7. Policy P138b. Buildings are not to exceed three stories or 35 feet above existing grade.

The LRDP/SPD conceptually approved by the Planning Commission and Board, as amended and adopted by the Coastal Commission, permit buildings in excess of 35 feet or three stories in height on the subject property. Existing and proposed structures exceed this height limitation. Project structures proposed to exceed this height are authorized by the approved LRDP/SPD. Many buildings are approved at 40-60 feet in height with two buildings approved at 75- 80 feet in height. A Theme Tower was approved for 125 feet in height; the applicant is proposing a theme tower of 90 feet in height. This Policy 138b is not applicable since campus improvements of these heights were contemplated by the LRDP/SPD.

8. Policies P233, P234, P236, and P241. Provide adequate water supply and water conservation.

   Potable, recycled, and fireflow water supply requirements are met or exceeded by the Project. Project and site landscape irrigation is 99 percent supplied by recycled water. Los Angeles County Waterworks District No. 29 provided a letter dated March 23, 2011 indicating public water availability to the proposed Project.

9. Policies P271 and 273. New development shall be guided by the Local Plan and conform to development guidelines of the Coastal Act of 1976 as amended ("Coastal Act").

   Protected lands located north of the 365-acre Project development area are designated Mountain Lands in the Plan and remain protected lands. The 365-acre development area including the proposed Project is designated Institutional and Public Facilities in the Local Plan. The Project conforms to the Local Plan requirements with the exception of buildings exceeding 35 feet or three stories in height. The Coastal Act development guidelines encourage proposed development to remain within existing developed areas. The Coastal Act establishes the Long Range Development Plan process for public and private universities and requires LRDP's *"to be consistent, to the fullest extent feasible, with the appropriate local coastal program."* The Local Plan has been certified by the Coastal Commission, whereas the Implementation Plan component of the Malibu Local Coastal Program has not yet been certified. The Pepperdine LRDP/SPD, conceptually approved by the Planning Commission and Board, and certified by the Coastal Commission, conceptually permits specific existing and proposed buildings in the LRDP/SPD to exceed 35 feet or three stories in height. This provision enables campus facilities and structures to remain clustered within the existing 365-acre development area and meet the spatial requirements of the conceptually approved educational facilities.

LRDP/SPD Consistency

The Project is consistent with goals and policies of the LRDP/SPD. The Project must be consistent with the Pepperdine University LRDP/SPD conceptually approved by the

Planning Commission and Board, and adopted as amended by the California Coastal Commission effectively certified on April 12, 1990. The LRDP/SPD is required to *"to be consistent, to the fullest extent feasible, with the appropriate local coastal program"* (Section 30605 of the Coastal Act). The modified height limits of the LRDP/SPD, specifically for the Pepperdine campus development, are in addition to the height limit provisions of the Local Plan. Many policies of the LRDP/SPD reinforce policies of the Local Plan and General Plan cited above with more specific application to the Pepperdine University site summarized as follows:

1. Protect Environmentally Sensitive Habitat Areas (ESHA's).

   No part of the Project is located within or adjacent to an ESHA. Nevertheless, the project provides mitigation measures to insure that, though not an ESHA, Malibu Coastline SEA No. 1, located downhill/downstream from the campus, will not be impacted by the Project. The Inland ESHA located within SEA No. 5, to the north of the Project site (not adjacent), will not be affected by the Project.

2. Preserve Conservation and Open Space Areas.

   Proposed public trails including the Coastal Slope Trail and Mesa Peak Trail have portions proposed to be routed through the Pepperdine property north of the development area. Previous project approvals include dedication of easements to route those trails appropriately.

3. Preserve Archaeological and Paleontological Resources.

   During construction of the proposed project, any archaeological or paleontological resources encountered require protective mitigation measures to be taken and the finding reported to required agencies.

4. Follow New Development Guidelines.

   Mitigation measures are required to mitigate any significant environmental impacts, and Project permit conditions are required to insure high quality development.

5. Maximize Compatible Architecture.

   The Project continues design similar to the existing campus development.

6. Require Use of Compatible Native or Introduced and Fire Resistant Landscaping.

   The project proposes drought tolerant native and introduced landscaping including fire resistant species.

7. Provide Adequate and Efficient Housing.

   Student housing suitable for lower grades and higher grades including compliance with sustainable construction requirements is proposed.

8. Provide Economical and Adaptable Utilities and Public Works.

   Necessary utility supply, additional redundant sewage capacity, and continue recycled irrigation water supply will be maintained by the proposed Project.

9. Provide Transportation and Circulation Minimizing Conflicts with Adjacent Development.

   Existing and proposed TDM and Event Management Plan programs will be maintained for Major Events at the Athletics/Events Center. Ongoing operational *Ride Share* program add added student residences on campus will reduce average daily traffic on and around the campus and local community. Additional parking facilities are proposed to maintain adequate operational and Major Event parking supply onsite.

10. Continue Low-Cost and Free Recreational and Community Uses.

    The Project proposes new and renovated athletic and recreational facilities primarily for the university community. Availability of Community Crest Club membership for use of university recreational facilities, for a fee, is proposed to continue for members of the public.

11. Protect Campus Users from Landslide, Fire, and Seismic Hazards.

    Required mitigation measures for the Project address potential landslide, fire, and seismic hazards. The University maintains an emergency response plan. Onsite ponds are made available for firefighting water supply in the event of major fires in the surrounding Santa Monica Mountains.

12. Preserve Valuable Visual Resources.

    Additional campus development proposed remains within the existing 365-acre development area of the university and provides Project design retaining existing offsite views, and provides mitigation measures minimizing potential night time lighting glow and glare impacts.

13. Facilitate Ongoing Community Participation.

Existing citizen advisory groups are maintained by the university. Major university development projects, including discretionary and ministerial projects, require noticing to named community groups, agencies and other entities named in the LRDP/SPD.

Zoning Ordinance Development Standards Compliance

The Project complies with the development standards of the A-1-1-DP Zone and LRDP/SPD requirements. The proposed Project is comprised of uses permitted in the A-1-1-DP zone, provided a conditional use permit has been obtained. The Project includes six uses located within the DPZ as follows: 1) Student Housing; 2) Athletics/Events Center and underground/above ground parking; 3) Soccer Field; 4) Town Square and underground parking; 5) Recreation Area; and 6) above ground Parking Structure. The DPZ and associated LRDP/SPD conceptually approved by the Planning Commission and Board of Supervisors, and adopted and certified by the Coastal Commission, includes the campus Master Plan of Facilities which delineates existing and proposed permanent structures and facilities. The Master Plan of Facilities lists by facility and use the following information: allowable maximum square feet, maximum height, maximum assembly and spectator seating, number of beds, units, rooms, sports courts, internal road widths and other applicable measurement parameters. The DPZ and LRDP/SPD require that additional appropriate environmental review be performed and a conditional use permit be obtained for each major development project application made by Pepperdine University as conceptually authorized by the DPZ and LRDP/SPD as amended. Where standards of the Zoning Ordinance, Title 22 differ from the LRDP/SPD Development Program, the adopted LRDP/SPD Development Program applies.

DPZ and LRDP/SPD Development Table

The LRDP/SPD may be amended by the Coastal Commission. Various minor amendments have been approved since the original adoption of the Plan, modifying various uses and/or locations according to the changing campus needs consistent with adopted environmental documents. Attached is a development table named *Pepperdine University DPZ/Specific Plan for Development and Long Range Development Plan Square Footage Compilation.* The table includes reference to built and remaining planned development, square feet proposed to be used by the subject Project, and remaining square feet available for future build out of the LRDP/SPD. The CUP Conditions of Approval require that this table be updated and provided with each development application to the County. This table is based on the *Pepperdine University Master Plan Facilities* document included in the Coastal Commission adopted LRDP/SPD certified on April 12, 1990 and as amended to date.

Parking Permit Requirements

The Project complies with parking requirements. Section 22.52.1220 of the County Zoning Ordinance states that *"Where parking requirements for any use are not specified, parking shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based upon the requirements for the most comparable use specified in this Part 11."* Furthermore, Section 22.56, Part 7 of the County Code establishes Parking Permit requirements. Section 22.56.990.A, of the County Code, states *"The parking permit procedure is established to provide an alternative to the parking requirements of Chapter 22.52 in the event that a particular use does not have the need for such requirements."* The parking requirements of Pepperdine University are unique due to the geography, multiple uses, and development patterns of the campus. Steep grades, shared parking, and physical proximity of existing and proposed parking facilities to event, assembly, and standard educational and operational uses, make tailored parking standards a necessity.

Historically, the LRDP/SPD and DPZ established a minimum parking requirement of one parking space per FTE based on a maximum of 3,500 FTE by County approvals, and 5,000 FTE by Coastal Commission approvals. This minimum standard has continued through subsequent conditional use permit and parking permit approvals. The proposed Project includes an overall intensification of parking requirements by the addition of approximately 394,000 square feet of net new development including an additional 1,900 seats in the proposed AEC. Factoring in 468 additional proposed student beds, which may incrementally reduce onsite parking demands since many of those students will not have their own vehicles, nevertheless overall parking demand is anticipated to increase. Existing parking demand is estimated in the EIR to be 3,343 parking spaces. The existing parking permit allows a minimum parking requirement of 2,650 parking spaces, the current approximate number of full time equivalent students. Existing parking supply is 4,584 spaces including 1,087 campus on-street spaces and 3,497 off-street spaces for the entire campus. Future parking demand with build out of the Project is estimated in the EIR to be a minimum of 3,416 parking spaces when the AEC is not in use, increasing to a maximum of 4,729 spaces when the AEC is used for an event with maximum attendance of 5,470. Proposed total parking supply at Project build out is up to 5,380 spaces.

In consideration of the above facts, the Parking Permit shall require a minimum of 3,343 parking spaces phased to a minimum of 4,880 spaces at Project build out for an AEC building with a maximum capacity of greater than 5,000 attendees (Project mitigation measure 5.8-4 requires that 4,880 spaces shall be provided prior to any Major Event in excess of 5,000 attendees). The table below, based on the analysis provided in Table 5.8-11 and 5.8-12 of the EIR, provides parking requirements by phase occupancy at various AEC seating capacities including temporary portable seating. The existing use provides 4,584 parking spaces, and the Project proposes parking supply in excess of

the spaces required at the various phases and with the various AEC capacity sizes in the table below:

Minimum Parking Requirements Prior to and Subsequent to Project Occupancy

Phase Occupancy & AEC Seating Capacity	MINIMUM REQUIRED PARKING		
	Standard Operations	Additional Spaces for Maximum Capacity Event *	Total Required Parking
Prior to Project Component Occupancy	3,343	-	3,343
Phase I – 3,500 to 4,000 Seat Facility	3,397	960	4,357
Phase I – 4,001 to 4,500 Seat Facility	3,397	1,080	4,477
Phase I – 4,501 to 5,000 Seat Facility	3,397	1,200	4,597
Phase I – >5,000 Seat Facility	3,397	-	4,880**
Phase I & II – 3,500 to 4,000 Seat Facility	3,416	960	4,376
Phase I & II – 4,001 to 4,500 Seat Facility	3,416	1,080	4,496
Phase I & II – 4,501 to 5,000 Seat Facility	3,416	1,200	4,616
Phase I & II – >5,000 Seat Facility up to 5,470 total	3,416	-	4,880**

* Assumes 60% of the spectators would travel to the event from off-campus and an average vehicle occupancy of 2.5 persons per vehicle.
** Required by Mitigation Measure 5.8-4 of the Project MMRP.

Neighborhood Impact/Land Use Compatibility

Adjacent Residences

Approximately 100 single-family residences are located in a housing subdivision called Malibu Country Estates ("MCE") located adjacent to the southwesterly boundary of the existing Pepperdine campus. The only new development proposed near these homes is the redevelopment of the soccer field located across from the northeasterly tip of MCE. Other proposed development is located to the north, northeast, and southeast portions of the campus where no other offsite residences or other sensitive uses are located. The MCE housing development is located on a graded area of a hillside overlooking the campus. Approximately 12 of these homes are located in close proximity to John Tyler Drive, which is one of two primary access roads for entering and exiting the campus. John Tyler Drive intersects PCH. The remaining homes within MCE are substantially set back from the roadway and campus boundary. The other primary campus access is on Seaver Drive intersecting Malibu Canyon road and located at the southeasterly boundary of the property near City of Malibu commercial and civic facilities. Construction of the Project will require some use of John Tyler Drive, however, the majority of construction and operational access is anticipated to be at Seaver Drive. Additionally, a Condition of this Permit requires closure of the John Tyler Drive access gate every night between 10:30 p.m. and 6:30 a.m. Considering that all construction, operational, and cumulative impacts, including air quality, noise, and non-major event

traffic impacts are mitigated to a level of no significant impact, nevertheless, some impacts to the adjacent residences may increase from current levels during construction and during operations following build out of the Project. The approximately 12 homes located nearest John Tyler Drive may continue to experience the effects of increased campus activity to a greater extent than the other homes in the neighborhood. The adopted long range plans (LRDP/SPD and DPZ) anticipate this kind of long-term development pattern for a university campus. The Commission finds that the Project, with required mitigation measures and conditions, is compatible with the majority of MCE residences.

Other Adjacent Uses

Other adjacent or nearby uses include commercial and civic facilities, and passive and active open space and recreation areas. The proposed Malibu Bluffs camping facilities located south of the Pepperdine property across PCH are buffered by large fields, ponds, and outdoor recreation facilities on the southern boundary of the Pepperdine property. Nearby commercial and civic facilities will continue to experience existing open space buffers and no additional impacts as a result of the proposed Project, with the exception of traffic impacts from Major Events with greater than 3,750 attendees and starting or ending at a.m. and p.m. weekday peak traffic hours. Existing open spaces, proposed trails, and viewshed provisions are preserved. The Project remains compatible with all other adjacent and nearby uses.

Burden of Proof

Conditional Use Permit Burden of Proof

The applicant is required to meet the Conditional Use Permit Burden of Proof. According to Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Commission, the following facts:

A. That the requested use at the location proposed will not:

1. "Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area;"

   The project is surrounded predominantly by vacant and preserved lands and a few other non-sensitive uses with the exception of an approximately 100-unit residential community located on the Project's southwesterly boundary. The proposed Project is a continuation of existing university operations based on existing approved long range development plans with impacts which can be mitigated with no remaining significant environmental impacts on the surrounding area, with the exception of traffic impacts for major events in excess of 3,750 attendees which starts or ends at weekday peak morning or evening hours. A Statement of Overriding Considerations is recommended to address this

significant impact.

2. "Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or"

   Based on the EIR conclusion that project mitigation measures would reduce any environmental impacts to a less than significant level, with only the major event traffic exception as addressed by the Statement of Overriding Considerations, staff has determined that the construction and operation of the project would not limit, hinder or denigrate the use of properties in the vicinity of the project site.

3. "Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare."

   Areas of concern regarding the project are mitigated to a level of no significant impact on the environment and conditions of Project approval address additional concerns. The project proposes various measures such as state of the art non-intrusive athletic field lighting, TDM Program to address major event traffic, sound screening provisions to minimize construction and operational noise, and relocation of the AEC away from adjacent residences.

B. "That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area."

   The Project site is a 365-acre existing development area within an 830-acre site providing sufficient space for the project proposed including proposals to maximize buffering and safety in relationship to surrounding properties.

C. "That the proposed site is adequately served:

   1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; and"

      The Project requires continued long-term use of existing roads for ongoing operations; therefore the current access and road conditions require minimal improvements to carry on the proposed use. Any damage to existing or improved local roadways caused by project construction and/or operations is required to be repaired at the applicant's expense as required by mitigation measures and conditions of approval.

2. "By other public or private service facilities as are required."

   All required and needed public and private service facilities are met for the project.

Staff concludes and is of the opinion that the burden of proof for a conditional use permit has been met by the applicant, subject to compliance with the attached conditions. The applicant's responses are also attached.

Parking Permit Burden of Proof

The applicant is required to meet the Parking Permit Burden of Proof. According to Section 22.56.1020 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Commission, the following facts:

A. "That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:

   1. The age and/or physical condition of the residents is such that the use of automobile is unlikely, or"

      The nature of students living on campus is such that automobiles are not required during the academic term, and students of the typical age do not all need a car to meet day to day living needs on campus. Campus shuttles are provided and subsidized mass transit passes are also available.

   2. "The nature of the use is such that there is a reduced occupancy, or"

      The Parking Permit it is the appropriate means to address the university's parking requirements. Minimum required parking based on estimated demand at various phases of the Project and for various anticipated sizes of the AEC facility, and insures that adequate parking will be available. The nature of the university uses includes a large campus with multiple auditoriums, multiple sports spectator facilities, a proposed large-scale Athletics/Events Center, and onsite student and faculty housing. Standard County Code parking requirements do not address the number of assembly and spectator facilities, complex topography affecting parking locations and educational program and resident needs, complex academic and large event facilities locations and scheduling, concurrent events, and other unique circumstances of the Pepperdine University parking requirements.

   3. "The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as

van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration, or"

The university has an existing Rideshare program which includes shuttles, car sharing, car and priority carpool parking, and subsidized vanpools and mass transit.

4. "Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;"

   The campus provides space for additional parking for each component in excess of anticipated requirements. Current parking of 4,584 spaces and proposed parking at buildout of 5,380 spaces are more than sufficient to meet anticipated parking demand.

B. "That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:

1. Uses sharing parking facilities operate at different times of the day or days of the week, or"

   All existing and proposed campus parking supply substantially exceeds minimum estimated parking demand. The University uses a parking management plan including use of certain parking areas by permit only and other areas for use any time by any campus user, enabling sufficient and adequate parking for all campus users.

2. "Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan, or"

   The Project does not request nor require tandem or valet parking.

3. "Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces;"

Existing and proposed student housing makes use of existing parking supply in proximity to the housing. Assigned parking areas and spaces may be used should increases in demand require it.

C. "That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:"

Off-site parking is not required. All required operational and standard event parking shall be provided onsite. Major events exceeding 5,000 attendees may include offsite park and ride agreements as part of a Major Event TDM and Parking Management Plan.

1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or"

   Though not required by the Permit, the permittee may make use of offsite park and ride facilities through necessary agreements as part of a Major Event Parking Management Plan for events exceeding 5,000 attendees.

2. "Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces, or"

   No leases are required nor proposed at this time.

3. "Such transitional lots are designed to minimize adverse effects on surrounding properties, or"

   The intent of any park and ride arrangements would be to make use of existing available facilities already designed for parking use.

4. "Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;"

   Uncovered parking supplied is located internal to the campus and does not impact neighbors.

D. "That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property;"

The physical nature of the campus location is such that all parking would be retained within the campus boundaries. Conditions of the CUP prohibit any campus use of adjacent Malibu Bluffs Recreation Area and MCE residential streets, and the single access to said neighborhood located at John Tyler Drive and Malibu Country Drive is proposed to be monitored for compliance during major events on campus.

E. "That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22."

The Project site meets all size requirements for necessary development features.

The Parking Permit Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the Parking Permit Burden of Proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County Department comments and conditions were received from the Department of Public Works, Fire Department, and Public Health.

The Department of Public Works in its letters dated November 2, 2010 and March 23, 2011 recommended approval of the Project and required conditions regarding grading/soils/geology, drainage, waterworks, and sewer.

The Fire Department in its letter dated March 24, 2011, provided requirements which when met at the Plan Check stage would achieve Fire Department recommended Project approval regarding fire flow water supply, fuel modification, access, and special requirements for automatic sprinkler systems. Adequate fire flow water supply has been verified.

PUBLIC COMMENTS

Hearing Examiner Public Hearing

A Hearing Examiner Public Hearing was held at the Pepperdine University campus on December 2, 2010 to take public testimony on the DEIR and Conditional Use Permit and Parking Permit requests. Approximately 250 People attended the hearing but not all attendees testified. Testimony, as recorded in the attached transcript was received from the applicant and 27 members of the public including representatives of nearby home owners associations, neighbors, and students of Pepperdine University, along with other members of the public. Five (5) members of the public provided written comments regarding the project at the time of the Hearing Examiner public hearing.

Written and oral testimony in favor emphasized the benefits to various student programs and services including new and improved on-campus student housing, improved undergraduate campus-life facilities, improved athletic facilities scheduling and access

capabilities, and facility quality improvements. Environmental benefits were cited such as the use of reclaimed water, constructing LEED Silver and Certified or equivalent buildings, increased recycling, and use of drought tolerant vegetation. Reductions in student commuting to and from the campus and state of the art improvements to project and existing project-related lighting were mentioned.

Written and oral testimony opposed or with concerns about the project included potential increases in construction and operational noise, air quality, sky-glow and other night lighting impacts, and visual impacts to local surrounding open space and nearby public camping uses. Event traffic, traffic safety, and cumulative impacts regarding proposed uses and intensifying of existing uses were expressed as significant concerns.

Other Public Comments
In addition to public testimony and comments received up to and including the Hearing Examiner public hearing, several issues have been further identified as areas of controversy through the remaining public review comment period on the DEIR. Issues related to overall scale of the AEC and the number of Major Events to be held at the AEC, hours of operation of new and existing facilities, addition of athletic and recreation field lighting, event traffic and access particularly via John Tyler Drive, addition of new student housing on campus and related increases in potential student disturbances, public safety, and construction noise and air quality impacts. All oral testimony received at the Hearing Examiner public hearing and all written testimony received during the DEIR comment period were included and responded to in the Final EIR ("FEIR").

Regional Planning Commission Written Public Comments
In addition to comments received during the public comment period on the DEIR and at the Hearing Examiner public hearing, two additional comment letters were received from representatives of the MCE Home Owners Association ("HOA") at the time of this report. The MCE HOA Board of Directors made a written request for additional Project mitigation measures and conditions to further reduce perceived additional impacts of the Project on the neighborhood. Representatives of the MCE HOA have regularly met with Pepperdine representatives and planning staff regarding the Project, and they have expressed the most concern about potential increases in traffic on John Tyler Drive from additional large events at the proposed AEC, night lighting from soccer and baseball fields, and noise impacts from the proposed cumulative increase in campus development and increased student activities from greater numbers of students living onsite. A letter was also received from an individual MCE resident indicating their intent to further discuss Project conditions that may benefit the residents of MCE.

FEES/DEPOSITS
If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION

Staff recommends adoption of the EIR and approval of Project No. R2007-03064-(3), Conditional Use Permit No. 200700203, and Parking Permit No. 200700014, subject to the attached conditions. Staff is of the opinion that the EIR mitigation measures adequately mitigate Project impacts on traffic, noise, sky-glow and other night lighting impacts, air quality, visual impacts, all but Major Event traffic (as defined in the EIR), traffic safety, biological impacts, and cumulative impacts due to intensifying of campus uses and related projects. Staff recommends the Planning Commission adopt a Statement of Overriding Considerations ("SOC") regarding the remaining significant impact of Major Event traffic as defined in the EIR. Staff is of the opinion that the SOC adequately addresses the priority of educational improvements over a very specific and narrowly defined traffic impact (congestion at eight intersections during a Major Event that starts or ends between 7 a.m. and 9 a.m. or 4 p.m and 6 p.m. on weekdays for events exceeding 3,750 attendees, 60% of which are from offsite locations). Staff is also of the opinion that Conditional Use Permit Conditions adequately address remaining community and land use planning concerns. The above recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

SUGGESTED APPROVAL MOTIONS

"I MOVE THAT THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT ALONG WITH THE REQUIRED FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPT THE ATTACHED MITIGATION MONITORING AND REPORTING PROGRAM ASSOCIATED WITH THE PROJECT."

"I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE PROJECT NO. R2007-03064-(3), CONDITIONAL USE PERMIT NO. 200700203, AND PARKING PERMIT NO. 200700014 WITH THE ATTACHED FINDINGS AND CONDITIONS."

Prepared by: Mr. Kim K. Szalay, MPL, AICP, Principal Regional Planning Assistant
Reviewed by: Samuel Z. Dea, Supervising Regional Planner

Attachments:

EIR including Final EIR, DEIR, CEQA Findings of Fact, and MMRP on disc
Mitigation Monitoring and Reporting Program hard copy
CUP and Parking Permit Findings
CUP and Parking Permit Conditions
Applicant's CUP Burden of Proof Statement
Applicant's Parking Permit Burden of Proof Statement
Hearing Examiner Public Hearing Transcript

Development Table: *Pepperdine University DPZ/Specific Plan for Development and Long Range Development Plan Square Footage Compilation*
Site Plans
Elevations
Land Use Map

SZD:KKS
3/31/11

CUP AND PARKING PERMIT FINDINGS

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NO. R2007-03064-(3)
CONDITIONAL USE PERMIT NO. 200700203
PARKING PERMIT NO. 200700014
ENVIRONMENTAL ASSESSMENT NO. 200700169
HEARING DATE: May 4, 2011

SYNOPSIS

In November, 2007, the applicant, Pepperdine University, applied for a Conditional Use Permit and Parking Permit for further development of its campus according to the previous conceptual approvals obtained through an adopted Development Program Zone and adopted Long Range Development Plan and Specific Plan for Development, originally dated 1982 to 1997; since then amended to the present date. The current Project, named the Pepperdine University Campus Life Project, proposes development of six components including relocation of its primary athletics and events center to a more remote internal location and construction of additional living units for 468 students, enabling more students to live on campus. Creation of a new outdoor student gathering space, additional parking, and improvements to outdoor athletic venues summarizes the key Campus Life Project features. A Hearing Examiner public hearing was held on December 2, 2010 to receive oral and written testimony from the public regarding the Project and corresponding Draft Environmental Impact Report.

FINDINGS

1. The applicant, Pepperdine University, is requesting a conditional use permit to authorize the Campus Life Project ("Project") for construction, operation, and maintenance of 394,137 net new square feet of development and grading in excess of 100,000 cubic yards within approximately 365 acres of existing core-campus area on an 830-acre site within a 12-year, two phase development program; and a parking permit to establish parking requirements for existing and proposed university facilities in the A-1-1-DP (Light Agricultural-One Acre Minimum Required Area-Development Program) zone.

2. The proposed development consists of six components which include a maximum of 456,940 square feet of new development less 62,803 square feet of demolition for a total of 394,137 square feet of net new development comprised of the following: 1) Student Housing Rehabilitation (150,692 net new square feet; 468 net new beds); 2) Athletics and Events Center (maximum 5,000 fixed seats and 470 temporary seats, 235,845 net new square feet) and two underground levels and five above ground levels of structured parking; 3) Upgraded Soccer Field and Maintenance Facilities (1,500 net new square feet); 4) Town Square and Welcome Center (4,500 net new square feet) with two levels of underground parking; 5) Enhanced Recreation Area (1,600 net new square feet); 6) School of Law Parking

Structure (three above ground levels). A total of 2,013 new parking spaces are proposed with the loss of 1,217 spaces for a net increase of 796 spaces of onsite proposed parking and up to a total of 5,380 maximum spaces at project build-out. A parking permit is also requested to establish minimum parking requirements based on parking demand at various development phases of the Project to accommodate a maximum of 3,500 full time equivalent ("FTE") student population. Project related earth movement is comprised of approximately 434,000 cubic yards consisting of approximately 198,000 cubic yards of cut (including 70,000 cubic yards of residual cut grading comprised of bedrock from Component 4 Town Square, which may be required to be exported) and approximately 236,000 cubic yards of fill. Any deficit in fill may use up to approximately 125,000 cubic yards of fill to be obtained from the approved Graduate Campus project site pad and any other usable onsite fill material. With the exception of up to 70,000 cubic yards of bedrock which may be required to be exported, grading will be balanced onsite.

3. The Pepperdine University Campus is located to the west of the City of Malibu Civic Center near the intersection of Malibu Canyon Road at Pacific Coast Highway ("PCH"). Access to the campus is through two entrances, John Tyler Drive to the southwest at PCH, and Seaver Drive at Malibu Canyon Road north of PCH. Both Malibu Canyon Road and PCH are designated as adopted Scenic Highways and Major Highways in the Countywide General Plan.

4. Approximately 365 acres of the 830-acre subject property is improved within a university campus ("core-campus") and associated infrastructure such as roads and drainage improvements. All development proposed is located within the existing core-campus boundaries including the existing stockpile and debris basin located at the northerly portion of the core-campus boundary. The subject core-campus area is naturally hilly and sloping within the coastal fringe of the Santa Monica Mountains, includes flat to sloping terraced pads for existing and proposed development, and overlooks the Pacific Ocean above the City of Malibu which fans out to the east and west. Approximately 465 acres of the property is comprised of undisturbed open space surrounding the core-campus to the north, northeast and northwest. Approved and permitted, but not yet constructed public trails are currently proposed to cross the northerly undeveloped portion of the subject property to link trails east and west of the property. Approximately 115 acres of undisturbed open space, or 15% of the property, is located at the most northerly portion of the site within Malibu Canyon and Lagoon Significant Ecological Area ("SEA") No. 5. The closest project related development is approximately one half mile south of the SEA No. 5 southerly boundary. A portion of Inland Environmentally Sensitive Ecological Area ("EHSA") I.D. No. 188 is located within SEA No. 5 on the Pepperdine property. As with SEA No. 5, no part of Project is located within or adjacent to the ESHA, as such the Project is exempt from review by the Significant Ecological Area Technical Advisory Committee ("SEATAC") or

Environmental Review Board ("ERB"). The residential community called Malibu Country Estates ("MCE") is located adjacent and southwest of the subject property. Malibu Canyon Road is located adjacent to the southeast along the eastern boundary of the subject property. In addition to the Malibu Knolls residential community above the Malibu Civic Center, church, elementary school, other commercial uses, and vacant properties are located to the southeast of the site in the City of Malibu. PCH, Malibu Bluffs State Recreation Area, the Malibu Road Community, and Malibu Coastline SEA No. 1 are located directly south of the Pepperdine property. Deer and other native animals inhabit the surrounding property and pass through or occupy portions of the unfenced areas. Oak trees are located onsite and are to remain untouched and un-encroached upon by the proposed development. Native and non-native species of plants are located throughout the site. Three local drainage features, partially altered by existing improvements, run through the development area. Existing access from PCH and Malibu Canyon Road connect to the existing internal circulation system.

5. The residential community called Malibu Country Estates ("MCE") is located adjacent and southwest of the subject property. Malibu Canyon Road is located adjacent to the southeast along the eastern boundary of the subject property. In addition to the Malibu Knolls residential community above the Malibu Civic Center, church, elementary school, other commercial uses, and vacant properties are located to the southeast of the site in the City of Malibu. PCH, Malibu Bluffs State Recreation Area, the Malibu Road Community, and Malibu Coastline SEA No. 1 are located directly south of the Pepperdine property.

6. The Department of Regional Planning ("Regional Planning") determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an Environmental Impact Report ("EIR") was necessary for the Project. The areas of potential environmental impact addressed in the EIR include the following: Geotechnical Hazards, Hydrology and Water Quality, Fire Hazards, Noise, Air Quality, Biota, Cultural Resources, Visual Qualities, Traffic and Access, Public Services including Fire Protection and Sheriff Protection services, Public Utilities including Water Supply, Sewage Disposal, and Solid Waste, Land Use, and Global Climate Change.

7. The following areas required no further environmental review as described in the Initial Study: Mineral Resources, Agriculture Resources, Education, General Factors, Population/Housing/Employment, Parks and Recreation, Public Utilities including Electricity/Gas, and Environmental Safety.

8. A Draft EIR ("DEIR") was circulated for public review and comment from November 10, 2010 to January 10, 2011 (60 days) and copies delivered to the Regional Planning Commission. Oral and written comments were received from members

of the public at a Hearing Examiner public hearing held on December 2, 2010 at the Pepperdine University campus.

9. As identified in the DEIR, after implementation of the required mitigation measures, the Project would result in no significant and unavoidable impacts to the environment with the exception of special event traffic as follows: The Project would decrease traffic on the surrounding roadway network following completion of both Phase I and II of the Project. A required Transportation Demand Management ("TDM") program, Event Management Plan and the conversion of commuter students to resident students facilitated by the housing program, plus the onsite facilities provided by upgraded athletic, recreation, wellness, support programs, etc., would reduce the number of trips to and from the campus. Thus, the DEIR concludes that on average the Project would reduce impacts to the local roadway system. However, the DEIR conservatively evaluates potential worst-case impacts that could occur resulting from well-attended "Major Events" defined as exceeding 3,750 attendees, of which 60 percent are from offsite locations, located at the proposed Athletics/Events Center ("AEC") that are scheduled to start or end during week-day (Monday through Friday) peak hour periods (7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.). During these limited instances the Project would result in significant and unavoidable impacts at eight intersections as identified in the Traffic section of the DEIR.

10. A Statement of Overriding Considerations is required to address impacts to these intersections as discussed in the Traffic section. Such statement would demonstrate how the benefits of the Project would exceed the negative consequences of these limited impacts, and that feasible mitigation measures along with Project modifications were considered to lessen the impacts from the Project.

11. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of a Regional Planning Commission Hearing by mail, newspaper, property posting, library posting and on the Department's website. Newspaper notices are scheduled to be published on April 4, 2011 in La Opinion and in the Malibu Times. Notices to property owners located within a 500-foot radius of the property boundaries were mailed on March 29, 2011 and to two local libraries on March 31, 2011. Notices were posted on the subject property and made available on the Department's website prior to April 4, 2011.

12. On February 3, 1971 the Los Angeles County Regional Planning Commission ("Planning Commission") approved Zoning Case No. 5687 to change zoning to allow the site to be used for post-secondary educational purposes. On July 11, 1972, Conditional Use Permit ("CUP") No. 133 was approved by the Planning

Commission to establish the initial Pepperdine University campus in unincorporated Los Angeles County in the Malibu area, and Variance No. 82 to establish a parking ratio of one space per full time equivalent student. Further expansion of the campus was approved by the Planning Commission on December 4, 1974 by CUP No. 538. CUP No. 1949 was approved by the Planning Commission on September 22, 1982 for expansion of the Malibu Mesa Wastewater Reclamation Plant and implementation of additional recycled water irrigation.

13. On February 11, 1987, CUP No. 2432 was conceptually approved by the Planning Commission to establish a conceptual Long Range Development Plan ("LRDP") and Specific Plan for Development ("SPD") for long range development of the campus, and approve construction of the first phase of the LRDP/SPD including a contingency approval of the Malibu Mesa Wastewater Treatment Plant expansion. On July 7, 1987, Zone Change ("ZC") No. 85007 was adopted by the County Board of Supervisors ("Board") to establish the DPZ and conditionally adopt the conceptual LRDP/SPD to provide a tiered process for expansion of the campus and implementation of the LRDP/SPD during the future years. The approvals required submission and approval of future conditional use permits and appropriate environmental documents to analyze and mitigate the impacts at each phase of development. Future analysis of traffic and sewage generation and the identification and costs of any necessary public infrastructure expansions to accommodate the LRDP/SPD were specified by the Board. On April 12, 1990, the Executive Director of the California Coastal Commission ("Coastal Commission") effectively certified the LRDP/SPD which included up to 1.2 million square feet of new development in addition to development existing at that time, and a total student enrollment cap of 5,000 FTE.

14. The following permits were conceptually approved by the Planning Commission for further expansion of the campus subsequent to the adoption of the LRDP/SPD and DPZ: CUP and Parking Permit No. 90181 on August 29, 1990; CUP and Parking Permit No. 91156 on July 1, 1992; and CUP and Parking Permit No. 96049 and Oak Tree Permit No. 96050 on October 15, 1997.

15. On May 25, 1999, the Board conceptually approved CUP, Parking Permit, and Oak Tree Permit No. 97191 to establish the graduate student campus at the most northwesterly portion of the campus development area, and limited campus student enrollment to 3,500 FTE.

16. Required final actions by the Coastal Commission were obtained to authorize implementation, and/or revised implementation, of all County approvals to date. The current request includes minor amendments to the LRDP/SPD to enable build out of the majority of the campus as contemplated by the LRDP/SPD. Once the

Planning Commission or Board considers the subject entitlement requests and issue the approval in concept, the Coastal Commission will consider final action on the Project and LRDP/SPD amendments requested.

17. Project consistency with the Coastal Commission approved LRDP/SPD, County of Los Angeles General Plan and Local Area Plan, compliance with the County Zoning Ordinance, compatibility with neighborhood and other existing onsite land uses, and evaluation of the applicant's ability to meet the Conditional Use Permit and Parking Permit Burdens of Proof, are determined by the Planning Commission following the previously held Hearing Examiner public hearing. The Hearing Examiner public hearing was held primarily to receive public testimony on the merits of the Project and its environmental document prior to Project consideration by the Planning Commission.

18. The proposed Project is consistent with the goals and policies of the Countywide General Plan Public and Semi-Public land use designation, Malibu Local Coastal Program, Land Use Plan land use designations 11 (Institution and Public Facilities) and M1 (Mountain Lands), and the Pepperdine LRDP/SPD as detailed in Table 5.11-1 through Table 5.11-4, Section 5.11, Land Use, of the DEIR.

19. The Project is consistent with the Countywide General Plan ("General Plan") as follows:

    a. General Policy 15. Protect significant natural resources. The Project proposes to keep all development within the 365-acre existing development area of the 830-acre property. Consequently, biological resources located on the property outside of the development area, including Significant Ecological Areas No. 5 and No. 1 and nearby Environmentally Sensitive Habitat Areas, are to remain protected. Development is clustered near existing roadways and highways for adequate access and further protection of sensitive resources. The Project has analyzed all sensitive biological resources and included adequate mitigation measures to reduce its potential impacts to less than significant.

    b. General Policies 17 and 22. Conserve energy. In addition to standard energy conservation requirements, energy conservation is further achieved through proposed use of underground chilled water storage for air conditioning systems, and reduction of 468 offsite student commutes is proposed through the addition of 468 student beds and related student residential services.

    c. General Policy 18. Conserve water supply and protect water quality. Onsite irrigation will use 99 percent recycled wastewater. Stormwater runoff is

proposed to be retained and/or processed to the extent feasible to maintain existing or less outflow.

d. General Policy 20. Recycle non-renewable resources. A minimum diversion rate of 70 percent recycling of solid waste and construction waste is proposed.

e. General Policy 34. Protect residential areas from incompatible uses. The project proposes to relocate the primary athletic events center from an existing facility (Firestone Fieldhouse) and site adjacent to residences, to a location on campus buffered by hills and other existing campus facilities. The existing facility will have all assembly seating removed and be limited to non-assembly student activities. Existing globe lighting surrounding the existing soccer field, baseball field and Firestone Fieldhouse athletic facilities is proposed to be removed and replaced by shielded state-of-the-art lighting reducing standard night lighting impacts to nearby residences. No new uses located adjacent to neighbors are proposed. Construction and standard operational traffic, noise, and air quality impacts are mitigated to less than significant levels.

f. Land Use Element Policy 14. Provide compatible design. The project proposes various facilities and landscaping similar in architectural and functional design to existing facilities and landscaping, including additional drought tolerant native and compatible non-invasive ornamental landscaping keeping within the existing 365-acre development area.

g. Circulation Element Policies 18, 24, 37, and 38. Provide transportation improvements. The project is required to establish two significant transportation planning instruments: 1) A Major Event TDM program to minimize multiple vehicle use by students, staff, and service suppliers, and maximize efficient use of car/van pooling, shuttles, timing of multiple events, car sharing, public transportation subsidies, and staggered hours incentives, etc.; and 2) An Event Management Plan for AEC events exceeding 3,500 attendees, to organize, monitor, staff, enforce, and manage large events circulation, parking, and neighborhood protections.

h. Conservation, Open Space and Recreation Element Policy 19. Protect visual qualities of the area. The existing visual quality of surrounding hillsides, ridgelines, and scenic views from public roads, trails, and key vantage points, such as from the newly approved campgrounds to be located in the Malibu Bluffs Recreation Area, are protected by the Project. The Project retains all new development within the existing 365-acre development area, does not propose any undisturbed hillside grading, proposes state-of-the-art shielded and buffered lighting, and includes construction compatible with existing

conditions. Views from: Scenic Highways PCH and Malibu Canyon Road; Federal and State lands; and other conservation properties are not blocked by the Project.

i. Noise Element Policy 11. Reduce transportation-related noise. The project proposes new onsite student housing which reduces daily operational automobile trips and resultant auto-generated noises. Implementation of a TDM Program and Traffic and Parking Management Plan are required when holding Major Events and large events over 3,500 attendees at the proposed AEC to enable auto-generated noises to remain at a level of no significant impact.

j. Safety Element Policy 17 and 18. Reduce all fire hazards. New structures are required to be built to higher fire standards than structures being replaced. Existing fire access, fire flow water supply, and fuel modification buffers will be extended or expanded as necessary to maintain existing and provide added fire protection.

k. Safety Element Policy 19. Manage watershed runoff and debris movement. The Project proposes modifications to its existing hydrogeologic monitoring program to include new development proposed and to maintain or exceed drainage standards and requirements. Modifications to the existing debris basin are proposed to further insure continued debris flow management above and within the campus.

20. The Project is consistent with the Malibu Local Coastal Program, Land Use Plan ("Local Plan") as follows:

a. Policy P37. Avoid mutual intrusion of trails and adjacent development. The Project is designed to be constructed entirely within the existing 365-acre development area. Proposed public trails are located to the north of the development area within the subject property connecting to proposed trails to the east and west of the subject property. Neither the proposed trails nor the proposed development intrude into each other. Previous agreements require dedication of open space and trails in the northerly portion of the subject property.

b. Policies P68 and P69. Protect Environmentally Sensitive Habitat Areas (ESHA's). None of the proposed Project disturbance is within or adjacent to an ESHA as defined by the County's Local Plan. Nevertheless, stormwater runoff that could potentially impact the Malibu Coastline Significant Ecological Area No. 1 located to the south (not adjacent) of the Pepperdine property, is mitigated to a level of no significant impact in compliance with applicable County regulations and other required mitigation plans and best management

practices. ESHA's located to the north of the Project site (not adjacent) remain protected from Project impacts.

c. Policy P76. Comply with Coastal Act regarding substantial stream source alterations. The Project, including redevelopment of the Enhanced Recreation Area, debris basin, and stockpile located in the northerly portion of the 365-acre development area, includes use of the existing development footprint of existing facilities. Additionally, a minor alteration of the streambed slightly above the northerly tip of the existing debris basin is necessary for the purpose of flood control and insuring public and campus protection.

d. Policies P81 and P86. Comply with Coastal Act regarding stormwater runoff into coastal waters, and mitigate runoff to other sensitive riparian habitats. The Coastal Act requires the maximum rate of runoff into coastal waters from new development to not exceed the peak level existing prior to development. Various mitigation measures identified in the DEIR reduce maximum stormwater runoff into coastal waters and sensitive riparian habitats to existing or better conditions.

e. Policy P84. Landscaping in disturbed areas shall balance long-term stability of plantings with the provision of fire retardant plants. The Project proposes landscaping that is drought tolerant, native or non-invasive ornamental, and in compliance with Fire Department safety requirements.

f. Policies P125, P129, P130, P131, P134, P135, P136, and P137. Siting of new development shall protect public views, be compatible with surroundings and prevailing architectural and visual character of the area, minimize alteration of natural land forms, and cluster development to maximize view protections. The Project is designed to integrate with the cluster of development currently existing in the 365-acre development area. Similar architecture and landscaping is proposed compatible with existing structures and landscaping. Only previously disturbed land is proposed to be graded and altered using existing development footprints and contour grading techniques.

g. Policy P138b. Buildings are not to exceed three stories or 35 feet above existing grade. The LRDP/SPD conceptually approved by the Planning Commission and Board, as amended and adopted by the Coastal Commission, permit buildings in excess of 35 feet or three stories in height on the subject property. Existing and proposed structures exceed this height limitation. Project structures proposed to exceed this height are authorized by the approved LRDP/SPD. Many buildings are approved at 40-60 feet in height with two buildings approved at 75- 80 feet in height. A Theme Tower was approved for 125 feet in height; the applicant is proposing a theme tower

of 90 feet in height. This Policy 138b is not applicable since campus improvements of these heights were contemplated and approved by the LRDP/SPD.

h. Policies P233, P234, P236, and P241. Provide adequate water supply and water conservation.

i. Potable, recycled, and fireflow water supply requirements are met or exceeded by the Project. Project and site landscape irrigation is 99 percent supplied by recycled water. Los Angeles County Waterworks District No. 29 provided a letter dated March 23, 2011 indicating public water availability to the proposed Project.

j. Policies P271 and 273. New development shall be guided by the Local Plan and conform to development guidelines of the Coastal Act of 1976 as amended ("Coastal Act"). Protected lands located north of the 365-acre Project development area are designated Mountain Lands in the Local Plan and remain protected lands. The 365-acre development area including the proposed Project is designated Institutional and Public Facilities in the Local Plan. The Project conforms to the Local Plan requirements with the exception of buildings exceeding 35 feet or three stories in height. The Coastal Act development guidelines encourage proposed development to remain within existing developed areas. The Coastal Act establishes the Long Range Development Plan process for public and private universities and requires LRDP's *"to be consistent, to the fullest extent feasible, with the appropriate local coastal program."* The Local Plan has been certified by the Coastal Commission, whereas the Implementation Plan component of the Malibu Local Coastal Program has not yet been certified. The Pepperdine LRDP/SPD, conceptually approved by the Planning Commission and Board, and certified by the Coastal Commission, conceptually permits specific existing and proposed buildings in the LRDP/SPD to exceed 35 feet or three stories in height. This provision enables campus facilities and structures to remain clustered within the existing 365-acre development area and meet the spatial requirements of the conceptually approved educational facilities.

21. The Project is consistent with goals and policies of the LRDP/SPD.

22. The Project must be consistent with the Pepperdine University LRDP/SPD conceptually approved by the Planning Commission and Board, and adopted as amended by the California Coastal Commission effectively certified on April 12, 1990 and as amended since that date. The LRDP/SPD is required to *"to be consistent, to the fullest extent feasible, with the appropriate local coastal program"* (Section 30605 of the Coastal Act). The modified height limits of the LRDP/SPD,

specifically for the Pepperdine campus development, are in addition to the height limit provisions of the Local Plan. Many policies of the LRDP/SPD reinforce policies of the Local Plan and General Plan cited above with additional specific application to the Project as follows:

a. Protect Environmentally Sensitive Habitat Areas (ESHA's). No part of the Project is located within or adjacent to an ESHA. Nevertheless, the project provides mitigation measures to insure that, though not an ESHA, Malibu Coastline SEA No. 1, located downhill/downstream from the campus, will not be impacted by the Project. The Inland ESHA located within SEA No. 5, to the north of the Project site (not adjacent), will not be affected by the Project.

b. Preserve Conservation and Open Space Areas. Proposed public trails including the Coastal Slope Trail and Mesa Peak Trail have portions proposed to be routed through the Pepperdine property north of the development area. Previous project approvals include dedication of easements to route those trails appropriately.

c. Preserve Archaeological and Paleontological Resources. During construction of the proposed project, any archaeological or paleontological resources encountered require protective mitigation measures to be taken and the finding reported to required agencies.

d. Follow New Development Guidelines. Mitigation measures are required to mitigate any significant environmental impacts, and Project permit conditions are required to insure high quality development.

e. Maximize Compatible Architecture. The Project continues design similar to the existing campus development.

f. Require Use of Compatible Native or Introduced and Fire Resistant Landscaping. The project proposes drought tolerant native and introduced landscaping including fire resistant species.

g. Provide Adequate and Efficient Housing. Student housing suitable for lower grades and higher grades including compliance with sustainable construction requirements is proposed.

h. Provide Economical and Adaptable Utilities and Public Works. Necessary utility supply, additional redundant sewage capacity, and continue recycled irrigation water supply will be maintained by the proposed Project.

i. Provide Transportation and Circulation Minimizing Conflicts with Adjacent Development. Existing and proposed TDM and Event Management Plan

programs will be maintained for Major Events at the Athletics/Events Center. Ongoing operational *Ride Share* program add added student residences on campus will reduce average daily traffic on and around the campus and local community. Additional parking facilities are proposed to maintain adequate operational and Major Event parking supply onsite.

j. Continue Low-Cost and Free Recreational and Community Uses. The Project proposes new and renovated athletic and recreational facilities primarily for the university community. Availability of Community Crest Club membership for use of university recreational facilities, for a fee, is proposed to continue for members of the public.

k. Protect Campus Users from Landslide, Fire, and Seismic Hazards. Required mitigation measures for the Project address potential landslide, fire, and seismic hazards. The University maintains an emergency response plan. Onsite ponds are made available for firefighting water supply in the event of major fires in the surrounding Santa Monica Mountains.

l. Preserve Valuable Visual Resources. Additional campus development proposed remains within the existing 365-acre development area of the university and provides Project design retaining existing offsite views, and provides mitigation measures minimizing potential night time lighting glow and glare impacts.

m. Facilitate Ongoing Community Participation. Existing citizen advisory groups are maintained by the university. Major university development projects, including discretionary and ministerial projects, require noticing to named community groups, agencies and other entities named in the LRDP/SPD.

23. The Project complies with the development standards of the A-1-1-DP Zone and LRDP/SPD requirements. The proposed Project is comprised of uses permitted in the A-1-1-DP zone, provided a conditional use permit has been obtained. The Project includes six uses located within the DPZ as follows: 1) Student Housing; 2) Athletics/Events Center and underground/above ground parking; 3) Soccer Field; 4) Town Square and underground parking; 5) Recreation Area; and 6) above ground Parking Structure. The DPZ and associated LRDP/SPD conceptually approved by the Planning Commission and Board of Supervisors, and adopted and certified by the Coastal Commission, includes the campus Master Plan of Facilities which delineates existing and proposed permanent structures and facilities. The Master Plan of Facilities lists by facility and use the following information: allowable maximum square feet, maximum height, maximum assembly and spectator seating, number of beds, units, rooms, sports courts, internal road widths and other applicable measurement parameters. The LRDP/SPD and DPZ require that additional appropriate environmental review be performed and a conditional use

permit be obtained for each major development project application made by Pepperdine University as conceptually authorized by the DPZ and LRDP/SPD as amended. Where standards of the Zoning Ordinance, Title 22 differ from the LRDP/SPD Development Program, the adopted LRDP/SPD Development Program applies.

24. The LRDP/SPD may be amended by the Coastal Commission. Various minor amendments have been approved since the original adoption of the Plan, modifying various uses and/or locations according to the changing campus needs consistent with adopted environmental documents. Attached is a development table named *Pepperdine University DPZ/Specific Plan for Development and Long Range Development Plan Square Footage Compilation.* The table includes reference to built and remaining planned development, square feet proposed to be used by the subject Project, and remaining square feet available for future build out of the LRDP/SPD. The CUP Conditions of Approval require that this table be updated and provided with each development application to the County. This table is based on the *Pepperdine University Master Plan Facilities* document included in the Coastal Commission adopted LRDP/SPD approval on April 12, 1990 and as amended to date.

25. The Project complies with parking requirements. Section 22.52.1220 of the County Zoning Ordinance states that "*Where parking requirements for any use are not specified, parking shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based upon the requirements for the most comparable use specified in this Part 11.*" Furthermore, Section 22.56, Part 7 of the County Code establishes Parking Permit requirements. Section 22.56.990.A, of the County Code, states *"The parking permit procedure is established to provide an alternative to the parking requirements of Chapter 22.52 in the event that a particular use does not have the need for such requirements."* The parking requirements of Pepperdine University are unique due to the geography, multiple uses, and development patterns of the campus. Steep grades, shared parking, and physical proximity of existing and proposed parking facilities to event, assembly, and standard educational and operational uses, make tailored parking standards a necessity.

26. Historically, the LRDP/SPD and DPZ established a minimum parking requirement of one parking space per FTE based on a maximum of 3,500 FTE by County approvals, and 5,000 FTE by Coastal Commission approvals. This minimum standard has continued through subsequent conditional use permit and parking permit approvals. The proposed Project includes an overall intensification of parking requirements by the addition of approximately 394,000 square feet of net new development including an additional 1,900 seats in the proposed AEC.

Factoring in 468 additional proposed student beds, which may incrementally reduce onsite parking demands since many of those students will not have their own vehicles, nevertheless overall parking demand is anticipated to increase. Existing parking demand is estimated in the EIR to be 3,343 parking spaces. The existing parking permit allows a minimum parking requirement of 2,650 parking spaces, the current approximate number of full time equivalent students. Existing parking supply is 4,584 spaces including 1,087 campus on-street spaces and 3,497 off-street spaces for the entire campus. Future parking demand with build out of the Project is estimated in the EIR to be a minimum of 3,416 parking spaces when the AEC is not in use, increasing to a maximum of 4,729 spaces when the AEC is used for an event with maximum attendance of 5,470. Proposed total parking supply at Project build out is up to 5,380 spaces.

27. In consideration of the above facts, the Parking Permit shall require a minimum of 3,343 parking spaces phased to a minimum of 4,880 spaces at Project build out for an AEC building with a maximum capacity of greater than 5,000 attendees (Project mitigation measure 5.8-4 requires that 4,880 spaces shall be provided prior to any Major Event in excess of 5,000 attendees). The table below, based on the analysis provided in Table 5.8-11 and 5.8-12 of the EIR, provides parking requirements by phase occupancy at various AEC seating capacities including temporary portable seating. The existing use provides 4,584 parking spaces, and the Project proposes parking supply in excess of the spaces required at the various phases and with the various AEC capacity sizes in the table below:

Minimum Parking Requirements Prior to and Subsequent to Project Occupancy

Phase Occupancy & AEC Seating Capacity	MINIMUM REQUIRED PARKING		
	Standard Operations	Additional Spaces for Maximum Capacity Event *	Total Required Parking
Prior to Project Component Occupancy	3,343	-	3,343
Phase I – 3,500 to 4,000 Seat Facility	3,397	960	4,357
Phase I – 4,001 to 4,500 Seat Facility	3,397	1,080	4,477
Phase I – 4,501 to 5,000 Seat Facility	3,397	1,200	4,597
Phase I – >5,000 Seat Facility	3,397	-	4,880**
Phase I & II – 3,500 to 4,000 Seat Facility	3,416	960	4,376
Phase I & II – 4,001 to 4,500 Seat Facility	3,416	1,080	4,496
Phase I & II – 4,501 to 5,000 Seat Facility	3,416	1,200	4,616
Phase I & II – >5,000 Seat Facility up to 5,470 total	3,416	-	4,880**

* Assumes 60% of the spectators would travel to the event from off-campus and an average vehicle occupancy of 2.5 persons per vehicle.
** Required by Mitigation Measure 5.8-4 of the Project MMRP.

28. Approximately 100 single-family residences are located in a housing subdivision called Malibu Country Estates ("MCE") located adjacent to the southwesterly boundary of the existing Pepperdine campus. The only new development proposed near these homes is the redevelopment of the soccer field located across from the northeasterly tip of MCE. Other proposed development is located to the north, northeast, and southeast portions of the campus where no other offsite residences or other sensitive uses are located. The MCE housing development is located on a graded area of a hillside overlooking the campus. Approximately 12 of these homes are located in close proximity to John Tyler Drive, which is one of two primary access roads for entering and exiting the campus. John Tyler Drive intersects PCH. The remaining homes within MCE are substantially set back from the roadway and campus boundary. The other primary campus access is on Seaver Drive intersecting Malibu Canyon road and located at the southeasterly boundary of the property near City of Malibu commercial and civic facilities. Construction of the Project will require some use of John Tyler Drive, however, the majority of construction and operational access is anticipated to be at Seaver Drive. Additionally, a Condition of this Permit requires closure of the John Tyler Drive access gate every night between 10:30 p.m. and 6:30 a.m. Considering that all construction, operational, and cumulative impacts, including air quality, noise, and non-major event traffic impacts are mitigated to a level of no significant impact, nevertheless, some impacts to the adjacent residences may increase from current levels during construction and during operations following build out of the Project. The approximately 12 homes located nearest John Tyler Drive may continue to experience the effects of increased campus activity to a greater extent than the other homes in the neighborhood. The adopted long range plans (LRDP/SPD and DPZ) anticipate this kind of long-term development pattern for a university campus. The Commission finds that the Project, with required mitigation measures and conditions, is compatible with the majority of MCE residences.

29. Other adjacent or nearby uses include commercial and civic facilities, and passive and active open space and recreation areas. The proposed Malibu Bluffs camping facilities located south of the Pepperdine property across PCH are buffered by large fields, ponds, and outdoor recreation facilities on the southern boundary of the Pepperdine property. Nearby commercial and civic facilities will continue to experience existing open space buffers and no additional impacts as a result of the proposed Project, with the exception of traffic impacts from Major Events with greater than 3,750 attendees and starting or ending at a.m. and p.m. weekday peak traffic hours. Existing open spaces, proposed trails, and viewshed provisions are preserved. The Project remains compatible with all other adjacent and nearby uses.

30. The applicant meets the Conditional Use Permit Burden of Proof according to Section 22.56.040 of the Los Angeles County Code.

32. The location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The project is surrounded predominantly by vacant and preserved lands and a few other non-sensitive uses with the exception of an approximately 100-unit residential community located on the Project's southwesterly boundary. The proposed Project is a continuation of existing university operations based on existing approved long range development plans with impacts which can be mitigated with no remaining significant environmental impacts on the surrounding area, with the exception of traffic impacts for major events in excess of 3,750 attendees which starts or ends at weekday peak morning or evening hours. A Statement of Overriding Considerations is recommended to address this significant impact.

33. The location will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. Based on the EIR conclusion that project mitigation measures would reduce any environmental impacts to a less than significant level, with only the major event traffic exception as addressed by the Statement of Overriding Considerations, staff has determined that the construction and operation of the project would not limit, hinder or denigrate the use of properties in the vicinity of the project site.

34. The location will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. Areas of concern regarding the project are mitigated to a level of no significant impact on the environment and conditions of Project approval address additional concerns. The project proposes various measures such as state of the art non-intrusive athletic field lighting, TDM Program to address major event traffic, sound screening provisions to minimize construction and operational noise, and relocation of the AEC away from adjacent residences.

35. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The Project site is a 365-acre existing development area within an 830-acre site providing sufficient space for the project proposed including proposals to maximize buffering and safety in relationship to surrounding properties.

36. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate. The Project requires continued long-term use of existing roads for ongoing operations; therefore the current access and road conditions require minimal improvements to carry on the proposed use. Any damage to existing or improved local roadways caused by project construction and/or operations is required to be repaired at the applicant's expense as required by mitigation measures and conditions of approval.

37. The proposed site is adequately served by other public or private service facilities as are required. All required and needed public and private service facilities are met for the project.

38. The applicant meets the Parking Permit Burden of Proof according to Section 22.56.1020 of the Los Angeles County Code.

39. There will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because the age and/or physical condition of the residents is such that the use of automobile is unlikely. The nature of students living on campus is such that automobiles are not required during the academic term, and students of the typical age do not all need a car to meet day to day living needs on campus. Campus shuttles are provided and subsidized mass transit passes are also available.

40. The nature of the use is such that there is a reduced occupancy. The Parking Permit it is the appropriate means to address the university's parking requirements. Minimum required parking based on estimated demand at various phases of the Project and for various anticipated sizes of the AEC facility, and insures that adequate parking will be available. The nature of the university uses includes a large campus with multiple auditoriums, multiple sports spectator facilities, a proposed large-scale Athletics/Events Center, and onsite student and faculty housing. Standard County Code parking requirements do not address the number of assembly and spectator facilities, complex topography affecting parking locations and educational program and resident needs, complex academic and large event facilities locations and scheduling, concurrent events, and other unique circumstances of the Pepperdine University parking requirements.

41. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. The university has an existing *Rideshare* program which includes shuttles, car sharing, car and priority carpool parking, and subsidized vanpools and mass transit.

42. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. The campus provides space for additional parking for each component in excess of anticipated requirements. Current parking of 4,584 spaces and proposed parking at buildout of 5,380 spaces are more than sufficient to meet anticipated parking demand.

43. There will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because uses sharing parking facilities operate at different times of the day or days of the week. All existing and

proposed campus parking supply substantially exceeds minimum estimated parking demand. The University uses a parking management plan including use of certain parking areas by permit only and other areas for use any time by any campus user, enabling sufficient and adequate parking for all campus users.

44. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan. The Project does not request nor require tandem or valet parking, but regularly uses campus Public Safety officers to coordinate even parking and circulation.

45. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces. Existing and proposed student housing makes use of existing parking supply in proximity to the housing. Assigned parking areas and spaces may be used should increases in demand require it.

46. Off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses. Off-site parking is not required. All required operational and standard event parking shall be provided onsite. Major events exceeding 5,000 attendees may include offsite park and ride agreements as part of a Major Event TDM and Parking Management Plan.

47. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use. Though not required by the Permit, the permittee may make use of offsite park and ride facilities through necessary agreements as part of a Major Event, TDM and Event Management Plan for events exceeding 5,000 attendees.

48. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces. No leases are required nor proposed at this time.

49. Such transitional lots are designed to minimize adverse effects on surrounding properties, or. The intent of any park and ride arrangements would be to make use of existing available facilities already designed for parking use.

50. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood. Uncovered parking supplied is located internal to the campus and does not impact neighbors.

51. The requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property. The physical nature of the campus location is such that all parking would be retained within the campus boundaries. Conditions of the CUP prohibit any campus use of adjacent Malibu Bluffs Recreation Area and MCE residential streets, and the single access to said neighborhood located at John Tyler Drive and Malibu Country Drive is proposed to be monitored for compliance during major events on campus.

52. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22. The Project site meets all size requirements for necessary development features.

53. County Department comments and conditions were received from the Department of Public Works and Fire Department.

54. The Department of Public Works in its letters dated November 2, 2010 and March 23, 2011 recommended approval of the Project and required conditions regarding grading/soils/geology, drainage, waterworks, and sewer.

55. The Fire Department in its letter dated March 24, 2011, provided requirements which when met at the Plan Check stage would achieve Fire Department recommended Project approval regarding fire flow water supply, fuel modification, access, and special requirements for automatic sprinkler systems. Adequate fire flow water supply has been verified.

56. A Hearing Examiner Public Hearing was held at the Pepperdine University campus on December 2, 2010 to take public testimony on the DEIR and Conditional Use Permit and Parking Permit requests. Approximately 250 People attended the hearing but not all attendees testified. Testimony, as recorded in the attached transcript was received from the applicant and 27 members of the public including representatives of nearby home owners associations, neighbors, and students of Pepperdine University, along with other members of the public. Five (5) members of the public provided written comments regarding the project at the time of the Hearing Examiner public hearing.

57. Written and oral testimony in favor emphasized the benefits to various student programs and services including new and improved on-campus student housing, improved undergraduate campus-life facilities, improved athletic facilities scheduling and access capabilities, and facility quality improvements. Environmental benefits were cited such as the use of reclaimed water, constructing LEED Silver and Certified or equivalent buildings, increased recycling, and use of drought tolerant vegetation. Reductions in student commuting to and from the

campus and state of the art improvements to project and existing project-related lighting were mentioned.

58. Written and oral testimony opposed or with concerns about the project included potential increases in construction and operational noise, air quality, sky-glow and other night lighting impacts, and visual impacts to local surrounding open space and nearby public camping uses. Event traffic, traffic safety, and cumulative impacts regarding proposed uses and intensifying of existing uses were expressed as significant concerns.

59. In addition to public testimony and comments received up to and including the Hearing Examiner public hearing, several issues have been further identified as areas of controversy through the remaining public review comment period on the DEIR. Issues related to overall scale of the AEC and the number of Major Events to be held at the AEC, hours of operation of new and existing facilities, addition of athletic and recreation field lighting, event traffic and access particularly via John Tyler Drive, addition of new student housing on campus and related increases in potential student disturbances, public safety, and construction noise and air quality impacts. All oral testimony received at the Hearing Examiner public hearing and all written testimony received during the DEIR comment period were included and responded to in the Final EIR ("FEIR").

60. In addition to comments received during the public comment period on the DEIR and at the Hearing Examiner public hearing, two additional comment letters were received from representatives of the MCE Home Owners Association ("HOA") at the time of this report. The MCE HOA Board of Directors made a written request for additional Project mitigation measures and conditions to further reduce perceived additional impacts of the Project on the neighborhood. Representatives of the MCE HOA have regularly met with Pepperdine representatives and planning staff regarding the Project, and they have expressed the most concern about potential increases in traffic on John Tyler Drive from additional large events at the proposed AEC, night lighting from soccer and baseball fields, and noise impacts from the proposed cumulative increase in campus development and increased student activities from greater numbers of students living onsite. A letter was also received from an individual MCE resident indicating their intent to further discuss Project conditions that may benefit the residents of MCE.

61. The Commission finds that the EIR mitigation measures adequately mitigate Project impacts on traffic, noise, sky-glow and other night lighting impacts, air quality, visual impacts, all but Major Event traffic (as defined in the EIR), traffic safety, biological impacts, and cumulative impacts due to intensifying of campus uses and related projects. The Planning Commission adopts a Statement of Overriding Considerations ("SOC") regarding the remaining significant impact of Major Event traffic as defined in the EIR. The Planning Commission finds that the

SOC adequately addresses the importance of educational improvements compared to a specifically defined traffic impact (congestion at eight intersections during a Major Event that starts or ends between 7 a.m. and 9 a.m. or 4 p.m and 6 p.m. on weekdays for events exceeding 3,750 attendees with 60 percent of attendees coming from offsite locations).

62. The Planning Commission finds that Conditional Use Permit Conditions adequately address additional community and land use planning concerns.

63. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

REGARDING THE CONDITIONAL USE PERMIT

A. The use is consistent with the adopted general plan for the area; and

B. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, and not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate and by other public or private service facilities as are required.

REGARDING THE PARKING PERMIT:

A. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding properties;

B. That there will be no conflicts arising from special parking arrangements allowing tandem spaces because valets will be employed;

C. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 of the County Code because of the nature of the use and its location; and

D. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit and Parking Permit as set forth in Sections 22.56.090 and 22.56.1020, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION

1. The Regional Planning Commission, acting in its role as responsible agency for the project, certifies that it has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared by Los Angeles County Department of Regional Planning as lead agency prior to approving the project; adopts the mitigation monitoring program which is appended to and included in the attached conditions of approval, finding that, pursuant to California Public Resources Code Section 21081.6, the mitigation monitoring program is adequately designed to ensure compliance with the mitigation measures during project implementation; determines that the conditions of approval attached hereto are the only mitigation measures for the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings; determines that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social and/or environmental benefits of the project as stated in the findings and in the Environmental Findings of Fact and Statement of Overriding Considerations adopted by the lead agency for the project, which findings and statement are incorporated herein by reference.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200700203 and Parking Permit No. 200700014 is **APPROVED** subject to the attached conditions.

   VOTE:

   Concurring:

   Dissenting:

Abstaining:

Absent:

Action Date:

c: Each Commissioner, Commission Services, BOS 3rd District, Zoning Enforcement, Building and Safety

SZD:KKS
3/31/11

CUP AND PARKING PERMIT CONDITIONS

AND

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT DESCRIPTION

This grant authorizes a Conditional Use Permit ("CUP") to establish a development program for construction, operation, and maintenance of the Pepperdine University Campus Life Project ("Project") consisting of 394,137 net new square feet of development and onsite grading in excess of 100,000 cubic yards within approximately 365 acres of existing core- campus area on an 830-acre site; and a Parking Permit to establish parking requirements for existing and proposed university facilities in the A-1-1-DP (Light Agricultural-One Acre Minimum Required Area-Development Program) zone, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos. 9, 10 and 13. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 8, and 10 shall be effective immediately upon final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the California Coastal Commission's action becomes effective pursuant to Section 30622 of the California Public Resources Code.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to $5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the

costs or expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.

7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Recorder ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the existing university campus and satisfaction of Condition No. 2 shall be considered use of this grant.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **$3,000.00** within thirty (30) days of the date of final approval of this grant. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **ten (10) annual and five (5) biennial (every other year) inspections for a total of 20 years** of inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **$2,914.25** ($2,839.25 for an Environmental Impact Report plus $75.00 processing fee.) No land use project subject to this requirement is final, vested or operative until the fee is paid.

11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.

12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record in the office of the Recorder, a covenant and agreement, with attachment of the Mitigation Monitoring and Reporting Program ("MMRP"), and agrees to comply with the mitigation measures imposed by the **Environmental Impact Report** for this project. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.

13. The permittee shall deposit an initial sum of **$6,000.00** with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

14. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission

("Planning Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Planning Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance or otherwise determined by County Code Section 22.60.350.

15. All development pursuant to this grant must be kept in full compliance with the County Fire Code.

16. All requirements of Title 22 of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.

17. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.

18. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

    In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

19. The subject property shall be developed and maintained in substantial compliance with the approved plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, four (4) copies of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PARKING PERMIT SPECIFIC CONDITIONS

20. The Parking Permit authorizes parking based on parking demand at various phases of Project development. Parking in any parking facility located throughout the campus may be used by any campus use located within the campus except where specific parking lots are managed by specific campus parking lot permits or posted restrictions.

21. Use of Malibu Country Drive and other streets located within the Malibu Country Estates residential neighborhood and use of the Malibu Bluffs Recreation Area is prohibited for campus or campus event parking purposes. Enforcement is subject to coordination with the City of Malibu (local jurisdiction over streets within Malibu Country Estates) and the operators of the Malibu Bluffs Recreation Area.

22. The Parking Permit requires a minimum provision of 3,343 onsite parking spaces phased to a minimum of 4,616 onsite spaces at Project build out for an AEC building with a fixed seating capacity of 5,000 seats (no seats on the floor). A minimum parking supply of 4,880 onsite spaces would be required prior to allowing AEC special events that implement floor seating to increase the event capacity beyond 5,000 seats. Existing campus parking currently supplies 4,584 onsite spaces. Proposed campus parking at maximum Project build out would supply up to 5,380 onsite spaces. The table below provides parking requirements by phase and various AEC seating capacities:

Minimum Parking Requirements Prior to and Subsequent to Project Occupancy

Phase Occupancy & AEC Seating Capacity	MINIMUM REQUIRED PARKING		
	Standard Operations	Additional Spaces for Maximum Capacity Event *	Total Required Parking
Prior to Project Component Occupancy	3,343	-	3,343
Phase I – 3,500 to 4,000 Seat Facility	3,397	960	4,357
Phase I – 4,001 to 4,500 Seat Facility	3,397	1,080	4,477
Phase I – 4,501 to 5,000 Seat Facility	3,397	1,200	4,597
Phase I – >5,000 Seat Facility	3,397	-	4,880**
Phase I & II – 3,500 to 4,000 Seat Facility	3,416	960	4,376
Phase I & II – 4,001 to 4,500 Seat Facility	3,416	1,080	4,496
Phase I & II – 4,501 to 5,000 Seat Facility	3,416	1,200	4,616
Phase I & II – >5,000 Seat Facility	3,416	-	4,880**

* Assumes 60% of the spectators would travel to the event from off-campus and an average vehicle occupancy of 2.5 persons per vehicle.
** Required by Mitigation Measure 5.8-4 of the Project MMRP.

PROJECT SITE SPECIFIC CONDITIONS

23. The Campus Life Project as depicted on the approved Exhibit "A" is subject to the following additional conditions and restrictions:

Campus Enrollment

a. Total campus enrollment shall be limited to the existing cap of 3,500 Full Time Equivalent Students ("FTE"). Existing Coastal Commission approved total campus enrollment is limited to 5,000 FTE. In the event the permittee wishes to increase enrollment above 3,500 FTE, additional County approval shall be required according to County Code Section 22.40 Part 2 Development Program Zone requirements.

Project Component and Grading Parameters

b. Component 1: Student Housing Rehabilitation is comprised of 468 net new beds and 150,692 net new square feet.

c. Component 2: The AEC includes a maximum of 5,000 permanent seats, plus a maximum of an additional 470 temporary seats, 235,845 net new square feet, a theme tower 90 feet in height, and two (2) levels of underground and five (5) levels of above-ground structured parking.

d. Component 3: The Upgraded NCAA Soccer Field is raised approximately an additional ten (10) feet in elevation from the existing field, and the Maintenance Facilities include 1,500 net new square feet.

e. Component 4: The Town Square and Welcome Center, over two (2) levels of underground parking, includes 4,500 net new square feet.

f. Component 5: The Enhanced Recreation Area includes 1,600 net new square feet of storage and rest room facilities, a redeveloped Debris Basin, and an approximately two million gallon underground chilled water storage tank.

g. Component 6: Comprised of three-level School of Law Parking Structure.

h. Grading: Project related earth movement is comprised of approximately 434,000 cubic yards consisting of approximately 198,000 cubic yards of cut (including 70,000 cubic yards of residual cut grading comprised of bedrock from Component 4 Town Square, which may be required to be exported) and approximately 236,000 cubic yards of fill. Any deficit in fill may use up to approximately 125,000 cubic yards of fill to be obtained from the approved Graduate Campus project site pad and any other usable onsite fill material.

County Agency Requirements

i. Permittee shall comply with all Public Works requirements and comply with all conditions set forth in its letter dated November 2, 2010, attached hereto and incorporated herein by this reference, to the satisfaction of said department.

j. Permittee shall comply with all Fire Department requirements specified in its letter dated March 24, 2011, attached hereto and incorporated herein by this reference, to the satisfaction of said department.

Landscaping

k. Permittee shall maintain all landscaping in a neat, clean, and healthy condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary. Watering facilities shall consist of a temporary water-efficient irrigation system, such as drip irrigation, which shall be used only to establish the plantings in all landscaped areas.

l. Permittee shall submit five (5) copies of a landscape plan, comprised of required landscaping for all six components of the Project as depicted on approved Exhibit "A", or, as otherwise required by the Director of Planning ("Director"). The landscape plan shall be submitted to and approved by the Director in consultation with the County Biologist in compliance with applicable Project Mitigation Measures and County Drought Tolerant and Green Building Code regulations, prior to issuance of a building permit. The landscape plan shall depict the site, type and location of all plants, trees, and watering facilities.

Night Lighting

m. Project outdoor night lighting shall comply with Mitigation Measures 5.7.2-1 through 5.7.2-8 of the Project MMRP. When replaced, other than for maintenance, existing globe lighting on campus shall be replaced with cut-off type light fixtures which are shielded and directed in such a way as to minimize lighting spillover.

n. Outdoor night lighting for the Related Project Baseball Field shall comply with Mitigation Measures 5.7.2-1 through 5.7.2-8 of the Project MMRP as applicable.

o. Prior to use of night lighting, except for testing purposes, when installed at the redeveloped Soccer Field (Component 3) and redeveloped Recreation Area (Component 5), a compliance report shall be prepared by the designer(s) and/or installer(s) of the Project's outdoor night lighting. The compliance report and actual outdoor night lighting testing shall be verified as compliant

with the lighting requirements of Mitigation Measures 5.7.2-1 through 5.7.2-8 of the Project MMRP. In the event the Project's outdoor night lighting fails to comply with Project outdoor night lighting minimum requirements, the permittee shall correct or manage said lighting so as to comply as verified through retesting by the lighting consultant. At the discretion of the Director, if there is reason to believe that compliance is not being achieved, third party lighting consultant(s), different from the designer and/or installer may be requested to verify the testing and report conclusions. Preparation of lighting report, verification, and any retesting if necessary shall be at permittee's expense.

p. Prior to use of night lighting, except for testing purposes, when installed at the Related Project Baseball Field, a compliance report shall be prepared by the designer(s) and/or installer(s) of the Project's outdoor night lighting. The compliance report and actual outdoor night lighting testing shall be verified as compliant with the lighting requirements of Mitigation Measures 5.7.2-1 through 5.7.2-8 of the Project MMRP. In the event the Project's outdoor night lighting fails to comply with Project outdoor night lighting minimum requirements, the permittee shall correct or manage said lighting so as to comply as verified through retesting by the lighting consultant. At the discretion of the Director, if there is reason to believe that compliance is not being achieved, third party lighting consultant(s), different from the designer and/or installer may be requested to verify the testing and report conclusions. Preparation of lighting report, verification, and any retesting if necessary shall be at permittee's expense.

q. Televised or filmed events requiring maximum lighting of 100 foot-candles shall not be held concurrently at both the Soccer Field (Component 3) and the Related Project Baseball Field on the same night.

Noise and Traffic

r. New installations of outdoor sound amplification devices at Project sites, the Related Project Baseball Field, and the Related Project Firestone Fieldhouse renovation facing MCE, beyond those sound amplification devices currently existing, are prohibited in the event such devices create noise which would exceed the County's noise ordinance requirements. Existing sound amplification devices at these sites may be replaced by similar or improved sound amplification equipment of equal or lesser volume than devices being replaced. New installations of outdoor sound amplification devices not facing MCE, as part of Project components, are not prohibited, such as proposed installations of faux rock speakers in the proposed Seaver Town Square, or other similar interior Project applications.

s. Any new or replacement Project HVAC or other Project noise-generating permanent equipment located exterior to campus structures and within view of MCE residences shall require sound screening to ensure they do not exceed the County's noise ordinance requirements and visual screening to the satisfaction of the Director.

t. Upon final approval of this grant, the John Tyler Drive access gate located slightly north of Pacific Coast Highway shall be closed nightly from approximately 10:30 p.m. to approximately 6:30 a.m. except following special campus events or overtime athletic events for which gate shall remain open until event traffic has cleared the site, or, no later than 12:00 a.m. These shall be the minimum closure requirements and shall not restrict the permittee from voluntarily extending the hours of closure, nor restrict the permittee from acting in the best interest of public health, safety, and welfare. Additional provisions of this condition are as follows:

1) This condition shall supersede Condition No. 12 of the Graduate Campus Conditional Use Permit No. 97191 pertaining to John Tyler Drive closure.

2) Emergency access shall be made available at all times according to County Fire Department and campus Public Safety protocols. It is recognized that in the event campus Public Safety officers are unable to meet gate closure or opening duties at precisely 10:30 p.m. or 6:30 a.m. in fulfilling such protocols, occasional delays may occur in completing gate closure or require earlier opening to meet Public Safety demands.

3) Nothing in this Condition shall be construed to prevent vehicles operated by the permittee, its agents or employees, any emergency vehicles, and vehicles traveling to or from any parking facilities with entrances and exits located along John Tyler Drive, from using John Tyler Drive.

4) The section of John Tyler Drive internal to the campus along the boundary of the Malibu Country Estates (MCE) community shall be patrolled at random times, various nights, weekly, by the permitee. Record of standard patrol log shall be made available to the Director upon request.

5) In the event the section of John Tyler Drive internal to the campus along the boundary of the Malibu Country Estates (MCE) community is closed by the permittee for defined night hours, signage shall be placed at each end of the portion closed to alert drivers that the road is not open for through traffic during the specified hours.

6) If the Director finds that all or a portion of this condition is no longer necessary (e.g., has resulted in security and/or safety problems for the permittee and/or neighboring property owners, or has otherwise unreasonably disrupted traffic circulation patterns upon the property), the Director may elect to modify or discontinue the John Tyler Drive access gate restriction.

AEC Major Events

u. In addition to annual parking counts and an event management and monitoring plan required by Mitigation Measure 5.8-2 of the MMRP for events exceeding 3,500 attendees, and the Transportation Demand Management ("TDM") Program requirements for Major Events as defined in Mitigation Measure 5.8-3, the permittee shall provide annually to the Director a listing of the number, type, and attendance total of each Major Event held in the AEC starting or ending at morning (7:00-9:00) or evening (4:00-6:00) peak hours weekdays and exceeding 3,750 attendees with 60% or more of attendees coming from off campus. Upon review of the annual listing of Major Events, a report on the TDM results shall also be provided. Unless verification is provided that significant transportation impacts are mitigated by the TDM plan, the permittee shall provide evidence of efforts to improve the performance of the TDM plan in mitigating significant traffic impacts or limit the annual number of future Major Events which are not athletic or University related.

General Construction

v. Each component of the approved Project shall record use of the square feet authorized by the DPZ and LRDP/SPD in the attached development table named *Pepperdine University DPZ/Specific Plan for Development and Long Range Development Plan Square Footage Compilation* ("Development Table"). The Development Table shall be updated after each Regional Planning and Coastal Commission land use approval and updated table submitted with each Revised Exhibit "A" or new development application filed with Regional Planning.

w. Temporary structures, outside storage, and staging areas allowed for construction purposes shall be removed from the project site within 120 days of project completion, absent approval to extend the allowable time period for the temporary structures. In the event additional time is needed to complete removal of temporary structures and related materials, the permittee shall submit a written request for a time extension for up to one (1) year maximum to the Director for review and approval. Any other outside storage needed shall comply with the requirements of Section 22.52 Part 7 of the County Code.

x. All new structures shall be compatible with existing campus architecture.

y. Understories and retaining walls higher than six feet in height shall be in tones compatible with surrounding terrain.

z. Minor adjustments to the building locations and configurations may be approved by the Director, if necessary. Justification for such adjustments includes avoidance of unanticipated archaeological resources, sensitive biological resources or geologic hazards, reduction of grading or other environmental impacts, compliance with health and safety regulations, or actions otherwise necessary to fulfill the spirit and intent of this grant.

Attachments:
Department of Public Works and Fire Department Conditions Letters
Development Table: *Pepperdine University DPZ/Specific Plan for Development and Long Range Development Plan Square Footage Compilation*

SZD:KKS
3/31/11

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

NOV - 4 2010

November 2, 2010

IN REPLY PLEASE
REFER TO FILE: LD-1

TO: Sam Dea
Special Projects
Department of Regional Planning

Attention Kim Szalay

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. RCUP 200700203
PROJECT NO. R2007-03064
24255 PACIFIC COAST HIGHWAY
PEPPERDINE UNIVERSITY'S CAMPUS LIFE PROJECT
UNINCORPORATED COUNTY AREA OF MALIBU

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for CUP No. RCUP 200700203 located at 24255 Pacific Coast Highway in the unincorporated County area of Malibu. Pepperdine University's Campus Life project consists of six upgrade/infill components for student housing rehabilitation, Seaver Town Square, and subterranean parking; a multi-purpose recreation and parking facility; soccer field; athletics/events center; and a recreation and health center conversion. The project also contains lot grading.

Upon approval of the site plan, we recommend the following conditions:

1. Grading\Soils\Geology

   1.1 Submit a grading plan to Public Works' Land Development Division for approval. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and the Standard Urban Stormwater Mitigation Plan (SUSMP) devices, if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder(s) approvals.

1.2 A maintenance agreement may be required prior to grading plan approval for privately maintained drainage devices including any on-site SUSMP devices.

1.3 Obtain soil/geology approval from Public Works' Geotechnical and Materials Engineering Division if applicable, of the grading plan.

1.4 Obtain and submit any jurisdictional permits if required.

1.5 Obtain and submit drainage acceptance letters, if applicable, from all impacted off-site owners.

1.6 The grading required for a portion of the proposed enhanced recreation area and debris basin as well as the potential construction of a tie-back wall, which would be constructed in the event that a landslide event causes the basin to fail, in conjunction with the mitigations identified in the Environmental Impact Report for the project, provides adequate mitigation of the Geological Hazard to the satisfaction of Public Works. Given the unique circumstances of the project including the improvement in the stability of the adjoining terrain as compared to the existing conditions in the area, as well as the measures set forth in the Mitigation Monitoring Program designed to mitigate potential hazards associated with the enhanced recreation area, the grading for the recreational field and debris basin as well as construction of the tie-back wall, in the event of basin failure due to a landslide event, are not required to meet otherwise applicable County of Los Angeles factor of safety policies. Public Works will issue permits for the proposed work provided the work complies with the conditions and mitigations outlined in the environmental document and provided that the project geotechnical consultants are able to make a finding under Section J104.3 of the County Grading Code that the site is adequate for the intended use, as affected by soils engineering factors, including the stability of slopes and Section 111 of the County Building Code that the site is safe against (as opposed to free from) the hazard from landslide, settlement, or slippage, and that there is no net negative effect to geological stability on the area outside the proposed work.

For questions regarding the grading conditions, please contact Mathew Dubiel at (626) 458-4921 or by e-mail at mdubiel@dpw.lacounty.gov.

For questions regarding soils and geology, please contact Jeremy Wan at (626) 458-4925 or by e-mail at jwan@dpw.lacounty.gov.

2. Drainage

2.1 Submit a hydrology study for review and approval and comply with the requirements of the Drainage Study prepared by RJR Engineering dated October 20, 2010, which was included as part of the Environmental Impact Report, to the satisfaction of Public Works.

2.1.1 Plans must be approved to provide for the proper distribution of drainage and for contributory drainage from adjoining properties and eliminate the sheet overflow, ponding, and protect the lots from high velocity scouring action and comply with National Pollutant Discharge Elimination System, Stormwater Management Plan, and SUSMP requirements.

2.1.2 Debris basin and catchment areas shall be sized and designed to accommodate tributary debris from natural watershed and surficial failure to the satisfaction of Public Works.

2.1.3 Debris basin capacity may increase from what is shown on the site plan to accommodate tributary debris to the satisfaction of Public Works.

2.2 Submit contingency plan to protect downstream structures in the event of basin failure to the satisfaction of Public Works.

2.3 Submit restoration plan for debris basin to the satisfaction of Public Works.

2.4 Deed restrictions shall be required for all catchment areas to the satisfaction of Public Works.

2.5 Obtain approval or letter of nonjurisdiction from the State Department of Fish and Game.

2.6 Obtain approval or letter of nonjurisdiction from the State Water Resources Control Board.

2.7 Obtain approval or letter of nonjurisdiction from the Corps of Engineers.

2.8 A maintenance permit is required from the State Department of Fish and Game, the Corps of Engineers, and the State Water Resources Control Board to the satisfaction of Public Works.

For questions regarding the grading conditions, please contact Lizbeth Cordova at (626) 458-4921 or by e-mail at lcordova@dpw.lacounty.gov.

3. Waterworks

3.1 Pepperdine University (University) shall coordinate closely with the Malibu Mesa Water Reclamation Plant (MMWRP) to control the ramp-up and ramp-down of sewage flow from the Wastewater Flow Equalization Station (WFES) so as not to cause a process upset or violation of waste discharge requirements at the MMWRP. The University shall also provide timely information regarding anticipated flow decreases.

3.2 The University shall prepare an operations and maintenance manual that identifies steps to operate the WFES to provide equalized sewage flow to the MMWRP. This manual will address the necessary steps and control methodology to facilitate equalized flow and will include input from the County of Los Angeles Department of Public Works' Sewer Maintenance Division to ensure such.

3.3 The University shall meter all flow from the WFES to the MMWRP and shall provide copies of the flow record upon request to Public Works' Sewer Maintenance Division.

For questions regarding the waterworks conditions, please contact John Walker at (626) 300-3312 or by e-mail at jwalker@dpw.lacounty.gov

4. Sewer

4.1 Prior to permit issuance, the sewer area study Private Contract No. 12126AS must be approved by Public Works' Land Development Division. If the sewer system is found to have insufficient capacity, upgrade of the proposed and existing sewerage system is required to the satisfaction of Public Works.

4.2 Prior to issuance of permits, obtain a Will Serve letter from the Las Virgenes Municipal Water District for the discharge of sewage.

For questions regarding the sewer conditions, please contact Tony Khalkhali at (626) 458-4921 or by e-mail at tkhalkh@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or by e-mail at rcruz@dpw.lacounty.gov.

RC:ca
Project R2007-03064_CUP 200700203_24255 Pacific Coast Hwy_Pepperdine University final.docx

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: WW-3

March 23, 2011

MAR 28 2011

Ms. Cheryl Hogan
Envicom Corporation
28328 Agoura Road
Agoura Hills, CA 91301

Dear Ms. Hogan:

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU
PEPPERDINE UNIVERSITY LIFE CAMPUS PROJECT

This letter is in response to your request for the Los Angeles County Waterworks District No. 29, Malibu (District) to issue a will-serve letter for the Pepperdine Life Campus (Pepperdine) project.

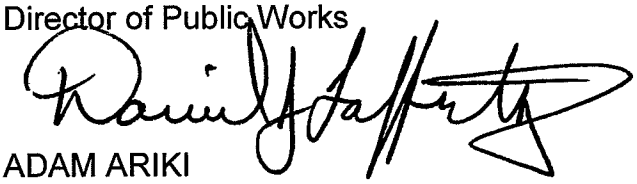
We have determined that based on the District's present system capacity and current system conditions, the District is able to provide water service to the proposed project as well as public fire flow for up to 3,500 gallons per minute for a duration of 2 hours. However, additional water system facilities may have to be installed to serve the proposed project to meet the requirements of the County Engineer and County Fire Chief, which at this time have not been specifically set. As a condition of receiving water service from the District, Pepperdine will have to install required facilities at their expense and pay the District applicable charges and fees. In addition, Pepperdine must grant any necessary easements to the District before the District will provide permanent water service to the project.

This letter is not a will-serve letter and is only intended as a statement of water availability to the proposed project components as described in the project's environmental documents. The District will only issue will-serve letters for the project when specific written public and/or private fire flow requirements, estimated domestic demands, approved water plans for additional water system facilities (if required), and the applicable fees are paid.

If you have any questions, please contact Mr. Ramy Gindi at (626) 300-3349 or rgindi@dpw.lacounty.gov or Mr. Tam Vo at (626) 300-3361 or tvo@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works



FOR ADAM ARIKI
Assistant Deputy Director
Waterworks Division

RG:dvt
LTS284

cc: Department of Regional Planning

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: March 24, 2011

TO: Kim Szalay
Los Angeles County Department of Regional Planning
Special Project Section

PROJECT #: CUP R2007-03064
LOCATION: Pepperdine University, Malibu (Co.)

WATER REQUIREMENTS FOR ALL SIX COMPONENTS

☒ The required fire flow for the proposed development of the six Components of the Campus of Life project will be determined when architectural plan are submitted to the Los Angeles County Fire Department for review and approval prior to building permit issuance. Fire flow data submitted to our office dated 02/17/11 indicate that the existing water supply on the Pepperdine Campus is capable of supplying a flow ranging between 1529gpm to 8137gpm calculated at 20psi.

☒ All additional fire hydrants for this development shall be of a standard size measuring 6" X 4" X 2 1/2", conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to building permit issuance.

VERY HIGH FIRE HAZARD SEVERITY ZONE REQUIREMENTS FOR ALL SIX COMPONENTS

☒ This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone (VHFHSZ). An approved Fuel Modification Plan shall be submitted simultaneously with the architectural plans prior to issuance of any building permit. For Fuel Modification Plan details, contact the Fuel Modification Unit, Fire Station 32, 605 North Angeleno Avenue, Azusa, CA 91702-2904. They may be reached at (626) 969-5205.

☒ Compliance with all applicable LA County Fire Code and LA County Building Code sections for specific construction and automatic fire sprinkler systems requirements within the Malibu-Santa Monica Mountains area shall be reviewed and approved prior to issuance of any building permit.

ACCESS REQUIREMENTS FOR COMPONENT 1 (Student Housing Rehabilitation)

☒ Fire apparatus access roads shall be paved and maintain a minimum width of 28 feet clear to the sky.

☒ All fire apparatus access roads shall extend to within 150 feet of all portions of the facility and 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 or facility.

☒ Existing fire apparatus access roads, such as the Pedestrian Promenade and Pepperdine Pier, shall be capable to support a live load of 75,000lbs. Provide written confirmation to Fire Prevention during final design review.

☒ Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround, per department standards. Turnaround designs to be correctly indicated on design drawings.

☒ Fire apparatus access roads shall maintain a minimum centerline turning radius of 32 feet on all turns.

☒ The grade on all fire apparatus access roads shall not exceed 15%.

☒ Any proposed gates within a fire apparatus road and fire fighter access shall comply with the LACoFD Regulation #5.

☒ Clearly depict on the connection between the northerly Fire Lane, as indicated on the Seaver Residence Halls – Outer Precinct conceptual site plan, and Huntsinger Circle within the same site plan and within the Component 1 plans.

ACCESS REQUIREMENTS FOR COMPONENT 2 (Athletics and Events Center)

☒ Fire apparatus access roads shall be paved and maintain a minimum width of 28 feet clear to the sky. Required fire department access shall be capable of supporting a live load of 75,000lbs. Indicate compliance on final design plans.

☒ All fire apparatus access roads shall extend to within 150 feet of all portions of the facility and 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 or facility.

☒ Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround.

ACCESS REQUIREMENTS FOR COMPONENT 2 (Athletics and Events Center) *continuation from page 1*

☒ Fire apparatus access roads shall maintain a minimum centerline turning radius of 32 feet on all turns.

☒ The grade on all fire apparatus access roads shall not exceed 15%.

ACCESS REQUIREMENTS FOR COMPONENT 3 (NCAA Soccer Field)

☒ The Fire Department has no access requirements at this time for the proposed component 3.

ACCESS REQUIREMENTS FOR COMPONENT 4 (Town Square)

☒ Fire apparatus access roads shall be paved and maintain a minimum width of 28 feet clear to the sky. The proposed pedestrian bridges over the proposed secondary access fire lanes are not approved by the Fire Department at this time.

☒ All fire apparatus access roads shall extend to within 150 feet of all portions of the facility and 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 or facility.

☒ All proposed fire apparatus access roads shall be capable to support a live load of 75,000lbs. Confirmation on this requirement shall be provided to fire prevention engineering prior to architectural plan approval for permit clearance.

☒ Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround, location and dimensions shall be clearly depicted on the plan submitted for review and approval.

☒ Fire apparatus access roads shall maintain a minimum centerline turning radius of 32 feet on all turns.

☒ The grade on all fire apparatus access roads shall not exceed 15%.

ACCESS REQUIREMENTS FOR COMPONENT 5 (Enhanced Recreation Field)

☒ The Fire Department has no access requirements at this time for the proposed component 5.

ACCESS REQUIREMENTS FOR COMPONENT 6 (School of Law Parking Structure)

☒ Provide an approved fire apparatus access road parallel to the entire side of the west wall of the parking structure. Said access shall be paved and maintain a minimum width of 20 feet clear to the sky. Said access shall be placed so as to maintain a centerline distance of 30 feet maximum. Compliance for access shall be clearly depicted on the site plan and submitted for review and approval during the architectural plan review.

☒ All fire apparatus access roads shall extend to within 150 feet of all portions of the facility and 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 or facility.

☒ All proposed fire apparatus access roads shall be capable to support a live load of 75,000lbs.

☒ Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround.

☒ Fire apparatus access roads shall maintain a minimum centerline turning radius of 32 feet on all turns.

☒ The grade on all fire apparatus access roads shall not exceed 15%.

STANDARDS REQUIREMENTS FOR ALL SIX COMPONENTS

☒ This project is subject to compliance with all applicable state and county codes and regulations enforced by the County of Los Angeles Fire Department.

☒ No construction permit shall be issued for the proposed development without an approval by the County of Los Angeles Fire Department.

☒ Submit architectural plans to the County of Los Angeles Fire Department Regional Fire Prevention Office in Calabasas for review and approval prior to building permit issuance. Contact 818-880-0341

☒ Proposed pedestrian access which traverses over required fire department access shall only be placed in locations considered secondary access. Proposals shall be submitted for review and approved prior to building permit clearance. The minimum vertical clearance of obstructions is 13'6".

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at 818-880-0341.

Chief A. Gryzwa

MITIGATION MONITORING AND REPORTING PROGRAM							
Mitigation		Action	Party Responsible for Implementation	Time of Clearance	Party Responsible for Verification/ Monitoring	Sign Off	Date
GEOLOGY AND SOILS							
MM5.1-1	All grading and earthwork shall be performed in accordance with the various geotechnical reports and as specified in typical Grading Ordinances of the County of Los Angeles and the applicable portions of the General Earthwork and Grading Specifications. Specific additional exploration, testing, and analysis shall be performed as required by and in coordination with the County of Los Angeles. Should this additional information disclose previously unexpected conditions (e.g., more extensive unstable soil removals, a need for greater fill compaction, debris dam and basin design/construction modifications, the need for earth material stockpiles), analyses shall define design and construction changes that would be compatible with County building code requirements.	Report Review and Plan Check Field Inspection and Verification As Needed Annual Report	Applicant	Prior to Grading Permit Prior to Building Permit	LACDPW		
MM5.1-2	Standard subdrain measures detailed in the various geotechnical reports or as specified in typical General Earthwork and Grading Specifications, and prudent irrigation practices, shall be used to mitigate occurrences of perched groundwater or water originating from landslide planes, faults, and shear zones. Based on the County of Los Angeles review, additional surface and subsurface drainage systems may be added as required during a review of 40-scale plans and/or during grading operation/field inspections.	Report Review and Plan Check Field Inspection and Verification	Applicant	Prior to Grading Permit Prior to Building Permit	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM							
Mitigation		**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
MM5.1-3	Design and mitigation measures for seismic ground shaking shall conform to applicable building code regulations at the time of construction, specifically the latest version of the California Building Code and Title 23. However, based upon damage assessments of fills due to the 1994 Northridge earthquake, fills deeper than 30 feet shall be compacted to at least 95 percent relative compaction if required by Los Angeles County Department of Public Works.	Preparation/ approval of grading plans Field Inspection and Verification	Applicant	Prior to Grading Permit Prior to Building Permit	LACDPW		
MM5.1-4	During earthwork construction, all unacceptable compressible soils shall be removed to firm, competent bedrock, or landslide material. Acceptability shall be defined by final geotechnical reports and in-grading inspections by a qualified geotechnical engineer or engineering geologist.	Field Inspection and Verification	Applicant	Field Inspection and Verification Prior to Building Permit	LACDPW		
MM5.1-5	Within the non-restricted use area, the subject site grading and proposed structure will be safe from landslides and excessive settlement. The proposed project will not adversely impact adjoining properties. The local areas of landslides Qls-1, Qls-3, and Qls-4 (in the lower "toe" areas) associated with Component 5 (Enhanced Recreation Area) shall be stabilized by appropriate means to assure that no foreseeable movements would endanger proposed facilities within the non-restricted use areas of the proposed CLP development. Any landslide repair dimensions and locations shall be subject to review and approval by the County of Los Angeles.	Preparation/ approval of grading plans Field Inspection and Verification As Needed Annual Report	Applicant	Prior to Grading Permit Prior to Building Permit	LACDPW		
MM5.1-6	Landslides or portions of landslides inside the CLP grading envelope, but outside areas of habitable structures that have factors of safety of less than 1.5 (Qls-1, Qls-3, and Qls-4) and	Preparation/ approval of grading plans	Applicant	Prior to Grading Permit	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	that are not removed or fully mitigated by remedial grading (areas not intended for current development) shall be designated as "Restricted Use Areas"	Field Inspection and Verification		Prior to Building Permit			
MM5.1-7	All cut slopes shall be observed by a qualified engineering geologist during excavation. If unanticipated adverse geologic conditions are encountered, the cut slope shall be provided with a stabilization fill or be laid back to 2:1 (h:v) or flatter as field conditions dictate.	Field Inspection and Verification	Applicant	Prior to Building Permit	LACDPW		
MM5.1-8	The cut portion of the cut/fill transition pad below all structural areas shall be over-excavated a minimum of 36 inches below the bottom of the footings and replaced with compacted fill cap material. Over-excavation shall extend to a distance of 5 feet outside the footprint of the structure. In lieu of over-excavation or deepening foundations, post-tensioned structural mats shall be used provided they are designed by a structural engineer. Detailed design data for mat foundations shall be provided if such option is selected.	Preparation/ approval of grading plans Field Inspection and Verification	Applicant	Prior to Grading Permit Prior to Building Permit	LACDPW		
MM5.1-9	Cut slopes may encounter out-of-slope bedding components and will require construction of stabilization fills with a minimum key depth of 2 feet and a minimum width of 15 feet, or flattening of the slope. Each slope shall be evaluated during grading and stabilization methods shall be approved by the County of Los Angeles.	Preparation/ approval of grading plans Field Inspection and Verification	Applicant	Prior to Grading Permit Prior to Building Permit	LACDPW		
MM5.1-10	Fill slopes constructed with proper conventional terracing shall be no steeper than 2:1 and no greater than 90 feet in height. All proposed fill slopes shall be planted with vegetation that will reduce erosion and provide reinforcing of soils through deep and broad root systems.	Field Inspection and Verification	Applicant	Prior to Building Permit	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
MM5.1-11	If fill slopes steeper than 2:1 are required, geogrid reinforcement, or the equivalent are required to provide adequate stability. Surficial stability is expected to meet County standards with approved application of geogrid reinforcement. However, in the event prescribed stability levels are not met with geogrid reinforcement, they shall be met by either design of appropriate retaining walls or by the engineered placement of the outer five feet (measured perpendicular to the slope face) of the slope face with fine-grained cohesive soil with a cohesion value of 250 psf. This shall be verified by the geotechnical consultant during rough grading. Authorization to use these geogrid materials shall be obtained from the County of Los Angeles.	Preparation/ approval of grading plans Field Inspection and Verification	Applicant	Prior to Grading Permit Prior to Building Permit	LADPW		
MM5.1-12	Street, driveway, and parking area pavement sections may vary due to the actual R-Value of the subgrade after rough grading is completed. All pavement sections shall be determined by field and laboratory testing of the rough graded surface. These sections shall be subject to the review and approval of the County of Los Angeles. For planning purposes (subject to change with final design specifications) the minimum section thicknesses shall be used as follows: Arterial street 4 inches AC over 11 inches PMB Secondary driveway 4 inches AC over 8 inches PMB Parking driveway 3 inches AC over 8 inches PMB Parking area/lot 3 inches AC over 8 inches PMB	Preparation/ approval of grading plans Field Inspection and Verification	Applicant	Prior to Grading Permit Prior to Building Permit	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
MM5.1-13	The County of Los Angeles shall approve the proper planting, runoff control and use of selected fine-grained material within one equipment width of the finished slope surfaces or geogrid reinforcement. The approved design and construction method shall reduce the potential of surficial failures of fill slopes constructed of the typical onsite sandy materials.	Preparation/ approval of grading plans Field Inspection and Verification	Applicant	Prior to Grading Permit	LACDPW		
MM5.1-14	Proposed slope irrigation shall avoid excessive watering in areas of marginally acceptable stability, e.g., those areas of Components 5 and 6 associated with ancient landslides to be partially removed or left in their present state. All designs shall be consistent with the University's existing Hydrogeologic Monitoring Program and subject to review and approval by the County of Los Angeles.	Preparation/ approval of grading plans Field Inspection and Verification	Applicant	Prior to Grading Permits	LACDPW		
MM5.1-15	Surficial stability of all graded slopes shall be confirmed based on field sampling, laboratory testing, and stability analysis (using County of Los Angeles approved techniques and methods) at the end of rough grading.	Field Inspection and Verification	Applicant	End of rough grading	LACDPW		
MM5.1-16	Based on the results of sulphate testing of representative onsite materials, if these materials exhibit a moderate to high potential for sulphate attack of concrete, Type V cement or equivalent shall be used in construction at this site.	In-Grading Sampling, Testing, and Report Submittal	Applicant	Prior to building permit	LACDPW		
MM5.1-17	Any geologic faults shown on existing (pre-development) or future maps that trend through or near one of the component habitable structures shall be evaluated by a California Certified Engineering Geologist for fault rupture potential related to an earthquake on the local Malibu Coast fault zone. Such evaluation shall be conducted in a manner	In-Grading Sampling, Testing, and Report Submittal	Applicant	Prior to building permit	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	consistent with professional practice and with California Geological Survey Note 48.						
MM5.1-18	The following components of the Pepperdine Hydrogeologic Monitoring Program, which are within the footprint of the proposed Campus Life Project components, must be restored to service or replaced after construction: (1) soil moisture access casings VN-03 and VN-12 and (2) groundwater monitoring wells MW-1A, MW-14, and MW-15.	Preparation/ approval of site plans	Applicant	Plan Check Prior to Grading Permit	LACDPW		
WATER QUALITY							
Surface Water Quality							
MM5.2-1	Prior to the issuance of a grading permit, the University shall file a Notice of Intent (NOI) with the State and comply with the requirements of the NPDES General Construction Permit, including the preparation of a SWPPP incorporating BMPs for construction and post-construction control of runoff. The SWPPP shall be prepared by a Civil Engineer for review and approval by the County for compliance with applicable Total Maximum Daily Loads under the LARWQCB. The plans shall indicate a design to reduce the discharge of pollutants, including sediment, to the maximum extent practical using management practices, control techniques and systems, design and engineering methods, and other appropriate methods. A SWPPP shall be developed prior to issuance of grading permits in accordance with LARWQCB requirements. The plan shall identify the BMPs for use during construction of the proposed CLP to minimize the pollution from stormwater runoff. Such practices shall include, but not necessarily be limited to the	Preparation/ approval of SWPPP Implement SWPPP BMPs Maintain SWPPP BMPs	Applicant	Prior to Grading Permit On-going	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
following: • Control of impervious area runoff, including filtering devices, energy dissipaters, pervious drainage systems, and porous pavement alternatives; • Contractors shall be required to control runoff during periods of rain in order to minimize surface water contamination during construction of the proposed CLP in accordance with the CSQA BMP Handbook. In order to intercept sediment-laden runoff generated during construction activities, and trap and retain sediment, sediment basins or trapping facilities shall be employed within the CLP project site; • Filter fences designed to intercept and detain sediment while decreasing the velocity of runoff shall be employed within the CLP project site during construction; • Diversion of off-site runoff away from the construction site; • Prompt re-vegetation of proposed landscaped areas; • Perimeter sandbagging and silt fences and/or temporary basins to trap sediment; • Regular sprinkling of exposed soils to control dust during construction; • Installation of a minor retention basin(s) to alleviate discharge of increased flows; and • Post-construction BMPs (e.g., terraces, drains, vegetation) shall be in place as specified in the SWPPP prior to filing						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
for a notice of termination. i. Implement regular sweeping of impervious surfaces such as streets and driveways (without the use of hoses/water). ii. Use of efficient irrigation practices. iii. Provision of infiltration trenches and basins. iv. Linings for urban runoff conveyance channels. v. Vegetated swales and strips. vi. Landscape design such as xeriscape or other designs minimizing use of fertilizers. vii. Provide covered trash enclosures. viii. Add drought-resistant planting with geosynthetic matting to stabilize the slopes, provided permissions are obtained from the adjoining lot owners as needed. ix. Comply with County standards pertaining to properly designed and maintained oil ad grease removal components in new storm drain systems designed to treat water before it leaves the project site, or at an existing on-campus location which is properly sized, properly permitted, and maintained for this purpose.						

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
MM5.2-2	Large scale grading activities within the CLP site shall be planned to occur during the southern California dry season (normally April through October). Any grading activities that extend into the wet season will require implementation of an approved wet weather erosion control/storm water management plan and comply with the SWPPP standards. Erosion control measures shall be implemented 48 hours prior to a forecasted storm event. Grading during the remainder of the year may continue to the extent that surface water quality standards of the SWPPP are maintained.	Preparation/ Approval of Plan Implementation/ maintenance of control measures	Applicant	Prior to Grading Permit On-going	LACDPW		
MM5.2-3	In order to retain soils, reduce the potential for erosion, and minimize sedimentation of adjacent waters, stabilization of cut-and-fill slopes and exposed areas after construction activities shall be accomplished through landscaping.	Maintenance of landscaped slopes	Applicant	On-going	LACDPW LACDRP		
MM5.2-4	The relocated debris basin shall be fitted with a debris wall or trash rack at the inlets to prevent floating solids from entering the storm drain and shall be available for maintenance.	Installation/ maintenance of inlets	Applicant	Prior to Building Permit	LACDPW		
MM5.2-5	Any hazardous materials associated with maintenance and University programs shall be located and stored in a manner in compliance with applicable regulations that preclude contact with precipitation and runoff. Monitoring and cleanup programs for spills and leaks of hazardous materials shall be maintained. • Storage of hazardous materials shall be in conformance with the project SUSMP plans and state/local ordinances.	Proper storage of hazardous materials	Applicant	On-going	LACDPW LACFD		
MM5.2-6	Any increase in runoff due to increased impervious area within individual component areas shall be mitigated to existing flow rates.	Preparation of Drainage / Construction	Applicant	Prior to grading permit	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	The project engineer shall design a properly sized detention basin or alternative method to attenuate any increase in storm flows. A drainage plan and hydraulic calculations for the final project design shall be prepared by a civil engineer and submitted for review and approval to the Los Angeles County Land Development Division. • Divert storm flows to grass swales to increase the Time of Concentration. • Design landscape planters to attenuate storm flow runoff prior to entering the storm drain system. • Implement underground detention basins which detain runoff for sufficient time duration as to ensure to attenuate or retard the peak flows. The detention basins should be designed with flow restrictors and secondary emergency overflow provisions.	plans Maintenance of drainage structures		On-going			
MM5.2-7	The University shall be responsible for the collection and disposal of waste products, prevention of oil leaks, and maintenance of equipment to prevent or reduce the contamination of urban runoff.	Proper handling of contaminants	Applicant	On-going	LACDPW		
MM5.2-8	Implement a maintenance covenant, inspection and maintenance program, and regular monitoring for all proposed mitigation measures and devices to ensure they are in accordance with SWPPP. Quarterly inspections shall occur during dry season construction activities. Monthly wet season sampling shall be conducted during qualifying storm events. Reporting shall be implemented annually describing the actions taken to comply with the storm water regulations and submitted to the	Implement maintenance covenant Routine inspection	Applicant	Prior to Grading Permit On-going	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM							
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	LARWQCB. This includes water quality testing to assess and verify the adequacy of the devices and programs. Any areas of non-compliance shall be evaluated and solutions shall be provided. Maintenance and inspection of permanent post construction mitigation devices (catch basin inserts) shall be inspected and cleaned bi-annually.						
MM5.2-9	A SWPPP manager shall oversee and monitor BMP and storm water management programs in order to remain in compliance with the approved SWPPP. The SWPPP manager shall be responsible for correcting any areas of non-compliance and coordinating the monitoring/reporting requirements outlined within the general permit.	Maintenance of SWPPP BMPs	Applicant	On-going	LACDPW		
MM5.2-10	Pepperdine shall prepare an Action Plan Report that provides contingencies for the appropriate remedial measures and steps to address the potential maintenance measures. The report should provide an outline for the required assets for various failure and repair scenarios.	Preparation/ implementation of Action Plan Report	Applicant	Prior to Plan Check	LACDPW		
MM5.2-11	During final design, prepare pile support, retaining wall structural plans that would be reviewed and approved by the County. The plans would be in place in the event of a future system failure that requires Pepperdine to respond in an emergency.	Preparation/ approval of plans	Applicant	Prior to Building Permit	LACDPW		
Groundwater Elevation and Gradient Impacts **COMPONENT 4 ONLY**		Preparation of contingency plan Implementation of contingency plan	Applicant	Component 4 Prior to Plan Check On-going	LACDPW		
MM5.2-12	The de-watering sub-drains that would be installed at the Town Square will require a contingency plan for disposal. Pepperdine shall develop a contingency plan to dispose up to 80 AF per year of water. The actual amount of water may prove to be considerably less and be						

MITIGATION MONITORING AND REPORTING PROGRAM						
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seasonal in nature after an initial draindown of the near-surface fracture zone has occurred. Options for the disposal of groundwater include diversion of water to the (1) irrigation system, (2) Malibu Mesa Wastewater Treatment Plant, (3) Tapia Wastewater Treatment Plant, (4) Pumped to a nearby bio-swale area for treatment via a sump pump system, (5) diversion to the storm water system or (6) a combination of these alternatives. Of these options, diversion to the storm water system is the most feasible. Permitting for re-use of groundwater intercepted by the subdrains in the campus irrigation system could be obtained; however it may require some treatment before delivery to the irrigation system storage reservoirs.						
BIOLOGICAL RESOURCES						
Fuel Modification **COMPONENTS 1 & 2 ONLY** **MM5.3-1** At such time as Component 1 or Component 2 is constructed, the following shall apply: A detailed fuel modification zone shall be identified and areas containing native plant communities shall be delineated. Thereafter, to the satisfaction of the Los Angeles County Director of Planning and the Los Angeles County Fire Department, fuel modification shall be avoided within areas containing native plant communities within the fuel clearance footprints of Components 1 and 2, in order to avoid impacts to oak woodland, upland native chaparral and scrub vegetation and nesting birds. If avoidance is not possible, potential fuel modification impacts to nesting birds within native plant communities shall be mitigated by	Preparation of fuel modification zone map Field survey Preparation/ implementation of mitigation plan Preparation of monitoring reports	Applicant	Components 1 & 2 Prior to Grading On-going Prior to fuel modification On-going	LACDRP LACFD		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
implementation of MM5.3-10. The cutting of oak trees shall be limited to deadwood removal only. If avoidance is not possible, and fuel modification would impact native plant communities within the fuel clearance footprints of Components 1 and/or 2, Pepperdine University shall compensate for the impacted native plant community(ies) at a 1:1 ratio. This shall be accomplished by the permanent preservation of in-kind habitat, a conservation easement to protect in-kind habitat, a contribution to an in-lieu fee program, or by on-site or off-site restoration/enhancement of in-kind habitat. A mitigation plan shall be developed by a qualified biologist, restoration ecologist or resource specialist, and approved by the Director of Planning prior to issuance of the grading permit for the relevant component, Component 1 or Component 2. The permanent preservation of habitat, the conservation easement, the contribution to an in-lieu fee program, or the commencement of the restoration/enhancement plan shall occur prior to development of the relevant component of the CLP project. In broad terms, the plan shall at a minimum include: • Description of the project/impact and mitigation sites • Specific objectives • Success criteria • Implementation plan						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
• Required maintenance activities • Monitoring plan • Contingency measures In the case that the mitigation involves restoration/enhancement, the following success criteria shall be incorporated: • Successful restoration of the site evaluated based on survival rate and percent cover of planted native species. The re-vegetation site shall have a minimum of 70% survival the first year and 90% survival thereafter and/or shall attain 75% cover after 3 years and 90% cover after 5 years; and, • Eradication or the substantial reduction in cover and the control of invasive plant species. Total cover of all targeted invasive species in treated areas shall be less than 25% by the end of the first year of treatment, less than 10% by the end of the second year of treatment, and less than 5% thereafter for the life of the project. The native plant palette and the specific methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or resource specialist and included in the mitigation plan. The restoration project shall be implemented over a five-year period. The project shall incorporate an iterative process of annual monitoring and evaluation of progress, and						

MITIGATION MONITORING AND REPORTING PROGRAM						
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allow for adjustments to the project plan, as necessary, to achieve desired outcomes and meet success criteria. Five years after project start, a final report shall be submitted to the Director of Planning, which shall at a minimum discuss the implementation, monitoring and management of the project over the five-year period, and indicate whether the project has, in part, or in whole, been successful based on established success criteria for the project. The project shall be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the Director of Planning. Any modifications to the success criteria, if necessary, shall be to the satisfaction of the Director or Planning.						
Vegetation and Sensitive Plant Communities **COMPONENT 5 ONLY** **MM5.3-2** Pepperdine University shall compensate for the loss of 0.29 acres of upland chaparral within the Component 5 footprint at a 1:1 ratio. This shall be accomplished by the on-site restoration to upland chaparral of 0.29 acres of mechanically disturbed areas located north of a water tank and the re-vegetated manufactured slopes to the north of the Drescher Graduate Campus. The location of the mitigation site is shown on **Figure 5.3-5**. A restoration plan shall be developed by a qualified biologist, restoration ecologist or resource specialist, and approved by the Director of Planning prior to issuance of the grading permit for Component 5. Implementation of the mitigation plan shall be concurrent with development of Component 5 of the CLP project. In broad terms, the plan	Preparation/ approval of restoration plan Implementation of restoration plan Preparation of monitoring reports	Applicant	Component 5 Prior to Grading Prior to Grading On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
shall at a minimum include: • Description of the project/impact and mitigation sites • Specific objectives • Success criteria • Implementation plan • Required maintenance activities • Monitoring plan • Contingency measures The following success criteria shall be incorporated: • Successful restoration of the 0.29-acre site evaluated based on survival rate and percent cover of planted native species. The re-vegetation site shall have a minimum of 70% survival the first year and 90% survival thereafter and/or shall attain 75% cover after 3 years and 90% cover after 5 years; and, • Eradication or the substantial reduction in cover and the control of invasive plant species. Total cover of all targeted invasive species in treated areas shall be less than 25% by the end of the first year of treatment, less than 10% by the end of the second year of treatment, and less than 5% thereafter for the life of the project. The native plant palette and the specific methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or						

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	resource specialist and included in the mitigation plan. The restoration project shall be implemented over a five-year period. The project shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the project plan, as necessary, to achieve desired outcomes and meet success criteria. Five years after project start, a final report shall be submitted to the Director of Planning, which shall at a minimum discuss the implementation, monitoring and management of the project over the five-year period, and indicate whether the project has, in part, or in whole, been successful based on established success criteria for the project. The project shall be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the Director of Planning. Any modifications to the success criteria, if necessary, shall be to the satisfaction of the Director or Planning.						
MM5.3-3	An Exotic Plant Management Plan shall be approved by the Director of Planning prior to issuance of a grading permit for the Project. The Plan will emphasize control of exotic, weedy non-native plants at all CLP component sites and within the fuel modification zones of all CLP components, and prevent the spread of exotic invasive species into surrounding natural areas. If invasive species from CLP component sites or surrounding fuel modification zones spread into natural areas, control of invasive species shall extend to these areas as well. Implementation of the Plan within fuel modification zones shall be to the satisfaction of	Preparation/ approval of management plan Implementation of management plan	Applicant	Prior to Grading On-going	LACDRP LACFD		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
the Los Angeles County Fire Department. In broad terms, this Plan shall at a minimum include: • Specific objectives; • Target species and problem areas; • Prioritization of threats; • Success criteria; • Management strategies that would result in eradication and/or control of problem species; • Implementation plan; • Monitoring plan; and, • Contingency measures. The following success criteria shall be incorporated: • Eradication or the substantial reduction in cover and the control of invasive plant species, and prevention of the spread of invasive plant species from the Component 5 site to surrounding natural areas. Total cover of all targeted invasive species in treated areas shall be less than 25% by the end of the first year of treatment, less than 10% by the end of the second year of treatment, and less than 5% thereafter for the life of the project. The target species as well as methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or						

MITIGATION MONITORING AND REPORTING PROGRAM						
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resource specialist and included in the Exotic Plant Management Plan. The target species as well as methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or resource specialist and included in the Exotic Plant Management Plan. Implementation of the Plan shall begin with initial grading for the Project and continue until development of the Project has been completed, and for an additional five years into the operational phase. The Plan shall also be implemented at the Component 5 site and within its fuel modification zone whenever the Component 5 site is used as a staging area for construction equipment and for storage of fill for the CLP project. The Plan shall be developed and all necessary reports prepared by a qualified biologist, restoration ecologist or resource specialist, in consultation with personnel responsible for management of weed control on the University property. The Plan shall allow for adaptation of management strategies, as necessary, and shall include annual monitoring, reporting, and evaluation of progress. The project shall be extended if success criteria have not been met to the satisfaction of the Director of Planning. Any modifications to success criteria, if necessary, shall be to the satisfaction of the Director or Planning.						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
MM5.3-4 Any pesticides, herbicides, or fertilizers used shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. The use of chemical pesticides and fertilizers shall be limited to the immediate vicinity of buildings and exotic landscape plantings. Pest control shall not include Bt (*Bacillus thuringiensis kursaki*) nor shall non-native predatory snails (i.e., decollate snails) be allowed. Rodent eradication efforts shall emphasize the use of traps and shall avoid chemical controls. Anticoagulant rodenticides shall not be used, as anticoagulants are a risk to non-target species and have been identified as a factor in the deaths of large predators in the Santa Monica Mountains. If non- anticoagulant rodenticides are used, their applications shall be limited to the campus buildings and shall not extend to natural areas, areas landscaped with native plants, or buffer zones established between the development and open space.	Routine application control techniques	Applicant	Component 5 On-going	LACDRP		
COMPONENT 5 ONLY **MM5.3-5** Where practical, fire retardant native and introduced shrubs/trees shall be used to buffer the proposed Enhanced Recreation Area from the adjacent naturally vegetated wildlife habitat. These native and introduced species shall be planted so as to be beneficial to wildlife in a manner consistent with LACFD requirements.	Preparation of landscape plan, if applicable Maintenance of landscaped areas	Applicant	Component 5 Plan Check On-going	LACFD LACDRP		
Jurisdictional Areas **COMPONENT 5 ONLY** **MM5.3-6** The removal and filling of jurisdictional areas within the Marie Canyon drainage and its tributaries within the Component 5 footprint shall require the authorization of the ACOE, CDFG, and RWQCB. The applicant shall	Obtain ACOE, CDFG, LARWQCB approval/ permit	Applicant	Component 5 Prior to Grading	ACOE LARWQCB CDFG		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
obtain all appropriate permits and agreements prior to grading, and shall adhere to all mitigation measures issued in the permits and agreements.						
COMPONENT 5 ONLY			Component 5			
MM5.3-7 The removal and filling of 0.48 acres of CDFG jurisdictional habitat and 0.35 acres of ACOE non-wetland waters of the United States shall require enhancement of jurisdictional areas at a 1:1 ratio. Due to the overlap of impacted jurisdictional areas, a total of 0.48 acres shall be mitigated, consisting of 0.13 acres of CDFG jurisdictional habitat and 0.35 acres of non-wetland waters/CDFG jurisdictional habitat. This shall be accomplished on-site on University property within 0.48 acres of the Winter Canyon drainage. The location of the mitigation site is shown on Figure 5.3-5 of the DEIR. Mitigation in the Winter Canyon drainage shall involve removal of invasive species and planting of appropriate native species where invasive species have been removed. Invasive species targeted in Winter Canyon drainage shall include, but not be limited to pampas grass, Terracina spurge, sweet fennel (*Foeniculum vulgare*), and umbrella sedge (*Cyperus involucratus*). A mitigation plan shall be developed by a qualified biologist, restoration ecologist or resource specialist and approved by the relevant Regulatory Agencies prior to issuance of a grading permit for Component 5 of the CLP project. The Plan shall be based on the ACOE *Final Mitigation Guidelines and Monitoring Requirements* (April 19, 2004) and the Los Angeles District's Recommended Outline for	Preparation/ approval of mitigation plan Implementation of mitigation plan Preparation of monitoring report	County Applicant	Prior to Grading On-going	LACDRP ACOE LARWQCB CDFG		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
Draft and Final Compensatory Mitigation and Monitoring Plans.[1] In broad terms, this Plan shall at a minimum include: • Description of the project/impact and mitigation sites • Specific objectives • Implementation plan • Success criteria • Required maintenance activities • Monitoring plan • Contingency measures The following success criteria shall be incorporated: • Eradication or the substantial reduction in cover and the control of invasive plant species. Total cover of all targeted invasive species in treated areas shall be less than 25% by the end of the first year of treatment, less than 10% by the end of the second year of treatment, and less than 5% thereafter for the life of the project; and, • Successful enhancement of areas where invasive plant species are removed, which shall be evaluated based on survival rates and percent cover of planted native species. Re-vegetated areas shall have a minimum of 70% survival the first year and 90% survival						

[1] The ACOE's *Final Mitigation Guidelines and Monitoring Requirements* (April 19, 2004) is available at the Army Corps of Engineers Los Angeles District Regulatory Division webpage at www.spl.usace.army.mil/regulatory/. This document contains the Los Angeles District's Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans. This publication is intended to serve as a technical guide for permit applicants preparing compensatory mitigation plans and identifies the types and extent of information that agency personnel need to assess the likelihood of the success of mitigation proposals. The Los Angeles District's outline is adapted to specific issues encountered in the region.

MITIGATION MONITORING AND REPORTING PROGRAM						
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thereafter and/or shall attain 75% cover after 3 years and 90% cover after 5 years. The target species and native plant palette, as well as the specific methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or resource specialist and included in the mitigation plan. Enhancement work shall be commenced prior to issuance of a grading permit for Component 5. The enhancement project shall be implemented over a five-year period. The project shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the project plan, as necessary, to achieve desired outcomes and meet success criteria. Five years after project start, a final report shall be submitted to the relevant Regulatory Agencies and to the Director of Planning, which shall at a minimum discuss the implementation, monitoring and management of the project over the five-year period, and indicate whether the restoration or enhancement project has, in part, or in whole, been successful based on established success criteria for the project. The project shall be extended if success criteria have not been met to the satisfaction of the Director of Planning and relevant Regulatory Agencies. Any modifications to the success criteria, if necessary, shall be to the satisfaction of the Director or Planning and relevant Regulatory Agencies.						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
COMPONENT 5 ONLY **MM5.3-8** Pepperdine University shall compensate for the loss of 0.84 acres of the re-vegetation site on the western slope of the Marie Canyon debris basin at a 1:1 ratio. This shall be accomplished by the removal of a Spanish broom (*Spartium junceum*) infestation on 0.84 acres west of John Tyler Drive, and restoration of the site to coastal sage scrub. Implementation of MM5.3-8 shall also serve to compensate for the loss of 0.41 acres of the California Encelia Alliance, which is coincident with a portion of the 0.84-acre re-vegetation site on the western slope of the Marie Canyon debris basin. The California Encelia Alliance is considered to be a component of the coastal sage scrub. Restoration of 0.41 acres of the site should be to California encelia scrub and other plant species associated with California encelia scrub, as appropriate, given site conditions. The location of the 0.84-acre mitigation site is shown on Figure 5.3-5 of the DEIR. Spanish broom is also dispersed on surrounding slopes within existing fuel modification zones in the vicinity of the restoration site. Spanish broom shall be removed and controlled in these areas to prevent its spread into surrounding natural areas. A restoration plan shall be developed by a qualified biologist, restoration ecologist or resource specialist, and approved by the relevant Regulatory Agencies prior to issuance of the grading permit for Component 5. Implementation of the mitigation plan shall commence prior to removal of the re-vegetation site on the western slope of the Marie Canyon debris basin. In broad terms, the plan shall at a minimum include:	Preparation / approval of restoration plan Implementation of restoration plan Preparation of monitoring reports	Applicant	Component 5 Prior to Grading On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
• Description of the project/impact and mitigation sites • Specific objectives • Success criteria • Implementation plan • Required maintenance activities • Monitoring plan • Contingency measures The following success criteria shall be incorporated: • Eradication or the substantial reduction in cover and the control of invasive plant species, particularly Spanish broom (*Spartium junceum*). Cover of targeted invasive species in treated areas shall be less than 25% by the end of the first year of treatment, less than 10% by the end of the second year of treatment, and less than 5% thereafter for the life of the project; and, • Successful restoration of the 0.84-acre site evaluated, in part, based on survival rates and percent cover of planted native species. The re-vegetation site shall have a minimum of 70% survival the first year and 90% survival thereafter and/or shall attain 75% cover after 3 years and 90% cover after 5 years. The target species and native plant palette, as well as the specific methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or resource specialist and included in the mitigation plan.						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
The restoration project shall be implemented over a five-year period. The project shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the project plan, as necessary, to achieve desired outcomes and meet success criteria. Five years after project start, a final report shall be submitted to the Director of Planning and other relevant agencies, which shall at a minimum discuss the implementation, monitoring and management of the project over the five-year period, and indicate whether the project has, in part, or in whole, been successful based on established success criteria for the project. At the discretion of the Director of Planning and other relevant agencies, the project shall be extended if success criteria have not been met at the end of the five-year period. Any modifications to success criteria, if necessary, shall be to the satisfaction of the Director or Planning and relevant agencies.						
Direct Loss of Sensitive Wildlife Species **COMPONENT 5 ONLY** **MM5.3-9** Two weeks prior to grading at Component 5, a survey for sensitive wildlife species shall be conducted by a qualified biologist. The results of the survey shall be documented and submitted to the Director of Planning. The Director of Planning and the California Department of Fish and Game shall be notified and consulted regarding the presence of any sensitive species found onsite. Should a federally listed species be found, the United States Fish and Wildlife Service will be notified. If a sensitive species is found, impacts to the species shall be avoided. If avoidance is	Field survey Additional action as required by Director of Planning	Applicant	Component 5 Prior to Grading	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
not feasible, appropriate measures to mitigate for the presence of the species onsite shall be determined by consultation with the Director of Planning and the relevant agencies, and may involve the capture and transfer of the species to an appropriate habitat and location where the species would not be harmed by project activities.						
Disturbance or Direct Loss of Nesting Birds and Nests: **MM5.3-10** No earlier than 14 days prior to the commencement of grading, construction or fuel modification activities that would occur during the nesting/breeding season (February 1 through September 15) of native bird species potentially nesting on or in the vicinity of any CLP component site, a field survey for nesting birds shall be conducted by a qualified biologist. Nesting bird surveys shall also be conducted periodically by a qualified biologist for the duration of project activities that involve the removal or disturbance of shrubs, trees, or native vegetation. If development of a project component occurs during multiple nesting seasons, such as in the case of Component 5, which is expected to occur over several years, the above-mentioned surveys shall be conducted each nesting season, provided that the project would have the potential, during the particular nesting season, to harm or disturb nesting birds at or in the vicinity of the site. The field surveys shall determine if active nests of any bird species protected by the state or federal Endangered Species Acts, Migratory Bird Treaty Act, and/or the California Fish and Game Code Sections 3503, 3503.5, or 3511 are present in the limits of disturbance, or within	Field survey Additional actions as required by project biologist	Applicant	Plan Check Prior to Grading Prior to Construction On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
200 feet of the limits of disturbance for songbirds and within 500 feet of the limits of disturbance for raptors. If active nests are found within the survey area, grading, construction, or fuel modification activities shall stop in the vicinity until a qualified biologist identifies an appropriate setback or other measures to avoid harm and disturbance, and the Director of Planning, CDFG and USFWS (when applicable) are notified. A qualified biologist shall monitor the active nest. If a setback is used, a fence barrier shall be erected around the buffer and clearing and construction within the fenced area shall be postponed or halted, at the discretion of the biological monitor, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting.						
<u>Introduction of Invasive, Non-native Plants in Landscaping</u> **MM5.3-11** The CLP shall require that only non-invasive ornamental plant species or appropriate native plant species are used for landscaping at all CLP component sites. Plant species shall be selected from the County of Los Angeles' Drought Tolerant Plant List. No landscape specimens shall be used that are listed in the California Invasive Plant Council's (Cal-IPC) California Invasive Plant Inventory, or which are listed as 'noxious weeds' by the State of California or the U.S. Federal Government. The selected plant list shall be reviewed by a County of Los Angeles approved qualified biologist to exclude any potentially invasive species.	Preparation/ approval of plant list	Applicant	Plan Check	LACDRP		
<u>Riparian Environmentally Sensitive Habitat Area (ESHA) in lower Marie Canyon, Malibu Coastline Significant Ecological Area (SEA) #1 and Marine ESHAs</u>						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
MM5.3-12 The applicant shall implement a Storm Water Pollution Prevention Plan (SWPPP), Standard Urban Storm Water Mitigation Plan (SUSMP), and observance of proper BMPs, which would be addressed by mitigation measures within the Hydrology and Water Quality section of the DEIR.	Preparation / approval of SWPPP and SUSMP Implementation of BMPs	Applicant	Plan Check Prior to Grading Permit On-going	LACDPW		
AIR QUALITY						
MM5.4-1 The applicant shall prepare a Construction Management Plan to control fugitive dust. At a minimum, the Plan shall include the following dust control measures: • The simultaneous disturbance site should be minimized as much as possible. • The proposed project shall comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust and PM-10 emissions. A plan to control fugitive dust through the implementation of best available control measures shall be prepared and submitted to the County for approval prior to the issuance of grading permits. The plan shall specify the dust control measures to be implemented. • Appoint a construction relations officer to act as community liaison concerning on-site construction activity including resolution of issues related to PM-10 generation.	Preparation of construction management plan Implementation of plan recommendations	Applicant	Plan Check Prior to Grading Permit On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
Such measures may include, but are not limited to, the following: • Application of soil stabilizers to inactive areas according to manufacturers specifications (previously graded areas inactive for ten days or more); • Preparation of a high wind dust control plan and implement plan elements and terminate soil disturbance when winds gusts exceed 25 mph; • Stabilization of previously disturbed areas if subsequent construction is delayed; and • Covering all stockpiles with tarps. • All trucks hauling dirt, sand, soil or other loose materials are to be covered. • The project proponent shall comply with all applicable SCAQMD Rules and Regulations including Rule 403 insuring the clean up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile or disturbed surface area visible beyond the property line of the emission source. Particulate matter on public roadways is also prohibited. • Adequate watering techniques shall be employed to mitigate the impact of construction-related dust particulates. Portions of the site that are undergoing surface earth moving operations shall be watered such that a crust will be formed on the ground surface, and then watered again at the end of each day. Exposed surfaces and haul roads will be watered three times/day.						

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	• Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. • Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each work day. The maximum vehicle speed on unpaved roads shall be 15 mph. • Grading operations shall be suspended during any first stage ozone episodes.						
MM5.4-2	Non-particulate construction activity emissions are not predicted to exceed SCAQMD CEQA thresholds. Nonetheless, to further reduce potential construction emissions, the applicant shall prepare a Construction Management Plan to control vehicle and equipment emissions during construction. Recommended mitigation measures include: • Construction parking shall be configured to minimize the potential for traffic interference and vehicle idling. • Any construction equipment using diesel internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard. • Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules,	Preparation of construction management plan Implementation of plan recommendations	Applicant	Plan Check Prior to Grading Permit On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
to minimize exhaust emissions. Tier 3 rated engines shall be used for all equipment during site grading, if available. • Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available. Construction operations affecting off-site roadways shall be scheduled by implementing traffic hours and shall minimize obstruction of through-traffic lanes. Construction operations that may affect traffic flow on the arterial system shall be limited to off-peak hours, as permitted. Truck deliveries occurring during construction shall be consolidated to the extent feasible. • Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law. • On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters if feasible. • All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations. • Construction equipment operations shall be suspended during any second stage smog alert. • Low VOC architectural and asphalt coatings shall be used on site and shall comply with AQMD Rule 1113-Architectural Coatings.						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
NOISE						
COMPONENT 3 Construction Noise: **MM5.5-1** Prior to the issuance of grading permits for the construction of the Upgraded NCAA Soccer Field, the applicant shall prepare a Construction Noise Mitigation Plan. Because construction details are not yet known with certainty, and because there are multiple noise control options, the plan will be structured to achieve a performance standard at any off-site residential property line. Consistent with the Los Angeles County Code, the maximum allowable construction activity noise shall not exceed the 75 dB threshold for construction activity noise for 10 days or less, or, the 60 dB noise threshold for construction activity noise for more than 10 days duration to be measured at the nearest off-site residential property. Measures should be applied to ensure the threshold is not exceeded, such as: • Using smaller, quieter equipment, or • Installing sound absorbing curtains or erecting a temporary berm to interrupt the line-of-sight between source and receiver.	Preparation of construction noise mitigation plan Implementation of plan recommendations	Applicant	Component 3 Prior to Grading Permit Construction On-going	LACDRP		
MM5.5-2 Grading work shall be limited to between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Grading outside these hours shall be permitted only upon request to, and approval by the Director of Planning for emergency grading such as near term completion of grading prior to rainy season.	Enforcement of work hours	Applicant	Construction On-going	LACDRP		
MM5.5-3 All on-site construction equipment fixed and mobile, shall be in proper operating condition and fitted with standard silencing devices. Proper	Preparation of monitoring program	Applicant/ Contractor	Prior to Construction	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	engineering noise controls shall be implemented when necessary on fixed equipment. A monitoring program shall be implemented to monitor mobile sources when construction is scheduled to occur within 280 feet of offsite residences.	Enforcement of operating conditions		On-going			
MM5.5-4	Residences within the Malibu County Estates subdivision shall be informed of the anticipated start date, duration, noise impact, and other pertinent information prior to the construction of each of the proposed components. Notification shall also include a phone number where people can register questions or complaints. Notification shall also be delivered by U.S. mail to the MCE Homeowners Association and the City of Malibu with a 72-hour lead-time target.	Notification of construction activities	Applicant	Prior to Construction On-going	LACDRP		
MM5.5-5	Project applicant shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions or complaints. The notice shall be posted no later than 72 hours prior to the planned activity where feasible.	Post notice at construction site and along haul route	Applicant/ Contractor	Prior to Construction On-going	LACDRP		
MM5.5-6	Construction staging and delivery areas shall be located as far as feasible from existing residences and shall be scheduled to take place from the mid-morning to mid-afternoon to take advantage of times when residential zones are less susceptible to annoyance from outside noise. Construction workers are expected to park on the job site and no closer than 185 feet from any off-site campus residence.	Enforcement of setbacks, staging, and delivery restrictions	Applicant/ Contractor	Construction On-going	LACDRP		
MM5.5-7	Limit allowable idling to 5 minutes for trucks and heavy equipment.	Enforcement of idling limits	Applicant/ Contractor	Construction On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM							
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MM5.5-8	During construction any semi-stationary piece of equipment that operates under full power for more than sixty minutes per day shall have a temporary ¾ inch plywood screen if there is a direct line of site to any residence located offsite within 280 feet from the equipment. Said screen shall be at least 3 feet higher and 6 feet wider in size from all outer edges of the noise generator.	Installation of screen	Applicant/ Contractor	Construction On-going	LACDRP		
MM5.5-9	Truck hauling activities shall be restricted to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, except no truck queing or hauling may take place on John Tyler Drive between PCH and south of the northern edge of the soccer field before 8:00 a.m. or after 5:00 p.m. Monday through Friday. Such activities on John Tyler Drive shall be restricted to 8:00 a.m. to 5:00 p.m. on Saturday, with no truck hauling on Sundays and holidays, in order to minimize noise disturbance on surrounding off site residential uses. Hauling on John Tyler Drive outside these hours shall be permitted only in extremely time-sensitive and/or emergency circumstances such as completion of concrete pouring. The Construction Management Plan shall give strong preference to the use of the Seaver Gate instead of John Tyler Drive as the designated haul and delivery route. John Tyler Drive would be used as a matter of logistical necessity only for hauling of large and unique deliveries such as major concrete, wood, and steel materials, structural components, major grading and similar-sized equipment, and available at all times for emergency and safety-related uses.	Enforcement of work hours	Applicant/ Contractor	Construction On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
Athletic/Events Center – Chiller Plant Noise **COMPONENT 2 ONLY** **MM5.5-10** The chillers shall be contained within a substantially or fully enclosed, ventilated building with louvers directed away from residential and other noise-sensitive land uses.	Preparation of building plans Construction of enclosure	Applicant	Component 2 Prior to Building Permit	LACDRP		
COMPONENT 2 ONLY **MM5.5-11** The mechanical cooling tower shall be placed in a location that utilizes other physical structures to interrupt the direct line-of-sight to the nearest noise-sensitive uses, as feasible.	Preparation of building plans Implementation of building plans	Applicant	Component 2 Prior to Building Permit	LACDRP		
COMPONENT 2 ONLY **MM5.5-12** Cooling towers shall be equipped with variable speed drives that allow nocturnal fan speed reduction during periods of reduced cooling demand.	Preparation of building plans Implementation of building plans	Applicant	Component 2 Prior to Building Permit On-going	LACDRP		
Updated NCAA Soccer Field – Operational Noise **COMPONENT 3 ONLY** **MM5.5-13** Lighted use of the updated NCAA Soccer Field shall cease at 10p.m with flexibility provided for games extending into overtime.	Enforcement of lighting curfew	Applicant	Component 3 On-going	LACDRP		
Related Project - Baseball Field Lighting – Operational Noise **MM5.5-14** Lighted use of the baseball field shall cease at 10 p.m. with flexibility provided for games extending into overtime.	Enforcement of lighting curfew	Applicant	On-going	LACDRP		
CULTURAL RESOURCES						
COMPONENT 5 ONLY **MM5.6-1** A protective fence shall be installed and maintained surrounding Site 19-002472 prior to	Install fencing	Applicant	Component 5 Prior to Grading	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	all earth moving activities that occur within 100-feet of the Site (Component 5).			On-going			
COMPONENT 5 ONLY				Component 5			
MM5.6-2	A professional archaeological monitor shall be onsite during all earth moving activities occurring within 100-feet of Site 19-002472 (Component 5).	Field monitoring	Archaeological Monitor	On-going	LACDRP		
MM5.6-3	In the event that unknown archaeological or paleontological resources are discovered during project construction, work in the immediate vicinity shall be suspended, until a qualified archaeological or paleontological monitor has inspected the resources, identified appropriate treatment, and document and report as necessary.	Stop work/ Consultation and implementation of monitor recommendations as necessary	Archaeological Monitor	On-going	LACDRP		
MM5.6-4	In the event that human remains are encountered during construction or any other phase of development, work in the area of the discovery must be halted in that area and directed away from the discovery. No further disturbance shall occur until the county coroner makes the necessary findings as to origin pursuant to Public Resources Code 5097.98-99, Health and Safety Code 7050.5. If the remains are determined to be Native American, then the Native American Heritage Commission (NAHC) would be notified within 24 hours as required by Public Resources Code 5097. The NAHC would notify the designated Most Likely Descendants who would provide recommendations for the treatment of the remains within 24 hours. The NAHC mediates any disputes regarding treatment of remains.	Stop work/ Notification and implementation of coroner recommendations Notification of NAHC if necessary	Applicant	On-going	LACDRP Coroner Native American Heritage Commission		
VISUAL RESOURCES AND AESTHETIC QUALITIES							
Visual Character, Quality and Compatibility:		Preparation/ approval of	Applicant	Prior to Building Permit	LACDRP		
MM5.7.1-1	Building materials that are compatible in color						

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	tone and/or texture with the surrounding natural terrain are to be employed on fences, retaining walls, and parking structures at each of the CLP component sites and where prominent above ground portions of structures are to be built or refurbished the tones and textures of their building exteriors will be painted and/or textured to match and/or resemble those of existing campus development.	building plans					
MM5.7.1-2	Walls higher than six feet shall be in tones compatible with surrounding terrain and similar to existing campus buildings and facilities and/or covered in stone accent materials as appropriate. Their surfaces must be prepared with appropriate construction methods and/or covered with building materials designed to create a textured effect.	Preparation/ approval of building plans	Applicant	Prior to Building Permit	LACDRP		
COMPONENTS 1 & 2 ONLY							
MM5.7.1-3	Architecturally compatible screening to conceal rooftop mechanical equipment such as air conditioning units from view will be constructed on the tops of all the proposed new and refurbished residential structures and the Athletics/Events Center. Equivalent architecturally compatible screening, alone or in combination with landscaping, will also be installed near parking garage structure openings and/or along their ingress and egress drives to contain vehicle lights to the maximum extent feasible.	Preparation/ approval of building plans	Applicant	Components 1 & 2 Prior to Building Permit	LACDRP		
MM5.7.1-4	The applicant shall prepare a detailed landscape plan that is designed to provide aesthetically compatible accenting to and/or visual screening of hardscape features and walls for each component of the Campus Life Project. The landscaping shall be consistent with the existing	Preparation/ approval of landscape plans	Applicant	Prior to Building Permit	LACDRP LACFD		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
campus landscaping and be subject to the review and approval by the County of Los Angeles Department of Regional Planning and Fire Department, as appropriate, and shall address the following: • Landscaping shall be provided on all the unpaved surfaces internal to, and along the perimeters, of each of the CLP components. The landscaping shall include ground covers, tree clusters, and shrub clusters, in a manner consistent with fire safety needs, to help conceal visible linear elements and hard edge surface effects resulting from site grading, the use of retaining walls and the construction of new buildings and exposed walls of parking garages, including along the southerly side of the Upgraded NCAA Soccer Field in Component 3 and visible sides of the School of Law Parking Structure (Component 6). • Street trees and parking lot median trees, compatible with adjacent and campus development, shall be planted along Huntsinger Circle, John Tyler Drive, and Seaver Drive and in their adjacent surface parking areas to minimize views of paved surfaces and to create vegetative color patterns and textures of visual interest internal to the project (specifically for Components 1 [Outer Precinct], 2, 3, 4, and 5) that are sufficiently located away from the natural wildland/project landscaped-edge interface.						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
• Appropriate landscaping, including trees and vegetated walls, shall be planted to minimize views of retaining walls, including the tiered retaining potentially visible from John Tyler Drive that will buttress the southern side of the Upgraded NCAA Soccer Field (Component 3). • Graded slopes at the Enhanced Recreation Area (Component 5) shall be landscaped to provide suitable ground cover and create vegetative color patterns and textures of visual interest. Planting palette shall include species selected for both short-term (first five years) and long-term aesthetic characteristics. • Project landscaping shall consist of native fire retardant species included on the Los Angeles County Fire Department Fuel Modification Plan and/or as otherwise approved by the Los Angeles County Fire Department to partially screen views of the project from surrounding uses. Landscaping shall be compatible with the character of the surroundings and architectural style of the structures.						
COMPONENTS 3 & 5 ONLY **MM5.7.1-5** To reduce the contrast and presence of the proposed Enhanced Recreation Area and of the Upgraded NCAA Soccer Field light poles, the applicant should utilize a flat earth-tone finish on the metal surfaces.	Preparation/ approval of building plans	Applicant	Components 3 & 5 Prior to Building Permit	LACDRP		
Lighting: **MM5.7.2-1** The applicant shall prepare lighting plans for	Preparation/ approval of	Applicant	Prior to Building Permit	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
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submission and prior approval by the County of Los Angeles, that identify the type, layout, and luminaire wattage of all exterior fixtures to be employed at each of the CLP component sites. The plans shall include any and all lighting standards proposed for the nighttime illumination of playing fields at the Upgraded NCAA Soccer Field and the Enhanced Recreation Area, and for a related project, the proposed lighting improvements at the Eddie D. Field Baseball Stadium. At a minimum the plan shall address and conform to the requirements defined below, and the County of Los Angeles Department of Regional Planning must approve all aspects of the final submitted lighting plans. *Nuisance Prevention:* All outdoor lighting shall be designed, located, installed, hooded and aimed downward or in project-interior directions toward structures. No lights shall be directed toward nearby residences or open space. *Lighting Levels:* Outdoor lighting installations shall be designed to avoid harsh contrasts in lighting levels between the project site and adjacent properties. Lighting trespass levels as measured at nearby residential land use boundaries shall be limited to 0.5 footcandles.	lighting plans					
COMPONENT 3 ONLY AND RELATED PROJECT BASEBALL FIELD **MM5.7.2-2** For ordinary athletic field lighting levels employed at Component 3 (Upgraded NCAA Soccer Field) during non-televised intercollegiate games and during student recreation, the lighting system shall provide a *Maintained Illuminance* at field level of 50	Enforcement of restriction	Applicant	Component 3 and Related Project Baseball Field Prior to Building Permit	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM							
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	footcandles (fc). Lighting employed at the Eddie D. Field Baseball Stadium during non-televised intercollegiate games shall be restricted to the maintained illuminance levels specified by the NCAA (75 fc in the infield and 50 fc in the outfield). Use of athletic field lighting shall employ a curfew and be used for events scheduled to end no later than 10pm with flexibility provided for overtime. Athletic field lighting levels of a maintained illuminance of 100 horizontal and vertical footcandles (fc) may be used only on nights in which a game will be nationally or regionally broadcast, up to 10 events per year per field.						
MM 5.7.2-3	In the event that athletic field lighting standards are installed in the future at the Eddie D. Field Baseball Stadium (considered a Related Project, but not a part of the CLP) tree and shrub landscaping or other baseball field visibility screening devices shall be installed and maintained east of John Tyler Drive to block direct line-of-sight visibility of the baseball field surfaces to the maximum extent feasible. The visibility screening device shall block more than 80% of luminance in a uniform distribution prior to the installation of the Baseball Field lighting. This can be achieved through a combination of landscaping and artificial screening devices. The landscaping shall be maintained so as not to block distant visibility of the Santa Monica Mountains.	Enforcement of restriction	Applicant	Prior to Building Permit	LACDRP		
MM5.7.2-4	The CLP Components shall employ Lighting Guidelines adopted from design principles and recommendations provided by the IESNA and the IDA to minimize all forms of light pollution, including glare, and light trespass. At a minimum the Project lighting design shall	Preparation of building plans	Applicant	Prior to Building Permit	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
incorporate the following: **Exterior Lighting** Pole- and post-mounted lighting within the direct view of any residential property shall be located and/or shielded so that the light source is not directly visible, and the view of the fixture lens and reflector is minimized. Sports lighting fixtures shall be aimed at an angle of 62° or less, normal to the horizon. Bollard luminaires shall be specified to prevent direct view of the light source. Where louvered bollards are specified, they shall utilize coated lamps. All up lighting fixtures shall be aimed and/or shielded to constrain the light to the object being illuminated and minimize the amount of illumination escaping into the night sky; and they shall be focused and confined to highlighting or emphasizing architectural features and significant landscaping elements without resulting in significant lighting impacts. **Site Lighting (pedestrian area and walkway lighting)** All pole and post mounted luminaires over fifteen (15) feet in height shall meet all IESNA requirements for "cutoff" and current LEED requirements for fixture cutoff within the Lighting Zone specified by CEC for the Project, and shall be aimed downward. All pole- and post-mount luminaires less than fifteen (15) and greater than six (6) feet in						

MITIGATION MONITORING AND REPORTING PROGRAM						
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height shall meet all IESNA requirements for "cutoff" and current LEED requirements for fixture cutoff within the Lighting Zone specified by CEC for the Project. All luminaires of less than six (6) feet in height, such as bollards, shall meet all IESNA requirements for "semi-cutoff". For pedestrian walkways and plazas, all lighting configurations shall comply with IESNA RP-33-99 14.0 Walkway and Bikeway Lighting, in accordance with best practice recommendations. **Parking Lot and Parking Structure Lighting** All interior lighting for parking structures that is visible from areas exterior of the parking structure shall utilize shielding that blocks direct view of the light source and minimizes the view of reflector or diffuser. For open-air and roof-top parking facilities, all lighting configurations shall comply with IESNA RP-20-98, 4.0 Illuminance Recommendations – Parking Lots, best practice recommendations for typical conditions. Landscape screens, hedge walls, or other recommended shielding screens/opaque walls should be installed along the open sides of the parking structures along Huntsinger Circle and Seaver Drive to contain, to the extent feasible, the glare of headlights and tail lights of vehicles utilizing the structure. Landscape screens, berms, and/or hedges should be placed near driveway entries to parking						

MITIGATION MONITORING AND REPORTING PROGRAM						
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structures and around surface parking areas near the Athletics/Events Center and the western end of the Upgraded NCAA Soccer Field to contain, to the extent feasible, the glare of headlights and tail lights of vehicles visiting the campus facilities. **<u>Building Mounted Lighting</u>** Building mounted fixtures shall be shielded so that the light sources (lamps) are not directly visible from potentially sensitive receptor locations and the view of the fixture lens and reflector is minimized. Building mounted fixtures that are not full-cut-off shall be primarily for architectural accent purposes and be decorative in nature. The predominance of illumination for such areas where accent lighting and decorative fixtures are used shall be provided by other luminaires. *Security Lighting:* All areas deemed as security risks, shall comply with horizontal and vertical illuminance recommendations, as provided by the IESNA for Security Lighting per site area. *Lamp Types:* All exterior lighting shall use High Efficiency light sources, as defined by California Energy Code, Title 24 and Los Angeles County Code (Section 22.52.2130). *Fixture Types:* All outdoor lighting shall use cut-off luminaries from which light shall be downcast and fully shielded with no light emitted above the horizontal plane so that light sources in the fixtures are not visible to the surroundings.						

MITIGATION MONITORING AND REPORTING PROGRAM						
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Accent Lighting: Architectural features may be illuminated by uplighting provided that the light is effectively contained by the structures, the lamps are low intensity and are used only to provide subtle lighting effects and that no significant glare or light trespass is produced.						
MM5.7.2-5 Project structures shall utilize non-reflective materials to avoid glare intruding onto adjacent properties and open spaces.	Preparation of building plans	Applicant	Prior to Building Permit	LACDRP		
MM5.7.2-6 All exterior texture and color coatings of athletic poles and lighting fixtures visible to the general public should be selected to blend with the prevailing background colors and textures to minimize their visual intrusiveness and/or prominence.	Preparation of building plans	Applicant	Prior to Building Permit	LACDRP		
MM5.7.2-7 All lighting fixtures visible to the general public should be consistent with the overall architectural style of the project with respect to design, materials, and color.	Preparation of building plans	Applicant	Prior to Building Permit	LACDRP		
COMPONENTS 3 & 5 ONLY **MM5.7.2-8** All outdoor lighting utilized in the Enhanced Recreation Area and the Upgraded NCAA Soccer Field components shall utilize directional lighting methods with shielding and cut-off type light fixtures to minimize glare and incidental upward directed lighting effects and that will prevent significant light trespass into dark naturally vegetated areas.	Preparation of building plans	Applicant	Components 3 & 5 Prior to Building Permit	LACDRP		
TRAFFIC AND ACCESS						
COMPONENT 2 ONLY **M5.8-1** Prior to occupancy of the new AEC, the University shall provide and maintain a minimum of 100 net new beds over existing conditions. During the construction of the first phase of the Student Housing Rehabilitation, if the University utilizes off-campus housing to accommodate	Provide additional beds	Applicant	Component 2 Prior to Building Permit	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
displaced student residents the University shall provide regularly scheduled shuttles to transport relocated students between the off-campus housing sites and the campus.						
COMPONENT 2 ONLY **MM5.8-2** Prior to any events at the new AEC, the University shall develop an Event Management Plan which addresses issues on campus and adjacent to campus as to events with greater than 3,500 attendees for review and approval by the County of Los Angeles. At a minimum the plan shall include the following elements: • Route inbound and outbound traffic through both of the University gates at Seaver Drive and John Tyler Drive in order to minimize the level and duration of congestion at the beginning and end of events. Use of both gates is required to accommodate peak inbound and outbound traffic flows and avoid significant congestion at the campus access intersections. • Develop an event information and advertising plan that provides information to attendees regarding the access and parking system planned for the event. The plan would include posting information on the University's web site, providing access and parking information with event invitations or tickets that are mailed, providing event parking and access information at the on-campus ticket sales offices, etc. • Post "No Event Parking" signs as permitted through the City of Malibu at the entrance to the Malibu Country Estates	Preparation of event management plan Implementation of event management plan	Applicant	Component 2 Prior to Building Permit On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
subdivision to prohibit parking in the neighborhood during large events. • Post "No Pepperdine Campus Event Parking" signs as permitted at the entrance to the Conservancy-owned Malbu Bluffs Property to prohibit parking in its lots during large events. • Require annual parking counts be submitted to the Director of Planning to ensure sufficient capacity of on-campus parking so that no event parking takes place in the Malibu Country Estates or Conservancy-owned Malibu Bluffs property. • Implement signage at the two campus access kiosks to route inbound event traffic through without having to stop for a parking pass. This would minimize driver confusion and vehicles stopping at the entry gates, which can create congestion. • Implement temporary signage at the Seaver Drive/Banowsky Boulevard and John Tyler Drive/Banowsky Boulevard intersections to efficiently direct attendees to the event parking areas in the northern portion of the campus. • Given the proximity of the new AEC to the intersection of Huntsinger Circle and Via Pacifica, traffic control shall be required at this intersection to direct vehicles and pedestrians at the start and end of events. • Use signage and/or traffic control officers at the on-campus parking structures and lots. The plan should place officers/signage such that the new parking structures planned adjacent at the						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
Athletics/Events Center, the School of Law Student Lot and at the Terrace Lot as well as the surface parking areas located in the campus interior are used to the greatest extent feasible. • Employ the campus shuttle system to transport attendees to/from parking facilities used for events. Increase the number of shuttles as needed based on event size. • Include event monitoring that reviews the adequacy of the Event Management Plan and parking availability after the events are held and allows for adjustments to the Plan. In general, the Plan elements would be fine-tuned and adjusted based on the results of the monitoring efforts.						
COMPONENT 2 ONLY			Component 2			
MM5.8-3 A comprehensive Transportation Demand Management Program (TDM) shall be developed and implemented for large-scale events at the AEC attended by over 3,750 persons that start or end during the A.M. (7:00-9:00) or P.M. (4:00-6:00) peak periods weekdays and draw more than 60 percent of attendees from off-campus sources. Such events, which shall be considered Major Events, shall not include athletic events which begin before 4 P.M or after 7:00 P.M. providing said events do not end between 4:00-6:00 p.m. Pepperdine shall establish a method to track admissions tickets or vouchers for on-campus attendees and off-campus attendees for the Athletic/Events Center, and shall supply data from such events to the Department of Regional Planning upon request. A report shall be provided to the Department of Regional Planning on an annual basis that lists the Major Events held at the Athletic/Events Center in the previous year. The	Preparation of Preliminary TDM Program Preparation of Final TDM Program Implementation of TDM Program	Applicant/ County Applicant/ County Applicant	Prior to Building Permit Prior to AEC Occupancy On-going	LACDPW LACDRP TAC LACDPW LACDRP LACDPW LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
majority of such events shall be athletic or student-related programs. The TDM Program shall be designed to mitigate, to the extent feasible, the significant impacts of traffic in connection with such events. It shall include measures, such as those listed in the Traffic Impact Study (Appendix H of the Draft EIR), to decrease the number of vehicular trips generated by people traveling to the Athletics/Events Center during these times by offering specific facilities, services, and actions designed to reduce automobile dependency, as well as to promote alternative travel modes (e.g., carpool, regional shuttle systems, come early and stay late initiatives, etc.). The TDM Program shall be developed in conjunction with the County of Los Angeles and subject to their final approval. A Preliminary TDM Program shall be developed in conjunction with the County of Los Angeles prior to issuance of a building permit for the AEC. The Preliminary TDM Program shall be reviewed with Pepperdine's Transportation Advisory Committee, which includes the City of Malibu and Caltrans, and with representatives of Conservancy-owned Malibu Bluffs and Malibu Country Estates as adjacent neighbors. The Final TDM Program shall be approved solely by the County of Los Angeles to the satisfaction of the Director of Public Works and the Director of Planning prior to issuance of any Certificate of Occupancy for the AEC. A copy of the approved TDM shall be submitted to the City of Malibu and Caltrans for their use.						

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
COMPONENT 2 ONLY **MM5.8-4** The maximum size event at the AEC during the peak parking period shall be limited to 5,000 attendees until a parking supply of 4,880 parking spaces is provided.	Enforcement of attendance limit	Applicant	Component 2 Prior to Building Permit	LACDRP		
PUBLIC SERVICES						
Fire Protection: **MM5.9.1-1** As recommended by the LACFD, the incremental impact of the proposed CLP project on fire protection and emergency medical services within the Pepperdine University service area shall be mitigated by Pepperdine University's participation in the City of Malibu's adopted Developer Fee Program[2] for new residential, commercial, and industrial construction, which benefits the Consolidated Fire Protection District of Los Angeles County. Program fees levied by the County of Los Angeles shall support fire stations and apparatus necessary to deliver service to the City of Malibu, which would due to their geographic proximity, provide fire suppression and emergency services to Pepperdine University.	Payment of fees	Applicant	Prior to Building Permit	LACFD		
MM5.9.1-2 The University's Sheltering/Evacuation Plan, which is an element of the University's Emergency Plan shall be updated to include all the CLP elements and structural facilities. The updated plan in its entirety will be subject to the review and approval by the LACFD.	Preparation/ approval of updated Sheltering/ Evacuation Plan	Applicant	Prior to Building Permit	LACFD		
MM5.9.1-3 The proposed CLP Components shall comply with all applicable County Code and LACFD	Preparation of building plans	County	Prior to Building Permit	LACFD		

[2] The City of Malibu has adopted the Los Angeles County Developer Fee Program. Administration and collection of the Developer Fee within the territorial limits of the City of Malibu is the responsibility of the Consolidated Fire Protection District of Los Angeles County. The developer fee revenues supplement funds available to the Consolidated Fire Protection District of Los Angeles County to provide for the acquisition, construction, improvement and equipping of facilities necessary for the District to deliver fire protection services within the City of Malibu (City of Malibu Council Agenda Report, Agenda Item #4A, January 6, 2009).

MITIGATION MONITORING AND REPORTING PROGRAM							
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	ordinance requirements for Commercial and High Density Residential development located in high fire danger areas regarding the following: building construction methods and materials; the ease of site access; the adequacy of water mains, namely of fire-flow pressures and volumes; the location and numbers of fire hydrants; the use of indoor sprinklers and sensors; and the re-vegetation of all manufactured slopes with fire retardant (native) landscaping; and strict and timely adherence to LACFD-mandated fire-safety brush clearance regulations.						
MM5.9.1-4	The proposed CLP shall comply with all applicable State Fire Marshall requirements for the installation of fire alarms, firewalls and dampers, and detector devices.	Preparation of building plans	Applicant	Prior to Building Permit	LACFD		
MM5.9.1-5	Reclaimed water from the University's storage lakes at Alumni Park will continue to be used for fire suppression purposes as needed by campus Public Safety officers and the LACFD[3].	Enforcement as necessary	County/ Applicant	Prior to Building Permit Ongoing	LACFD		
MM5.9.1-6	Pepperdine University shall provide detailed site plan maps and facilities drawings of the completed CLP Component facilities and areas to the LACFD, which clearly illustrate access routes, building recognition/identification numbers/names, addresses, building and parking structure floor plans, the locations of emergency exits, and any other pertinent information that would facilitate LACFD response.	Preparation/ approval site plans	Applicant	Prior to Building Permit	LACFD		
MM5.9.1-7	Pepperdine University shall post no smoking and/or use of open flame signage at all trail and dirt road entry points to undeveloped (natural)	Post signage	Applicant	Prior to Building Permit	LACDRP		

[3] The continued presence of water in the reservoirs is assured, as the University is mandated by the RWQCB to receive all reclaimed water from the Malibu Mesa Wastewater Treatment Plant.

MITIGATION MONITORING AND REPORTING PROGRAM							
	Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
	areas of the campus and shall continue to prohibit and enforce the "no smoking" policy in undeveloped (natural) areas of the Malibu campus by means of the recording of violations by campus safety officers, the issuance of campus citations for violations, and the prompt reporting of such instances to the appropriate law enforcement authorities as necessary.	Enforcement of restriction		On-going			
MM5.9.1-8	Pepperdine University shall continue to post "fire danger" signs and restrict entry to all unauthorized persons into naturally vegetated hillside terrain during officially declared high fire hazard weather conditions. The University's Department of Public Safety shall continue to provide regular patrols and enforcement within the University property to prevent unlawful activity that could result in urban fires or wildfires.	Post signage Enforcement of restrictions	Applicant	Prior to Building Permit On-going	LACDRP		
Police Protection Services: **MM5.9.2-1**	The University's Department of Public Safety shall hire one additional public safety officer for every 35,000 square feet of new non-residential development.	Hire additional public safety personnel	Applicant	Prior to occupancy	LACDRP		
PUBLIC UTILITIES							
Sewage Disposal: **MM5.10.2-1**	Applicant shall upgrade the existing Wastewater Flow Equalization Station with an additional pump with 180 gpm capacity that would provide the Wastewater Flow Equalization Station pumping station with 50 percent redundancy at 360 gpm of duty capacity. With a third pump added, the capacity of the Wastewater Flow Equalization Station would be more than adequate to accommodate the additional flows expected during wet weather events.	Prepare building plans Upgrade existing WWFES	Applicant	Prior to Building Permit Prior to Occupancy	LACDPW		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
MM5.10.2-2 The University shall prepare a sewer area study subject to the review and approval of the Los Angeles County Department of Public Works prior to the issuance of a building permit for the project.	Preparation/ approval of sewer area study	Applicant	Prior to Building Permit	LACDPW		
Solid Waste: **MM5.10.3-1** The applicant shall implement a recycling program for the operational and construction phases of the CLP in compliance with the University's current recycling program. The recycling program shall be monitored to ensure that the program advances along with technological advancements in waste management industry-wide. The recycling program shall maintain construction and operational waste diversion rates of at least 70% with improvements in waste diversion overtime that exceed minimum levels and are in keeping with overall Countywide criteria. Some of the measured recycling criteria that shall be met or exceeded include: • All on campus green waste (e.g. tree trimmings, brush clearance, grass, etc.) shall be either be chipped and reused for pathways (e.g. wood chips) or shall be composted at an approved composting site. • Food waste shall be sent to a composting site and reused on campus for landscape maintenance in-lieu of fertilizer, where appropriate. • Styrofoam shall remain prohibited.	Implement construction phase recycling program Implement operation phase recycling program	Applicant	Prior to Building Permit On-going	LACDRP		

MITIGATION MONITORING AND REPORTING PROGRAM						
Mitigation	**Action**	**Party Responsible for Implementation**	**Time of Clearance**	**Party Responsible for Verification/ Monitoring**	**Sign Off**	**Date**
• Faculty, staff and students shall be encouraged to utilize double-sided printing whenever possible. • Batteries, toner cartridges and other office tech equipment such as computer monitors, printers, and cell phones shall be recycled. • Offices shall encourage recycled paper usage that contains at least 30 percent recycled content and is Green Seal Certified. • The campus shall maintain usage of 100 percent recycled products (e.g. hand towels) for the janitorial products for common area restrooms, break rooms, etc.						

APPLICANT'S CONDITIONAL USE PERMIT AND PARKING PERMIT BURDEN OF PROOF STATEMENTS

Conditional Use Permit - Burden of Proof

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

A. That the requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The Pepperdine University property totals approximately 830 acres with development concentrated within an approximate 363-acre core campus area located in the southern portion of the property near PCH. Pepperdine University is located within Los Angeles County's Malibu Coastal Area Plan, and is designated A-1-1-DP (Light Agriculture, 1-acre minimum lot size-Development Program) by the County's Planning and Zoning Code. The A-1-1 zone permits the development of colleges and universities, including appurtenant facilities, with a Conditional Use Permit ("CUP"). On July 7, 1987, Los Angeles County approved a Development Program ("DP") that gave conceptual approval for the facilities on Pepperdine's Malibu Campus described in the Pepperdine University Specific Plan for Development (1982–1997) ("Specific Plan"). The Specific Plan included a master plan list of existing and proposed facilities for the long-term build out of the campus, and the DP established the general extent and character of development for the University, requiring Pepperdine to obtain site-specific approval for conceptually approved facilities through individual CUPs and site-specific environmental analysis under the California Environmental Quality Act ("CEQA"). Also in 1987, the Los Angeles Regional Planning Commission approved CUP 2432-(4), which provided the required site-specific approval for a portion of the facilities that were conceptually approved by the DP. The CUP approved facilities in accordance with the Specific Plan and as shown on the map entitled Proposed Land Use—Pepperdine University Specific Plan for Development.

As stated, the University's long-range development plans were approved by the County under the DP. The California Coastal Commission (the "Commission") subsequently amended and approved the plan through a comprehensive Long Range Development Plan ("LRDP"), which was certified in 1990. The 1990 LRDP approved 1.2 million square feet of academic and support uses. Like the DP, the LRDP provided conceptual approval for campus planning and set forth parameters and policies for long-term development on the Pepperdine University Malibu campus. Since the County's and Commission's long-term planning documents were approved, the University has proceeded with obtaining individual County CUPs and corresponding Commission approvals as they build out the campus and prepare for the future. For example, in 1998, the University realized the LRDP's development plans for an upper graduate campus through the approval of the Graduate Campus Project.

With this Campus Life Project ("CLP" or "Project"), the University proposes to infill the core campus area consistent with its long-term planning process as set forth and approved by the County and the Commission. Specifically, the six CLP components include: (1) Student Housing Rehabilitation; (2) Athletics/Events Center; (3) Upgraded NCAA Soccer Field; (4) Seaver Town Square; (5) Enhanced Recreation Area; and (6) School of Law Parking Structure. These six components total a net increase of approximately 394,137 square feet of academic and

support uses, which remains well below the total maximum uses and square footages envisioned in the County's and the Commission's long term planning approvals for the University.

The CLP will include the renovation and replacement of aging buildings on a thirty-eight year old campus and the improvement of various new facilities throughout the campus. The proposed uses of the facilities within the CLP are consistent with and support the educational use of the campus property. The facilities proposed as part of the CLP would be located within the existing core campus and previously disturbed areas. The remaining, majority acreage that comprises the property will remain undeveloped. The CLP does not propose any increase in Pepperdine's full time equivalent ("FTE") student numbers. Rather, the Project would improve the ability of the campus to better serve the daily needs of existing students, and develop the facilities needed to accommodate existing University programs and goals for student life which require additional space. The CLP is consistent with the County's General Plan Land Use designation and zoning of the Project site.

In designing the Project, Pepperdine University has sought to minimize adverse impacts on the local community and environment by recognizing opportunities to make efficient use of the existing developed and disturbed core campus. In addition, the CLP would be subject to site-specific development standards and special conditions to ensure the compatibility of the Project with the surrounding areas.

Accordingly, the CLP will not: 1) adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; 2) be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or 3) jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The improvements proposed as part of the CLP would be located within the existing core campus. The proposed components would be developed in accordance with the requirements set forth in Title 22 of the Zoning Code and with the parking requirements previously established by the County of Los Angeles. The component sites are adequate in size and shape to accommodate the development proposed as part of the Project.

Landscaping and design features of the proposed components would be consistent with existing campus architecture and long-term planning parameters, thus enabling the Project components to integrate well with existing uses in the surrounding area. The landscaping will continue to include a high percentage of native species, where feasible, and will continue to incorporate the University's long-term recycled watering program. Proposed CLP landscape designs are deer resistant and water efficient, and would enhance the overall physical appearance of the campus; particularly at specific building sites. Further, the Project will provide subterranean parking, where feasible, which allows increased area for student quad and landscaping uses to integrate well with the surrounding area. The architectural style and sizes of

the proposed CLP structural components and terrain modifications are in character with the existing on-site university campus facilities and manufactured terrain features. Further, the sizes and heights of the proposed project's structural components are generally compatible with the distribution and scale of existing campus facilities. As such the proposed CLP components would not be out of character with adjacent development.

The proposed CLP facilities are adequate in size and shape to accommodate the design and development standards set forth in the Zoning Ordinance and to integrate well with the proposed academic, housing, and ancillary uses in the surrounding campus area.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required

The campus is adequately served by streets, as well as other service facilities, which are sufficient to account for any increases in traffic or need for public services that would be generated by the CLP. Buildout of the proposed CLP would not result in an increase in FTE student enrollment on the Pepperdine campus. Moreover, the CLP would allow Pepperdine to better meet its goal of providing an adequate supply of student housing on campus, enhancing the student experience and helping mitigate trips to and from campus. By providing more housing and on-campus support, students will be able to eliminate the daily commute as a result of living off-campus, thereby minimizing traffic in the local area. The proposed project would therefore result in a decrease of average daily traffic volumes at the study area intersections during the A.M. and P.M. peak hour periods. In addition, the proposed project would result in an increase in parking spaces that would reduce the occupancy rate of the existing peak parking demand.

Off-site traffic generated by the CLP components would be accommodated by the existing roadway system that serves the Pepperdine University campus, including Seaver Drive and President's Drive. In addition, existing public and private facilities including natural gas, sewer, water, and electrical facilities are considered adequate to serve the proposed components.

Therefore, the CLP would be adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

PARKING PERMIT – BURDEN OF PROOF CHAPTER 22.56.1020

In addition to the information required in the attached application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts (use separate sheets if necessary):

A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:

1. The age and/or physical condition of the residents is such that the use of automobiles is unlikely; or
2. The nature of the use is such that there is a reduced occupancy; or
3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration; or
4. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed

Pepperdine University is required to provide at least one parking space per each Full Time Equivalent ("FTE") student. The requirement was originally established under CUP 2342-(4). This parking ratio has continued to be approved in connection with subsequent projects.

The current enrollment at the Malibu campus is approximately 2,650 FTE students, which remains well below the maximum FTE enrollment allowed under the County's and the California Coastal Commission's ("Commission") long term planning approvals for the University.[1] Buildout of the proposed Campus Life Project ("CLP") improves facilities and programs for existing students. It does not result in an increase in student enrollment. Nevertheless, the proposed parking supply for the campus following implementation of the CLP would increase the parking supply by 796 spaces. Because the number of proposed FTE students will remain the same after the CLP, these additional parking spaces would be sufficient to accommodate the FTE parking requirement. The Student Housing Rehabilitation component of the CLP would also result in additional beds, serving to decrease the use of automobiles and reduce the number of trips from the roads by allowing more of Pepperdine's undergraduate student body to live on campus.

In addition, several of the CLP's additional parking spaces would be efficiently housed in subterranean parking facilities, minimizing the land needed to construct such structures. The CLP would also provide parking spaces in close proximity to core campus functions. For example, the Seaver Town Square component proposes to provide the University a quad area for community and aesthetic enhancement as well as additional parking spaces (hidden from view underground) in the campus core. This aspect of the CLP would consist of two levels of subterranean parking with a landscaped quad on the third, or top, level. The School of Law Parking Structure component of the CLP also responds to the University's need for additional,

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[1] The County has approved the campus for 3,500 FTE. The LRDP approved the campus for 5,000 FTE.

centralized parking by locating spaces in close proximity to student housing and athletic facilities.

B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:

1. Uses sharing parking facilities operate at different times of the day or days of the week; or
2. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan; or
3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces.

The CLP will not present any conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces. Parking spaces would be distributed throughout the Pepperdine campus in subterranean and above ground parking lots and continued on-street parking would be available adjacent to academic, housing, and support facilities. No shared parking spaces or tandem parking spaces are proposed for the CLP.

C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:

1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use; or
2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces; or
3. Such transitional lots are designed to minimize adverse effects on surrounding properties; or
4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood.

No off-site parking facilities are proposed in connection with the CLP. All parking in connection with the CLP will be provided in areas adjoining or nearby the proposed facilities.

D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property.

The CLP would serve the University's strategic student housing plan that aims to provide housing on the Malibu Campus for seventy five percent of the Seaver College student body. By increasing the number of students living on campus, the CLP would reduce the number of trips resulting from students who would otherwise need to commute to campus. Additionally, by providing facilities that further meet the housing, health, and fitness needs of students, students will have less need to leave campus, further reducing traffic in the areas surrounding the property.

As additional parking spaces will be distributed throughout the Pepperdine campus, there will not be any off-site parking that would result from the approval of this parking permit. Further, because these additional parking facilities will be distributed throughout the Pepperdine

campus, the granting of a parking permit would not result in excessive traffic congestion in any one area of the campus. Therefore, the requested parking permit will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding properties.

E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22.

As the CLP components all include infill within the parameters of the previously disturbed, core campus area, the 363-acre core campus of Pepperdine will more than adequately accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed by the County of Los Angeles. Efforts have been made to propose parking lots in subterranean facilities where possible to maximize the current space of the campus. Improved pedestrian and vehicular access would be provided to accommodate the CLP facilities. In addition, the landscaping and design features of the CLP would be compatible with those policies set forth in the prior County of Los Angeles and Commission approvals.

Therefore, the Pepperdine Campus is adequate in size and shape to accommodate the design and development standards set forth in the Zoning Code.

ENVIRONMENTAL DOCUMENTATION

ON DISC:

FEIR (includes all comments received during DEIR comment period and late comments received), MMRP, DEIR, CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

HARD COPIES:

- **CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS**

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PEPPERDINE UNIVERSITY CAMPUS LIFE PROJECT

COUNTY PROJECT NO. R2007-03064-(3)
CONDITIONAL USE PERMIT NO. 200700203
PARKING PERMIT NO. 200700014
ENVIRONMENTAL REVIEW NO. RENV200700169
STATE CLEARINGHOUSE NO. 2008041123

Table of Contents

Page

I. INTRODUCTION 1

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND 2

A. INITIAL STUDY AND NOTICE OF PREPARATION 2

B. DRAFT ENVIRONMENTAL IMPACT REPORT 2

C. FINAL ENVIRONMENTAL IMPACT REPORT 3

III. FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA 4

IV. DESCRIPTION OF PROJECT 5

A. COMPONENT 1: STUDENT HOUSING REHABILITATION 5

B. COMPONENT AREA 2: ATHLETICS/EVENTS CENTER 6

C. COMPONENT AREA 3: UPGRADED NCAA SOCCER FIELD 7

D. COMPONENT AREA 4: TOWN SQUARE 7

E. COMPONENT AREA 5: ENHANCED RECREATION AREA 8

F. COMPONENT AREA 6: SCHOOL OF LAW PARKING 9

G. PROJECT PHASING 9

V. PROJECT OBJECTIVES 9

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT IN THE INITIAL STUDY 11

A. MINERAL RESOURCES 11

B. AGRICULTURAL RESOURCES 11

C. GENERAL FACTORS 11

D. ENVIRONMENTAL SAFETY/HAZARDS AND HAZARDOUS MATERIALS 12

E. POPULATION/HOUSING / EMPLOYMENT 12

F. EDUCATION/RECREATION 12

G. PUBLIC UTILITIES: ELECTRICITY/GAS 12

VII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION 13

A. GEOLOGY AND SOILS 13

1. Unique Geologic Features 13

2. Grading (Landform Alteration) 13

3. Ground Lurching and Cracking 13
4. Flooding Attributable to Tsunami, and Seiche 14
5. Geotechnical Impacts (Expansion and Soil Shrinkage) 14

B. WATER QUALITY 14
1. Hydrology and Site Drainage 14
2. Groundwater 17

C. BIOLOGICAL RESOURCES 17
1. Direct Impacts (Components 1-4, 6) 17
2. Direct Impacts (Component 5) 18
3. Direct Impacts (All Components) 18
4. Indirect Impacts 19

D. AIR QUALITY 19
1. Construction Related Impacts 19
2. Operational Period Impacts 21

E. NOISE IMPACTS 22
1. Construction Noise Impacts 22
2. Operational Traffic Noise Impacts 24

F. VISUAL RESOURCES AND AESTHETIC QUALITIES 30
1. Light and Glare 30
2. On-Site Visual Resources 31
3. Views of Visual Resources/Scenic View 31
4. Visual Character, Quality, and Compatibility Issues 34
5. Impacts on Views of Natural Terrain 34

G. TRAFFIC AND ACCESS 35
1. Traffic Congestion 35
2. Site Access and Circulation 35
3. Parking 35
4. Event Traffic and Parking 36

H. PUBLIC SERVICES-FIRE PROTECTION 37
1. Defensibility of the Proposed CLP Project from Wildfires 37
2. Wildfire Impacts Associated with Increased Human Activity at CLP Site 37
3. Demand for Fire Protection/Emergency Services 38

I. PUBLIC SERVICES/POLICE PROTECTION 39
1. Short-Term Construction Phase Impacts 39

J. PUBLIC UTILITIES 39
1. Potable Water Supply 39
2. Recycled Water Supply 40
3. Potable Water Storage 40
4. Recycled Water Storage Capacity 41
5. Pumping Facilities 41
6. Fire Flow System Capability 41
7. Wastewater 42

8. Solid Waste 42

K. LAND USE 43
1. Land Use Compatibility 43
2. Consistency with Governing Plans, Policies, and Ordinances 44

L. GLOBAL CLIMATE CHANGE IMPACTS 47

VIII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION, WHERE MITIGATION NONETHELESS PROVIDED TO FURTHER REDUCE IMPACTS 47

A. WATER QUALITY 48
1. Hydrology and Site Drainage 48
2. Groundwater 49

B. VISUAL RESOURCES AND AESTHETIC QUALITIES 50
1. Light and Glare 50

C. TRAFFIC AND ACCESS 51
1. Traffic Congestion 51

IX. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION 52

A. GEOLOGY AND SOILS (SLOPE STABILITY-GEOLOGICAL FORMATIONS AND ARTIFICIAL FILL MATERIALS) 52
1. Description of Significant Effects 52
2. Mitigation Measures 52
3. Finding 53
4. Facts Supporting and Rationale for Finding 53
5. Reference 53

B. GEOLOGY AND SOILS (SHALLOW GROUNDWATER) 53
1. Description of Significant Effects 53
2. Mitigation Measures 53
3. Finding 54
4. Facts Supporting and Rationale for Finding 54
5. Reference 54

C. GEOLOGY AND SOILS (EARTHQUAKE ACTIVITY) 54
1. Description of Significant Effects 54
2. Mitigation Measures 54
3. Finding 55
4. Facts Supporting and Rationale for Finding 55
5. Reference 55

D. GEOLOGY AND SOILS (FLOODING ATTRIBUTABLE TO DAM/LEVEE FAILURE) 55
1. Description of Significant Effects 55
2. Mitigation Measures 56
3. Finding 56

4. Facts Supporting and Rationale for Finding 56
5. Reference 56

E. GEOLOGY AND SOILS (GEOTECHNICAL IMPACTS) 56
1. Description of Significant Effects 56
2. Mitigation Measures 56
3. Finding 57
4. Facts Supporting and Rationale for Finding 57
5. Reference 57

F. GEOLOGY AND SOILS (EROSION) 57
1. Description of Significant Effects 57
2. Mitigation Measures 57
3. Finding 57
4. Facts Supporting and Rationale for Finding 57
5. Reference 58

G. WATER QUALITY (OFF-SITE DRAINAGE FACILITIES) 58
1. Description of Significant Effects 58
2. Mitigation Measures 58
3. Finding 58
4. Facts Supporting and Rationale for Finding 59
5. Reference 59

H. WATER QUALITY (EROSION AND SILTATION) 59
1. Description of Significant Effects 59
2. Mitigation Measures 59
3. Finding 59
4. Facts Supporting and Rationale for Finding 59
5. Reference 59

I. WATER QUALITY (IMPACTS OF THE REDUCTION OF PERVIOUS SURFACES) 60
1. Description of Significant Effects 60
2. Mitigation Measures 60
3. Finding 60
4. Facts Supporting and Rationale for Finding 60
5. Reference 60

J. WATER QUALITY (CONSTRUCTION STORM WATER POLLUTION POTENTIAL) 61
1. Description of Significant Effects 61
2. Mitigation Measures 61
3. Finding 61
4. Facts Supporting and Rationale for Finding 61
5. Reference 61

K. WATER QUALITY (SURFACE WATER POLLUTION POTENTIAL) 61
1. Description of Significant Effects 61
2. Mitigation Measures 62

3. Finding 62
4. Facts Supporting and Rationale for Finding 62
5. Reference 62

L. BIOLOGICAL RESOURCES (INDIRECT IMPACTS-FUEL MODIFICATION-COMPONENTS 1 AND 2) 62
1. Description of Significant Effects 62
2. Mitigation Measures 63
3. Finding 63
4. Facts Supporting and Rationale for Finding 63
5. Reference 64

M. BIOLOGICAL RESOURCES (DIRECT IMPACTS-VEGETATION AND SENSITIVE PLANT COMMUNITIES AND WILDLIFE - COMPONENT 5) 64
1. Description of Significant Effects 64
2. Mitigation Measures 66
3. Finding 66
4. Facts Supporting and Rationale for Finding 67
5. Reference 67

N. BIOLOGICAL RESOURCES (DIRECT IMPACTS-DISTURBANCE OR DIRECT LOSS OF NESTING BIRDS AND NESTS) 67
1. Description of Significant Effects 67
2. Mitigation Measures 68
3. Finding 68
4. Facts Supporting and Rationale for Finding 68
5. Reference 68

O. BIOLOGICAL RESOURCES (INDIRECT IMPACTS NON-NATIVE PLANTS AND RIPARIAN ENVIRONMENTALLY SENSITIVE HABITAT AREA ("ESHA") IN LOWER MARIE CANYON, MALIBU COASTLINE SIGNIFICANT ECOLOGICAL AREA ("SEA") #1 AND MARINE ESHAS-ALL COMPONENTS) 68
1. Description of Significant Effects 68
2. Mitigation Measures 69
3. Finding 69
4. Facts Supporting and Rationale for Finding 69
5. Reference 69

P. BIOLOGICAL RESOURCES (INDIRECT IMPACTS-IMPACT OF EXTERNAL NIGHT LIGHTING ON SENSITIVE WILDLIFE SPECIES) 69
1. Description of Significant Effects 69
2. Mitigation Measures 70
3. Finding 70
4. Facts Supporting and Rationale for Finding 70
5. Reference 70

Q. AIR QUALITY (CONSTRUCTION PERIOD IMPACTS-CONSTRUCTION-RELATED EXHAUST EMISSIONS) 71
1. Description of Significant Effects 71
2. Mitigation Measures 72
3. Finding 72
4. Facts Supporting and Rationale for Finding 72
5. Reference 72

R. AIR QUALITY (CONSTRUCTION PERIOD IMPACTS-SPILL-OVER) 72
1. Description of Significant Effects 72
2. Mitigation Measures 73
3. Finding 73
4. Facts Supporting and Rationale for Finding 73
5. Reference 73

S. AIR QUALITY (CONSTRUCTION PERIOD IMPACTS-AIRBORNE DUST) 73
1. Description of Significant Effects 73
2. Mitigation Measures 73
3. Finding 74
4. Facts Supporting and Rationale for Finding 74
5. Reference 74

T. NOISE IMPACTS (CONSTRUCTION NOISE IMPACTS-GENERALLY) 74
1. Description of Significant Effects 74
2. Mitigation Measures 75
3. Finding 75
4. Facts Supporting and Rationale for Finding 75
5. Reference 75

U. NOISE IMPACTS (OPERATIONAL STATIONARY NOISE IMPACTS-AEC/CHILLER PLANT) 75
1. Description of Significant Effects 75
2. Mitigation Measures 77
3. Finding 77
4. Facts Supporting and Rationale for Finding 77
5. Reference 78

V. NOISE IMPACTS (OPERATIONAL STATIONARY NOISE IMPACTS-UPGRADED NCAA SOCCER FIELD COMPONENT) 78
1. Description of Significant Effects 78
2. Mitigation Measures 79
3. Finding 79
4. Facts Supporting and Rationale for Finding 79
5. Reference 79

W. CULTURAL RESOURCES (CULTURAL AND PALEONTOLOGICAL RESOURCES) 79
1. Description of Significant Effects 79

2. Mitigation Measures 80
3. Finding 80
4. Facts Supporting and Rationale for Finding 80
5. Reference 80

X. PUBLIC SERVICES (POLICE PROTECTION SERVICES-OPERATIONAL IMPACTS) 81
1. Description of Significant Effects 81
2. Mitigation Measure 81
3. Finding 81
4. Facts Supporting and Rationale for Finding 82
5. Reference 82

Y. PUBLIC SERVICES (PUBLIC UTILITIES-PEPPERDINE WASTEWATER SYSTEM) 82
1. Description of Significant Effects 82
2. Mitigation Measures 83
3. Finding 83
4. Facts Supporting and Rationale for Finding 83
5. Reference 83

Z. PUBLIC SERVICES (PUBLIC UTILITIES-SOLID WASTE) 83
1. Description of Significant Effects 83
2. Mitigation Measures 84
3. Finding 85
4. Facts Supporting and Rationale for Finding 85
5. Reference 85

X. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE 85

A. TRAFFIC AND ACCESS (MAJOR EVENT PEAK MORNING AND PEAK EVENING HOURS) 85
1. Description of Significant Effects 85
2. Mitigation Measures 86
3. Finding 86
4. Facts Supporting and Rationale for Finding 86
5. Reference 86

XI. CUMULATIVE IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION 87

A. CUMULATIVE IMPACTS ON AIR QUALITY 87
B. CUMULATIVE IMPACTS ON TRAFFIC NOISE 87
C. CUMULATIVE NOISE IMPACTS WITH RELATED PROJECTS: FIRESTONE FIELDHOUSE 88
D. CUMULATIVE IMPACTS ON VISUAL RESOURCES AND AESTHETIC QUALITIES 89
E. CUMULATIVE IMPACTS ON VISUAL RESOURCES 91
F. CUMULATIVE IMPACTS ON TRAFFIC 92
G. CUMULATIVE IMPACTS ON PUBLIC UTILITIES-POTABLE WATER SUPPLY 93
H. CUMULATIVE IMPACT ON PUBLIC UTILITIES-WASTEWATER 94
I. CUMULATIVE IMPACT ON PUBLIC UTILITIES-LAND USE 94

XII. CUMULATIVE ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION 95

A. CUMULATIVE IMPACTS ON GEOLOGIC, GEOTECHNICAL, AND SEISMIC 95
1. Description of Significant Effects 95
2. Mitigation Measures 95
3. Finding 95
4. Facts Supporting and Rationale for Finding 95

B. CUMULATIVE IMPACTS ON WATER QUALITY 95
1. Description of Significant Effects 95
2. Mitigation Measures 95
3. Finding 96
4. Facts Supporting and Rationale for Finding 96

C. CUMULATIVE IMPACTS ON BIOLOGICAL RESOURCES 96
1. Description of Significant Effects 96
2. Mitigation Measures 96
3. Finding 96
4. Facts Supporting and Rationale for Finding 96
5. Reference 97

D. CUMULATIVE IMPACTS ON NOISE: BASEBALL FIELD LIGHTING 97
1. Description of Significant Effects 97
2. Mitigation Measures 97
3. Finding 97
4. Facts Supporting and Rationale for Finding 97
5. Reference 98

E. CUMULATIVE IMPACTS ON CULTURAL RESOURCES 98
1. Description of Significant Effects 98
2. Mitigation Measures 98

3. Finding 98
4. Facts Supporting and Rationale for Finding 98
5. Reference 98

F. CUMULATIVE IMPACTS ON PUBLIC SERVICES-FIRE PROTECTION 98
1. Description of Significant Effects 98
2. Mitigation Measures 99
3. Finding 99
4. Facts Supporting and Rationale for Finding 99
5. Reference 99

G. CUMULATIVE IMPACTS ON PUBLIC SERVICES-POLICE PROTECTION 99
1. Description of Significant Effects 99
2. Mitigation Measures 100
3. Finding 100
4. Facts Supporting and Rationale for Finding 100
5. Reference 100

H. CUMULATIVE IMPACTS ON PUBLIC UTILITIES-SOLID WASTE 100
1. Description of Significant Effects 100
2. Mitigation Measures 101
3. Finding 101
4. Facts Supporting and Rationale for Finding 101
5. Reference 101

XIII. ALTERNATIVES 101

A. PEPPERDINE UNIVERSITY'S CLP OBJECTIVES 101
1. Project Objectives 101

B. PROJECT ALTERNATIVES 103
1. Alternative 1: No Project – The Project would not be implemented and the proposed component sites would remain unchanged. 104
2. Alternative 2: Offsite Relocation of the Athletics/Events Center 105
3. Alternative 3: Offsite Relocation of Student Housing 108
4. Alternative 4: No Amendment to Long Range Development Plan 111

C. ENVIRONMENTALLY SUPERIOR ALTERNATIVE 115

XIV. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS 117

A. GROWTH INDUCING IMPACTS OF THE PROJECT 117
1. Ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment: 117
2. Ways that the Project may remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant): 118

3. How increases in the population from the Project may tax existing community serving facilities, requiring construction of new facilities that could cause significant environmental effects: 118
4. Attributes of the Project that may encourage and facilitate other activities that would significantly affect the environment, either individually or cumulatively: 119

B. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES 119

XV. OTHER CEQA CONSIDERATIONS 121

XVI. STATEMENT OF OVERRIDING CONSIDERATIONS 123

XVII. MITIGATION MONITORING AND REPORTING PROGRAM 126

A. INTRODUCTION 126

FINDINGS OF FACT AND STATEMETN OF OVERRIDING CONSDIERATIONS FOR PEPERDINE PROPOSED CAMPUS LIFE PROJECT

I. INTRODUCTION

Pepperdine University ("the "University" or the "Applicant") proposes to undertake a comprehensive development project, which would provide new and upgraded athletic, recreation, parking, and residential facilities at its Malibu campus (the "Campus"). This Campus Life Project (the "CLP" or the "Project") would include both the construction of new facilities and the renovation of existing structures. The Campus is located at 24255 Pacific Coast Highway (PCH), on 830 acres within an unincorporated area of Los Angeles County.

The Project has been planned within the densities of existing approved long-term plans for the campus. The Project components are designed to enhance the existing campus environment and improve the campus life experience for students. The Project consists of a proposal to develop and re-develop property within an existing approximately 365-acre campus development area within the 830-acre property in a 12-year, two-phase development program. Six components of proposed development include approximately 456,940 square feet ("sq. ft.") of new development less approximately 62,803 sq. ft. of demolition for a total of approximately 394,137 sq. ft. of net new development comprised of the following:

(1) Student Housing Rehabilitation (150,692 net new sq. ft.) (or "Component 1")

(2) Athletics and Events Center (maximum 5,470-seat, 235,845 net new sq. ft.) (the "AEC" or "Component 2)'

(3) Upgraded NCAA Soccer Field and Maintenance Facilities (1,500 net new sq. ft.) (or the "Upgraded NCAA Soccer Field" or "Component 3");

(4) Town Square and Welcome Center over Subterranean Parking (4,500 net new sq. ft.) or "Component 4);

(5) Enhanced Recreation Center Area (1,600 net new sq. ft.) (or "Component 5");

(6) School of Law Parking Structure (three levels). A total of 724 new parking spaces are proposed with the loss of 291 spaces for a net increase of 433 spaces of onsite proposed parking at the new structure at Project buildout (the "SOL Parking Structure" or "Component 6")

A total of 2,013 new parking spaces are proposed for the Project with the loss of 1,217 spaces for a net increase of 796 spaces of onsite proposed parking and a total of 5,380 maximum spaces at Project buildout.

Various project elements of these components would include facilities such as locker rooms, meeting rooms, academic support facilities, offices, an outdoor plaza, a café, pedestrian friendly walkways, and outdoor congregation/sitting areas.

Grading proposed is comprised of approximately 127,935 cubic yards of cut and 235,700 cubic yards of fill for a deficit of 107,765 cubic yards of fill and total earth movement of 363,635 cubic yards. Additional soils may be obtained from the approved Graduate Campus Project site pad to offset any deficit in fill. Onsite grading is anticipated to be balanced on the property with the exception of approximately 70,000 cubic yards of residual cut grading comprised of bedrock, which may be required to be exported. New development area landscaping is proposed.

To implement the Project, the applicant has applied for: (1) a Conditional Use Permit No. 200700203 to authorize the construction, operation, and maintenance of 394,137 square feet of net new development and grading in excess of 100,000 cubic yards within approximately 365 acres of existing core campus area on an 830-acre site in the A-1-1-DP (Light Agricultural-One Acre Minimum Required Area-Development Program) zone; and (2) Parking Permit No. 200700014 to establish parking requirements for existing and proposed university facilities in the A-1-1-DP zone..

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

The Project proposal was reviewed by the County of Los Angeles Department of Regional Planning ("County") (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act ("CEQA") (Pub. Resources Code § 21000 *et seq.*; 14 Cal. Code Regs. § 15000 *et seq.*).

A. Initial Study and Notice of Preparation

An Initial Study was then prepared for the Project and, in compliance with CEQA Section 21080.4, a Notice of Preparation ("NOP") was prepared by the County and was distributed to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties. The NOP identified specific areas where the Project could have adverse environmental effects and determined that an Environmental Impact Report ("EIR") would need to be prepared to document these effects. The NOP requesting comments to be considered in a Draft EIR was circulated from April 24, 2008 to May 25, 2008. Copies of the NOP were made available on the County's website as well as at two local libraries. Comments on the NOP were due June 3, 2008. A Scoping Meeting was held to present the Project and solicit suggestions from the public at the Malibu Jewish Center & Synagogue located at 24855 Pacific Coast Highway on May 14, 2008. Comments received during this NOP circulation period were reviewed and considered and, where appropriate, incorporated to scope of the Draft EIR, which was prepared subsequent to the NOP's public comment period.

B. Draft Environmental Impact Report

The Draft EIR evaluated in detail the potential effects of the Project, including potential effects in the following categories: Geology and Soils, Water Quality, Biological Resources, Air Quality, Noise, Cultural Resources, Visual Resources and Aesthetic Qualities, Traffic and Access, Public Services, Public Utilities, Land Use, and Global Climate Change impacts. The Draft EIR analyzed both the Project and cumulative effects of the Project on these topics and identified a variety of mitigation measures to minimize, reduce, avoid, or compensate for the potential adverse effects of the Project. It also analyzed the effects of a reasonable range of four

alternatives to the Project, including potential effects of one "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2008041123), incorporated herein by reference in full, was prepared pursuant to CEQA and State and Agency CEQA Guidelines (Public Resources Code §21000, *et seq.*; California Code of Regulations Title 14 §15000, *et seq.*).

On November 10, 2010, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was circulated for a 60-day public review period, ending on January 10, 2011. Copies of the Draft EIR and documents referenced in the Draft EIR were made available electronically on the County's website. Paper copies of the Draft EIR and referenced documents were also available at two local libraries and the Los Angeles County Department of Regional Planning. The public review period of the Draft EIR exceeded by 15 days the 45-day minimum review period required by CEQA Guidelines section 15087. A hearing for taking public testimony on the Draft EIR and the Project was held before a Los Angeles County Hearing Examiner on Thursday, December 2, 2010 on the University Campus at 24255 Pacific Coast Highway, Malibu, CA 90263. Copies of the original comments received during the 60-day public review period and several late comments received after that period are provided in the Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the County, as lead agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment, and several responses to late comments received, in Section 3.0 of the Final EIR.

C. Final Environmental Impact Report

The County prepared a Final EIR for the Project, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the Project. The Final EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines section 15088(b). In addition, all individuals that submitted written comments on the Draft EIR and other known interested parties were provided notice of the posting of the Final EIR. The Final EIR was also made available for review on the County's website. Hard copies of the Final EIR were also made available at two local libraries and the Los Angeles County Department of Regional Planning. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the Project site as well.

The Los Angeles County Regional Planning Commission (the "Commission") held a public hearing on May 4, 2011 to consider the Final EIR and its Mitigation Monitoring and Reporting Program as well as a Statement of Overriding Considerations and CEQA Findings for the Project. After receiving public testimony, the Commission found that: the Final EIR has been completed in compliance with CEQA; the Commission has reviewed and considered the information contained in the Final EIR and attached mitigation monitoring program; and the Final EIR reflects the County's independent judgment and analysis. The Commission then certified the Final EIR, adopted a Statement of Overriding Considerations and approved a Mitigation Monitoring and Reporting Program with these findings. These findings represent the independent judgment and analysis of Los Angeles County.

The documents and other materials that constitute the record of proceedings on which the County's CEQA findings are based are located at the Los Angeles County Department of Regional Planning, Special Projects Section, Room 1362, 320 West Temple Street, Los Angeles, CA 90012. This information is provided in compliance with CEQA Section 21081.6(a)(2).

III. FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA

Section 21081 of the California Public Resources Code and Section 15091 of the CEQA Guidelines require a public agency, prior to approving a Project, to identify significant impacts of the Project and make one or more of three possible findings for each of the significant impacts. The possible findings are:

- "Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (State CEQA Guidelines, § 15091, subd. (a)(1))

- "Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (State CEQA Guidelines, § 15091, subd. (a)(2))

- "Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR." (State CEQA Guidelines, § 15091, subd. (a)(3))

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final EIR for the Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant," these findings would nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each of the significant impacts associated with the Project, either before or after mitigation, the following sections are provided:

a) Description of Significant Effects - A specific description of the environmental effects identified in the EIR, including a judgment regarding the significance of the impact.

b) Mitigation Measures - Identified mitigation measures or actions that are required as part of the Project (numbering of the mitigation measures correspond to the Mitigation Monitoring and Reporting Program, which is included as Section IV of the Final EIR).

c) Finding - One or more of three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines section 15091.

d) Facts Supporting and Rationale for Finding - A summary of the facts supporting and reasons for the finding(s).

e) Reference - A notation on the specific section in the Draft and Final EIR which includes the evidence and discussion of the identified impact.

IV. DESCRIPTION OF PROJECT

The Campus is located at 24255 PCH, within an unincorporated area of Los Angeles County. Regionally, the Campus is located approximately twenty-five miles west of downtown Los Angeles. Locally, the Campus is located adjacent to the City of Malibu and is bordered by the Santa Monica Mountains on the north, east, and west. The Malibu Country Estates ("MCE") residential subdivision and Malibu Canyon Road are located to the southwest and southeast of the campus, respectively. The Conservancy-owned Malibu Bluffs is located immediately to the south of the campus across PCH.

The Campus property totals approximately 830 acres with development concentrated within the 365-acre core campus area located in the southern portion of the property near PCH. The Project (or "CLP") proposes to infill the core campus area.

As explained directly below, the CLP is made up of six components including new infill and replacement facilities as well as the renovation of existing facilities. The proposed improvements involve athletic and residential facilities, parking structures, and other facilities situated within the already-developed campus core. The CLP has been planned within the densities of existing long-term plans for the campus. The CLP components are designed to enhance the existing campus environment and improve the campus life experience for students. The CLP meets existing needs for the current campus population and does not propose to increase enrollment.

Various project elements of these components would include facilities such as locker rooms, meeting rooms, academic support facilities, offices, an outdoor plaza, a café, pedestrian friendly walkways, and outdoor congregation/sitting areas. A summary of each of the proposed components is provided below.

A. Component 1: Student Housing Rehabilitation

The Student Housing Rehabilitation aims to restore, enhance, improve and/or replace the University's aging residence halls thereby providing additional, improved opportunities for prospective student residents. Most of these halls are thirty-eight years old with all of the associated aesthetic, electrical, plumbing, and technological deficiencies expected in aged buildings. The Student Housing Rehabilitation also proposes to meet the University's strategic goal to house seventy-five percent of the Seaver College student body on the Malibu Campus. Increased on-campus housing provides mentorship opportunities and enhanced peer interactions while also allowing the University to better control student housing costs and reduce daily trips to the campus. Providing additional beds would also help meet the significant unmet demand for on-campus housing, as there are more students who want to live on campus than residences available for them. The Student Housing Rehabilitation is comprised of two separate housing

areas (i.e., Standard Precinct and Outer Precinct), and features styles aimed at different student demographics (i.e., freshman and non-freshman undergraduates).

The Standard Precinct provides a net increase of 300 beds; the Outer Precinct provides a net increase of 168 beds. The Standard Precinct provides an additional 109,585 square feet ("sf"); the Outer Precinct provides a net increase of 41,107 sf of development. In addition to living areas, Component 1 provides additional support amenities such as café dining, open green space, common gathering spaces, multi-purpose classroom space, recreation lounges, game rooms, outdoor barbeque grills, a student convenience store, open seating space, and a quad area.

B. Component Area 2: Athletics/Events Center

The CLP proposes a multi-purpose athletics and events facility that would satisfy the University's need for a NCAA Division I regulation volleyball and basketball competition venue with ancillary event amenities and additional practice facilities for both sports.[1] The facility would also provide a unified location for the Athletics department offices that are currently spread across campus. It would be located at the site of the University's existing Rho Parking lot.

This component of the CLP would in effect replace many of the current functions supplied by the existing Firestone Fieldhouse. The University currently has both men's and women's NCAA Division I basketball and volleyball teams. Home games, practices, intramurals, and student "pick-up" games are all presently held on one performance court at the Firestone Fieldhouse. The Fieldhouse does not adequately meet the needs of the student body or the University's athletics department – it is outdated and undersized compared to other venues athletic venues in the West Coast Conference (WCC) (Pepperdine University is a member of the WCC). In fact, it is the smallest venue in the WCC.2 In addition to limitations on spectator seating, the Fieldhouse also places logistical challenges on the University as it tries to run a NCAA Division 1 sports program. For example, during intercollegiate competition, both the home and visiting teams must share locker room space, often resulting in the visiting team utilizing a nearby classroom for changing during games. During athletic performances the Fieldhouse has a seating capacity of 3,104, a number that may be temporarily augmented by the placement of approximately 470 folding chairs on the floor.

The AEC would also provide additional infrastructure to support a Division I Athletics Program. The new facility would include locker rooms for both visiting and home teams, meeting rooms for teams to prepare and strategize for upcoming games as well as improved strength and conditioning space for all student-athletes. Space is also allocated to equipment storage, media coverage, concession services, and fundraising events.

The AEC would include 5,000 permanent seats. During special events, approximately 470 additional folding chairs may be temporarily placed on the event floor raising the temporary

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[1] Based on the expertise and experience of the University's Athletics Department regarding historical host area sizes for NCAA regional round of competition minimum venue size.

[2] Pepperdine University has the smallest athletics venue in the WCC at a capacity of 3,104. St. Mary's University is the only other WCC school with a capacity below 4,000 seats. Brigham Young University, which recently joined the WCC, has the largest venue, with a capacity of 22,700 seats.

seating capacity to 5,470. This component also proposes a parking structure providing 831 spaces, a net increase of 265 spaces over the existing Rho Parking lot.

The University proposes to construct a chilled water central plant facility to satisfy the space cooling needs of the Project buildings. The central plant will utilize indoor electric chillers and pumps, as well as outdoor cooling towers, located inside and adjacent to the proposed parking structure at the AEC. A separate underground, chilled water storage tank is proposed to be located beneath the proposed Enhanced Recreation Area (Component 5), as described below.

C. Component Area 3: Upgraded NCAA Soccer Field

The proposed Upgraded NCAA Soccer Field site is located on the existing Tari Frahm Rokus Field and Stotsenberg Track. The existing track and field is situated on a leveled tier between the Seaver Residence Halls, Outer Precinct and Upsilon Parking Lot (to the north) and the Eddy D. Field Baseball Stadium (to the south). Currently, the existing soccer field provides temporary mobile seating for up to 1,000 spectators. The Upgraded NCAA Soccer Field component of the CLP in conjunction with the enhanced Recreation Area, (Component 5), would meet unmet University needs for recreation space. The University supports a very successful women's soccer program that is limited by overcrowding from other activities that have a high demand for use of the field. The field is inadequate for NCAA tournament play because of insufficient lighting and size. The Upgraded NCAA Soccer Field would meet the present and future institutional needs of the University's soccer program. The playing field would measure 240 ft. by 360 ft., which is sufficient to meet NCAA competition recommendations for preferred size, and provide an additional 20-foot "runoff area" surrounding the field. To accommodate the widening of the field and improve the connection between the bleacher seating and the adjacent student housing area, Component 3 includes construction of a retaining wall halfway up the existing slope between the level of the proposed track and soccer field and the existing baseball field to the south. The elevation of the upgraded soccer field would be approximately ten feet higher than the level of the existing track and soccer field. The field would have a natural grass playing surface and be equipped with a maintained illuminance level of 100 footcandles for nighttime competitive use during televised games. The lighting level would be reduced to a maintained illuminance level of 50 footcandles for non-televised games and practice use. The proposed lighting will consist of 192 fixtures distributed over 8 poles a maximum of 110 feet above the playing surface (additional information can be found in Section 5.7.2). The component also provides 1,000 permanent spectator seats on the northern side of the field replacing 1,000 existing temporary seats and 1,500 sf of storage space, which includes restrooms for athletic use. The adjacent Athletics/Events Center will provide locker room space for home teams, officials, and visiting teams, while the adjacent café/convenience store associated with the proposed Outer Precinct would provide concessions.

D. Component Area 4: Town Square

The proposed Town Square site is located on what is now the Seaver Main Parking Lot, a large surface parking lot which projects westerly from Seaver Drive to occupy a core area between the Thornton Administrative Center and Huntsinger Academic Center (on the east) and the Center for the Arts (on the west). The current parking lot on this site contains 166 spaces.

The Town Square proposes to provide the University a quad area centrally located in the center of campus, including additional parking spaces. This aspect of the CLP would consist of

two levels of underground parking, providing 203 net new spaces, with a landscaped quad on the third, or top, level. The quad would satisfy the campus' need for a central community interaction area incorporating natural landscaping and green grass. This aesthetic enhancement is critical as this location acts as the "gateway" to the Seaver College campus. The central quad area would also allow the campus community to hold classes outside and provide an area for informal student recreation and dispersed seating arrangements for student congregation. A street-level Welcome Center, located adjacent to Seaver Drive, would further enhance the notion of the Seaver College gateway by welcoming guests and providing information on the University. The facility would also contain necessary support systems including storage space and restrooms.

E. Component Area 5: Enhanced Recreation Area

The proposed Enhanced Recreation Area site is located north of Huntsinger Circle in an area currently consisting of an intramural field, the Terrace Parking Lot, naturally vegetated areas, an earthen debris stockpile, and a debris basin and debris basin maintenance structure. As discussed under Component 3, there is a lack of adequate fields to accommodate the demand of athletic, intramural, and recreational use. The existing recreation field is of insufficient size for current recreational needs, (e.g., intramural rugby and lacrosse), or to allow for more than one game at a time. Nevertheless, intramural and club sports are well represented on campus. Currently there are 1,200 students participating in seven intramural sports including flag football, tennis, volleyball, dodge ball, basketball, soccer and ultimate Frisbee. Club sports consist of extramural activities that are played against other colleges, and include lacrosse, rugby, soccer and ultimate Frisbee.

The CLP proposes an improved and expanded grass recreation area on the site of the existing intramural field. The field would provide sufficient space to accommodate a playing field consistent with the size requirements for student recreation needs and intramural sports. In order to accommodate intramural use, the project proposes to replace existing inefficient lighting fixtures with modern, more efficient fixtures. The proposed lighting will consist of 24 fixtures distributed over 6 poles a maximum of 80 feet above the playing surface. The component also provides a 1,600 square foot structure containing storage space and restrooms.

A new debris basin located just north of the proposed Enhanced Recreation Area would replace the current debris basin structure, located just east of the existing intramural field. A stockpile composed of uncompacted fill material is currently located north of Huntsinger circle to the east of the existing Marie Canyon debris basin structures. The stockpile area would be reduced in size and have a space capacity of approximately 8,000 cubic yards ("cy") of fill.

An underground, chilled water storage tank is proposed to be buried within the earth fill required to create the Enhanced Recreation Area. The tank capacity would be approximately 2 million gallons, providing sufficient storage to allow chillers and cooling towers located inside or adjacent to the proposed parking structure at the AEC to operate during off-peak hours, substantially reducing energy consumption during the highest demand period of the day.

F. Component Area 6: School of Law Parking

The proposed site location for the School of Law Parking Structure is currently occupied by the School of Law Student Lot. This existing surface parking lot provides campus parking for students, faculty, and staff. The School of Law Student Lot is located at the southeast corner of Baxter Drive and Seaver Drive and provides 291 parking spaces. The CLP proposes to replace the existing surface School of Law Student Parking Lot with a three-level parking structure, which would provide 724 parking spaces. Completion of the structure would result in a net increase of 433 parking spaces.

G. Project Phasing

Buildout of the CLP would occur in two phases over approximately twelve years (depending on funding availability and emerging University needs). Phase I would commence upon the issuance of building permits by Los Angeles County Department of Building and Safety and is scheduled to last six years. This phase would include the School of Law Parking Structure, the Outer Precinct portion of the Student Housing Rehabilitation, the debris basin and stockpile portion of the Enhanced Recreation Area, and the AEC. Phase II would include the Upgraded NCAA Soccer Field, the Standard Precinct portion of the Student Housing Rehabilitation, the Town Center, and the Enhanced Recreation Area.

V. PROJECT OBJECTIVES

CEQA Guidelines section 15124(b) required a statement of the objectives sought by the Project. In general, an objective can be defined as something that is worked toward or strived for, or as some type of goal integral to the Project. A clear statement of the Project objectives is important in that it aids the Lead Agency in formulating a reasonable range of alternatives to the Project that also can achieve, at least in part, the objectives of the Project.

The Project aims to improve The University's facilities to accommodate the evolving needs of the University's academic, administrative, and student-support programs, to enhance the educational experience for students, and to improve facilities and programs for students, faculty, and staff, all within the existing enrollment limits currently in place. Specifically, the following list provides a synopsis of the objectives and goals of the Project:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities,

thereby attracting increased financial support, endowments, capital, and operating funds.

- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference ("WCC") schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide enhanced recreational facilities including lighted field to alleviate the overcrowded conditions at the existing recreational fields to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Provide needed outdoor recreational fields within areas of the existing developed campus.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University population.

- Foster support of sustainability concepts through student educational programs and continued efforts to improve resource conservation to minimize the University's impact on the land through improvements in the design of campus facilities and the use of the campus' developed space.
- Minimize potential off-site impacts by balancing appropriate soils on-site within existing developed areas to the extent feasible.

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT IN THE INITIAL STUDY

The County of Los Angeles Department of Regional Planning prepared and circulated for public review an Initial Study dated April 21, 2008 for the Project, which determined that the Project would not have the potential to cause significant impacts and thus did not warrant further study of these specific subject areas in the Draft EIR Because the Project's impacts on these areas will be less than significant or will have no impact, no mitigation measures are necessary. These Findings below summarize the specific subject areas and the rationale to not study them further in the Draft EIR.

A. Mineral Resources

The Initial Study determined that the Project would not resulted in the loss of availability of a known mineral resources that would be of value to the region and the residents of California because no mineral resources have been identified on the Campus and none of economic value are likely to occur. Further, the Initial Study found that the Project would not result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan, or other land use plan because not such designations appear on either the Los Angeles County General Plan or Local Coastal Plan Maps on the Campus.

B. Agricultural Resources

The California State Department of Conversations maps showing *State Farmlands of Importance* indicate that there are no farmlands of importance on the Campus. Also, the Project does not conflict with underlying zoning, and would not impact any lands under a Williamson Act Contract. Therefore, the Initial Study determined that agricultural resources issues did not warrant further study in the Draft EIR.

C. General Factors

The Initial Study found that the Project would not result in an efficient use of energy resources because construction of the Project would be subject to applicable Los Angeles County and State of California Building Codes that mandate adherence to Title 24 energy conservation requirements and adherence to those requirements would assure that the Project would not result in the inefficient use of energy. Also, the Initial Study concluded that the Project would not result in a major change in the patterns, scale, or character of the general area or community, finding that the Project's components were located within the interior of the developed campus remote and out of view from the well-traveled, campus-adjacent roads and highways (i.e., PCH and Malibu Canyon Road). In terms of Project component design, the Initial Study concluded that the

architectural style (including the use of building materials), size, and density would resemble the existing pattern, scale, and character of the area.

D. Environmental Safety/Hazards and Hazardous Materials

The Initial Study found certain environmental safety issues indicated below did not warrant further study for the following reasons:

- There are no known cases of soil toxicity at the Project component sites or groundwater contamination in the Marie Canyon watershed.
- The existing Facility Maintenance Plan operations, which store gas and diesel fuels, would be relocated to the proposed Multi-Purpose Recreation and Parking Structure component of the Project Implementation of the Project would also involve the use of common hazardous materials paint thinners, solvents, etc. during on-site maintenance and cleaning. Once relocated, however, the storage of the common hazardous materials identified above is not anticipated to be substantially greater than in the existing condition, and the materials would continue to be stored, handled, and used in accordance with all applicable Federal, State, and local regulations and statutes.
- The Project is not located on a site that is listed as containing hazardous materials (as per Government Code Section 65962.5), and as such does not pose a significant hazard to the public or to the environment.
- While the Los Angeles County Fire Department maintains emergency helicopter landing pads on the University's Malibu campus for use during fire emergencies in the mountains within the Project's vicinity, the Project site is not located within an airport land use plan area, nor is it located within two miles of a public use airport or private landing strip.
- The Project would not physically interfere with, nor impair the implementation of, an adopted emergency response or emergency evacuation plan. Moreover, the University serves a key role in the establishment and execution of emergency plans when necessary, which benefits the surrounding community.

E. Population/Housing / Employment

THe Project would not increase regional population Projections, as students and new employees currently residing in the southern California region are expected to relocate within the region. The Project would provide on-campus housing and would not increase demand for off-campus housing that would displace substantial numbers of people. Further analysis of this topic is not warranted. *See NOP* for further detail why additional analysis is not warranted.

F. Education/Recreation

See NOP for further detail why additional analysis is not warranted.

G. Public Utilities: Electricity/Gas

See NOP for further detail why additional analysis is not warranted.

VII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION

The County of Los Angeles Department of Regional Planning prepared an Initial Study for the Project that indicated issues that should be addressed further in an EIR. Based on the Initial Study, the EIR analyzed impacts in the following areas:

The following impact areas were concluded by the EIR to be less than significant prior to mitigation.

A. Geology and Soils

1. Unique Geologic Features

Components 1 (Student Housing Rehabilitation--Outer Precinct), 3 (Upgraded NCAA Soccer Field), 5 (Enhanced Recreation Area), and 6 (School of Law Parking Structure) propose grading that would alter existing topographic (ground) elevations. None of the above component areas is currently in a natural condition. Each area has been modified significantly by past grading, by the import of artificial fill, or by building placement, therefore there are no unique existing geologic or topographic features are present on these component sites that could be affected.

2. Grading (Landform Alteration)

Component 1 (Outer Precinct) would fill a south-sloping flat to gently sloping parking lot surface to create a leveled flat surface for new/replacement student residential housing. Component 3 would raise the existing track/field elevation approximately ten feet in elevation creating another, higher, flat surface. Component 5 has the most grading, which would be undertaken in an area that is already largely disturbed. The main effect would filling an additional portion of Marie Canyon east of the existing intramural soccer field and in the existing debris basin, thereby reshaping a portion of the base of the east- and west-facing slopes. The modified stockpile area north of Huntsinger Circle would be smaller within an area of already elevated topography. Component 6 would cut and fill a south-sloping flat to gently sloping parking lot surface to create a leveled surface for the new parking structure. The above actions are not considered to be significant topographic modifications as they are being made to already modified topography, therefore these impacts are considered less than significant. Components 1 (Student Housing Rehabilitation), 2 (AEC), and 4 (Seaver Town Square) do not propose grading that would alter existing topographic (ground) elevations.

3. Ground Lurching and Cracking

The developed site would expose primarily artificial fill, possibly some bedrock, and stabilized landslide deposits. Topsoil, colluvium, loose bedrock, and other debris cover slopes west of the Enhanced Recreation Area. These surficial earth materials may have areas of loose, cohesion-less soils or may also contain clay-rich deposits that could have high moisture contents, particularly after heavy rainy seasons. While ground lurching due to seismic shaking is

considered to pose a potential adverse impact at the site, the surficial cracking of fill materials and surrounding surficial deposits is considered less than significant.

4. Flooding Attributable to Tsunami, and Seiche

Damage from tsunamis is confined to near-shore, low-lying areas. The proposed development is located inland, and at a minimum of 320 feet above sea level and is not at risk of inundation from a tsunami. This is a less than significant impact.

Small, localized flooding may occur immediately adjacent to, and downstream of small water reservoirs or dams. A 1.6 million gallon potable water tank and a 100,000 gallon reclaimed water tank are located within the University's Graduate Campus Project ("GCP") area approximately 2,000 feet west of the CLP area at higher elevations. Water from the 3 million-gallon water tank northeast of the CLP would flow to the east away from the CLP. The modified debris basin north of Component 5 (Enhanced Recreation Area) is proposed to detain storm water, sediment, and debris. Therefore, the risk of inundation from a seiche-induced water tank failure is a less than significant impact due to the distance and the infrastructure between the two areas.

5. Geotechnical Impacts (Expansion and Soil Shrinkage)

Native onsite soils are identified to possess soil expansion potential ranging from very low to moderate, due to the presence of clayey fill soils, clay-rich bedrock, and landslide debris. These materials would be detrimental to structures built directly atop them due to distress from periodic wetting and drying. The proposed removal and/or over excavation of materials with elevated soil expansion index, replacement with compacted fill materials and appropriately designed footings and slabs, in accordance with the Los Angeles County Building Code, would reduce the potential for substantial differential expansion and provide uniform bearing surfaces. Because the building sites are all on compacted fill, low expansivity materials can be used beneath the foundations. The potential impacts due to expansive soils are considered to be less than significant using these normal geotechnical engineering practices.

Excavated materials are expected to shrink when placed as compacted fill. Shrinkage is expected to be approximately three percent under conditions of relative compaction to 90 percent and up to 6 percent under relative compaction of 93 percent. There is no significant impact associated with shrinkage since there is a sufficient volume of onsite materials to accommodate shrinkage factors.

B. Water Quality

1. Hydrology and Site Drainage

a. On-Site Existing Drainage Facilities

Existing on-site drainage facilities include the debris basin in Marie Canyon, street curbs and gutters, paved street sections and street catch basins, and a storm drain system. Updated and revised hydrology models incorporating project-specific data indicate that the redesigned flow rate from the Project renders a value of 1,190 cubic feet per second ("cfs") (*see* Draft EIR Table

5.2-1), approximately 62.3 cfs less than the design values previously utilized. Based on this value and the review of previous drainage studies, the on-site facilities have been adequately designed based on the County of Los Angeles requirements. The revised analysis indicates that as a result of the project there would be a net impact from the Project of 60.42 cfs (*see* Draft EIR Table 5.2-3), a flow rate that is equivalent to prior design flow rates. Therefore, the existing storm drain system and facilities would not require improvements, upgrades, or replacement. As such, the impact to the existing on-site drainage facilities is deemed to be less than significant.

b. Proposed Drainage Facilities

As part of the CLP, individual drainage systems including area drains, catch basins, grass swales, bio-filtration planters, roof downspouts, and roadways with curbs and gutters will be constructed to handle the estimated runoff from each CLP component site which will each be conveyed to the existing storm drain facilities. Each component site will treat its contributing storm runoff via bio-swales, bio-filtration planters, or catch basin filter inserts prior to any proposed connections to the existing storm drain system. The preliminary drainage and treatment scheme are provided in Draft EIR Appendix C.

The final grading and drainage design shall incorporate a drainage and treatment layout which meet the calculated criteria outlined in the Standard Urban Stormwater Mitigation Plan ("SUSMP") in Draft EIR Appendix C. Prior to the issuance of a grading permit for any of the CLP components, final calculations shall be provided to the County for review and approval to verify these findings. Thus, the impact to drainage facilities is deemed to be less than significant.

c. Marie Canyon Debris Basin

The existing Marie Canyon debris basin receives runoff from approximately 165 acres of natural land. During a capital storm (a once in 50-year event), the facility is estimated to prevent approximately 8,780 cubic yards of debris from entering the existing campus storm drain facilities.

The existing debris/detention system was designed in accordance with County of Los Angeles standards at the time of design and construction. The current capacity of the basin is in excess of 23,000 cubic yards. The basin has remained private and was never transferred to the County of Los Angeles, and Pepperdine has performed all maintenance. The basin will continue to be maintained by Pepperdine once relocated. The proposed debris basin is designed with a primary outlet to convey storm water runoff to the storm drain system. An emergency secondary outlet is included in the design in the event the primary outlet becomes clogged or fails. The proposed basin will remain in generally the same area, but relocated approximately 400 feet upstream of the present location.

The detention basin relocation will not change the debris generation potential from the current condition that has existed for the past 40 years. The stability of the existing slopes will remain the same as the previous conditions, and will increase for ancient landslide deposits as a result of the grade increase from the recreation field providing buttressing of the slope. An increase in the frequency of the required maintenance and cleanout of the basin may be necessary.

In conjunction with the Draft EIR, SEC Civil Engineering has prepared plans and calculations which demonstrate that the debris basin is capable of intercepting 9,100 cubic yards of debris. The design also provides for a total storage capacity of 32,000 cubic yards of storage capacity resulting from a full condition (level to the top of the levee). In the event of catastrophic debris flow event, the recreation field provides an additional storage capacity of 91,000 cubic yards assuming a 5 percent debris cone. Therefore, the proposed design provides approximately 123,000 cubic yards of additional storage which would prevent excess material from entering Huntsinger Circle.

Prior to issuance of a grading permit, a final grading plan, final drainage report, storm drain plans, hydraulic calculations for all downstream facilities, debris interception calculations, restoration plans and final hydrologic/hydraulic analysis shall be submitted to the County for review and approval. In addition, Pepperdine shall prepare an Action Plan Report that provides contingencies for the appropriate remedial measures and steps to address the potential maintenance measures and required assets once final design plans have been completed

As the proposed debris basin will be designed in accordance with County requirements and to ensure no surcharge on the downstream facility, the impact is deemed to be less than significant and no mitigation measures are necessary.

d. Regional Flooding

The existing developed campus area that will encompass the Project components does not lie within a designated FEMA flood hazard zone. A former designation (Flood Zone C—minimal flooding) was removed upon completion of the existing Marie Canyon debris basin which has performed adequately in mitigating the flood hazard potential. The Project intends to replace and relocate the existing Marie Canyon debris basin upstream approximately 400 feet, with a new similar design. The proposed basin will have an increased debris retention capacity, outlet pipes with the same dimensions as the existing connection to the storm drain system, and an emergency overflow system. Based on the preliminary hydrology study (see Draft EIR Appendix C) the contributing storm flows are approximately 61 cubic feet per second less than were originally anticipated upon the existing basin's design. This, along with the increased capacity outlined in the proposed design will provide more than the required capacity to mitigate any flood hazard potential.

In addition, the grading plans for the CLP components indicate that the proposed building and renovations will control on-site drainage by routing runoff via slope drains; storm drains; paved roadways; gutters; catch basins; roof drains; and other non-erosive devices to the existing and proposed on-site drainage facilities, which are adequately designed to capture stormwater flows. Since drainage devices would be added and properly located to accommodate the changed hydrologic conditions and prevent flooding of existing facilities, regional flooding would not occur. As such, it is expected that the Project would have a less than significant impact on regional flooding.

2. Groundwater

a. Groundwater Recharge Impacts

Modeling estimates indicate that the build-out of all six CLP components will lead to a small decrease in groundwater recharge. Under a low rainfall water year scenario, post-CLP recharge to groundwater will remain unchanged at 0.01 acre feet ("AF") per year. Under a high rainfall water year scenario, post-CLP recharge to groundwater will decrease by 0.07 AF per year, from 2.48 AF per year to 2.41 AF per year.

The decrease in groundwater recharge over the entire CLP area would result from the shallow sub-drains that will be installed to intercept percolating irrigation and precipitation from 1.51 acres. These sub-drains are expected to collect between 0 AF per year (low rainfall year scenario) and 2.48 AF per year (high rainfall year scenario) that would otherwise be available for groundwater recharge. As no beneficial uses of groundwater are identified in the immediate vicinity of The University, the anticipated impacts to groundwater recharge are considered less than significant.

b. Groundwater Quality

Conditions resulting from CLP construction activities that could affect groundwater quality include the following:

- leaching of minerals from freshly exposed bedrock surfaces,
- leaching of minerals from new fill materials, and
- increased salt and/or nutrient flux due to increased irrigation.

The total amount of exposed ground surface draining to groundwater will increase by 0.08 acre. The total amount of recharge due to irrigation and precipitation will increase up to 0.01 ac-ft/yr. For these reasons, very little if any change in water quality is expected in response to construction of the CLP; the construction will result in less addition of minerals or nutrients to the aquifer than exists under the current conditions. Therefore, impacts to groundwater quality are not expected.

C. Biological Resources

Impacts to biological resources are separated into direct and indirect effects. Direct impacts occur at the same time and same place as the proposed action (e.g., site preparation, grading). Indirect impacts are those that could occur at a later time or away from the project site, but still as a result of the proposed action.

1. Direct Impacts (Components 1-4, 6)

The sites proposed for CLP Components 1, 2, 3, 4, and 6 are similar to urban landscapes without native vegetation or suitable wildlife habitat for most wildlife species. No sensitive species, locally important species, or sensitive plant communities were found, and sensitive

species are not expected. These sites do not contain jurisdictional areas, and because of their location within or at the edge of the existing Campus, they are not important areas for wildlife movement. Direct impacts to sensitive biological resources are not expected, with the exception of potential impacts to nesting birds, which is covered in the section on impacts related to All Components, below. Direct impacts to biological resources would be less than significant.

2. **Direct Impacts (Component 5)**

a. Locally Protected Species (Individual Oak Trees)

There are two coast live oaks of County ordinance size with protection zones existing within 200 feet of the grading zone of Component 5. However both of these trees are located south of Huntsinger Circle to the east of the Facilities, Management, and Planning Offices building and northwest of the School of Law Faculty/Staff Parking Lot, approximately 160 feet from the nearest grading activity. The location of the two oak trees is such that project grading would not remove or encroach upon the protected zone of either tree. Therefore, the project would not require an oak tree permit. There would be no impacts to oak trees as a result of the Project.

b. Wildlife Movement

The project would not fragment existing habitats, as the Component 5 site would be located on developed areas of the Campus. The project site is not in a critical area for wildlife movement and does not serve as a habitat linkage between large open space reserves. Although movement would become more restricted within the site because of the loss of natural vegetation for cover, the project would not create new barriers to movement that would prevent wildlife from traversing the area. Impacts to wildlife movement would be less than significant.

3. **Direct Impacts (All Components)**

a. Impacts to Malibu Canyon and Lagoon SEA #5, the Malibu Creek Significant Watershed, and designated Environmental Sensitive Habitat Areas (ESHA) within the Malibu Creek watershed

The Marie Canyon watershed is separated from the Malibu Creek watershed by the ridgeline north of the Campus and the Winter Canyon watershed to the east. Malibu Lagoon lies approximately 1 3/4 miles to the east of Marie Canyon Creek's exit point to the Pacific Ocean. Because of the distance between the watersheds, and the terrain and drainage network of the area, a significant nexus between the project sites and the Malibu Creek watershed is not expected. Impacts to these designated sensitive areas within the Malibu Creek watershed would be less than significant.

4. **Indirect Impacts**

a. Fuel Modification (Components 3-6)

Fuel modification for CLP Components 3 and 4 would not extend beyond existing ornamental landscapes or existing fuel modification boundaries, based on standard minimum fuel clearance requirements. The Project would not result in new impacts to areas that are currently landscaped or subject to fuel modification in the existing condition. Therefore, fuel modification for Components 3 and 4 would result in no impacts to biological resources.

D. Air Quality

1. **Construction Related Impacts**

a. Health Risk Assessment

Construction equipment exhaust contains carcinogenic compounds within the diesel exhaust particulates. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70-year lifetime exposure. Public exposure to heavy equipment emissions will be an extremely small fraction of the above dosage assumption. Diesel equipment is also becoming progressively "cleaner" in response to air quality rules on new off-road equipment.

Public health risk from exposure to diesel particulate matter ("DPM") generated by construction equipment was evaluated using the EPA industrial Source Complex ("ISC") computer dispersion model. Consistent with state and South Coast Air Quality Management District ("SCAQMD") health risk assessment ("HRA") protocols, the risk is expressed as an individual excess "risk probability."

Diesel exhaust emissions can be minimized by the use of diesel particulate filters ("DPF") on heavy equipment exhaust. Not every piece of heavy equipment can be equipped with such filters. A diesel risk estimate was therefore prepared for construction activity emissions for a range of filter equipped heavy machinery.

The maximum lifetime DPM exposure for a campus perimeter residence assumed to remain outside their home for 24 hours per day, 350 days per year for the duration of construction activities from 2013 to 2024 is calculated as shown in Draft EIR Table 5.4-10, if the exposure is averaged over the standard 70-year HRA exposure duration. The standard unit risk factor for DPM exposure is a 300 in a million excess cancer probability per 1.0 μg/m3 of lifetime DPM exposure. The construction projects would increase individual risk by 0.42 in a million (0.0014 x 300/million) if all heavy equipment uses DPFs and 1.82 in a million if no piece of heavy equipment has a DPF over the construction lifetime of all CLP components. The average regional risk from breathing the air in Southern California as found in the most recent SCAQMD MATES studies is 600-800 in a million. The SCAQMD CEQA Handbook concludes the individual risk of less than one in a million are negligible, and risks up to 10 in a million are acceptable if toxics best available control technology (T-BACT) has been implemented.

Project related DPM emissions, assumed partly mitigated by use of diesel particulate filters on all equipment that can accommodate such controls, are within the acceptable range of

exposure limits within the established SCAQMD significance thresholds, a less-than-significant impact.

b. Local Significance Impacts

The SCAQMD in their document, *Localized Significance Threshold Methodology for CEQA Evaluations* (June 2003), has developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Local Significance Thresholds ("LSTs"). LSTs were developed in response to Governing Board's Environmental Justice Enhancement Initiative 1-4 and the LST methodology was formally adopted in 2005.

Use of an LST analysis for a project is optional because they were derived for economically or socially disadvantaged communities. For projects such as the Pepperdine CLP, the only source of LST impact would be during construction. CLP operations (student housing, recreation, etc.) generate negligible amounts of air pollution except for traffic. CLP implementation will reduce traffic and cars are becoming progressively cleaner. Therefore, an LST analysis was only performed for construction.

LSTs are only applicable to the following criteria pollutants: nitrogen dioxide ("NO2"), carbon monoxide ("CO"), and particulate matter (PM-10 and PM-2.5). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

The SCAQMD in its LST guidelines, has developed look-up tables for various sized projects in various locations throughout the air basin. These tables are applicable to project areas ranging from 1 to 5 acres at source-receiver separations ranging from 25 to 300 meters. At the Campus, project areas may exceed 5 acres and several projects may be under simultaneous construction. With variable project sizes and variable source-receiver distances, the LST protocols recommend the use of computer dispersion modeling.

Consistent with SCAQMD methodology, the same ISC modeling procedures used in the diesel exhaust health risk assessment (HRA) were applied to each CLP component. Whereas the HRA modeled average emissions over the entire construction life-time, the LST analysis is based upon maximum feasible emissions over a single worst-case day. The LST analysis used the particulate matter from fugitive dust and equipment exhaust as input into the dispersion model. NO2 and CO increments were calculated based upon the mass ratio of gaseous to solid emissions.

Mitigated daily PM-10 and PM-2.5 emissions predicted by the URBEMIS2007 computer model were used as inputs into the ISC dispersion model. Maximum exposures were calculated at the same seven residences used in the HRA. The methodology was consistent with SCAQMD guidance. As captured in Draft EIR Table 5.4-11, construction emissions would not exceed the applicable LSTs. Impacts are less than significant.

2. Operational Period Impacts

a. Operational-Related Exhaust Emissions

Possible project-related air quality concerns will derive from the mobile source emissions that will be generated from the recreational and residential uses proposed for the project site. The Project adds on-site dormitory space allowing students who had been commuting to class, to live on campus. It is anticipated that 477 fewer daily trips will be generated as a result of this project by the completion of Phase 1 and 727 fewer trips by the completion of Phase 2.

Operational emissions for project-related traffic were calculated using a computerized procedure developed by the California Air Resources Board ("CARB") for urban growth mobile source emissions. The URBEMIS2007 model was run using the trip generation factors specified in Section 5.8, Traffic and Access. The model was used to calculate area source emissions and the resulting vehicular operational emissions for students commuting ("replaced uses" scenario) and the same students living on campus ("new uses" scenario). The model was run for year 2019 (Phase 1) and 2024 (Phase 2). In addition, trips for 49 staff/faculty and 10 visitors were added to new trips for Phase 1 and 63 staff/faculty and 20 visitors by Phase 2.

The model found that the new residential uses associated with the Project may generate small quantities of organic compounds from cleaning products, personal care products, landscape maintenance, cooking, etc. Area source emissions would be slightly higher for the Project with students living on campus. However, mobile source emissions resulting from vehicular travel is less with implementation of the Project. Because mobile source emissions dominate the operational emissions, overall the Project results in a decrease of operational emissions for each calculated pollutant.

The Project will not cause the SCAQMD's recommended threshold levels to be exceeded at the conclusion of either Phase I or II. Project-related emission levels for the two ozone precursor pollutants (ROG and NOx) would each represent an approximate two and five percent decrease respectively of the SCAQMD CEQA significance threshold. As such, the Project is anticipated to have a beneficial impact on operational-related exhaust emissions. Further, even the increased traffic associated with increased seating capacity at a maximally attended campus event would not cause any AQMD operational emissions thresholds to be exceeded. Further this occasional increase in vehicular emissions is offset by the daily decrease in emissions resulting from increased on-campus residential space and decreased commuting ensuring Project operational impacts are less than significant.

b. Micro-Scale Emissions Impacts

Micro-scale air quality impacts have traditionally been analyzed in environmental documents where the air basin was a non-attainment area for CO. However, the SCAQMD has demonstrated in the CO attainment redesignation request to EPA that there are no "hot spots" anywhere in the air basin, even at intersections with much higher volumes, much worst congestion, and much higher background CO levels than anywhere in the northwest San Fernando Valley. If the worst-case intersections in the air basin have no "hot spot" potential, any local impacts near the facility will be well below thresholds with an even larger margin of safety.

To verify these conclusions, a CO screening analysis was performed at the closest major intersections surrounding the project. One-hour CO concentrations were calculated on the sidewalk adjacent to these intersections. Existing peak (2008) one-hour local CO background levels are approximately 3.0 parts per million ("ppm"). Combined background (3.0 ppm) plus local (1.8 ppm) equate to CO levels of 4.8 ppm, which are far below the one-hour standard of 20 ppm. Worst-case one-hour levels are even lower than the allowable 8-hour exposure of 9 ppm. As such, micro-scale impacts are less than significant.

E. Noise Impacts

1. Construction Noise Impacts

a. Haul Truck Noise

Project-related noise impacts may derive from on-road truck traffic associated with the hauling of excavated soils and delivery of concrete and other construction materials. The relationship between traffic and noise is logarithmic. It takes a large change in volumes to produce only a small change in decibels ("dB"). The incremental noise impact from the project's haul traffic would be partially masked by existing conditions, and for the most part, there is an adequate source-receiver separation to dissipate such noise.

The Los Angeles County Noise Ordinance specifically exempts a number of activities from noise ordinance standards, including motor vehicles on private right-of-way and private property. As set forth in Section 12.08.570 I, "Except as provided in Section 12.08.550 all legal vehicles of transportation operating in a legal manner in accordance with local, state, and federal vehicle noise regulations within the public right-of-way or air space, or on private property [are exempted from the provisions of this chapter]." In addition, trucking activity would be limited to daytime hours and would not result in the potential for nighttime nuisance issues. Therefore the Draft EIR used the General Plan standard (65 dB CNEL) as the threshold for its analysis.

The Project may result in the need to export 70,000 cubic yards of soils. Hauling of this material would be restricted to using the Seaver entrance/exit to Malibu Canyon Road. Conservatively assuming this occurs over a four-month period, the daily truck trip traffic would be 120 trips (60 loads) per day assuming the use of single trailer trucks with a 14 cubic yard capacity. Assuming hauling from 7 A.M. to 3 P.M., one full truck would leave and one empty truck would enter the component area every 8 minutes. The noise level associated with 120 daily haul trips is 56 dB CNEL at 50 feet from the roadway centerline for a 35 mph travel speed. This level is below the 65 dB CNEL noise standard. Therefore, soil hauling would create a less than significant traffic noise impact.

For more routine deliveries, Seaver Drive via the Malibu Road campus entry gate will be utilized. However, the configuration of John Tyler Drive provides a more direct route and one with less elevation gains, losses and stops and starts en-route to Components 1, 2 and 3. For selected deliveries of construction materials, the latter route may prove to be an essential one. Some truck hauling of building materials (concrete, wood, steel, etc,) would occur sporadically on John Tyler Drive during CLP construction. Because of easier access from PCH, delivery trucks are likely to prefer using John Tyler Drive, which is adjacent to the MCE residential

community. The reference noise level at 50 feet from a single passing truck is 50 dB Leq. Thirty trucks per hour produce an hourly level of 65 dB Leq, it would require 720 truck trips (360 trucks in, 360 trucks out) between 7 a.m. and 7 p.m. to create a 24-hour weighted noise level of 65 dB CNEL at homes closest to John Tyler Drive. There are no planned CLP construction activities that require 360 truck loads of material on a single day. As such, haul truck noise impacts to off-campus noise-sensitive use would be less than significant.

b. Construction Activity Vibration

Construction activities generate ground-borne vibration when heavy equipment travels over unpaved surfaces or when it is engaged in soil movement. The effects of ground-borne vibration include discernable movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Within the "soft" sedimentary surfaces of much of Southern California, ground vibration is quickly damped out. Because vibration is typically not an issue, very few jurisdictions have adopted vibration significance thresholds. Vibration thresholds have been adopted for major public works construction projects, but these relate mostly to structural protection (cracking foundations or stucco) rather than to human annoyance.

Vibration is most commonly expressed in terms of the root mean square ("RMS") velocity of a vibrating object. RMS velocities are expressed in units of vibration decibels ("VdB"). The range of VdB is as follows:

- 65 VdB - threshold of human perception;
- 72 VdB - annoyance due to frequent events;
- 80 VdB - annoyance due to infrequent events; and
- 100 VdB - minor cosmetic damage.

To determine potential impacts of the project's construction activities, vibration levels induced by construction equipment are estimated.

Pile drivers create the greatest vibration levels, but they would not be required for any construction activities near off-campus residences. Driven pile footings could be used at the new athletic event center or the law school parking structure. Both locations are more than 1,000 feet away from the closest homes. Pile driving vibration levels at the closest homes would be below the threshold of human perception.

The on-site construction equipment that would create the maximum potential vibration at the nearest homes is a large bulldozer. The stated vibration source level in the Federal Transit Administration ("FTA") Handbook for such equipment is 87 VdB at 25 feet from the source. The closest residence to any point of project-related heavy equipment operations is approximately 200 feet (assumed to be set-back by 25 feet from the nearest off-campus residential property line of 175 feet). Ground borne vibration attenuates quickly with distance. Vibration levels from heavy equipment would be at about 10 VdB less than the annoyance threshold for infrequent/temporary events. Vibration levels would not reach the nuisance threshold, nor would they exceed the 100 VdB building damage threshold. Construction activity vibration impacts are

judged to be less than significant, both in terms of nuisance and for possible structural damage (cracked stucco, etc.).

2. **Operational Traffic Noise Impacts**

a. Traffic Noise Impacts-Normal Operations

Long-term noise concerns associated with the project center primarily on mobile noises surrounding the Project site. These concerns were addressed using the California specific vehicle noise curves ("CALVENO") in the federal highway noise prediction model (FHWA-RD-77-108) in a computerized version of the model developed by Caltrans. The model calculates the equivalent sound level ("Leq") noise level for a particular reference set of input conditions, and then makes a series of adjustments for site-specific traffic volumes, distances, speeds, or noise barriers. This analysis utilized data from the project traffic analysis, prepared by Associated Transportation Engineers (provided in Draft EIR Appendix I).

Of the total daily trips generated at the University, 15 percent travel north along Malibu Canyon Road, 60 percent travel east along PCH and 25 percent travel west along PCH. At each subsequent turning opportunity, fractions of each traffic stream split into different directions and thus dilute any off-site traffic noise impact.

The conversion of commuter students to resident students through the housing program would reduce student commute trips made to and from the campus. This occurs as a portion of the students living on-campus do not own cars, and those resident students that do own cars do not use them every day. The reduction in traffic generated by the shift in commute to resident students would more than offset the traffic increases generated by the new faculty, staff and visitors. This reduction in traffic would occur during both peak and off-peak travel periods. The project eliminates 744 daily trips to the campus.

As demonstrated in Draft EIR Table 5.5-8, there would be no significant project-related noise increases on any analyzed roadway segment. Along most segments, noise changes would be either not detectable or a slight decrease. Therefore, project related traffic noise impacts are less than significant.

b. Traffic Noise Impacts from an Unrestricted John Tyler Drive

The 24-hour background noise measurements at the MCE were made with the current nocturnal closure of John Tyler Drive in effect (this road is currently closed between 10:30 p.m. and 6:00 a.m., except when special events occur past 10:30, in which case the road closes once event traffic has cleared).[3] Although no CLP components are anticipated to generate substantial traffic or noise between 11 p.m. to 6 a.m., the traffic noise effects of possibly removing that closure were evaluated. Thirty percent of existing traffic at Seaver Gate was assumed to use John

[3] This restriction was put in place in connection with the Upper Graduate Campus Project. It was intended to be a temporary restriction (a one–year trial access restriction) with subsequent consideration for removal of the restriction to be determined by the Los Angeles County Planning Director. This restriction began in August 20, 2001 and has been voluntarily continued by the University since then.

Tyler Drive if that option were available.[4] The traffic noise from possible diverted traffic was superimposed upon the quietest reading at the two MCE residences most recently monitored. Although traffic noise on private streets is exempt from compliance with the Los Angeles County Noise Ordinance, the Ordinance standard is used in this analysis as a threshold for a potential nuisance impact. The standard is expressed in terms of the duration and intensity. The maximum projected number of cars per hour on John Tyler Drive is 68 per hour between 11 p.m. to midnight. Assuming each car is audible for 15 seconds, 68 cars would result in a noise level of 45 dB covering 17 minutes of noise generation. The residential post 10 p.m. Noise Ordinance standard for 17 minutes of noise (approximately an L25 standard) is 50 dB. Background noise levels at the closest homes range from 43-46 dB as the 17-minute average. The diverted traffic would not cause the Los Angeles County Noise Ordinance nocturnal noise standard of 50 dB L25 to be exceeded. In addition, all increases would be 1-2 dB. Therefore, project related traffic nocturnal noise impacts under this scenario would be less than significant.

c. Traffic Noise Levels During Special Events

Athletic games and other indoor University events are currently held at the Firestone Fieldhouse, located at the southern portion of John Tyler Drive. Firestone Fieldhouse has a maximum seating capacity of 3,574 seats (3,104 seats plus 470 temporary folding chairs).

As a result of the Project, the AEC would be on the east side of Huntsinger Circle near the north end of the loop road adjacent to the Via Pacifica intersection. This facility is planned for a maximum seating capacity of 5,470 (5,000 permanent seats and 470 folding chairs), accommodating a net increase of 1,896 event attendees compared to the existing Firestone Fieldhouse facility. Data provided by the University shows that less than 3,000 persons attend most campus events and more than 90 percent of campus events experience attendance levels with less than 1,000 persons (not including graduation ceremonies). Only six events with more than 3,000 persons were held in 2007 (not including graduation). The largest of the sporting events are the men's basketball and volleyball games with up to 3,100 persons in attendance. Based on the observed event attendance patterns of 60 percent arriving by vehicle with an average occupancy of 2.5 passengers per vehicle, 455 "new" vehicle trips will be generated to/from the campus for a sell-out event. A medium sized event with 3,500 attendees would generate 840 off-campus trips. Such trip generation is identical to that of an existing Firestone Fieldhouse sell-out. Events traffic at the new facility would generate peak inbound traffic flows to the campus during a one to two hour period prior to the event and outbound flows from the campus after the event. The majority of these events would be held during the evenings and on weekends when campus traffic and parking demands are light. The presumed worst-case traffic noise impact would be a comparison of an existing maximum attendance Firestone Fieldhouse event versus a future peak attendance event at the AEC.

It is likely that both the John Tyler Drive and Seaver Drive campus access points would continue to be used when events are held at the new facility. The Table below shows the noise calculations based on peak hour event-related traffic, assuming that 50 percent of event-related

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[4] As discussed in Section 5.8, Trip distribution percentages were developed for assigning the CLP traffic based on review of the existing traffic flows at the campus access gates. The analysis found that approximately 30% of existing campus traffic uses the John Tyler Drive access and 70% uses the Seaver Drive access.

traffic would utilize each access point. This analysis assumes the John Tyler Drive gate would continue to remain open after 10:30 p.m. to allow vehicles to exit from the special event. Noise from the combination of existing measured ambient noise plus an existing Firestone Fieldhouse sell-out will be increased by +1 to +2 dB for a combination of existing measured ambient plus a new AEC sell-out.

Special Event Noise Impact Analysis (dB Leq 10-11 p.m.)

Roadway	Existing Non-Event Noise	Existing Sell-Out Traffic	Combined Existing Event	Future Sell-Out Traffic [1]	Combined Future Sell-Out	Change from Existing
John Tyler Dr.	51	53	55	55	56	+1 dB
Seaver Dr.	53	53	56	55	57	+2 dB

[1] Assumes all vehicles arrive and depart in a single hour and that the nearest sensitive receptor is located at 80 feet from the roadway centerline and that ½ of event trips utilize the indicated roadway traveling at 25 mph.

The increased traffic on John Tyler Drive for a sell-out event with a post 10 p.m. departure would increase noise levels by +1 dB at the nearest homes compared to an existing Firestone Fieldhouse sell-out departure. Such a difference would be imperceptible to the closest residence. As such, special event traffic noise levels are anticipated to be less than significant.

d. Component #1: Student Housing Rehabilitation

Noise levels depend upon the loudness of an individual noise generator, the number of generators, the distance separation between the source and receiver, and the presence of any modification of normal spherical spreading losses. For the student housing component of the CLP, the number of sources will increase from 2000 beds to 2480 beds. The loudness of the average student will not change, the average source-receiver distance to the closest homes will not change, and there will be no major changes in building location or elevations that would change the transmission path when the housing projects are completed.

Mathematically, the existing noise level due to student activities (music, conversation, parking lots, etc.) at distance "D" from campus is expressed as follows:

Reference Level (1 student at distance Dref) + 10 * Log (2000) – 20 * Log (D / Dref)

At full occupancy, the relationship can be expressed as follows:

Reference Level (1 student at distance Dref) + 10 * Log (2480) – 20 * Log (D/Dref)

Subtracting to establish the change in noise, we are left with:

delta = 10 * Log (2480) – 10 * Log (2000) = 10 * Log (2480/2000) = 10 * Log (1.24) = 0.9 dB

The average noise created by 2480 students engaged in typical living, studying and recreational activities is + 0.9 dB louder than from 2000 students. Such a change is generally considered an imperceptible increase.

Another source of noise at the proposed student housing component is heating, ventilation, and air conditioning ("HVAC") equipment. However, the existing student housing includes HVAC equipment. Noise from similar equipment associated with the proposed student housing would not substantially increase existing noise levels.

Therefore, noise impacts from the student housing component on surrounding off-site residences would be less than significant. In addition, the University's Department of Public Safety shall augment the number of public safety offices to accommodate the Project in accordance with existing campus policy. As such, public safety officers would regularly patrol both the University's Standard and Outer Precincts and ensure noise is kept to a minimum particularly during hours of greater noise sensitivity.

e. Component #4: Town Square

The proposed Town Square would be located on what is now the Seaver Main Parking Lot. The proposed Town Square CLP component proposes a quad area, including a grass lawn and welcome center, above underground parking. The closest off-site sound receptor to the Town Square used for determining noise impacts is approximately 900 feet from the center of the quad area in the MCE residences.

Stationary noise sources which could have an impact on the nearest residential activities are small speakers to provide music and other programming support for activities in the new quad area as well as mechanical equipment source noise including electrical and mechanical air conditioning. The speakers would be directed internally to the new quad area and, together with the support equipment, would be screened from possible on- and off-site sensitive use areas to reduce audibility. Los Angeles County Noise Ordinance standards for stationary sources allow for no more than 50 dB L50 daytime hourly noise standard at the residential boundary and 45 dB L50 at night.

Potential noise generated by HVAC equipment was evaluated using typical maximum HVAC equipment noise levels. The exact type and quantity of HVAC equipment is not yet known. The hourly average reference noise level at a 50-foot analysis distance for typical rooftop mounted equipment is 54 dB at 50 feet. For continuously running equipment Leq and L50 are almost identical. Standard design features such as shielding and parapets would reduce noise emissions below this level. For direct line-of-sight conditions, the above point source data can be adjusted for geometrical (spherical) spreading losses at a 6 dB per distance doubling between the source and the closest receiver. At the nearest distance to a sensitive off-site receptor of 900 feet, noise from HVAC equipment would be approximately 29 dB L50 without shielding. Shielding would reduce noise levels to less than 29 dB L50.

Because of this component's distance to off-site sensitive receptors as well its lack of noise generating activity, the proposed Town Square improvements are expected to result in a less than significant impact.

f. Component #5: Enhanced Recreation Area

The CLP would provide an Enhanced Recreation Area intramural playing field with lighting, located north of Huntsinger Circle in an area currently consisting of an intramural field and the Terrace Parking Lot. Currently, the Tari Frahm Rokus Field and Stotsenberg Track are utilized for both student recreational activities and University athletics. This component would increase the distance between the site of these activities and off-site residential uses, and as a result would somewhat reduce the potential for associated off-site noise.

Various types of athletic activity would occur at the proposed Enhanced Recreation Area, such as soccer, softball, and rugby. By way of reference, measured intramural softball field activity noise for a typical mix of participants and spectators at the outfield perimeter is 55 dB L50. For intermittent noise, L50 is less than Leq. Distance attenuation from the Enhanced Recreation Area to the nearest off-campus homes would reduce this level to 35 dB L50. Although softball is only one activity proposed that may occur at the Enhanced Recreation Area, this noise level is assumed typical of similar athletic events such as soccer or rugby. This noise level is well below existing ambient levels and below the County of Los Angeles Noise Ordinance daytime standard of 50 dB L50 and the nocturnal noise ordinance standard of 45 dB L50.

Studies on the noise effects on bird behavior have demonstrated a negative impact on nesting and breeding behavior when noise levels exceed 60 dB LEQ. The primary documented noise impact appears to derive from masking of vocalization between breeding pairs due to elevated noise. The U.S. Fish & Wildlife Service has established noise standards for construction activities near habitats of threatened or endangered bird species of 60 dB LEQ during the noisiest single hour of activity (Road Engineering Journal, October 1, 1997). The 60 dB Leq standard has is a widely accepted mitigation threshold during nesting/breeding seasons for least Bell's vireos, California gnatcatchers and similar protected species.

The average noise level at the perimeter of an intramural recreational environment is 55 dB or less based upon noise measurements for softball, soccer and similar semi-competitive activities. This level is already less than the wildlife noise protection standard typically applied to potentially impacted bio-habitats. Noise levels continue to decrease at an approximate rate of -6 dB per doubling of source-receiver distance. In moving away from the proposed enhanced recreation area, recreational noise will drop to less than 50 dB as the mean source-receiver distance increase from a typical value of 250 feet to the edge of the area to 500 feet into the open space beyond. Student recreation noise will be well below any level of documented wildlife effects.

Based on the above, noise impacts associated with the Enhanced Recreation Area would be less than significant.

g. Component #6: School of Law Parking Structure

The School of Law Student Lot is located at the southeast corner of Baxter Road and Seaver Drive and currently provides surface parking for 291 cars. The proposed School of Law Parking Structure would provide 611 parking spaces on three levels.

Typical parking lot noise includes doors shutting, engines starting, and acceleration. Other noises can include tire squeal noise, loud stereos, and car alarms. These noises would occur intermittently and are not long in duration. The frequency of these on-site noise events would increase as a result of the project because an increased number of cars would park in this location.

The off-site sensitive uses closest to the proposed School of Law Parking Structure are located in the MCE and are approximately 1,700 feet from the proposed parking structure.

A typical noise measurement at the façade of a parking structure is 60-70 dB during individual noise events. However parking lot noise is more appropriately analyzed as an hourly average. As a result, although parking lots may result in peak bursts of noise of 60-70 dB Lmax at 50 feet (car doors slamming, an engine starting up), the continuous noise level around 50 dB L50. Parking lot activities are primarily limited to daytime hours of lesser noise sensitivity and noise from parking lot activities would be attenuated by distance separation of at least 1,700 feet. Using the standard attenuation rate for a soft site, parking lot noise levels at the property line of the closest residence would be attenuated by -23 dB and this does not take into effect the attenuation offered by intervening buildings/structures. Hourly noise levels around 27 dB L50 are thus not expected to exceed the County's 50 dB L50 hourly noise standard for daytime parking structure use. As such, noise impacts associated with the proposed School of Law Parking Structure are considered to be less than significant.

h. Combined Noise Levels from All Project Components

An approximate composite of every noise source from CLP components can be created if every source were generating peak noise levels. The possible non-traffic sources include the Upgraded NCAA Soccer Field, the mechanical equipment at Town Square, student recreation at the enhanced recreation area, and parking lot operations (door slams, engines starting, tire squeal, alarm chirps, etc.), along with the chiller plant. The maximum composite noise at the closest off-campus residence is approximately calculated as follows (dB L50):

Chiller Plant/Cooling Towers	40 dB
Soccer Field	45 dB
Town Square HVAC	29 dB
Student Recreation	35 dB
Parking Structure	27 dB
COMPOSITE	47 dB

The composite level of 47 dB L50 is below the County Noise Ordinance standard of 50 dB L50 for daytime (pre-10 p.m.) events. The Upgraded NCAA Soccer Field would not be operational after 10 p.m. Noise levels excluding the Upgraded NCAA Soccer Field would total 43 dB, which is below the nighttime County Noise Ordinance standard of 45 dB L50. Therefore, even considering the combined noise levels from all Project components (assuming the chiller plant would be located inside a building) the above conclusions for the individual project components would not change.

F. Visual Resources and Aesthetic Qualities

1. Light and Glare

a. Illuminance

Illuminance evaluates the potential for the components to create light trespass, or excess light levels beyond the property boundaries. Illuminance levels in excess of 0.5 footcandles ("fc") would be considered a significant impact for the Receptor Sites along John Tyler Drive and PCH. As outlined in figures contained in Draft EIR Section 5.7, looking at Receptor Sites A, B, C, H, & J, located on John Tyler Drive and PCH, the calculated contribution of illumination from all CLP components results in a contribution that ranges from 0.003 to 0.116 fc. Impacts are therefore considered to be less than significant.

The Draft EIR used Receptor Sites to measure potential impacts to habitat and vegetated natural areas and determined that any illuminance contribution greater than 0.1 fc would constitute a significant impact. The calculated contribution of illuminance at all Receptor Sites located in vegetated natural areas is less than the threshold of 0.1 fc. Impacts are therefore considered to be less than significant.

b. Coverage

Coverage is qualitative measure that relates to the visual prominence of the Project components by describing the portion of the view that each component occupies at each Receptor Site. Coverage is expressed as a percentage of the view occupied by the CLP components. Potential coverage impacts were assessed on a case-by-case basis, and in each case the change in coverage impacts was determined to be less than significant. Although the numerical value for coverage will increase in some cases, the potential lighting impacts related to those increases in coverage were either consistent with existing conditions, or resulted in reduced lighting impact due to CLP design features such as shielding and limited aiming. For example, the height of pole lighting at Component 3 and 5 will increase, which could result in higher amounts of coverage as seen from selected Receptor Sites. The increased heights may also present the possibility of high brightness lamp source visibility. However, the view angle studies show that the proposed sports lighting at these components can be carefully aimed and shielded to substantially limit glare conditions. Proposed architectural elements (consisting primarily of wall surfaces) of the CLP will also increase the coverage of some components as seen from the Receptor Sites. As the potential lighting impacts related to increases in coverage are either consistent with existing conditions, or result in reduced lighting impact due to CLP design features such as shielding and limited aiming, none of the improvements will result in significant visual impacts.[5]

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[5] The change of mitigation requirement from "Full-Cutoff" to "Cutoff" for Site Lighting Poles greater than fifteen (15) feet and between fifteen (15) and six (6)feet and will not result in an impact greater than the measures used for the threshold of significance for Light Trespass (illuminance) or Glare (luminance). This is a minor change in luminaire design that increases the allowable percent of light distribution above the horizon from 0% to no more than 2.5 %. Both Full-Cutoff and Cutoff fixtures additionally limit the percent of luminaire light distribution between 80 degrees and 90 degrees (horizontal) from nadir to less than ten percent (10%).

c. Context

Context is a qualitative evaluation of the view of the CLP components from the various Receptor Sites. The Project components result in slightly increased or unchanged coverage impacts at all Receptor Sites. In most cases, visual obstructions and topographical conditions are unchanged, such that the component sites that are currently partially obscured from view will remain obscured from view in the future condition. The increased height of the lighting poles proposed at Components 3 & 5 is likely to increase the amounts of the light features that are visible from selected Receptor Sites. The four taller lighting poles along the northern side of the field at Component 3 will appear to coalesce with the level of the roofline of the proposed AEC, and they would, in the case of several poles along the south side of the field, intrude into the skyline above mountain ridgelines to the north when viewed primarily from Receptor Sites A & B along John Tyler Drive. The four poles arrayed along the southern side of the field may appear taller as they would be closer to the Receptor Sites. However, the potential lighting impacts related to increases in context are either consistent with existing conditions, or result in reduced lighting impacts due to CLP design features such as shielding and limited aiming. As such, impacts are less than significant.

2. On-Site Visual Resources

The landscaped terrain and visible buildings of the University campus are identified as a Highly Scenic Area. Other on-site visual resources include Scenic Element # 9, Malibu Canyon, and a small portion of a Significant Ridgeline as identified on the Local Costal Plan ("LCP") Visual Resources Map (*see* Draft EIR Figure 5.7.1-1). These resources are located in the northernmost portion of the University's property. None of the Project elements would be developed in these northern areas of the site. The CLP components are situated within the interior of the developed campus in locations that are not visible from either of the adjacent designated scenic roads. As such, the visual character impacts of the existing shoreline or mountain viewshed, as seen from designated scenic highways, including PCH and MCR, are considered to be less than significant.

3. Views of Visual Resources/Scenic View

The CLP sites collectively represent infill projects in the form of rehabilitation of aged buildings and/or intensifications of use on existing underutilized sites. Therefore, and as further described below, none of the CLP components would interfere with existing views of ocean or shoreline features from designated public viewing locations, nor would the CLP block or interfere with public views of the elevated ridgelines that are officially recognized as scenic features or viewshed ridgelines in the Santa Monica Mountains to the north of the developed core of the campus. The impact of the CLP to visual resources and scenic views is considered to be less than significant.

Additionally, both Full-Cutoff and Cutoff luminaires meet current LEED requirements for the developed areas of the Pepperdine campus.

a. Views from Pacific Coast Highway

All of the project components are located on the inland, northern side of PCH and, therefore, the Project would have no impact on coastal-directed views from PCH. While existing portions of the developed campus located atop the grassy sloping terrain situated toward the southern edge of the developed campus and selected residential areas situated at the highest developed campus locations, are visible from PCH, the CLP components would remain out of view as they would be located behind and be hidden from view by intervening terrain and existing structures and landscaping. Therefore, the project would result in a less than significant impact on views of the University from PCH.

Tall light poles are proposed for nighttime illumination of the Upgraded NCAA Soccer Field. As the Upgraded NCAA Soccer Field is oriented in an east-west direction, light poles would be erected on both the north and south sides of the field.

As the poles would be approximately 110 feet tall, the tops of them could be seen briefly in northerly-directed views from PCH. The segment of PCH from which variable views of the top of at least one light pole at the track and/or Upgraded NCAA Soccer Field may be visible is located east of John Tyler Drive near the tennis courts and measures approximately one-quarter mile (1,300 feet) in length. The views available to motorists of the tops of the light poles would be at awkward viewing angles, approaching 90 degrees and greater, from the direction of travel. During daytime conditions they would scarcely be noticeable at the distances involved. The highest points of the light poles placed at the Upgraded NCAA Soccer Field would reach an elevation of approximately 468 feet, or approximately 300 feet lower than the existing visible development comprising the Drescher Graduate Campus located on hillsides to the northwest.

Scenic mountain viewshed boundaries form the northern and western mountain backdrops for the Campus vicinity. The viewshed boundaries follow ridgelines that rise from Malibu Canyon to the north of the developed campus and from PCH to the west of the campus. The ridgelines reach an elevation of approximately 1,800 feet north of the developed portions of the campus. West of the campus, the viewshed ridgelines peak at approximately 1,190 feet. The highest-elevated Project component, namely the School of Law Parking Structure with an upper parking tier elevation of approximately 658 feet, would not intrude into the skyline in any public or private view directed northerly across the campus from PCH, MCR, or Conservancy-owned Malibu Bluffs, or in public or private views from MCE. Only the tops of the proposed light standards at Component 3 (Upgraded NCAA Soccer Field) would be visible from a relatively short segment of PCH (approximately 1,300 feet in length). The limited visibility of the tops of several light poles at the Upgraded NCAA Soccer Field would not intrude into the skyline and would not block views of scenic rock formations or natural vegetation. Therefore, the Project would be considered a less than significant impact on scenic views of the mountains from PCH.

b. Views from Malibu Canyon Road

All of the project components are located on the northwestern, mountainous side of MCR in locations that are not visible from the road, and, therefore, the Project would have no impact on coastal-directed views from MCR. Furthermore, the Project would have no impact on scenic views of the mountains from MCR.

c. Views from State and Federal Lands and Conservancy-owned Malibu Bluffs

None of the project components would be visible from the large nearby State and Federal tracts of land located northerly of the University in the interior of the Santa Monica Mountains. Therefore, the Project would have no impact on scenic views from these locations. The Draft EIR determined that while none of the terrain surfaces at any of the Project component locations would be visible, it is likely that the sides of the residential structures of the Outer Precinct would become visible and they would be bracketed against a visual backdrop of the existing, higher-elevated residential structures of the Lovernich Residential Complex. The tops of the lighting standards that have been proposed for location at the Upgraded NCAA Soccer Field would also be visible, albeit from a distance of approximately 0.6-0.7 mile. As such, the visibility of several of the buildings of the proposed Outer Precinct and the tops of light poles proposed as part of the Upgraded NCAA Soccer Field would result in a less than significant impact to scenic views from the park location.

d. Views from Public Hiking and Equestrian Trails

Ocean views from the Mesa Peak Trail, located inland (north) of the Project components, would not be obstructed by the Project. The Mesa Peak Trail follows the highest mountain ridgelines north of the campus at elevations ranging from 460 feet to 1,400 feet higher than those of the various components of the project. A portion of the Mesa Peak Trail route that extends southeasterly of the 1,800-foot ridge crest at the head of Marie Canyon that follows along the top of the ridgeline, may offer southerly views of the Project component sites. The closest and highest elevated of the CLP components, namely, the School of Law Parking Structure site may be visible in coastal-directed, downhill views from 2,000 feet away and from trail locations that would be approximately 460 feet higher in elevation. Neither the School of Law Parking Structure nor any of the other CLP components that would be visible from limited portions of the Mesa Peak Trail would interfere with or block views of the ocean or shoreline features. The eastern and western branches of the Coastal Slope Trail that descend into the adjacent Puerco Canyon and Malibu Canyon areas from the Mesa Peak Trail would offer no views of the CLP components as the routes of the trails dip to lower elevations behind intervening ridgelines eliminating potential views of all the CLP components. Therefore, the Project would result in a less than significant impact on views from designated public hiking or riding trails.

e. Views of Visual Resources from Malibu Country Estates

North to northeasterly views of mountain ridge crests that form the scenic backdrop to the Campus would not be obscured or significantly interfered with in any view from MCE. Further, no existing view of coastal features that is available from anywhere within MCE would be obscured or interfered with by the CLP. The highest elevated of the project components, the School of Law Parking Structure, would occupy a site with an elevation of approximately 625 feet. The elevation of the ridge crest at the head of Marie Canyon reaches 1,800 feet and descends southeasterly to a ridge crest elevation of approximately 1,100 feet north of the water tank and residential housing that mark the northeastern extent of the development on the Campus. The highest-elevated CLP components situated between MCE and the scenic mountain backdrops are the Enhanced Recreation Area and the School of Law Parking Structure. The

surface of the Enhanced Recreation Area would be 565 feet (the approximate height of the existing intramural field) and the surface of the School of Law Student Parking Lot where a new parking structure would be located is approximately 625 feet. The highest roof feature of School of Law Parking Structure would reach approximately 658 feet in elevation. In a straight line-of-sight view extending from the northern end of MCE that would pass through the parking structure to the mountain skyline backdrop, the viewshed defining ridgeline would be 477 feet higher than the tallest structural element at the proposed parking structure. In a similar straight line-of-sight view extending through the AEC location and that of the Enhanced Recreation Area to the mountain skyline backdrop, the viewshed defining ridgeline would be 1,110 feet higher than the highest-elevated structural element of the AEC. None of the Project components would intrude into the mountain skyline, and no coastal views would be interfered with. Therefore, impacts on views from MCE are considered to be less than significant.

4. Visual Character, Quality, and Compatibility Issues

Collectively, the Project components resemble the form and function of the existing institutional structures and outdoor activity areas that characterize normal and expected uses within the developed core area of the Campus. The architectural style and sizes of the Project structural components and terrain modifications are in character with the existing on-site university campus facilities and manufactured terrain features. Further, the sizes and heights of the Project's structural components are generally compatible with the distribution and scale of existing campus facilities. As such the Project components would not be out of character with adjacent development, and the surrounding campus setting and visual impacts associated with it are considered to be less than significant.

Public views directed toward the campus in which any of the CLP components could be seen from the MCE, are limited. The one CLP component most widely seen is the Standard Precinct. However, public visibility of it from MCE is from distances of not less than 800 feet. The most notable visible change to the Standard Precinct would be the addition of a third story (13 ft. 2 in.) to the residence halls. All of the other CLP components are located northeasterly of the MCE in topographical situations that are typically blocked from public view by intervening terrain and the view-blocking effects of roadside multi-story residential structures and mature private and public streetscape landscaping within the residential development. Due to the project's limited changes to the overall physical terrain conditions of the developed campus, along with the limited visibility of the Project components from MCE, the Project is considered to have a less than significant impact related to visual compatibility with the adjacent development and architectural styles of existing structures as seen from MCE.

5. Impacts on Views of Natural Terrain

Implementation of the project components would not require alteration of existing areas of natural terrain and therefore would result in a less than significant impact upon views of existing natural terrain.

G. Traffic and Access

1. Traffic Congestion

a. Surrounding Road Network

The CLP would decrease traffic on the surrounding roadway network following completion of both Phase I and II. The conversion of commuter students to resident students facilitated by the housing program plus the enhanced campus life experience provided by upgraded athletic, recreation, wellness, support programs, etc., would reduce the number of trips to and from the campus. Thus, the CLP would have less than significant impacts on the road network and would actually generate beneficial impacts.

2. Site Access and Circulation

The Project would not alter currently existing vehicular access and/or on-campus circulation roads, none of which are known to have hazardous conditions. Furthermore, existing, site access via either John Tyler Drive/ PCH or Malibu Canyon Road/ Seaver Drive–Civic Center Way intersections would operate under an improved V/C ratio under the Project when compared with the Existing + Ambient Growth (without project) scenario. As such, the Project's potential impacts to hazardous road conditions from site access and circulation are considered less than significant.

3. Parking

a. Future Demand

Existing + CLP parking demands were forecast based on operational data provided by the University. The operational data show that the CLP would result in the addition of 55 new full time employees (FTE), 15 new contract employees and 20 new visitors per day. No change to student enrollment is proposed under the CLP. The shift from 468 commute students to 468 residential students is anticipated to decrease student-parking demands that occur during the peak mid-day periods. However, the analysis assumes no change in parking related to this change.

The future parking supply would accommodate the future parking demands as they emerge during both Phase I and Phase II of the CLP implementation schedule. The peak parking demand is forecast at 3,397 spaces, at the end of Phase I, which equates to 66% occupancy, leaving an excess of 1,760 open parking spaces. The peak parking demand is forecast at the end of Phase II would be 3,416 spaces, which would equate to 63% occupancy, leaving an excess of 1,964 open parking spaces upon completion of the CLP. As compared to the existing peak parking demands (up to 73%), the parking expansion proposed under the CLP is intended to better accommodate the day-to-day demands as well as accommodate demands generated by events (as discussed below) during both Phases I and II. As such, the Project's impact related to on-site parking would be less than significant and, in fact, considered beneficial.

4. Event Traffic and Parking

a. AEC Parking

For a description of the AEC, including capacity, see these Findings Section IV.B.

The parking demand analysis completed for the AEC was based on three levels of attendance, namely for events attended by 4,000, 4,500, and 5,470 persons. The analysis assumes that 60% of the spectators would travel to the event from off-campus and 40% of the spectators would be Pepperdine students, faculty and staff that live on campus. This ratio was developed based on ticket data collected at basketball games held at the Firestone Fieldhouse. The parking demand analysis assumes an average vehicle occupancy of 2.5 persons per vehicle. Based on these statistics, a 4,000-attendee event would generate a parking demand of 960 vehicles (4,000 spectators x 0.60 / 2.5 = 960 vehicles). A 4,500-attendee event would generate a parking demand of 1,080 vehicles (4,500 spectators x 0.60 / 2.5 = 1,080 vehicles). A maximum size event of 5,470 attendees would generate a parking demand of 1,313 vehicles (5,470 spectators x 0.60 / 2.5 = 1,313 vehicles). Students, faculty, and staff who live on campus would walk to the AEC or use the shuttle bus system that is in place. Should resident students or staff choose to drive to games, their parking demands would be re-assigned from the parking lots that serve the housing units to the parking facilities adjacent to the AEC.

With a maximum attendee event at the AEC during Phase I the parking supply of 5,157 spaces would be 91% occupied, leaving 447 spaces open during peak parking demand. During a maximum attendee event at the AEC during Phase II, the parking supply of 5,380 spaces would be 88% occupied, leaving 651 spaces open during peak parking demand.6 Note further that parking demands generated by events held at the AEC were added to normal afternoon peak parking demand data, which results in a conservative analysis. Realistically, the majority of the larger events that would occur in the AEC, such as men's NCAA basketball and volleyball games, would be held during evenings or on weekends when the campus parking demands are lower. During these evening and weekend periods, event parking would be even more easily accommodated on campus. As such, the Project's impact related to event parking is considered to be less than significant.

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[6] This specific component phasing of the CLP is contingent upon fundraising, future University needs and may be subject to change. In the event that the SOL parking structure is not constructed first, the University will maximize use of other available campus parking facilities during event periods. This may include for example use of special parking permits and shuttling, as necessary, in order to utilize excess parking at the Drescher Campus and other more remote on-campus parking locations that are currently underutilized. Even in this scenario, the Phase I parking supply would accommodate the future parking demands without the SOL parking structure. With a maximum size event of 5,000 guests held at the AEC, the peak parking demand is forecast at 4,597 spaces, which equates to 97% occupancy with 127 excess spaces. As such, the Project's impact related to event parking is considered to be less than significant, however mitigation is included to limit the maximum size event to 5,000 during the peak demand period until a supply of 4,880 parking spaces is achieved.

H. Public Services-Fire Protection

1. Defensibility of the Proposed CLP Project from Wildfires

The Project components would primarily introduce new structures and modify existing ones that would be situated within the currently developed core area of the campus. The various components would constitute infill that would be situated amid existing development within leveled areas of the campus that are already accessible by emergency vehicles, allowing for the use of standard firefighting techniques. Fuel modification and/or brush clearance up to 200 feet on adjacent terrain would also be required by the Los Angeles County Fire Department ("LACFD"). Each of the components of the CLP would be served by an existing water system within the developed portion of the campus that meets County fire flow requirements for the project's structures. Fire-safety measures would be required of all the new development to prevent the accidental occurrence and/or spread of wildfires along the wildland interface of the developed campus.

Given the past history of wildfire prevention at the University and the required implementation of the fire prevention design features and measures discussed above and below, the CLP areas are expected to be defensible from wildfires. As a matter of routine, the University allows the LACFD to review all fire-safety plans. Furthermore, the University has showed a readiness to comply with all LACFD requirements. According to the LACFD, the completion of the CLP would not adversely affect the University's "shelter in place" policy for residents, students, and staff.[7] The Firestone Fieldhouse and the Tyler Campus Center are currently approved as shelter-in-place facilities by the LACFD. Since the proposed AEC would not be a designated shelter-in-place facility, both Firestone Fieldhouse and the Tyler Campus Center would continue to serve in this capacity. Although the CLP develops land uses in an area subject to wildfires, its occupants and/or property would be adequately protected from wildfires, and the potential for wildfire impacts to occupants/structures of the Project would be less than significant.

2. Wildfire Impacts Associated with Increased Human Activity at CLP Site

In general, the potential increase in wildfires in the project area would be minimal as the Project contains certain safeguards that protect against fire hazard. Many factors work to minimize fire and emergency risk including

- the design(s) of the project component site plan(s),
- mandatory compliance with various LACFD fire safety requirements,
- the minimal history of on-campus arson, and
- existing campus emergency management programs.

The CLP does not place new structures immediately adjacent to undeveloped areas containing native vegetation. Where CLP structures would be situated within 200 feet of hillside areas containing native vegetation, the LACFD regulations requiring a minimum 200-foot brush

[7] Letter Correspondence from Chief John R. Todd, Forestry Division. Los Angeles County Fire Department, 2008.

clearance area with fire retardant (native) landscaping would be applied. Wherever new manufactured slopes may be created at any of the internal campus development sites, they would be planted with fire retardant ornamental and/or native vegetation.

Each of the CLP components would be located entirely within private university property. All students, faculty and staff are required to carry identification cards at all times when on campus. Overnight visitors and guests must also notify the University Department of Public Safety ("DPS") prior to entering the campus. Closed-circuit television cameras are also employed by Public Safety officials to provide additional surveillance of residential units, parking lots, and campus entrances. In addition, intrusion alarms are located throughout the University's buildings and would also be installed within new facilities and re-developed structures. Each of these security features reduces the potential for on-campus arson or wildfires. The University's DPS has also indicated that there has been no instance where a wildfire occurring in the Malibu area originated on the Campus.[8]

It is anticipated that the increase in the number of students housed on-campus and visitors to the campus as a result of the completion of the CLP would not substantially increase the possibility of an occurrence of human-caused wildfires. Therefore, the Project would result in a less than significant impact in relation to the potential for an increase in the occurrence of wildfire.

3. Demand for Fire Protection/Emergency Services

The Project component designs would incorporate and meet all fire safety features in accordance with applicable County Fire Safety Code requirements and ordinances pertaining to building construction, site access, proximity to water mains, the adequacy of fire-flows, the use of sprinklers in new construction, and the location of adequate numbers of fire hydrants. In addition, campus fire protection measures would include electronically monitored fire and security alarmed buildings with secure centralized connections to local fire and sheriff stations. Each building would be equipped with stand-alone County-approved security and fire system features. Finally, a County-approved Emergency On-Site Sheltering and/or Evacuation Plan for the CLP components would be integrated with the emergency plans designed for the remainder of the campus. The latter coordinated emergency plans would be in effect, as well as open to LACFD recommended improvements throughout the life of the CLP.

The development plans for the CLP components are required to conform to all applicable County and State Fire Codes. The project components would include fire alarms, fire-walls and dampers, and detector devices in accordance with the State Fire Marshall requirements. Fire truck access, with adequate turning radii for fire equipment has also been incorporated into the project's design. The LACFD will need to review and approve the Project plans with respect to the provision of adequate access (ingress and egress). Completion of the project's potable and reclaimed water system networks, water distribution lines, and compliance with all mitigation measures listed in the Water Availability Section of the Draft EIR (Section 5.10.1), will ensure that the water supply will be sufficient to meet the fire-flow requirements of the CLP. Fire safety

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[8] Personal communication, Robert McKelvy, Deputy Director of Emergency Services for the Department of Public Safety at Pepperdine University. April 15, 2010.

provisions contained within the University's Emergency Preparedness Plan would also be implemented in the case of a natural or man-made fire emergency.

The LACFD would be able to respond to an emergency at the project site within five (5) minutes, which is considered an adequate response time. According to the LACFD, fire protection serving the area appears to be adequate for the existing development; however, each additional development creates greater demands on existing resources. Nevertheless, the project in absence of cumulative impact is not expected to create a need for additional staffing or resources.[9]

Existing staff levels and equipment would adequately accommodate the Project. The project is required to comply with requirements regarding construction, access, water mains, fire flows, and hydrants. The CLP includes measures to provide for adequate water supply and flow. The CLP therefore would generate a demand for typical fire protection services that could be adequately accommodated by existing staff levels, equipment, and/or water supply, and thus, impacts on existing fire protection/emergency services would be considered less than significant.

I. Public Services/Police Protection

1. Short-Term Construction Phase Impacts

Law enforcement impacts during the construction phase of a project are often associated with the potential theft of construction materials/equipment or traffic enforcement for heavy construction vehicles. Such impacts are not anticipated during the construction phases of the Project components because the sites are located within private property that is not easily accessible from public roadways. The University's Public Safety Officers are also expected to reduce demands for law enforcement by the LACSD during the construction phase, by their routine patrolling and specific monitoring of construction areas to guard against unauthorized site entry by all persons. Furthermore, traffic enforcement of heavy construction vehicles is not anticipated as the movement of grading and/or heavy construction vehicles would be confined to the CLP component sites and would not venture off-campus to utilize nearby public streets. As the demand for law enforcement services generated by the CLP during construction could be accommodated by existing LACSD staffing levels, no significant short-term law enforcement impacts are anticipated as a result of construction of the Project components.

J. Public Utilities

1. Potable Water Supply

The current University potable water demand is 191,495 gallons per day ("gpd") and the future demand (i.e. demand following completion of the CLP components) is 212,744 gpd. This annual demand increase is below the anticipated increase in demand projected by LACWWD No. 29 through 2030 and should not adversely impact current planning efforts of LACWWD No. 29 to secure future supply. It is important to note that with the implementation of the CLP, water conservation shall be continued by the University through the continual use of recycled water for

[9] Letter Correspondence with Chief John R. Todd, Forestry Division. Los Angeles County Fire Department, 2008.

irrigation purposes. As discussed above, the conservation program presently employed at the University saves approximately 90.3 million gallons per year of potable water resources. In addition, the University would replace the older Standard and Outer Precinct residential units with modern residential units that incorporate energy and water efficient components (i.e. low water use appliances) that would be Leadership and Energy and Environmental Design (LEED) certified and the proposed AEC would be certified LEED Silver Rating by the United States Green Building Council. Since the projected increase in water demand generated by the CLP is falls within the available and projected water supplies of LACWWD No. 29, impact from potable water use is considered to be less than significant.

2. Recycled Water Supply

The maximum future recycled water demand at the University is 461,984 gpd.[10] Recycled water is available from the Malibu Mesa Wastewater Reclamation Plant ("MMWRP") at an average rate of 152,000 gpd. Additional recycled water is available from the TWRF at a maximum rate of 1.5 million gpd. Availability of recycled water supply exceeds the future demand by approximately 1.19 million gpd. As discussed in Section 5.10.2 Sewage Disposal, the Project is expected to generate approximately 39,914 gallons of sewage per day. As such, the Project would send wastewater to the Tapia Wastewater Reclamation Facility ("TWRF"), which in turn would produce additional recycled water that can be utilized for the Project. As required by the Los Angeles County Drought-Tolerant Landscaping Ordinance, the CLP would incorporate drought-tolerant landscaping in order to help conserve recycled water sources. Thus, the impact to annual demand on recycled water supplies from MMWRP and TWRF is considered less than significant.

3. Potable Water Storage

As shown in the Table below, sufficient storage will exist to accommodate Emergency Storage (one day of Maximum Daily Demand ("MDD")), Operational Storage (30 percent of one day of MDD) and Fire Storage (5000 gpm for 5 hours). The table shows a storage surplus in excess of 2.6 million gallons for the future demand scenario. The surplus is calculated as the total available storage less the total required storage. Thus, it is anticipated that the CLP would have a less than significant impact on potable water storage.

Potable Water Storage Analysis

Scenario	Maximum Day Demand (MDD)	Emergency (1 Day of MDD)	Operational (30% of 1 day of MDD)	Fire (5,000 gpm for 5 hours)	Total Required	Total Available	Surplus
Future Demand	363,792 gpd	0.36 MG	0.11 MG	1.50 MG	1.97 MG	4.6 MG	2.63 MG

[10] Recycled water MDD is found multiplying the peaking factor (1.63) by the average future daily demand (283,426 gpd).

4. **Recycled Water Storage Capacity**

As shown in Table below, sufficient storage will exist to accommodate Emergency Storage (one day of MDD), Operational Storage (30 percent of one day of MDD) and Fire Storage (5000 gpm for 5 hours). The table shows a storage surplus for services in or below the 910 pressure zone in excess of 2.6 million gallons for the future demand scenario. The surplus is calculated as the total available storage less the total required storage. Thus, it is anticipated that the CLP would have a less than significant impact on recycled water storage.

Recycled Water Storage Analysis

Scenario	Maximum Day Demand (MDD)	Emergency (1 Day of MDD)	Operational (30% of 1 day of MDD)	Total Required	Total Available	Surplus
Future Demand	461,984 gpd	0.46 MG	0.14 MG	0.60 MG	3.99 MG	3.39 MG

5. **Pumping Facilities**

a. Potable Water Pumping Capacity

Pepperdine's Marie Canyon pumping station contains two pumps. The smaller pump has a capacity of 1,470 gpm, which can provide 2,116,800 gpd. As shown in **Table below,** sufficient booster pumping capacity exists to accommodate MDD with the largest pump out of service. The table shows a booster-pumping surplus in excess of 1.7 million gpd for the future demand scenario. Thus, a less than significant impact is anticipated.

Potable Water Booster Pumping Analysis Scenario

Scenario	Maximum Day Demand (MDD)	Capacity	Surplus
Future Demand	363,792 gpd	2,116,800 gpd	1,753,008 gpd

b. Recycled Water Pumping Capability

Pepperdine's Meadows pumping station contains four pumps: two with a capacity of 515 gpm and two with a capacity of 575 gpm. With the largest pump out of service the total station capacity is 1,605 gpm. The MDD at the Meadows pumping station is 228 gpm. There is a surplus of 1,377 gpm with the largest pump out of service. Thus, a less than significant impact is anticipated

6. **Fire Flow System Capability**

The Draft EIR conservatively estimated that the University would require a fire flow of 5,000 gpm for five hours. (Note: fire code officials shall determine final fire flow requirements for buildings or portions of buildings and facilities.) It is anticipated that the University would have more than enough potable water storage capacity to accommodate the required fire flow. Further, the Project component designs would incorporate and meet all fire safety features in

accordance with applicable County Fire Safety Code requirements and ordinances pertaining to the adequacy of fire-flows, the use of sprinklers in new construction, and the location of adequate numbers of fire hydrants. All domestic water service meter and fire protection connections shall be equipped with a backflow device to prevent contamination of the public water system. Provided that the project meets fire flow requirements as determined by the LACFD, impacts would be considered less than significant.

7. Wastewater

a. Impacts on Off-Campus MMWRP and TWRF Facilities

The current design capacity of the MMWRP is 200,000 gpd. The University currently is entitled in perpetuity to 165,000 gpd. The current total entitlement for the Malibu campus at TWRF is 153,932 gpd. The projected Malibu campus academic season daily flows are approximately 209,178 gpd with 70,290 gpd sent to the TWRF and 138,888 gpd sent to the MMWRP. Using the total current minimum entitlement of 318,932 gpd for the Malibu campus, the University has approximately 26,112 gpd of excess capacity at MMWRP, more than 83,642 gpd of excess capacity at the TWRF, and a total excess entitlement of more than 109,754 gpd.

Total future academic season wastewater flow ranges between 209,178 gpd and 234,395 gpd, depending on the generation rates used. The total minimum entitlement capacity is 318,932 gpd. Therefore, regardless of the method used, future projected flows fall below the entitled capacity, and entitled capacity is within the limits of total facility capacity. In the event of peak wet weather loading due to storm events at the Malibu Campus a total of 435,090 gpd may be exerted on the WFES. To ensure flow is delivered at the appropriate rate a maximum of 165,000 gpd will be diverted to the MMWRP and the remaining 270,090 gpd will be pumped to the TWRF. As a customer of Las Virgenes Municipal Water District ("LVMWD"), there is sufficient capacity through existing infrastructure to handle a maximum day event under peak loading conditions.

The net increase of the Project's wastewater generation would not exceed any existing entitlements or agreements between Pepperdine University and the LVMWD or the MMWRP. As such, there is a considerable amount of available entitled capacity at the MMWRP and the TWRF even after the implementation of the CLP. Furthermore, the estimated 39,914 gpd of wastewater generated by the Project that would be sent to the TWRF would represent approximately .60 percent of the current 6.6 million gpd of excess capacity at the TWRF. Under the future proposed capacity of 12 million gpd at the TWRF, the Project would represent approximately 1.6 percent of the future 2.5 million gpd of excess capacity. Therefore, the TWRF is anticipated to have adequate capacity (even after reductions to capacity at the plant) to serve the Project. As such, the Project impacts to off-campus wastewater facilities are expected to be less than significant.

8. Solid Waste

a. Construction Period Impacts

Much of the solid waste generated from construction of the Project is recyclable, such as wood and metal scrap and formed construction board (cement and dry wall board). The CLP is

expected to comply with the County's mandatory Construction and Demolition Debris Recycling and Reuse Program. As part of the Student Housing Rehabilitation, the six existing student-housing buildings within the Outer Precinct would be demolished. Three of the buildings would be demolished in the first phase of the CLP and three in the second. Demolition is expected to produce up to 200 tons of construction debris per building, for a total of 1,200 tons. It is expected that at least 80 percent of the demolition debris, or 960 tons would be diverted from landfills through recycling efforts, and 240 tons would be disposed at a landfill. Demolition during each phase (three buildings) could create up to 120 tons. If all 120 tons were disposed of at an area landfill on one given day, the amount would be well within the daily limits and capacity. The 80 percent diversion estimate is based on recent campus demolition/construction projects where the University's Construction and Campus Planning department cites an 80% diversion rate, including the current Elkins Project, which concluded in August 2009. In addition, construction at the Town Square is expected to produce up to 105,000 tons (70,000 cubic yards) of soil. The soils would first be used on campus as fill as needed; however, should it be determined to contain excess aggregate, rendering it unsuitable for fill, the soils would be hauled to a construction aggregate mining and/or processing facility for processing. Since construction aggregate material is considered a high value commodity locally, it is expected that this construction component would not require landfill capacity for disposal. Minimum quantities of waste would be generated by construction workers at the site, which is mostly food related (food scraps and various food packaging materials). Given the excess in permitted daily capacity at the Sunshine Canyon, Calabasas, and Chiquita landfills, construction waste from the CLP that cannot be recycled is not expected to exceed the capacity of the landfills. Therefore, the CLP is not expected to result in significant construction related solid waste impacts.

K. Land Use

1. Land Use Compatibility

a. Onsite

The CLP is made up of six components within the existing core campus. The CLP consists of proposed improvements involving athletic and residential facilities, parking structures, and other facilities situated within the already-developed campus core. The proposed athletic, recreational, student housing, and support facilities would continue the types, mix, density, intensity, massing, and organization of uses that have historically been established as part of the developed University. In addition, the CLP would not substantially alter the existing arrangement of land uses on campus in a way that would introduce on-site compatibility impacts among internal uses. As a consequence, the project would result in a less than significant impact to on-site land uses.

b. Adjacent Land Uses

With the exception of the single-family residences comprising the MCE, all other off-site residential, commercial, public uses, parklands and open spaces are separated from the CLP components by a substantial distance. The Project components are infill projects located within the interior of the developed campus among existing campus structures and facilities and will not introduce any new uses to the University. Construction of the Project would upgrade existing

student housing, athletic and recreation fields, and parking facilities. In addition, the proposed AEC would relocate events to a more interior campus location, which is farther away from MCE, as compared to the Firestone Fieldhouse venue. Implementation of the proposed improvements would increase the density of student housing, event visitors, and parking spaces. The CLP provides additional residential housing (i.e., 468 additional beds) without increasing enrollment, thereby eliminating the daily commutes of approximately 468 students. Under typical operation, the CLP would eliminate 744 daily trips from local roadways. This reduction of daily trips would result in a reduction of existing University traffic, along with its associated noise and air emissions. Other air, noise, and traffic impacts associated with events and stationary sources on the adjacent MCE are anticipated to be less than significant in these findings. In addition, off-site lighting impacts are also anticipated to be less than significant (*see* Draft EIR Section 5.7]. Consequently, the Project would not result in a significant land use compatibility impact with respect to adjacent land uses.

2. **Consistency with Governing Plans, Policies, and Ordinances**

a. County of Los Angeles General Plan

The County's General Plan land use designation for the Project site is (P) Public/Semi-Public. This designation allows for "major existing and proposed public and semi-public uses, including airports and other major transportation facilities, solid and liquid waste disposal sites, utilities, public buildings, public and private educational institutions, religious institutions, hospitals, detention facilities and fairgrounds." The CLP's proposed uses (i.e., parking, athletic, recreational, housing, and other facilities for a private education institution) are permitted by the County's General Plan (P) Public/Semi-Public land use designation. As outlined in detail in Draft EIR Table 5.11-1, the CLP would be consistent with all applicable General Plan policies. As such, project impacts are considered to be less than significant.

b. County of Los Angeles Malibu Local Coastal Program Land Use Plan

Regarding the County of Los Angeles Malibu Local Coastal Program Land Use Plan (County Malibu Land Use Plan), the only area of potential conflict involves the General Goals and Policies, namely Policy 138b, which states that "Buildings located outside of the Malibu Civic Center shall not exceed three (3) stories in height, or 35 feet above the existing grade, whichever is less."

The County Board of Supervisors approved and Coastal Commission adopted Long Range Development Plan/Specific Plan for Development authorizes heights greater than 35 feet on the Pepperdine campus, ranging from 40 feet to 80 feet in height for specific approved buildings and a theme tower 125 feet in height.

DEIR Table 5.11-2 identifies applicable County of Los Angeles Malibu Local Coastal Program Land Use Plan policies and assesses the project's consistency with each, and as discussed in detail in DEIR Table 5.11-2, the CLP would be consistent with all applicable County Malibu Land Use Plan policies. As such, project impacts are considered to be less than significant.

c. Los Angeles County Zoning Code

The CLP's proposed uses (i.e., parking, athletic, recreational, housing, and other facilities) are permitted by the County Zoning Code designation of A-1-1-DP. Under the Development Program Zone ("DPZ") designation, the Project will be submitted to the County for a CUP in consideration of environmental analyses regarding traffic, sewage, views, public infrastructure costs, alternatives and other subjects that are contained in this EIR. The County will also consider consistency with the conceptual long-term development plans of the University as set forth in the University Specific Plan for Development (1982-1997) and as approved through the DPZ. The CLP components include uses and densities that fit within the University's long-term development plans as previously conceptually approved by the County. The Project, with 37.9 acres and 394,137 net new square feet of facilities, covers fewer acres and includes fewer facilities than approved under the DPZ, which currently allows approximately 745,000 square feet of structures that have never fully been realized. Consequently, the Project would be consistent with the County's Zoning Code.

d. California Coastal Commission Long Range Development Plan ("LRDP")

The 1990 approved LRDP includes the Specific Plan for Development ("SPD") which includes numerous facilities and approximately 1.2 million square feet of new University development and support facilities for up to 5,000 FTE students. Only a portion of the approved facilities have been constructed, leaving approximately 770,000 square feet of approved LRDP development that has not been realized within the campus.

The Project includes infill academic, athletic, parking and support facilities that are contemplated within the LRDP/SPD and include a total infill development of 394,137 net new square feet, which is significantly below the approximately 770,000 square feet of remaining development approved in the LRDP/SPD. Any modifications to the LRDP/SPD to update facilities to reflect exact CLP locations and size will be processed by the Coastal Commission, but the types of uses and level of development were contemplated by the LRDP/SPD. The University is requesting an amendment to the LRDP/SPD to address only the specific adjustments that will be required to implement the CLP; as such, no significant impacts would result. The amendment consists of the following:

- Certain buildings have been consolidated and relocated to the interior of the campus to minimize impacts and provide an efficient design.
- In a few instances, heights have been adjusted to accommodate the as-designed building heights and architectural elements of the CLP components.
- The specific configuration and uses of a few facilities have been altered slightly to provide for more efficient uses.
- Parking has been consolidated where possible.
- Where components require incremental additional square footage above that included for a certain building in the LRDP/SPD, surplus unused density available under other LRDP/SPD facilities will be reallocated to the CLP component to account for the deficit.

The proposed allocation of certain LRDP/SPD facilities to the CLP would also relocate the approved land uses associated with those facilities to the CLP component areas.

Detailed consideration of the consistency of the Project development with applicable policies contained in the University LRDP/SPD is contained in Draft EIR Table 5.11-4. As explained that Table, the CLP would be substantially consistent with all applicable LRDP/SPD policies, and therefore no significant policy consistency impacts would result.

e. Southern California Association of Governments ("SCAG") Regional Polices

The Campus is located within the Las Virgenes subregion of the six-county Southern California Association of Governments (SCAG) region. SCAG is a "joint powers agency" with responsibility relative to regional issues that cross jurisdictional boundaries. The SCAG region encompasses a population exceeding 18 million persons in an area of more than 38,000 square miles.[11] The six neighboring counties that comprise the SCAG region include: Orange, Riverside, Ventura, Los Angeles, San Bernardino, and Imperial counties. In 2009, SCAG's Community, Economic, and Human Development ("CEHD") Committee and Regional Council took action to accept the 2008 Regional Comprehensive Plan ("RCP"), which shall serve as the advisory document for local governments in the SCAG region.[12] The RCP is a major advisory plan prepared by SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The 2008 RCP serves as a voluntary advisory document to local agencies within the Southern California region for use in preparing local plans and/or addressing local issues of regional significance. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in a method that is both integrated and comprehensive. It is important to note that the 2008 RCP, although accepted by the CEHD Committee and the Regional Council, has not been formally adopted. Because of its advisory nature, the RCP is not utilized in SCAG's Inter-Governmental Review ("IGR") process.[13]As such, the Regional Council directs government staff to not use the 2008 RCP for consistency reviews of regionally significant projects. In the interim, the SCAG website offers a table of regional policies that lead agencies can utilize to demonstrate a project's consistency with SCAG policies.[14]

Detailed consideration of the consistency of the Project development with applicable SCAG Policies is contained in Draft EIR Section 5.10 and demonstrates that the CLP is consistent and supportive of SCAG polices.

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[11] Southern California Association of Governments, "About Us," accessed on July 27, 2009 from: http://www.scag.ca.gov/about.htm.

[12] The 2008 Regional Comprehensive Plan shall replace the 1996 Regional Comprehensive Plan and Guide ("RCPG"). In the interim, SCAG recommends a review of regional policies contained on their website at http://www.scag.ca.gov/index.htm.

[13] E-mail communication with Jennifer Brost Samecki, Senior Regional Planner, SCAG, June 25, 2009.

[14] *Id.*

L. Global Climate Change Impacts

The University currently features a wide range of sustainable elements that reduce greenhouse gas emissions. While not likely to be an individually substantial source of greenhouse gas emissions, emissions from the Project would combine with emissions from throughout the Earth to cumulatively contribute to global climate change. To address global climate change impacts, California has set goals of returning to 1990 greenhouse gas emission levels which, for California, and for a project such as the CLP, means 29 percent below "business as usual" in 2020. Project design features incorporated in the project would reduce its contribution to greenhouse gas emissions by 31% percent below "business as usual" emissions. As such, the project would implement its fair share of the State's program designed to mitigate cumulative global climate change impacts. Details on how the CLP would achieve the reductions over "business as usual" are contained in Section 5.12 of the Draft EIR. The Table below provides a summary of the CLP Greenhouse Emissions.

Comparison of CLP Greenhouse Gas Emissions

Comparison of CLP Greenhouse Gas Emissions

Emissions Source	Annual Carbon Dioxide Equivalent Emissions (metric tons CO_2e)			Percent Reduction
	Business as Usual	"As Proposed"	Net Change	
Construction Emissions				
Annualized Construction	219.3	219.3	0.00	0%
Direct GHG Emission Sources				
Motor Vehicles (University Owned)	34.53	34.53	0.00	0%
Natural Gas	587.06	587.06	0.00	0%
Indirect GHG Emission Sources				
Electricity	1,988.83	1,341.75	-647.08	-33%
Water/Wastewater	76.87	36.42	-40.45	-53%
Solid Waste	232.16	139.30	-92.87	-40%
Motor Vehicles (Students, Staff, Visitors)	-638.74	-638.74	0.00	0%
Total	**2,500.02**	**1,719.62**	**780.40**	**-31%**

Therefore, in accordance with CEQA Guidelines section 15130(a)(3), the Project's contribution to global climate change impacts is considered to be less than significant.

VIII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION, WHERE MITIGATION NONETHELESS PROVIDED TO FURTHER REDUCE IMPACTS

The following effects associated with the Project were analyzed in the EIR and found not to be significant prior to mitigation. Nonetheless, mitigation measures have been incorporated to further reduce these effects for water quality, visual resources and aesthetics qualities, and traffic and access.

A. Water Quality

1. Hydrology and Site Drainage

a. Marie Canyon Debris Basin Relocation

The existing Marie Canyon Debris Basin receives runoff from approximately 165 acres of natural land. During a capital storm event (50-year), the facility is estimated to intercept approximately 8,780 cubic yards of debris from entering the storm drain located within Huntsinger Circle based on the A.C. Martin report and the independent analysis performed herein.

In general, the proposed basin will remain in the area but re-located upstream approximately 400 feet. The proposed inlet pipe will require 110 lineal feet of storm drain pipe to be removed and increased in size to accommodate the outflow condition requirements. The CLP will replace the debris basin in a manner that ensures that the hydraulic regime, debris interception and overall stability of the area remain essentially the same or improved from the current condition.

The hydraulic regime of the detention basin will remain essentially the same as the current condition. The proposed detention system will be designed to detain and attenuate the existing 50 year frequency flowrates of 263 cfs and intercept 8,780 cubic yards. SEC Civil Engineering has prepared plans and calculations that demonstrate that the debris basin is capable of intercepting 9,100 cubic yard of debris storage. The design also provides a total of 32,000 cubic yards of storage capacity in a full condition at the top of the levee. In addition, in the event of catastrophic event, the recreation field provides a storage capacity of 91,000 cubic yards assuming a 5 percent debris cone. However, the presence of a large landslide complex along the western slope potentially could destroy the debris basin.

Stoney-Miller (2010) analyzed the potential for the reactivation of the western basin during a period of intense rainfall, such that the western slope would fail, to evaluate the potential impacts. The existing western slope is approximately 150 feet in height, and utilizing the standard of practice for these types of large complexes, we would generally anticipate that the run-out would be one-half the slope height. The net result would be a translation of approximately 75 feet, which would reduce the basin width. SEC has proposed to relocate the outlet structure to the east and raise the elevation from 8 to 10 feet in height. This improvement reduces the potential adverse impacts and more likely than not allows the system to remain functioning in the event of a failure.

Given the nature and understanding of the geologic conditions at the site, in the unlikely event that the landslide is mobilized, it is more likely than not that the slide activation would not occur simultaneously with the peak runoffs. The nature and disposition of the landslides in the area tend to be slow-moving slides that occur as a result of high groundwater, pore pressure build up several weeks to several months after high intensity, long duration rainfall. Therefore, it is highly likely that sufficient lead time will occur to allow for proper maintenance.

In the event that the debris basin is significantly impaired or destroyed, removal of debris could be impossible or not feasible. The removal of slide debris could continue to destabilize the

upper slopes, and therefore, it would be necessary to leave the debris in place. In such a condition, the following measures could be implemented: First, a retention structure could be installed at the southern location of the basin to the required heights to satisfy the basin capacity requirements. Second, the storm drain system could be relocated to a higher elevation and lower elevation to accommodate flow intercept. Third, the basin side slopes could then be stabilized and concrete lined to meet County requirements.

The overall flowrates will remain generally the same; therefore, the downstream facilities system will not be surcharged and will not require upgrading or improving. During final design, it will be necessary for the design to ensure that the basin shape, depth and general geometry be designed to ensure that the inlet provide similar hydraulic characteristics to ensure that the downstream facilities are not be adversely impacted or surcharged. This will be accommodated by providing hydraulic modeling during final design to verify these conclusions.

Since the basin will be replaced in a manner that provides for similar hydraulic conditions and flow regimes, and the inlet pipe will satisfy all County requirements, the impact is designed to be less than significant.

Since the basin has performed well over the past, the size is increasing and the estimated storage requirements (see Draft EIR Appendix C) have been calculated to be more than adequate, the impact is considered less than significant. Although the proposed basin will be designed in such a manner in conjunction with the surrounding improvements that the impact is deemed to be less than significant, the following mitigation measure shall be implemented to further reduce potential impacts for Component 5, implementation of potential mitigation alternatives are recommended.

(1) Mitigation Measures

See Mitigation Monitoring Report Program ("MMRP") MM-5.2-10, MM-5.2-11 for applicable mitigation measures.

2. **Groundwater**

a. Groundwater Elevation and Gradient Impacts

It is anticipated that the relatively small impacts to groundwater recharge resulting from CLP construction will have a negligible effect on groundwater elevation and gradient.

Sub-drains installed around the subterranean structure planned at Component 4 may potentially remove a large amount of water (up to 80 AF per year) from the subsurface in that location. If this occurs, it would likely impact down-gradient water levels, gradient, and flow rates. However, these estimates are based on short-term monitoring of flow from a near-surface fracture encountered during geotechnical investigations. Because the fracture was encountered above the regional water table, the water flow observed is likely emanating from a localized fracture system. If the foregoing is the case, it would be unlikely that water would flow at such a rate for long periods of time on a regular basis. Down-gradient areas include the Meadows and areas south and east of the campus. A decline in water levels and or gradient in these areas would result in a decrease of groundwater movement from beneath campus toward South Winter Mesa and the vacant property east of Pepperdine. There are no adverse effects of a decrease in

migration of groundwater in these directions, as groundwater in the areas is not used for private or public water supply. Therefore, impacts associated with groundwater elevation and gradient are considered less than significant. Nevertheless, Mitigation Measure 5.2-12 is recommended as a precautionary measure for the University to monitor the seep and to develop a contingency plan to dispose of up to 80 AF per year of water.

(1) Mitigation Measures

See MMRP MM5.2-12 for applicable mitigation measure.

B. Visual Resources and Aesthetic Qualities

1. Light and Glare

a. Contrast

Brightness contrasts in excess of 30:1 constitute high contrast or glare that would result in a potentially significant impact.

The CLP components result in decreased contrast, and glare when compared to existing conditions at all but one of the studied Receptor Sites. Of the fifteen Receptor Sites, only two showed contrasts in excess of 30:1, despite the fact that each represents a relative improvement over existing conditions. Receptor Site B received a calculated contrast ratio of 41.8:1 and Receptor Site M received a calculated contrast ratio of 32.6:1, both above the threshold of 30:1. The future contrast ratio at Receptor Site B represents an improvement from the existing measured contrast ratio of 90.9:1. At Receptor Site M, the existing condition calculated contrast level of 36.9:1, such that the calculated future ratio of 32.6:1 would represent a relative decrease.

The high contrast ratios at Sites B and M result from elevated luminance levels predicted to occur at Component Site 3. The lighting for Component 3 is being proposed in connection with the requirements of the NCAA, which provides standards for nationally broadcast sporting events.

As part of the CLP, the NCAA-required levels of lighting proposed for Component Site 3 (upon which the future conditions lighting analysis was conducted) would only be employed when sports games played at the component site would be broadcast on national or regional television. The existing soccer program hosts approximately 10 games per year. Considering the infrequency that collegiate soccer games are televised, it would be a rare occurrence for the site to require the full maintained illuminance level (100 fc) of the athletic field lighting. During the majority of the time, when the field is devoted to ordinary intercollegiate play and practices, the site would not require the full luminance power of the athletic field lighting and light impacts would be below the threshold of significance for Receptor Sites B and M. During these times of normal operations, the contrast ratio for Receptor Site B falls below the threshold level (of 30:1) to a level of 28.1:1 and the ratio at Receptor Site M is 26.1:1, below the threshold of 30:1. Thus, the reduced maintained illuminance level of 50 fc is proposed for the athletic field at Component Site 3 at all times when televised broadcast light levels are not required.

Mitigation measures will require certain directional lighting methods at Component 3, such as shielding and cut-off type light fixtures to minimize glare and incidental upward directed lighting effects that will substantially reduce the potential for lighting impacts.

The Project would result in reduced contrast ratios at nearly all Receptor Sites; however, at Receptor Sites B and M, contrast ratios would still exceed the threshold of 30:1 when powered to a maintained illuminance level of 100 fc. As indicated above, this level is only required for games that are to be nationally or regionally broadcast. Because this is likely to be an infrequent occurrence (likely less than 10 nights, the great majority of the time the lights are in use they will be operating at the lower maintained illuminance level of 50 fc. Because the contrast ratios at these locations are below existing conditions, impacts are considered to be less than significant however, because they would exceed a 30:1 contrast ratio, mitigation is provided. Implementation of mitigation measures will reduce contrast at Receptor Sites B and M to below the measurements used to establish the threshold.

In summary, the Project is not expected to result in significant impacts related to visual character, quality, or compatibility. However, the following measures are recommended to further reduce impacts (note some mitigation measures listed below may reduce impacts on the visual resources and aesthetic qualities determined not be significant and summarized in Draft EIR Section 5.7.

(1) Mitigation Measures

See MMRP MM5.7.1-1, MM5.7.1-2, MM5.7.1-3, MM5.7.1-4, MM5.7.1-5, for applicable mitigation measures.

C. Traffic and Access

1. Traffic Congestion

As proposed, the CLP at the conclusion of Phases I and II would reduce traffic entering/leaving the campus and therefore generate a beneficial impact to the surrounding intersections identified for analysis. Reduced traffic is achieved because the CLP includes 468 new student beds and no increase in student enrollment. This would result in an increase in the number of students living on-campus and a corresponding decrease in the number of students living off campus, thus reducing student commute trips. The CLP intends to fulfill the University's strategic student housing plan that aims to provide housing for 75% of the Seaver College student body and create a housing model that will encourage non-freshman students to reside on campus. The CLP also intends to enhance the campus life experience of its students and community by providing new and upgraded athletic, recreation, wellness, support programs, etc., which will reduce the need for students and staff to travel off campus to meet such needs and interests. However, the reduction in daily and peak hour traffic in Phase I is predicated on the assumption that the proposed construction schedule presented in Section 3.0 would be followed thereby constructing new student housing prior to the occupancy of the AEC. In order to maintain the conclusion of a reduction in daily and peak hour traffic, the project must maintain a minimum of 100 net new beds. The Draft EIR ensures this by requiring mitigation for Phase I.

(1) Mitigation Measures

See MMRP MM5.8.1 for applicable mitigation measure.

IX. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

A. Geology and Soils (Slope Stability-Geological Formations and Artificial Fill Materials)

1. Description of Significant Effects

Slope stability concerns (both gross and surficial) can be for; (a) natural and man-made slopes, (b) geologic and artificial fill materials, and (c) temporary and permanent slope configurations. Component 5 (Enhanced Recreation Area) affects natural and man-made slopes in prevailing geologic formations and fill materials, resulting in both temporary and permanent new slope conditions. SMCI (2009) analyses indicate that the stability of certain ancient landslide deposits would not be degraded (made worse) by the proposed grading. However, the remedial grading leaves each of the landslide masses with an overall static factor-of-safety that would remain less than the recommended 1.5 standard that is applied for structural and life-safety considerations. These areas of the development are within designated Restricted Use Areas where no permanent buildings would be allowed. Special accommodations are made for the work site stability of temporary slopes (e.g., adherence to prescribed slope angles and in-grading inspections).

All other CLP components, particularly Components 1, 3, and 6, have lesser slope stability concerns for man-made slopes in geologic and artificial fill materials in both temporary and permanent slope configurations. Subterranean parking structures at Components 2 and 4 would have temporary cut slopes in Sespe Formation bedrock and artificial fill. Accommodations are made for temporary slopes (e.g., prescribed slope angles and in-grading inspections) and permanent slopes (e.g., slope angles and retaining structures). All potential slope stability impacts are considered to be potentially significant.

Proposed remedial grading activities associated with the Component 1 - Standard Precinct and Component 6 – School of Law Parking Structure have not been evaluated based on recent geotechnical studies. While it is feasible for potential slope stability impacts to be mitigated and reduced to less than significant by implementing remedial measures outlined generally in the older geotechnical reports, it is possible that additional investigation and analysis will be necessary in order to provide sufficient data for review and approval by the County of Los Angeles; therefore at these two components there would be significant adverse impact that can be mitigated to less than significant.

2. Mitigation Measures

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to slope stability, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

The proposed remedial grading methods are likely to preserve the existing landslide factors-of-safety. Also, grading for the northeast cut slopes would be in Sespe Formation bedrock with in-to-slope bedding with a grossly stable configuration. While the proposed grading may be adequate for the non-structural application (i.e., the Enhanced Recreation Area and debris basin), such a determination about the adequacy of the proposed design would be based on a detailed review by the County of Los Angeles prior to approval and implementation. EIR mitigation measures will ensure this review and approval prior to implementation.

Further, the EIR requires extensive mitigation measures to address potentially significant impacts relative to slope stability. In conjunction with the implementation of remedial measures outlined in the geotechnical reports approved by the County of Los Angeles governing slope stability, any potential effects related to slope stability should be reduced to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on slope stability, please see Section 5.1 of the Draft EIR.

B. Geology and Soils (Shallow Groundwater)

1. **Description of Significant Effects**

Geotechnical investigations for Components 1, 2, 3, 4, and 5 encountered light to heavy seepage during geotechnical drilling, and measured "groundwater" in borings within hours of completion. None of the geotechnical borings were utilized as on-going monitoring to determine the consistency of water levels within the CLP area. Shallow groundwater in the CLP area is considered a nuisance with no beneficial use. These geotechnical reports indicate that the water is primarily "perched" water (i.e., small accumulations of water impeded by layers of artificial fill or overlying impervious geologic materials) or is water seepage along identified fault contacts or shear zones. Seasonal rainfall fluctuations would be expected to contribute to additional perched water conditions in localized areas. The presence of these relatively limited volumes of shallow groundwater is considered to be a potentially significant impact.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to shallow groundwater, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

All potentially significant impacts relative to shallow groundwater would be less than significant with implementation of the mitigation measures referenced above. By ensuring compliance with the implementation of remedial measures outlined in the geotechnical reports approved by the County of Los Angeles governing shallow groundwater, the mitigation measures would reduce any potential effects related to shallow groundwater to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on shallow groundwater, please see Section 5.1 of the Draft EIR.

C. Geology and Soils (Earthquake Activity)

1. **Description of Significant Effects**

The CLP area is susceptible to ground shaking from numerous faults in the region; this is not unlike most other sites in southern California. As seen in the Northridge earthquake, strong groundshaking near the earthquake epicenter can lead to severe property damage and injuries. It appears that proper consideration of the probable earthquake shaking values, proper application of the California Building Code regulations to the seismic design, proper implementation of the design specifications during construction, and proper inspection can minimize the potential for: (1) the collapse of buildings; and (2) the failure of proposed fill slopes, buttressed cut/fill slopes, retaining walls, and landslides abutting Component 5 (Enhanced Recreation Area). However, damage, injury, and slope failures may still occur potentially affecting both CLP and adjacent locations. This potential for seismically induced slope instability is a significant adverse impact that can be mitigated to less than significant levels.

Faults crossing the CLP have been classified as inactive based on previous campus investigations conducted before extensive grading and development covered geologic formation outcrops. The component-specific geotechnical reports have relied on these previous studies and have not analyzed the mapped faults as to activity levels or more precise locations.

Liquefaction can cause substantial local settlement where liquefiable substrates are overlain by heavy loads. Lateral spread landslides are possible on shallow slopes.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to earthquake activity, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Fault Lines

The totality of previous studies suggest the faults are not active and should pose no fault rupture hazard. If future studies were to determine that fault setbacks or design accommodations are required, the County would review and recommend the appropriate course of action. Therefore, potential for seismically induced fault rupture is a significant adverse impact that can be mitigated to less than significant levels.

Liquification

Based on the data reviewed, the potential liquefaction of natural deposits is considered minimal to non-existent. Proper drainage in thick artificial fill masses would be maintained, therefore hydrostatic pressures should not build up to cause local settlements or slope failures due to saturation of fill materials. Because subdrains are proposed by the CLP, this would be a significant adverse impact that can be mitigated to less than significant levels.

Summary

All potentially significant impacts relative to earthquake activity would be less than significant with implementation of the mitigation measures referenced above. By following mitigation measures, ensuring compliance with the implementation of remedial measures outlined in the geotechnical reports approved by the County of Los Angeles governing earthquake activity, and the geotechnical make up of the site, any potential effects related to earthquake activities will be less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on earthquake activity, please see Section 5.1 of the Draft EIR.

D. Geology and Soils (Flooding Attributable to Dam/Levee Failure)

1. **Description of Significant Effects**

Small, localized flooding may occur immediately adjacent to, and downstream of small water reservoirs or dams. A 1.6 million gallon potable water tank and a 100,000 gallon reclaimed water tank are located within the GCP area approximately 2,000 feet west of the CLP area at higher elevations. Water from the 3 million-gallon water tank northeast of the CLP would flow to the east away from the CLP. The modified debris basin north of Component 5 (Enhanced

Recreation Area) is proposed to detain storm water, sediment, and debris. Debris dam failure is considered to be a potentially significant impact.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to flooding attributable to dam/levee failure, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Debris dam failure is considered to be a potentially significant impact, which can be mitigated to less than significant levels through proper design methods, earthwork construction, and inspection. By ensuring such proper design methods, earthwork construction, and inspection governing earthquake activity, the mitigation measures would reduce any potential effects related to flooding attributable to dam/levee failure to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on flooding attributable to dam/levee failure, please see Section 5.1 of the Draft EIR.

E. Geology and Soils (Geotechnical Impacts)

1. **Description of Significant Effects**

When man-made structures are built over areas that may experience consolidation of over an inch or so, severe damage can occur. Due to the thick fill masses placed in the CLP areas in the 1970s and 1980s, and the presence of consolidation-prone alluvium and landslide deposits, the potential exists for some fill settlement particularly where more fill is placed over the old fill or where heavy building loads are applied. Differential settlement could potentially occur across transitions between soils or bedrock of differing densities and bearing capacities, as a result of the presence of ridges and ravines onsite and proposed grading. Under dynamic conditions, this potential would increase near cut and fill contacts where the differential movement can be several inches if fill materials were compacted to 90 percent.

Settlement analyses were conducted to determine the total potential settlement of thicker fills and fills over landslide deposits. This is most critical for the chiller tank structure located within Component 5, since it will be located over several tens of feet of older artificial fill.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to geotechnical impacts, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

SMCI (2009) has provided recommendations for remediating soils issues at Component 5. Based on the reports reviewed, or that would be prepared and reviewed by the County of Los Angeles, settlement and consolidation-related impacts are considered potentially significant but mitigable to less than significant levels. The mitigation measures outlined referenced above ensure these steps are taken such that any potential significant impacts will be mitigated.

5. **Reference**

For a complete discussion of Project impacts on geotechnical impacts, please see Section 5.1 of the Draft EIR.

F. Geology and Soils (Erosion)

1. **Description of Significant Effects**

During wet winters, concentrated surface water flow can, over time, cause rilling and possible washouts of substantial slope areas whether composed of natural soils or artificial fill. Onsite soils are subject to high to very high rates of erosion and proposed grading would expose additional soils to erosive processes. In particular, the proposed grading plan would result in fill slopes of ratios of 2:1, which could be subject to accelerated processes of wind and water erosion during and immediately following construction.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to erosion, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Potentially significant impacts relative to erosion are impacted by the Project's grading. The mitigation measures are designed to avoid these potential significant effects by addressing slope ratios and resulting accelerated processes of wind and water erosion during and immediately following construction, ensuring that any potential significant impacts will be less than significant.

5. **Reference**

For a complete discussion of Project impacts on erosion, please see Section 5.1 of the Draft EIR.

G. Water Quality (Off-Site Drainage Facilities)

1. **Description of Significant Effects**

The on-site modifications proposed for the project would consist of altering the existing drainage and ground surface areas. The sum of the Project components and associated improvements would locally alter drainage patterns and result in an increase in the overall amount of impervious surfaces by approximately 3.81 acres. An increase in the impervious surface area can have a significant impact on the hydrologic characteristics of a site. An increase in the impervious surface can result in a faster Time of Concentration ("TC") resulting in higher volume of runoff and higher peak flows. This has the potential to impact local and downstream drainage facilities.

The hydraulic analysis of the Project indicates that the peak flow rate will be increased from 1,190 cfs for the existing condition to 1,250 cfs for the proposed improvements. In general, no significant increase in runoff should be allowed to extend offsite, which may potentially impact offsite property or change the drainage regime. An increase in overall storm water runoff would be considered a potentially significant impact to downstream facilities. Two impacts have been identified in this analysis:

The first impact is nominal increase on the proposed flowrates as a result of the increase in impervious surface. The downstream arch structure at PCH has a capacity of 2,300 cfs based on the A. C. Martin report and the analysis herein. This value was used as a baseline value and no net increase is considered acceptable. Therefore, a detention facility or series of detention facilities that are equivalent to 18,000 cubic feet will be required in the final design to ensure that no net increase in flowrates occurs.

The second impact is a result of the increase in impervious surfaces as a result of the proposed buildings and sidewalks. Mitigation measures have been provided that will reduce these impacts to acceptable levels. This will be accomplished by re-directing flows to proposed swales, catch basins and pipes. This method results in longer flow paths, lower flow velocities and an overall reduction in peak flowrates.

2. **Mitigation Measures**

See MMRP MM5.1-2 – 5.1-11 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to off-site drainage facilities, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Mitigation measures have been provided that will reduce impacts to acceptable levels. This will be accomplished by requiring the re-directing flows to proposed swales, catch basins and pipes. This method results in longer flow paths, lower flow velocities and an overall reduction in peak flowrates reducing impacts to less than significant levels. Mitigation measures requiring managers and monitoring further ensures reduction of impacts to less than significant levels for the life of the CLP.

5. **Reference**

For a complete discussion of Project impacts on off-site drainage facilities please see Section 5.2 of the Draft EIR.

H. Water Quality (Erosion and Siltation)

1. **Description of Significant Effects**

Storm water runoff caused by construction activities or in natural/improved channels can result in erosion and siltation. In addition, increases in runoff have the potential to 1) increase flow velocities and 2) increase sedimentation and pollution transportation capacity. Based on geotechnical analysis and observations of onsite characteristics, the soils exhibit a moderate to high erosive potential in areas of concentrated flow. The potential increase in stormwater runoff could potentially increase the ability of off-site flows to erode and/or silt up downstream channels or outlet areas. The increase in overall stormwater runoff is considered a potentially significant impact (Class II).

2. **Mitigation Measures**

See MMRP MM5.2-1, MM5.2-2, MM5.2-3, MM5.2-6, and MM5.2-9 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to erosion and siltation, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

The mitigation alternatives listed in mitigation measures above would reduce impacts to less than significant levels through mandatory plans, best management practices, and monitoring that address surface water quality from erosion and siltation.

5. **Reference**

For a complete discussion of Project impacts on erosion and siltation please see Section 5.2 of the Draft EIR.

I. Water Quality (Impacts of the Reduction of Pervious Surfaces)

1. Description of Significant Effects

Implementation of the CLP would result in a reduction in the total amount of pervious surfaces currently located within the project site. The reduction in pervious surfaces would result in an increase in pollutant parameters over the existing conditions. Once constructed, the CLP would contribute to the degradation of existing surface water quality conditions, primarily due to the following:

- Street-generated pollutants (.e.g., oil and grease, tire wear, etc.);
- Fertilizers and pesticides associated with landscaping maintenance; and
- Particulate matter from dirt and dust generated onsite.

Pollutant loadings for all nine identified pollutant parameters would increase. However, because of the type of development and based on comparisons to similar developments, the original pollutant parameter concentrations are anticipated to be low, and the incremental increases are anticipated to remain below the minimum standards of RWQCB with the exception of oil and grease (State of California, State Water Resources Control Board, 1990). If these increases in oil and grease were allowed to reach the unlined portion of Marie Canyon or the Santa Monica Bay, there would be a potentially significant impact to these receiving waters.

2. Mitigation Measures

See MMRP MM5.2-6 for the applicable mitigation measure.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of the reduction of pervious surfaces, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

While implementation of the CLP has the potential to produce significant water quality impacts by reducing pervious surfaces, due to all attendant regulatory controls, design features and mitigation measures that require division of storm flows to grass swales, landscape planters, and underground detention basins, it is not anticipated to generate significant impacts to water quality to downstream resources.

5. Reference

For a complete discussion of Project impacts on impacts of the reduction of pervious surfaces please see Section 5.2 of the Draft EIR.

J. Water Quality (Construction Storm Water Pollution Potential)

1. Description of Significant Effects

During construction and grading operations of the CLP, there would be a greater potential for sediment production. The soils located within the CLP site have been identified to exhibit moderate to high erosive potential. As such, grading activities associated with the construction period are anticipated to temporarily increase the amount of suspended solids from surface flows derived from the CLP site during a concurrent storm event due to sheet erosion of exposed soil. Additionally, onsite dust control watering activities are also anticipated to contribute marginally to increased sediment loading of surface runoff during dry weather conditions. Project construction activities are also anticipated to result in marginal contributions to surface water flows from wood and other construction related debris and petroleum hydrocarbons from machinery. These potential contributions are considered small and can be mitigated to less than significant with appropriately designed BMPs outline in Mitigation Measures 5.2-1 through 5.2-3, and 5.2-9.

2. Mitigation Measures

See MMRP MM5.2-1, MM5.2-2, MM5.2-3, and MM5.2-9 for applicable mitigation measures.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction storm water pollution potential, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

All potentially significant impacts relative to construction storm water pollution potential would be less than significant with implementation of the mitigation measures outlined above. By ensuring development of appropriately designed BMPs and installing oversight for their implementation, the mitigation measures would reduce any potential effects related to construction storm water pollution potential to less than significant levels.

5. Reference

For a complete discussion of Project impacts on construction storm water pollution potential please see Section 5.2 of the Draft EIR.

K. Water Quality (Surface Water Pollution Potential)

1. Description of Significant Effects

The current University development surface water quality, which would include the Project, is assumed to be relatively comparable to that of similar urbanized developments.

Surface flows generated by the existing "core" campus are anticipated to contain minor amounts of typical urban pollutants such as: suspended solids, phosphorous, nitrogen, nitrates, copper, lead, zinc, and oil and grease. The occurrences of these particular pollutants are estimated based on the fiftieth percentile of the National Urban Runoff Program (*see* the Draft EIR Section 5.2 for applicable references). These levels are well under the minimum activity levels of concern to the RWQCB. Potential pollutants from the CLP would vary in type and quantity depending upon the stage of development. During construction there would be a greater potential for sediment (sand, silt, and clay) to be eroded from the graded areas before they have been landscaped, paved and/or otherwise fully stabilized. After development, the sediment production would be minimal and the urban pollutants listed above would increase in accordance with their projected campus uses. The production of these potential pollutants is anticipated to remain under the minimal levels outlined by the RWQCB through the use of appropriately designed BMPs. The project's potential to impact surface water quality is considered significant but mitigable to less than significant levels.

2. **Mitigation Measures**

See MMRP MM5.2-1 - MM5.2-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to surface water pollution potential, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

All potentially significant impacts relative to construction storm water pollution potential would be less than significant with implementation of the mitigation measures outlined above. By ensuring development of appropriately designed BMPs and installing oversight for their implementation, the mitigation measures would reduce any potential effects related to surface water pollution potential to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on surface water pollution potential please see Section 5.2 of the Draft EIR.

L. Biological Resources (Indirect Impacts-Fuel Modification-Components 1 and 2)

1. **Description of Significant Effects**

The Component 1 fuel clearance footprint would include 0.35 acres of natural vegetation, including 0.32 acres of chaparral and 0.03 acres of coast live oak woodland, outside of current ornamental landscapes and existing fuel modification boundaries, based on standard minimum fuel clearance requirements. The University's LRDP requires mitigation for the *removal* of upland vegetation, but not for cutting of vegetation for fuel modification purposes. The 0.35-acre

area is not known to contain sensitive species or jurisdictional areas, nor is it in an important area for wildlife movement. Potentially occurring sensitive wildlife species would be capable of escaping harm during fuel modification activities. The potential exists for nesting birds to be present in native plant communities within the Component 1 fuel modification footprint during fuel clearance or thinning. Component 1 fuel modification impacts to nesting birds would be potentially significant, but mitigable. Component 1 fuel modification impacts to upland chaparral would be potentially significant, but mitigable. Based on the method for assessing impacts to oak woodlands outlined in the Oak Woodland Impact Decision Matrix (UC Integrated Hardwood Range Management Program 2008), fuel modification activities involving the cutting or removal of live oak trees within the coast live oak woodland would be considered a significant effect. Cutting or removal of the oak trees within the Component 1 fuel modification zone could result in a loss of up to 14% of the oak canopy cover within the woodland. Therefore, fuel modification impacts to the coast live oak woodland would be potentially significant, but mitigable.

The Component 2 fuel clearance footprint would include 0.19 acres of native coastal sage scrub vegetation outside of existing ornamental landscapes and fuel modification boundaries, based on standard minimum fuel clearance requirements. The University's LRDP requires mitigation for the *removal* of upland vegetation, but not for cutting of vegetation for fuel modification purposes. The 0.19-acre area is not known to contain sensitive biological resources, nor is it in important an area for wildlife movement. Potentially occurring sensitive wildlife species would be capable of escaping harm during fuel modification activities. The potential exists for nesting birds to be present in native plant communities within the Component 2 fuel modification footprint during fuel clearance or thinning. Component 2 fuel modification impacts to nesting birds would be potentially significant, but mitigable. Component 2 fuel modification impacts to upland coastal sage scrub would be potentially significant, but mitigable.

2. **Mitigation Measures**

See MMRP MM5.3-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative fuel modification, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

At such time as Component 1 or Component 2 is constructed, the Draft EIR requires a detailed fuel modification zone to be identified and areas containing native plant communities shall be delineated. Thereafter, to the satisfaction of the Los Angeles County Director of Planning and the Los Angeles County Fire Department, fuel modification shall be avoided within areas containing native plant communities within the fuel clearance footprints of Components 1 and 2, in order to avoid impacts to oak woodland, upland native chaparral and scrub vegetation and nesting birds. If avoidance is not possible, potential fuel modification impacts to nesting birds within native plant communities shall be mitigated by implementation of MMRP MM5.3-10. The cutting of oak trees shall be limited to deadwood removal only.

Further, if avoidance is not possible, and fuel modification would impact native plant communities within the fuel clearance footprints of Components 1 and/or 2, Pepperdine University shall compensate for the impacted native plant community(ies) at a 1:1 ratio. This shall be accomplished by the permanent preservation of in-kind habitat, a conservation easement to protect in-kind habitat, a contribution to an in-lieu fee program, or by on-site or off-site restoration/enhancement of in-kind habitat.

Further in the event this is not possible, other mitigation measures required in the Draft EIR and the limiting of cutting oak trees to deadwood removal ensures impacts will be less than significant.

5. **Reference**

For a complete discussion of Project impacts on fuel modification, please see Section 5.3 of the Draft EIR.

M. Biological Resources (Direct Impacts-Vegetation and Sensitive Plant Communities and Wildlife -Component 5)

1. **Description of Significant Effects**

Vegetation and Sensitive Plant Communities

Construction of Component 5 would expand, relocate and convert existing recreational fields, the existing debris basin, disturbed natural vegetation, and ornamental landscaping to an enhanced recreation field, a relocated stockpile, restrooms, ornamental landscaping, and a resized debris basin. **The Table** below summarizes the acreage of plant community types that would be impacted by grading.

Vegetation Impacted at Component 5-Enhanced Recreation Area

Vegetation	Acreage Within Limits of Grading	% of Component 5 Acreage
Exotic Landscaping or weed Infestation	3.37	78.8%
Chaparral	0.29	6.7%
Coastal Sage Scrub	0.52	12.2%
Riparian	0.10	2.3%
Total	**4.28**	**100%**
* All areas at the Component 5 site that would be impacted by the Project have been previously disturbed.		

The University's LRDP/SPD requires restoration/enhancement to mitigate or minimize impacts where development results in the removal of upland vegetation. The intent of this policy is to mitigate or minimize impacts to naturally occurring and native upland vegetation. The removal of native upland chaparral within the grading limits, and conversion of the site to the proposed condition would eliminate the ecological functions and values provided by chaparral at

the site, and could facilitate the spread of exotic invasive plant species. Also, upland chaparral vegetation at Component 5 provides food (foraging and hunting habitat), shelter, breeding and rearing sites for wildlife, as well as materials for nest building. The removal of 0.29 acres of native upland chaparral vegetation within the grading limits is a significant, but mitigable impact).

A total of 0.41 acres of the California Encelia Scrub Alliance occurs on the western slope of the debris basin and west of the main channel of Marie Canyon Creek to the north of the debris basin. This plant community alliance has a conservation status rank of G4S3, indicating it is a sensitive community "vulnerable to extirpation or extinction" within the State of California. As discussed earlier, the California Encelia Scrub Alliance is coincident with the site of a re-vegetation project. Impacts to the re-vegetation site are discussed under the heading Jurisdictional Areas, below. Impacts to the sensitive California Encelia Scrub Alliance are significant, but mitigable. In order to avoid duplicative impacts and mitigation, the California Encelia Scrub Alliance is mitigated as a part of the re-vegetation site.

Jurisdictional Areas

The proposed Component 5-Enhanced Recreation Area would impact a total of 0.35 acres of non-wetland waters of the U.S. under the jurisdiction of the Army Corps of Engineers ("ACOE") [coincident with 0.35 acres under California Department of Game and Fish ("CDFG") jurisdiction] and 0.13 additional acres of Riparian habitat under jurisdiction of the CDFG, for a total of 0.48 acres. The Marie Canyon debris basin, the main stem of Marie Canyon, Tributary 1, and East Drainage 1 each contain non-wetland waters of the U.S. and riparian habitat that would be impacted by the Project (Figure 5.3-4). There are no ACOE Wetlands at the site. Impacts to the 0.35 acres of CDFG/ACOE jurisdictional area and 0.13 acres of CDFG jurisdictional area are significant, but mitigable.

The project would also remove 0.84 acres of the 0.93-acre re-vegetation site on the western slope of the Marie Canyon debris basin. The University is required by previous and existing permit conditions to create and/or maintain this site as mitigation for impacting 0.93 acres in Marie Canyon Creek (ACOE No. 95-00483-AOA and CDFG No. 5-402-95). The 0.41 acres of the 0.84 acres of the re-vegetation site that would be removed by the project consists of the sensitive California Encelia Scrub Alliance plant community, which is discussed under the Vegetation and Sensitive Plant Communities heading above. As this site must be maintained, removal of 0.84 acres of the re-vegetation site, which includes 0.41 acres of the California Encelia Scrub Alliance, would be a significant, but mitigable impact.

The project would remove 0.20 acres within the Marie Canyon drainage that meet the single attribute California Coastal Commission ("CCC") wetlands definition. The University's LRDP allows for development that alters the Marie Canyon drainage or its tributaries, provided the loss of habitat is mitigated. The loss of 0.20 acres of single attribute wetlands as a result of development of Component 5 would be a significant, but mitigable impact. The areas meeting the single attribute definition at the site, i.e. portions of the debris basin and certain patches of riparian vegetation within Marie Canyon drainage, are already regulated by the CDFG. There is nothing noteworthy about the condition or function of the areas meeting these criteria to suggest greater consideration or value should be assigned to them beyond their coincident status as

CDFG jurisdictional habitat. Therefore, in order to avoid duplicate impacts and mitigation, mitigation for impacts to CDFG jurisdictional habitat would also serve as mitigation for those areas meeting the single attribute wetlands definition.

Impacts to 0.54 acres of waters of the U.S. are currently authorized for maintenance activities within the Marie Canyon debris basin, Marie Canyon Creek and adjacent tributaries, including lining up to 200 linear feet of the Marie Canyon channel, and 0.025 acres of impacts to waters of the U.S. are currently authorized within the existing stockpile (ACOE File No. 2007-01223-PHT). In addition, impacts to 0.54 acres of CDFG jurisdictional habitat are authorized for maintenance activities within the existing debris basin, Marie Canyon Creek and adjacent tributaries, and 0.025 acres of CDFG jurisdictional habitat are authorized for maintenance activities within the existing stockpile (Agreement No. 5-193-97). The ACOE and CDFG jurisdictional acreages within the existing debris basin, Marie Canyon Creek and adjacent tributaries that would be impacted by the proposed Component 5 project are less than the jurisdictional acreages that are allowed to be impacted by maintenance activities in these same areas, based on existing regulatory approvals.

Direct Loss of Sensitive Wildlife Species

Sensitive wildlife species that meet section CEQA 15380 criteria that may potentially occur at the proposed Component 5 site may be subject to direct harm if present during the grading and construction activities. A list of these species is provided in the existing conditions discussion on sensitive wildlife in this document, and a detailed assessment of the potential for sensitive wildlife species to occur is provided in Appendix D. Direct loss of a sensitive wildlife species due to grading and construction activities is a potentially significant, but mitigable impact.

Impacts of Noise on Sensitive Wildlife Species

The proposed chiller plant at Component 2 would result in a significant increase in the level of noise relative to the existing condition. *See* these Findings Section XI.V for a description of Component 2 mitigation measures. With these mitigation measures in place, impacts on wildlife would be less then significant.

2. **Mitigation Measures**

See MMRP MM5.3-2, MM5.3-3, MM5.3-4, MM5.3-6, and MM5.3-7, MM5.3-8, MM5.3-9 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to Component 5's impact on biological resources, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

All potentially significant impacts relative to Component 5's impact on biological resources would be less than significant with implementation of the mitigation measures outlined above. The mitigation measures are extensive and include on-site restoration of mechanically disturbed areas, qualified biologist to develop a restoration plan concurrent with the development of Component 5 with specific success criteria implemented over a five year period. Further the project is required to have annual monitoring and evaluation of progress on an annual basis. Additional the mitigation measures required an Exotic Plant Management Plant that emphasis the control of exotic, weedy non-native plants within and adjacent to Component 5. To further mitigate, the measures require control over natural areas if invasive species from Component 5 or surrounding fuel modification zones spread into those natural areas. Other measures require specific techniques for application of pesticides, herbicides, or fertilizes to minimize impacts, and where, practical, buffering of the Component areas with native shrubs and trees consistent with applicable law.

Significant impacts are further mitigated by requiring the of removal and filling of jurisdictional areas within the Marie Canyon drainages and its tributaries to be done with the authorization of ACOE, CDFG, and the Los Angeles Regional Water Quality Control Board ("RWQCB"), enhancements of those areas, and development of a mitigation plan for such activities by a qualified biologist. Additionally, the Project applicant is required to compensate for the loss of certain acreage at a 1:1 basis via a biologist developed restoration plan. Finally two weeks prior to grading at Component 5, the Project applicant must commission a survey for sensitive wildlife species by a qualified biologist with results shared with the County Director of Planning and the California Department of Fish and Game department. In summary, implementing the above mitigation measures would reduce potential Component 5 impacts to biological resources to a less than significant level.

5. **Reference**

For a complete discussion of Component 5 impacts on biological resources, please see Section 5.3 of the Draft EIR.

N. Biological Resources (Direct Impacts-Disturbance or Direct Loss of Nesting Birds and Nests)

1. **Description of Significant Effects**

Grading and construction activities at all component sites, as well as fuel modification in native habitats associated with Components 1 and 2 that have not been subject to prior fuel modification activities, have the potential to directly impact or disturb nesting birds. Disturbing vegetation and other nesting habitats on the site during the nesting season (February 1 – September 15) could result in the loss of bird nests, eggs, and young, and this would be in violation of one or more of California Fish and Game Code Sections 3503 (any bird nest), 3503.5 (birds-of-prey), or 3511 (Fully Protected birds). In addition, removal or destruction of one or more active nests of any other birds listed by the federal Migratory Bird Treaty Act of 1918 ("MBTA"), whether nest damage was due to tree removal or to other construction activities,

would be considered a violation of the MBTA and California Fish and Game Code Section 3511. Project impacts would therefore be significant, but mitigable.

2. **Mitigation Measures**

See MMRP MM5.3-10 for the applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project relative to direct loss of nesting birds and nests, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

By requiring a field survey for nesting birds to be conducted by a qualified biologist prior to grading, construction or fuel modification activities and requiring ongoing surveying for protected birds and by requiring the stopping such grading, construction or fuel modification activities in the event active nest are found with the Project area, the mitigation measures required by the EIR ensures Project impacts to biological resources are mitigated to a less than significant level

5. **Reference**

For a complete discussion of Project impacts on nesting birds, please see Section 5.3 of the Draft EIR.

O. Biological Resources (Indirect Impacts Non-Native Plants and Riparian Environmentally Sensitive Habitat Area ("ESHA") in Lower Marie Canyon, Malibu Coastline Significant Ecological Area ("SEA") #1 and Marine ESHAs-All Components)

1. **Description of Significant Effects**

Invasive exotic species introduced as landscaping could spread to natural areas and outcompete native plants and disrupt normal ecological processes. Spread of invasive exotic species into natural areas surrounding the University may reduce the biological diversity of these areas and potentially threaten sensitive plant communities or sensitive species. Introduction of invasive, non-native plant species would be a potentially significant, but mitigable impact.

Stormwater runoff during the construction phase, and runoff from impermeable surfaces during the operational phase have the potential to contain fertilizers, pesticides, oils, sediment and other pollutants, which could adversely impact sensitive biological resources within the watershed, such as the designated riparian ESHA of Marie Canyon Creek to the south of PCH, or sensitive shoreline and marine biological resources downstream. The impact from poor stormwater quality to sensitive biological resources within the Malibu Coastline Significant Ecological Area (SEA) #1, marine ESHAs protecting kelp beds and intertidal/subtidal zones, and ESHA protecting riparian habitat within Marie Canyon Creek south of Pacific Coast Highway is

potentially significant, but mitigable. *See* Draft EIR Section 5.2 for additional discussion on stormwater quality.

2. **Mitigation Measures**

See MMRP MM5.3-11 and 5.3-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to non-native plants and various ESHAs and SEAs, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Through the requirement of the use of appropriate landscaping and implementation of a SWPPP and SUSUMP and the required adherence to best management practices, the EIR ensures that Project activities impacts related to native plants and various EHSAs and SEAs are not significant.

5. **Reference**

For a complete discussion of Project impacts on relative to non-native plants and various ESHAs and SEAs, please see Section 5.3 of the Draft EIR.

P. Biological Resources (Indirect Impacts-Impact of External Night Lighting on Sensitive Wildlife Species)

1. **Description of Significant Effects**

The environmental impact lighting analysis prepared for the CLP project measured the existing condition of illuminance (light trespass) and contrast (glare) at seven receptors placed at selected locations in naturally vegetated areas surrounding the Component 5 site. Illuminance and contrast were also measured at two receptors placed in vegetated areas to the west of John Tyler Drive, relatively close to the sites of proposed Components 1 and 3, and at two receptors placed in natural habitats at Conservancy-owned Malibu Bluffs south of the Pacific Coast Highway. Illumination and contrast for the proposed condition were modeled and compared to the existing condition, as well as to Illuminating Society of North America ("IESNA") recommended thresholds of significance for illumination. The IESNA provided recommended practices for maximum light trespass levels. These levels are used as thresholds of significance for illumination contributed by a project. The recommended IESNA threshold of significance for an area to be considered areas considered to be "intrinsically dark, such as a National Park" is 0.1 fc.

The IESNA threshold of 0.1 fc was used to assess the significance of any light trespass at Conservancy-owned Malibu Bluffs, in the vicinity of the Component 5 footprint, and in natural areas to the west of the Campus that could potentially be affected by proposed component

lighting, including the proposed lighting standards for the Upgraded NCAA Soccer Field. The modeled illumination, or light trespass, for the proposed condition at each of the receptors was less than the existing condition except at two receptors, namely M and N, which were located in naturally vegetated areas to the west of John Tyler Drive. However, in each case light trespass was below the 0.1 fc threshold. In all cases except for one of the receptors placed at Conservancy-owned Malibu Bluffs, glare was reduced compared to the existing condition. While contrast, or glare, would increase somewhat at the receptor location within Conservancy-owned Malibu Bluffs, the distance between the Conservancy-owned Malibu Bluffsand any of the CLP component sites reduces the likelihood that wildlife would be significantly affected. For detailed information on the lighting study, see the Draft EIR 5.7.2 Light and Glare section and lighting study technical reports provided in Draft EIR Appendix G.

In the case of the Component 5 site, it may seem counter-intuitive that six proposed 80-foot tall lighting standards would result in less light trespass and glare into the surrounding area compared to the four lighting standards currently used to light the existing recreational fields. However, the result reflects the more effective shielding technology of the proposed lighting, as well as the downward-angled orientation of the lights so that the emitted light would be directed onto the Enhanced Recreation Area. Because the results are dependent upon the use of the appropriate shielding and installation technologies included in the proposed lighting package, mitigation is included in Draft EIR Section 5.7.2 Light and Glare requiring the project to create a lighting plan that incorporates these design features.

2. **Mitigation Measures**

See MMRP MM5.7.2-1 – MM5.7.2-8 Light and Glare for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of external night lighting on sensitive wildlife species, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

As the proposed lighting for the CLP project with mitigation included in Draft EIR Section 5.7.2 would not cause significant glare impacts, and would not result in significant light trespass into surrounding natural areas compared to the existing condition, and because surrounding natural areas would meet threshold criteria to be considered "intrinsically dark, such as a National Park", impacts from external night lighting to potentially occurring sensitive wildlife species are considered to be less than significant after mitigation.

5. **Reference**

For a complete discussion of Project impacts on impacts of external night lighting on sensitive wildlife species, please see Section 5.3 of the Draft EIR.

Q. Air Quality (Construction Period Impacts-Construction-Related Exhaust Emissions)

1. Description of Significant Effects

Exhaust emissions will result from on and off-site heavy equipment. The types and numbers of equipment will vary among contractors such that such emissions cannot be quantified with certainty. Equipment exhaust emissions were calculated presuming that grading will be balanced on-site for most project components. It is assumed that cut and fill will be balanced on-site by the intermittent placement of fill at the Enhanced Recreation Area. The project is proposed to balance on site with the Enhanced Recreation Area serving as a balancing pad. However, the excavated material from the Town Square project may be unsuitable to serve as fill at the Enhanced Recreation Area. Therefore, as a worst-case assessment, an analysis was performed assuming that construction of Town Square would export all 70,000 cubic yard of cut. It was assumed that export travel distance was 65 miles round trip and that a haul truck would have a 14 cubic yard capacity. Soil movement within the campus area was estimated to be transported with a 14 cubic yard capacity truck and a trip distance of 3 miles per truckload.

Initial demolition and heavy grading will gradually shift toward infrastructure development. During various construction activities on the project site, a computer model was used to calculate emissions from construction equipment as a basis for estimating maximum daily equipment operations.

In addition to fine particles that remain suspended in the atmosphere semi-indefinitely, construction activities generate many larger particles with shorter atmospheric residence times. This dust is comprised mainly of large diameter inert silicates that are chemically non-reactive and are further readily filtered out by human breathing passages. These fugitive dust particles are therefore more of a potential soiling nuisance as they settle out on parked cars, outdoor furniture or landscape foliage rather than any adverse health hazard. The deposition distance of most soiling nuisance particulates is less than 100 feet from the source (EPA, 1995). There are no sensitive receptors within 100 feet from the CLP component sites. Daytime wind trajectories during construction activities are most typically SW to NE. The nearest off-campus sensitive receptors are usually upwind of Project construction activities. Both distance set-back and favorable wind patterns will therefore minimize off-campus fugitive dust soiling nuisance potential.

The URBEMIS2007 computer model (*see* Draft EIR Section 5.4) was used to estimate daily, unmitigated and mitigated emissions during demolition, grading, construction and finish construction for the CLP. For the purposes of this analysis, a 12-year construction period was utilized to identify all potential impacts. The construction schedule and phasing were provided by university planning staff. Adequate housing and parking availability dictate CLP phasing to allow for future demolition prior to new construction. Additional student housing, a new parking structure and creation of a debris basin must be completed before other CLP components can be built. A worst-case year was considered when these three tasks potentially overlap.

Prior to the application of mitigation, PM-10 emissions may exceed the SCAQMD CEQA threshold. With the use of mitigation, peak daily construction activity PM-10 emissions

will be below SCAQMD CEQA thresholds. Peak daily emissions for other pollutants will not exceed the SCAQMD thresholds. However, the non-attainment status of the air basin for ozone requires that reasonably available control measures for ozone precursor emissions be implemented. Reasonably available mitigation of nitrous oxide ("NOx") emissions is recommended, but not required to reduce project-specific impacts to less-than-significant levels. The recommended emissions mitigation measures are detailed in the "Mitigation" section of this report. Thus, the emissions during construction would be less than significant after mitigation

2. **Mitigation Measures**

See MMRP MM5.4.-1 and MM5.4-2 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction related exhaust emissions, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Construction activity PM-10 emissions may exceed SCAQMD recommended CEQA thresholds. Enhanced dust control is required to maintain daily PM-10 emissions at less-than-significant levels. As all construction projects can produce fugitive dust emissions, the County requires the application of standard dust control measures for all discretionary construction activities even if CEQA thresholds are not exceeded. By implementing the above mitigation measures, the Project applicant will be required to minimize fugitive dust generation and equipment emissions to the maximum extent feasible and to reduce the Project's potential local significance thresholds impact and cumulative air quality impact to less than significant.

5. **Reference**

For a complete discussion of Project impacts on construction related exhaust emissions please see Section 5.4 of the Draft EIR.

R. Air Quality (Construction Period Impacts-Spill-Over)

1. **Description of Significant Effects**

.Construction activity air quality impacts occur mainly in close proximity to the surface disturbance area. There may, however, be some "spill-over" into the surrounding community. That spill-over may be physical as vehicles drop or carry out dirt or silt is washed into public streets. Passing non-project vehicles then pulverize the dirt to create off-site dust impacts. "Spillover" may also occur via congestion effects. Construction may entail roadway encroachment, detours, lane closures and competition between construction vehicles (trucks and contractor employee commuting) and ambient traffic for available roadway capacity. Emissions

controls require good housekeeping procedures and a construction traffic management plan that will maintain such "spill-over" effects to less than significant levels.

2. **Mitigation Measures**

See MMRP MM5.4.-1 and MM5.4-2 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction related "spill-over," as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Construction activity PM-10 emissions may exceed SCAQMD recommended CEQA thresholds. Enhanced dust control is required to maintain daily PM-10 emissions at less-than-significant levels. As all construction projects can produce fugitive dust emissions, the County requires the application of standard dust control measures for all discretionary construction activities even if CEQA thresholds are not exceeded. By implementing the above mitigation measures, the Project applicant will be required to minimize fugitive dust generation and equipment emissions to the maximum extent feasible and to reduce the Project's potential local significance thresholds impact and cumulative air quality impact to less than significant.

5. **Reference**

For a complete discussion of Project impacts on construction related "spill-over" please see Section 5.4 of the Draft EIR.

S. Air Quality (Construction Period Impacts-Airborne Dust)

1. **Description of Significant Effects**

Dust has the potential to cause temporary impacts during construction of new buildings and infrastructure. Because such emissions are not amenable to collection and discharge through a controlled source, they are called "fugitive emissions." Emission rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). In addition to fine particles that remain suspended in the atmosphere semi-indefinitely, construction activities generate many larger particles with shorter atmospheric residence times. This dust is comprised mainly of large diameter inert silicates that are chemically non-reactive and are further readily filtered out by human breathing passages.

2. **Mitigation Measures**

See MMRP MM5.4-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction related airborne dust, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Use of standard dust control measures would minimize the fugitive dust impacts during demolition and construction to less than significant levels. As described in Draft Section 5.4.5, the project will implement mitigation measures to control fugitive dust emissions. In addition, the project will comply with SCAQMD Rule 403 (Fugitive Dust), which requires measures to control fugitive dust and ensure fugitive dust does not significantly impact offsite receptors.

5. **Reference**

For a complete discussion of Project impacts on construction related airborne dust, please *see* Section 5.4 of the Draft EIR.

T. Noise Impacts (Construction Noise Impacts-Generally)

1. **Description of Significant Effects**

Construction noise tends to occur in discrete phases dominated initially by demolition and/or earth-moving sources and later for finish construction. The earth-moving sources are the noisiest with equipment noise ranging up to about 90 dB at 50 feet from the source. Spherically radiating point sources of noise emissions are atmospherically attenuated by a factor of 6 dB per doubling of distance, or about 20 dB in 500 feet of propagation. Measured daytime noise levels at homes adjacent to the campus and on-campus living halls were 60 dB or less. The loudest earth-moving noise sources with noise levels of 64 dB at 1,000 feet may therefore sometimes be detectable above the local background beyond 1,000 feet from the construction area. A detection radius of 1,000 feet or more pre-supposes a clear line-of-sight and no other machinery or equipment noise that would mask project construction noise. With buildings and other barriers to interrupt line-of-sight conditions, the potential "noise envelope" around individual construction sites is reduced. Construction noise impacts are, therefore, somewhat less than that predicted under idealized input conditions.

Construction noise exposure can be exacerbated when several pieces of equipment operate in close proximity. Because of the logarithmic nature of dB addition, two equally loud pieces of equipment would be +3 dB louder than either one individually. Three simultaneous sources are +5 dB louder than any single source. Thus, while average operational equipment noise levels are perhaps 5 dB less than at peak power, simultaneous equipment operation can still yield an apparent noise strength equal to any individual source at peak noise output. Whereas the average heavy equipment reference noise level is 85 dB, short-term levels from either peak power or from several pieces operating in close proximity can be as high as 90 dB.

The most stringent Noise Ordinance standard for short-term construction equipment noise is 75 dB for residential receivers. Point sources of noise emissions are atmospherically attenuated

by a factor of 6 dB per doubling of distance. The loudest construction activities would require almost 280 feet of distance between the source and a nearby receiver to reduce the peak 90 dB source strength to 75 dB.

The proposed Soccer Field is the project improvement that is located closest to any off-campus residential use. The closest impacted sensitive receiver is approximately 175 feet southwest from the closest point on the Soccer Field, but more than 550 feet from the center of the Soccer Field. The next closest construction project is the Outer Precinct Student Housing Rehabilitation, which is more than 500 feet from the closest off-site residence. The 280-foot construction radius impact envelope would affect at most two neighboring MCE homes. This impact would be sporadic and for very limited periods of time. Nevertheless, noise sensitive land uses within 280 feet of heavy construction equipment operations may be temporarily impacted and these impacts are considered significant prior to the implementation of mitigation measures, specifically the required Construction Noise Mitigation Plan.

2. **Mitigation Measures**

See MMRP MM5.5-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of construction noise, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

By requiring the development of a Construction Noise Mitigation plan that will ensure consistency with County Code noise requirements for construction activity noise at the nearest off-site residential property line, the EIR mitigation measure above ensures that all potentially significant impacts relative to construction of the Upgraded NCAA Soccer Field would be less than significant

5. **Reference**

For a complete discussion of Project impacts on construction noise generally please see Section 5.5 of the Draft EIR.

U. Noise Impacts (Operational Stationary Noise Impacts-AEC/Chiller Plant)

1. **Description of Significant Effects**

AEC Itself-Noise Impacts Not Significant

As previously discussed, athletic games and other indoor University events are currently held at the Firestone Fieldhouse, located at the southern portion of John Tyler Drive. The proposed AEC would be located on the east side of Huntsinger Circle near the north end of the

loop road adjacent to the Via Pacifica intersection. Since the new facility and facility parking would be located at the northern interior of the campus they would be father away from MCE. The CLP does not propose to substantially change the number and frequency of events held at the campus. The new AEC would, however, increase the capacity for large events by 1,896 seats when compared to the Firestone Fieldhouse.

The proposed AEC site is approximately 1,100 feet from the nearest off-site receptor and dorms and intervening buildings will assist in blocking any event noise. The existing Firestone Fieldhouse is approximately 200 feet from the nearest Malibu County Estates residence. The proposed event center location provides almost 15 dB of additional noise attenuation as a result of distance separation as compared to the existing Fieldhouse location. Additionally as mentioned above, intervening buildings would assist in noise attenuation.

The proposed AEC would be an enclosed structure. The predominant sporting events would be volleyball and basketball. Other passive activities to be held at the center include campus and community events such as weekly convocation and an annual Bible Lectureship Series. Although the new event venue would seat more spectators as compared to the Firestone Fieldhouse, because activities are indoors and because of the increased distance separation, noise impacts are not anticipated to be significant and residents at Malibu County Estates would likely experience a reduction in overall event noise.

Increased special event attendance would be accompanied by an increased number of parked vehicles. Parking activities generate noise from starting engines, car alarm "chirps," auto horns, tire squeal, etc. Assuming a logarithmic relationship between the number of parking or departing vehicles and associated noise, the increased event center capacity would create a +3 dB change in noise levels. However, the relocation of much of the existing special event parking away from the Firestone Fieldhouse would reduce parking activity by more than 10 dB at the nearest MCE homes. Future special event parking noise at off-campus residences would therefore be reduced.

AEC Associated Chiller Plant- Significant Impacts

A chiller plant is planned along the north side of the AEC. Noise at a packaged chiller unit depends upon the type of unit, its cooling capacity, and the size of the unit. Noise propagation toward noise-sensitive receivers also depends upon the line-of-sight relationship between the units and the receiver. The specifications for the proposed chiller plant are unknown at this time. For purposes of analysis, the units have been assumed to be chillers with centrifugal compressors and a 50 square-meter surface area through which sound may pass. The sound power level of a typical 850-ton unit is calculated at a 50-foot reference distance as follows (dB L50):

Base	=	60 dB
Capacity	=	+32 dB
Area	=	+17 dB
A-weighting	=	±0 dB
Spreading Loss	=	-32 dB

Net = 77 dB at 50 feet/chiller

Operations of three simultaneous chillers (three active, one standby) would generate an 82 dB reference level at 50 feet. The 1,385-foot distance between the proposed chiller plant site and the closest residence (which is within the MCE) affords almost 29 dB of noise attenuation from geometrical spreading losses, reducing noise to 53 dB. The Los Angeles County residential daytime noise standard is 50 dB L50 and the nocturnal standard is 45 dB L50. Although intervening buildings would assist in shielding chiller noise, chiller noise could exceed standards unless the units are enclosed in a building, or surrounded by a substantial barrier. It is anticipated that the proposed chiller plant would be located inside an enclosed plant with structural transmission losses of at least 30 dB. The resultant noise level would decay to 23 dB L50 at the nearest MCE home and meet both the daytime and nocturnal noise standard. However, prior to assurance that the chiller plant would be located inside a building, the project would result in the potential for a significant impact.

Cooling tower fans at the chiller plant, which cannot be enclosed, would also generate noise. Fan noise is dependent on the average power load and fan speed, and the side louver configuration. Water splash noise is generally less than motor noise and airflow noise through the unit. The reference sound power level for a single cooling tower under average hourly load conditions was obtained from the Baltimore Air Coil ("BAC") Company as a typical cooling tower supplier.

The reference noise level at 50 feet from a typical cooling tower varies from 59 to 63 dB at various locations around a single tower. The maximum combined noise effect of four cells, under direct line-of-sight conditions, is 69 dB at 50 feet.

Without any additional structural interference, the L50 daytime County Noise Ordinance standard could be exceeded to a distance of 450 feet. The L50 nocturnal standard could be exceeded to 800 feet.

2. **Mitigation Measures**

See MMRP MM5.5.-10, MM5.5-11, and MM5.5-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of operational stationary noise impacts from the chiller plant along the north side of the planned AEC, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

In addition to the above mitigation measures, at the nearest MCE residence at 1,385 feet, noise from the AEC associated chillers would be reduced to 40 dB, below the daytime and nocturnal noise standard. Further, the combined noise from the cooling towers (40 dB) and the enclosed chiller plant (23 dB) would remain at 40 dB meeting all the ordinance standards. Additionally, per the Draft EIR requirement mitigation measures, the cooling towers are

anticipated to be equipped with variable speed fans that would be run at lower speeds at night when cooling demand is minimal. Fan speed reduction would reduce baseline noise generation by 3-5 dB. It may also allow one cell to be turned off during minimum demand. The net effect of reduced nocturnal cooling tower operations is likely an additional –5 dB noise generation reduction at night. In summary, noised from the proposed AEC associated chillers would not result in significant noise impacts related to event noise.

5. **Reference**

For a complete discussion of Project impacts on impacts of the operational stationary noise impacts from the chiller plant along the north side of the planned AEC please see Section 5.5 of the Draft EIR.

V. Noise Impacts (Operational Stationary Noise Impacts-Upgraded NCAA Soccer Field Component)

1. **Description of Significant Effects**

The proposed Upgraded NCAA Soccer Field would be located on the existing Tari Frahm Rokus Field and Stotsenberg Track. Currently, temporary mobile seating accommodates up to 1,000 spectators. The elevation of the proposed Upgraded NCAA Soccer Field would be approximately ten feet higher than the level of the existing track and soccer field. The upgraded field would include lighting, which would allow for nighttime use, and would provide 1,000 permanent spectator seats on the northern side of the field.

The distance from the proposed Soccer Field to the closest off-site residence is approximately 200 feet from the closest point at the field and approximately 500 feet from the center of the field. A change in noise generation from soccer activities would derive from a possible increase in spectator attendance. By meeting NCAA field standards, possible post-season use of the upgraded field for regional play-offs would be increased.

Soccer activity noise depends upon the intensity of the action and the number of spectators. There is no unique noise signature that can characterize every soccer game. A variety of measurements of noise at soccer games, however, produces a reasonably consistent pattern of noise observations. Typical reported noise levels at 500 feet from the middle of a soccer field (or from the middle of a complex of several fields) are as follows (dB Leq):

Marymount College Soccer: 38 dB;

Chico City Park (3 fields): 43 dB;

Citrus Heights Soccer Complex: 46 dB;

San Rafael Recreation Center: 47 dB;

Soccer game noise is primarily in the mid 40 dB Leq range at 500 feet from the center of the field. This represents the set-back of the closest MCE residence to the middle of the Upgraded NCAA Soccer Field. The corresponding L_{50} level is slightly less than Leq. As a worst

case assumption it was assumed that the L_{50} level could equal the measured Leqs for any particularly exuberant play. Upgraded field noise of 47 dB L_{50} would be a less than significant impact for daytime use .

If lighted field play continued beyond 10 p.m., the adopted nocturnal significance threshold of 45 dB L_{50} could be marginally exceeded.

2. **Mitigation Measures**

See MMRP MM5.5-13 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of the operational stationary noise impacts from the Upgraded NCAA Soccer Field Component as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Because the adopted nocturnal significance noise threshold of 45 dB L_{50} could be marginally exceeded resulting in a significant impact, the Draft EIR implements a mitigation measure that requires the termination of lighted play at the soccer field at 10 p.m. in order to ensure that soccer field activity noise impacts are less-than-significant.

5. **Reference**

For a complete discussion of Project impacts on impacts of the operational stationary noise impacts from the Upgraded NCAA Soccer Field Component please *see* Section 5.5 of the Draft EIR.

W. Cultural Resources (Cultural and Paleontological Resources)

1. **Description of Significant Effects**

Cultural Resources

The Project component areas were intensively surveyed and studied for cultural resources for the purpose of this investigation. The records check found one cultural resource (19-002472) within the Project component areas. There were no new archaeological sites found during the field survey. The cultural resource identified in the records check (19-002472) was subsequently remapped using a Trimble GeoXT submeter GPS unit and ESRI ArcGIS 9.2 technology. After being resurveyed, the site was found to be located outside of the impact area of the Project. An updated site record that explains the error in mapping and coordinates information was faxed and mailed to the South Central Coastal Information Center ("SCCIC"). However, 19-002472 is still within 100 feet of the project impact area and is therefore still considered to be within the Area of Potential Effect ("APE"). Measures should be taken to ensure protection of the site during construction activities.

Although the field survey resulted in negative findings, the area should still be considered sensitive for cultural resources given the overall sensitivity of the surrounding area. Impacts to cultural resources associated with the Project are considered potentially significant but mitigable to less than significant levels).

Paleontological Resources

Surface grading or shallow excavations in the Quaternary landslide material and/or deposits of the Sespe and Topanga Formations located in portions of the project component areas are unlikely to uncover significant fossil vertebrate remains. However, deeper excavations in the project component areas have the potential of encountering significant vertebrate fossils. Therefore, extensive earth moving and grading operations associated with the development could destroy fossils, which would represent a significant adverse impact on the region's paleontological resources, unless proper mitigation measures are implemented.

Impacts to paleontological resources associated with the Project are considered to be a potentially significant impact that can be mitigated and reduced to less than significant levels.

2. **Mitigation Measures**

See MMRP MM5.6-1 - MM5.6-4 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cultural and paleontological resources, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

The survey conducted for the Pepperdine University Project study area resulted in negative findings, but also concluded that the area is sensitive for cultural and paleontological resources. Therefore the Draft EIR requires mitigation measures requiring a professional archaeological monitor onsite during project construction to identify any potentially sensitive cultural or paleontological resources and requiring construction stoppage if those resources are encountered. With these measures, all potentially significant impacts relative to cultural and paleontological resources, would be less than significant.

5. **Reference**

For a complete discussion of Project impacts on cultural and paleontological resources, please see Section 5.1 of the Draft EIR.

X. Public Services (Police Protection Services-Operational Impacts)

1. Description of Significant Effects

Implementation of the Project would result in the net addition of 394,137 square feet of structural space devoted to new and rehabilitated residential housing units, new parking facilities, multi-purpose recreation event facilities and athletic fields. There would also be a net increase of 796 on-campus parking spaces and up to 468 beds. While the CLP would result in the provision of additional housing and parking on campus, it would not increase the student enrollment or cause an increased need for faculty. The accommodation of demand for student campus housing would result in correspondingly less daily commuter traffic to the campus. The addition of on-campus residents would result in an increase demand for the various law enforcement services provided to the campus by the Los Angeles County Sheriff's Department ("LACSD").

Of particular concern to the LACSD is any increase in traffic resulting from the project that would be added to PCH, Malibu Canyon Road, and other key roadways in the project vicinity during the completion of all the components of the CLP. The LACSD believes that the Project would not present any unique law enforcement problems.[15] Therefore, the Project would not result in the need to hire additional deputies and would not alter LACSD response times. Correspondence with the LACSD indicates that current staffing levels should be sufficient to serve the CLP without resulting in a significant impact to their existing services

While the LACSD does not foresee the emergence of unique law enforcement problems as a result of the CLP, the University's Department of Public Safety's responsibility of providing routine day-to-day services to the campus community will be affected by an anticipated increase in service requests occasioned by the additional student resident population on campus, and conversely, by a reduction in traffic formerly generated by daily commuting to the campus. It is the policy of the University's Department of Public Safety to add one new public safety officer per 35,000 square feet of new non-residential development. Based on the 243,445 square feet of non-residential development proposed under the CLP, approximately seven additional public safety officers will be required. Staffing increases implemented based on the formula described above would render potentially significant impacts to law enforcement services less than significant as a result of the CLP.

2. Mitigation Measure

See MMRP MM5.9.2-1 for the applicable mitigation measure.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to police protection services, as identified in the Draft EIR, to less than significant levels.

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[15] Email Communication with Sgt. Phillip D Brooks, LACSD 2008.

4. **Facts Supporting and Rationale for Finding**

It is the policy of the University's Department of Public Safety to add one new public safety officer per 35,000 square feet of new non-residential development. Based on the 243,445 square feet of non-residential development proposed under the CLP, approximately seven additional public safety officers will be required. By requiring staffing increases implemented based on the formula described above, the EIR mitigation measures render potentially significant impacts to police protection services less than significant as a result of the CLP.

5. **Reference**

For a complete discussion of Project impacts on police protection services, please see Section 5.9 of the Draft EIR.

Y. Public Services (Public Utilities-Pepperdine Wastewater System)

1. **Description of Significant Effects**

The wastewater generated by the Malibu campus passes through the University's Wastewater Flow Equalization Station ("WFES") before transmission to MMWRP and TWRF. Under all flow conditions, the WFES has approximately 127,830 gallons of equalization capacity within its four aerated equalization tanks. The current WFES was designed to equalize and store diurnal peak flows before diverting wastewater flows to MMWRP and TWRF rather than providing long-term storage capacity. However, based upon the University's waste flow model ("WFM") academic season average daily flow using Pepperdine specific rates of 209,178 gpd for the Malibu campus, the WFES does provide some short-term storage capacity and can store flows for an average of approximately 14.67 hours. However, under wet weather maximum day conditions of 435,090 gpd[16], the WFES has approximately 7.1 hours of storage.

The WFES has two progressive cavity pumps, each with a rated capacity of 120 gpm (172,800 gpd). However, meter data from the WFES indicate that the pump has an operating capacity of 180 gpm. In light of this, 180 gpm is considered to be the actual capacity of each pump. The pump station is typically operated under 100 percent redundancy with one duty and one standby pump. Based upon the WFM projected wet weather maximum day flow of 435,090 gpd, the current pumping capacity would need to be increased to provide redundancy. During seasonal storm events infiltration will increase the amount of wastewater exerted on the WFES.

As ground water infiltrates into the sewage collection system, the total amount of water exerted on the WFES occurs over a 24-hour period. The wet weather maximum day flow of 435,090 will be exerted on the WFES under diurinal (varying) flow rates. Draft EIR Appendix G of the Wastewater Flow Model represents the anticipated diurinal loading of the WFES under future peak wet weather conditions. Under the current configuration a maximum of 115 gpm may be diverted to the MMWRF and 180 gpm may be diverted to the TWRF from the WFES. In order for the remaining 270,909 gpd to be diverted to the TWRF the pump/s must deliver 187 gpm over a 24-hour period. As a result the WFES would not have the ability to pump its level to point equal to the level when the peak event started while assuming one pump is out of service.

[16] 435,090 gpd is based on a peaking factor of 2.08 (see **Appendix J**)

Over multiple days of peak wet weather loading wastewater would continue to build up on the WFES.

2. **Mitigation Measures**

See MMRP MM5.10.2.-1 and MM5.10.2-2 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to wastewater disposal during wet weather, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Under the current configuration a maximum of 115 gpm may be diverted to the MMWRF and 180 gpm may be diverted to the TWRF from the WFES. In order for the remaining 270,909 gpd to be diverted to the TWRF the pump/s must deliver 187 gpm over a 24-hour period. However, with the addition of a third pump for redundancy, two pumps operating in parallel can produce 270 gpm thus eliminating the possibility of storage buildup over a multi-peak wet weather event. Therefore, through the CLP would create a potentially significant impact on the WFES in wet weather, by requiring the upgrading the WFES to add 50 percent redundancy at 360 gpm of capacity, the Draft EIR ensures that wastewater would be less than significant .

5. **Reference**

For a complete discussion of Project impacts on wastewater, please see Section 5.10 of the Draft EIR.

Z. Public Services (Public Utilities-Solid Waste)

1. **Description of Significant Effects**

The Project provides new and upgraded athletic, recreation, entertainment, parking, and residential facilities. The CLP would not produce hazardous wastes other than typical hazardous waste related to maintenance activities, such as paint thinners, solvents, and motor oil. Typical hazardous wastes would be stored in maintenance areas consistent with current University and County Fire Department practices. The California Integrated Waste Management Board ("CIWMB") provides solid waste generation rates to estimate the amount of waste created by a certain land use. The waste generation rates include all materials discarded, whether or not they are recycled or disposed of in a landfill. As such, they are useful in providing a general level of information for planning purposes. The Project would result in an additional population of 468 on-campus students and 43 full time equivalent (FTE) employees on campus, as well as 15 additional contract employees during events. In order to estimate the amount of solid waste produced by the increase of on-campus residents a conservative generation rate of 12 pounds of

solid waste per resident was utilized.[17] In addition, a solid waste generation rate of 0.6 lb/person/day was utilized to in order to account for all campus activities (i.e. use of ancillary facilities) associated with the projected on-campus resident and FTE population.[18] In addition, according to the CIWMB, activities at venue events generate an average of approximately 2.44 pounds of waste per visitor, per day.[19] Although the proposed Soccer Field would remain at approximately 1,000 bleacher seats, the proposed AEC would include a net increase of 1,900 event-related seats.

The daily solid waste generation of the Project would be 10,575 pounds per day. However, this number assumes that the AEC, as well as the Standard and Outer Precinct, would be operating at full capacity. On a yearly basis, the CLP would generate 833.3 tons of solid waste per year for an average daily generation of approximately 2.3 tons per day, or approximately 4,564.7 pounds during operation. Peak days would generate approximately 10,575.8 pounds. The solid waste estimates are conservative because they do not account for any campus recycling activities and they assume the following:

- Additional student residents and new faculty and staff would be on campus 265 days a year;[20]
- The AEC would have a net increase of 20 sold out events;[21] and
- All new visitors to the AEC are coming from off-campus residences.

The Sunshine Canyon City/County Landfill's disposal rate is on average, 2,100 tons per day less than its permitted daily capacity of 12,100 tons per day. This assumes that Sunshine Canyon City/County Landfill currently operates at an average disposal rate of 10,000 tons per day.. The daily average of 2.3 tons of solid waste generated from the project per day represents 0.11 percent of the remaining average daily capacity of the Sunshine City/County Landfill. This quantity of waste would represent 0.10 percent and 0.23 percent of the remaining average daily capacity at the Chiquita Canyon Landfill and Calabasas Landfill, respectively.

2. Mitigation Measures

See MMRP MM5.10.3-1 for the applicable mitigation measure.

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17 Ultrasystems, Stevenson Ranch DEIR Phase IV Specific Plan, April 1992. Accessed from the CIWMB on May 19, 2009 from: http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Residential.htm.

18 Guide to Solid Waste and Recycling Plans for Development Projects (Santa Barbara County Public Works Department), May 1997. Accessed from the CIWMB on May 19, 2009 from: http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Institution.htm.

19 California Integrated Waste Management Board. Targeted Statewide Waste Characterization Study: Waste Disposal and Diversion Findings for Selected Industry. June 2006. Page 73. (Public venues and events on average generate 244 pounds of waste material per hundred visitors.)

20 It is important to note that the campus would not operate at maximum occupancy levels year round (i.e. spring, summer, and winter breaks). Additionally, faculty and staff would not be on campus more than 5 days per week.

21 The proposed Athletics/Events Center would not result in a substantial increase in the amount of existing games or events. This includes 20 men's basketball games, 20 women's basketball games, 12 men's volleyball games, 12 women's volleyball games, 7 bible lectures, and 8 additional events. The majority of these events would be attended by fewer than 3,100 people, the current capacity of the existing event location, Firestone Fieldhouse.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to solid waste, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

Given the limited magnitude of the Project's incremental solid waste generation as compared to the existing landfill capacity, the Project is not expected to result in a significant impact on solid waste disposal capacity. However, given the County-wide shortage of future landfill capacity (as reported in the Los Angeles County Integrated Solid Waste Management Plan 2008 Annual Report), the Project would contribute to a significant cumulative impact on landfill capacity; however, with incorporation of mitigation requiring the project be incorporated into the existing University recycling program, including 70% operational recycling and 70% construction waste recycling, the project contribution would not be cumulatively considerable. Implementation of the above mitigation measure would reduce the potential impacts of the project and the project's contribution to cumulative impacts.

5. Reference

For a complete discussion of Project impacts on solid waste, please see Section 5.10 of the Draft EIR.

X. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

A. TRAFFIC AND ACCESS (MAJOR EVENT PEAK MORNING AND PEAK EVENING HOURS)

The County has determined that, although Final EIR mitigation measures will provide a substantial mitigation of the following effect, this effect cannot be feasibly or effectively mitigated to a less than significant level. Consequently, in accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Consideration has been prepared (*see* these Findings Section XVI) to substantiate the County's decision to accept these unavoidable, substantial, adverse environmental effects because of the benefits afforded by the Project.

1. Description of Significant Effects

The CLP does not propose to substantially change the number and frequency of events held at the campus. The new AEC would, however, increase the capacity for large events by 1,896 seats when compared to the Firestone Fieldhouse. Data provided by the University show that most of the campus events are attended by less than 3,000 persons. In fact, more than 90% of the campus events experience attendance levels with less than 1,000 persons. Six events with more than 3,000 persons were held in 2007 (not including graduation ceremonies). The largest of the sporting events are the men's NCAA basketball and volleyball games, where up to 3,100 persons are in attendance. The largest outdoor event held at Alumni Park is the Seaver College graduation, which has historically been attended by 8,000 to 10,000 persons.

Events held at the new AEC would generate peak traffic flows inbound to the campus during a one- to two-hour period prior to the event and outbound flows from the campus after the event. A maximum attendance event (5,470 attendees) would generate 1,313 vehicle trips to the campus. A smaller event with 3,500 attendees, which is roughly equivalent to the maximum number of attendees at the Firestone Fieldhouse, would generate 840 vehicle trips to the campus. The majority of such campus events would be held during the evenings and on weekends when campus traffic impacts and parking demands are lighter and traffic in the surrounding area is lower than during peak commuting hours. The majority of events are during the academic year and not during periods with summer beach traffic. However, the Draft EIR found that large events that could generate significant impacts are defined as events with over 3,750 attendees that draw a significant number of attendees from off campus (60% or greater) and are scheduled to start or end during the A.M. (7:00 - 9:00 A.M.) or P.M. (4:00 - 6:00 P.M.) peak periods on weekdays.

2. **Mitigation Measures**

See MMRP MM5.8-1 - MM5.8-4 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which substantially lessen the significant environmental effect of Project traffic at certain peak times, identified in the Draft EIR. However, although such measures may reduce and possibly eliminate certain impacts, effects on traffic over 3,750 persons that start or end during the A.M. or P.M. peak periods weekdays, with 60% of the attendees coming from off-campus, would be significant and unavoidable. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or Project alternatives identified in the Draft EIR.

4. **Facts Supporting and Rationale for Finding**

While a trip reductions are anticipated from the development of a Draft EIR mitigation measure required Transportation Demand Management Program (TDM), which is expected to reduce the forecast of significant impacts, in order to provide a conservative analysis, it has been assumed that the required level of trip reduction will not be attained and that significant and unavoidable traffic impacts may occur. These significant impacts would only occur during large-scale events attended by over 3,750 persons that start or end during the A.M. or P.M. peak periods weekdays, with 60% of the attendees coming from off-campus. Impacts are considered to be significant after implementation of the proposed mitigation measures. Specific economic, legal, social, technological, or other considerations, make infeasible additional mitigation measures or Project alternatives identified in the Draft EIR.

5. **Reference**

For a complete discussion of the AEC traffic related environmental effects of the Project, please see Section 5.8 of the Draft EIR.

XI. CUMULATIVE IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION

A. Cumulative Impacts on Air Quality

The Project could result in significant air quality impacts from operation if the operation of the project would result in a rate of growth in average daily trips ("ADT") that exceeds the rate of growth in population. The SCAQMD's *CEQA Air Quality Handbook* identifies methodologies to determine the cumulative impact of land use projects based on performance standards and emission reduction targets necessary to attain the federal and state air quality standards identified in the California Air Quality Management Plan ("AQMP"). The handbook states in Table A9-14 that if the following relationship is true, then the project should be found to have a cumulatively significant impact:

A/B > C/D Where: A is the increase in vehicle miles traveled ("VMT"), average daily traffic ("ADT") or number of vehicles ("NOV") associated with project development

B is the projected cumulative VMT, ADT, NOV for Los Angeles County for project build-out.

C is the population accommodated by the project at build-out, and

D is the Southern California Association of Governments ("SCAG") population projection for Los Angeles County at build-out.

"Population" is not an ideal growth yard-stick for a University because Pepperdine is much more than just dormitories. Nevertheless, the above equation cannot be true because the Project will cause a decrease in VMT, ADT or NOV by providing on-campus housing and reducing student commuting. The factor "A" in the above equation is a negative number. A negative ratio of A/B can never be greater than a positive ratio of C/D. Therefore, implementation of the CLP would not generate a cumulatively considerable contribution to regional air quality impacts. This is considered a less than significant cumulative impact.

B. Cumulative Impacts on Traffic Noise

Area build-out traffic growth would create moderate increases in traffic volumes. However, because of the logarithmic nature of traffic noise, it requires a very large increase in traffic volume to increase associated noise levels, especially for areas that are already built out with a relatively large traffic base. Cumulative traffic noise ("existing with ambient and cumulative" and "existing with ambient, cumulative, and project" in Draft EIR Table 5.5-9) on two roadway segments exceed the +3 dB CNEL potential significance threshold as detailed in the Table, below.

Significant Cumulative Impacts

Segment	Total Cumulative Impact	Project Only Impact	Other Area Development Impact

Civic Center Way/ Webb Way-Cross Creek	+4.0 dB CNEL	0.0 dB CNEL	+4.0 dB CNEL
Webb Way/ Civic Center-Pacific Coast Hwy	+3.1 dB CNEL	0.0 dB CNEL	+3.1 dB CNEL

As shown in the above Table, the project contributes negligibly to this growth in cumulative traffic noise at the two impacted segments. As such, noise impacts associated with cumulative development are anticipated to be potentially significant and would occur without implementation of the Project. Therefore, the project's contribution to cumulative impacts is considered to be less than significant.

C. Cumulative Noise Impacts with Related Projects: Firestone Fieldhouse

As a related project, Firestone Fieldhouse will be converted to a student recreation center once the AEC is completed. The recreation center is planned to open early and stay open late to allow for early morning or late evening workouts. It should be noted that because the campus does not currently have a separate recreation center, in addition to accommodating the athletic department, the Firestone Fieldhouse serves students' recreation needs as well, which could have similar impacts as planned future uses at the facility. Current uses at the facility include hosting intramural volleyball tournaments until midnight (Monday and Wednesday nights in 2010). However, conversion of the Firestone Fieldhouse to a student recreation center that would be open post 10 p.m. may create added late evening noise from student activities compared to existing conditions.

Noise sources such as youthful exuberance, car alarms, door slams, etc are more single-event noise spikes rather than sustained 50th percentile (L_{50}) levels used in the project impact analysis as a significance threshold. Measured single event noise from parking lot activities and small group assembly (Eastvale Gateway, 2002) was projected from the source to the nearest MCE homes. These levels were compared to the measured maximum noise levels at two existing homes on Vantage Point Terrace as follows:

Source	Projected Lmax
Car alarm	55 dB
People laughing, shouting	53 dB
Door slam	53 dB
Car start	52 dB
Car idle	51 dB
Car slowly moving	46 dB

Existing background Lmax levels were measured to be 67-72 dB between 8 p.m. to midnight at the closest homes to Firestone Fieldhouse. Student activity noise may be audible late

in the evening at the nearest homes because background levels are low, but the peak activity noise will not be any greater than levels currently experienced. As such, late evening use of the future Firestone Fieldhouse student recreation center will not have a significant noise impact.

D. Cumulative Impacts on Visual Resources and Aesthetic Qualities

A cumulative light and glare impact would occur if any related projects identified in Draft EIR Section 4.0, Environmental Setting and located within the Project's visual setting would contribute to a cumulative increase in light levels or glare generation within the area. As shown in Draft EIR Figure 4-1[22], the majority of related projects are outside the Project's visual setting. Four related projects have been proposed within relative close proximity to the CLP. Two of these can be seen from Sensitive Receptor locations along the eastern side of MCE and from John Tyler Drive. The four projects are located within the interior of the developed campus, and are as equally concealed from view from PCH and Malibu Country Road ("MCR") as the CLP.

The four on-campus related projects consist of the following: 1) the expansion and conversion of Firestone Fieldhouse into a student health and recreation center, including the replacement of existing unshielded globe fixtures with shielded, cutoff fixtures in the vicinity of Firestone Fieldhouse; 2) construction of a four-level academic classroom and office structure at the northern intersection of Seaver Drive and Presidents Drive; 3) two-level campus learning center and church school facility to be located on the lowest elevated undeveloped pad of the Graduate Campus; and 4) installation of lighting at the Eddy D. Field Baseball Stadium. Of these four, the Firestone Fieldhouse expansion and Eddy D. Field Baseball Stadium lighting have the potential to substantially contribute to off-site light and glare impacts due to proximity to MCE. The other two related projects do not have the potential to create light and glare impacts due to both the distance to off-site residences and the intervening terrain that serves to limit direct views. To evaluate the potential cumulative impacts, two additional Receptor Site locations were established west of John Tyler Drive across from the Firestone Fieldhouse (Receptor Sites K and L).

Contrast

The CLP and related projects' proposed lighting improvements result in reduced contrast ratios when compared to existing conditions at all Receptor Sites. Of the 15 Receptor Sites, three showed contrasts in excess of 30:1, despite the fact that each represents a relative improvement over existing conditions. Receptor Site A received a calculated contrast ratio of 44.5:1, Receptor Site J received a calculated contrast ratio of 38.6:1, and Receptor Site M received a calculated contrast ratio of 32.6:1, all above the threshold of 30:1. The future contrast ratio at Receptor Site A represents an improvement from the existing measured contrast ratio of 45.5:1. At Receptor Site J, the existing condition calculated contrast level is 45.3:1. At Receptor Site M, the existing condition calculated contrast level of 36.9:1, such that the calculated future ratio of 32.6:1 would

[22] The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

represent a relative decrease. In the case of Receptor Site L, the existing contrast ratio, which exceeded the threshold ratio of 30:1, is reduced to a level below the threshold.

The high contrast ratios at Sites A, J and M result from elevated luminance levels (measured in Foot Lamberts ("fl")) predicted to occur at the Baseball Field when the lighting is operated at a maintained illuminance level of 100 fc (infield) and 75 fc (outfield). This level of lighting is only required for games that are to be nationally or regionally broadcast. Because this is likely to be an infrequent occurrence, likely less than 10 nights per year, the majority of the time the lights are in use they will be operating at the lower maintained illuminance level of 75 fc in the infield and 50 fc in the outfield. Further, a curfew would be employed on the use of the lighting that would require that scheduled events would end no later than 10 p.m. Line-of-sight terrain analysis conducted for Receptor Points A & J to the surface of the baseball field indicate that there are on-campus locations east of John Tyler Drive, between the baseball field and the Receptor Points, where view blocking landscaping and/or other screening devices may be employed that would block up to 90% (or greater) of the field's visibility. Such view screening could be accomplished without interfering with existing views of the rest of the campus and with distant views of the Santa Monica Mountains. Because the contrast ratios at these locations are below existing conditions, impacts are considered to be less than significant however, because they would exceed a 30:1 contrast ratio, mitigation is provided. Implementation of mitigation measures will reduce contrast at Receptor Sites A to 20.6:1, J to 21.2:1 , and M to 26.1:1, all below the established standard used (*See* Draft EIR Section 5.7 and the MMRP for a more detailed discussion of the aforementioned mitigation measures.)

At the Receptor Sites studied to measure potential impacts to habitat and vegetated natural areas, any illuminance contribution greater than 0.1 fc would constitute a significant impact. As shown in Draft EIR Table 5.7.2-11, the calculated contribution of illuminance at all Receptor Sites located in vegetated natural areas is less than the measurement used to establish the threshold of 0.1 fc. Impacts are therefore considered to be less than significant.

Coverage

The increased height of the related project and CLP sports lighting could increase the amount of coverage from each receptor site. This height increases the possibility of views to high brightness lamp sources. However, view angle studies have shown that the proposed sports lighting can be shielded to limit glare conditions. Proposed architectural elements (consisting primarily of wall surfaces) of the CLP and related projects will also increase the coverage of some components as seen from the Receptor Sites. As the potential lighting impacts related to increases in coverage are either consistent with existing conditions, or result in reduced lighting impact due to design features such as shielding and limited aiming, none of the improvements will result in significant visual impacts.

Context

The increased height of the sports lighting poles proposed by the CLP and related projects is likely to increase the amounts of the light features that are visible from selected Receptor Sites. New taller lighting infrastructure will fall near the raised roofline of the proposed AEC and they would, in the case of several poles along the south side of the field, intrude into

the skyline above mountain ridgelines to the north when viewed primarily from Receptor Sites along John Tyler Drive. The poles arrayed along the southern side of the soccer field may appear taller as they would be closer to the Receptor Sites. However, the potential lighting impacts related to increases in context are either consistent with existing conditions, or result in reduced lighting impacts due to design features such as shielding and limited aiming. As such, impacts are less than significant.

E. Cumulative Impacts on Visual Resources

Related projects located in the CLP's vicinity (as listed in Draft EIR Table 4-1[23]) were evaluated to assess potential cumulative visual impacts. Of the 75 related projects, numerous of them (Nos. 1-38) generally represent residential projects or improvements to existing residences that are located along Malibu Road and Malibu Colony Drive, which are shoreline-fronting residential streets that lie at the base of coastal palisade bluffs and that extend east toward Malibu Lagoon. These residential projects are all located south of PCH and are not seen within viewsheds from local scenic routes that are oriented toward the CLP. A number of the projects (Nos. 45-51) consist of the rebuilding of and of repairs made to structures located east of Malibu Canyon Road (MCR) that were damaged or destroyed by a relatively recent wildfire. These fire damaged properties lie within Malibu Canyon, which is separated by prominent viewshed defining ridgelines from the core areas of the Campus where the CLP would be located. Almost all of the remaining numbered projects are located within the Malibu Civic Center lowlands and/or to the east along PCH and, as such, they also do not fall into viewsheds seen from PCH or MCR in which any components of the CLP could also be seen. A residential subdivision (related project 66, consisting of five residential properties) would be located south of PCH and immediately east of Malibu Bluffs Stat Park. The CLP and the residential project could not be seen within the same viewshed in scenic views from PCH, MCR, or vicinity parks and beaches. Related project 65, is a proposed visitor-serving commercial development (Rancho Malibu Hotel) that would be situated at the northeast corner of the intersection of PCH and MCR. While the proposed hotel project could be seen in southerly and easterly scenic views from MCR, such views would be directed away from the Campus and in no case would any component of the CLP also be visible from anywhere along MCR. Due to the presence of on-campus view blocking terrain, CLP is also not visible from anywhere along PCH in proximity to the proposed hotel project. Only three related projects, that are located on the Campus, have the potential to be seen within the same public viewsheds as the CLP. The three projects (73, 74, and 75) are located within the interior of the developed campus, and are as equally concealed from view from PCH and MCR as the CLP.

Project 73 would consist of the expansion and conversion of Firestone Fieldhouse into a student health and recreation center. The Firestone Fieldhouse is not visible in any scenic views from PCH and MCR. It would be only partially visible from selected locations within Conservancy-owned Malibu Bluffs (as illustrated in Figure 5.7.1-6). In public views from the

[23] The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

Park, visibility of the CLP is limited, as is the view of the Firestone Fieldhouse, and as such, the cumulative visual impact would not be significant.

Project 74 consists of a permitted four-level academic classroom and office structure (LRDP facility # 256) that would be situated near the northeast corner of the intersection of Seaver Drive and Presidents Drive. The location is not visible from MCR, PCH, or from Conservancy-owned Malibu Bluffs. The related project would not contribute to a significant cumulative visual impact.

Project 75 consists of two permitted facilities (LRDP facility #s 254 & 265) that would be situated on a lowest-elevated and, as yet, undeveloped pad of the Graduate Campus. The facilities would be restricted to two levels in height and would contain a campus learning center and church school facilities. The building pad location is not visible from MCR or PCH, but it would be visible from Conservancy-owned Malibu Bluffs, albeit at a lower elevation than the existing residential housing areas and the higher-elevated academic buildings of the Drescher Graduate Campus. As views of the CLP would be limited the cumulative visual impact is not considered significant.

F. Cumulative Impacts on Traffic

Traffic Forecasts (Without Project)

Future development in the area, as well as general growth, has the potential to generate new traffic at the study-area intersections. Traffic volumes were developed for this scenario assuming the Existing + Ambient Growth forecasts + the additional traffic that would be generated by cumulative projects (approved and pending developments) in the surrounding area. The projects that were identified for cumulative impact evaluation are listed in Draft EIR Table 4.1[24]. Trip generation estimates were calculated for the cumulative projects using the rates published in the Draft EIR's ITE Trip Generation report. A copy of the cumulative trip generation worksheet is contained in Appendix H.

The trips generated by the cumulative projects were distributed and assigned to the study-area street network based on patterns developed for other projects in the area as well as the existing traffic patterns observed in the area. The LOS calculations completed assume the planned improvements to the Malibu Canyon Road/Seaver Drive-Civic Center Way intersection. Based on Los Angeles County impact criteria, the cumulative projects (without the CLP) would impact the following intersections.

- PCH/Corral Canyon Road - P.M. Peak Hours;
- PCH/John Tyler Drive - P.M. Peak Hour;
- PCH/Malibu Canyon Road - A.M. & P.M. Peak Hours;

[24] The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

- Las Virgenes Road/Mulholland Highway - P.M. Peak Hour;
- Stuart Ranch Road-Webb Way/Civic Center Way - A.M. & P.M. Peak Hours;
- PCH/Webb Way - P.M. Peak Hour;
- PCH/Cross Creek Road - A.M. & P.M. Peak Hours;
- PCH/Rambla Pacifico - A.M. & P.M. Peak Hours; and
- PCH/Las Flores Canyon Road - A.M. & P.M. Peak Hours

Traffic Forecasts (With Project)

The traffic reductions generated by the CLP were added to the Existing + Ambient Growth + Cumulative forecasts for analyses of CLP impacts on the surrounding roadway network. The CLP would reduce average daily and peak hour traffic entering/leaving the campus and therefore generate a beneficial impact to the intersections under the cumulative scenario.

G. Cumulative Impacts on Public Utilities-Potable Water Supply

Water availability impacts related to the CLP would involve only the purchase or acquisition of potable and reclaimed water from water purveyors, since no groundwater resources in the project area are proposed for use. As the CLP components are built, their development and that of the related projects would increase the amount of water required on a year-to-year basis until buildout is complete. All projects would be competing for the same potable water sources, the State Water Project ("SWP") and the Metropolitan Water District of Southern California ("MWD"). Therefore, all nearby projects were evaluated and are presented below together due to the regional nature of the water resources.

All of the related projects would compete for the same potable water sources as the CLP components. Few (if any) of the Los Angeles County projects or the City of Malibu projects would compete for the reclaimed water sources that are exclusive to Pepperdine University. As the CLP components are located throughout the campus in locations already served by the reclaimed water system, there would be no cumulative impacts for reclaimed water.

With regard to potable water, the cumulative demand is estimated to be approximately 121,023 gpd. The CLP and other future University development and operations would incorporate water-efficient design features, which significantly reduce the Project's contribution to cumulative impacts. Future University development, including the CLP, would represent approximately 26 percent of the cumulative demand (31,249 gpd) whereas the cumulative project set represents 74 percent (89,774 gpd). However, together this represents only a small portion of the SWP, MWD and West Basin Municipal Water District ("WBMWD") resources available. Furthermore, future CLP annual potable water demand (23.8 acre feet per year ("AFY")) would only represent a .23 percent increase on the current annual water demand of the Los Angeles County Waterworks District ("LACWWD") No. 29 (11,302 AFY). At project build-out in 2030, this would represent .16 percent of District No. 29's demand for water and .01 percent of future demand on WBMWD's supplies. Considering future growth within

WBMWD's service area, and water conservation measures, recycling and plans for new sources of water, future projections of supply from WBMWD indicate a surplus of water availability to meet future demands of its water retailers. Imported water demand by the WBMWD should decrease in future years as plans for increased sources in supply, as discussed above in Section 5.10.1.1. Supplies of the WBMWD should in-turn be sufficient to meet LACWWD's projected demands, including the CLP and related projects. Therefore, while there are future cumulative increases in water demand, of which the project is a part, the water suppliers have projected to have adequate supplies to meet those future cumulative demands.

H. Cumulative Impact on Public Utilities-Wastewater

Related projects located within the vicinity of the CLP areas are proposed to be developed within Los Angeles County, the City of Malibu, and on the Campus. The on-campus related projects would produce 6,655 gpd. Wastewater from the CLP and on-campus related projects would be treated at either the MMWRP or the TWRF. It would not be feasible for any related projects, other than those located on the Campus, to be served by the MMWRP. To the degree that these other related projects, which represent a mix of residential, commercial and other land uses, would be expected to contribute to the reduction in TWRF's available excess capacity, then an overall area-wide reduction in wastewater treatment service could result, when considered in combination with CLP's increased capacity utilization. Urbanization within the TWRF service area could potentially have a significant cumulative impact on wastewater services; however, the project's contribution after mitigation is not considered cumulatively considerable and therefore less than significant, since the CLP and on-campus related projects would use approximately 0.60 percent of the current excess capacity of TWRF.

I. Cumulative Impact on Public Utilities-Land Use

The development of the CLP in concert with the related development within the surrounding sub-region (listed in Draft EIR Table 4.1[25]) would result in the modest intensification of prevailing land uses. The campus core would be infilled with educational, recreational, housing, parking, and supporting facilities in accordance with the LRDP. Outside of the Pepperdine University property and outside of the University's control, the related projects indicate that additional residential units would be developed along the coastal terrace flanking PCH east and west of the project site. Their types, density, and distribution would replicate existing residential development patterns–either as single units on large lots or clustered development surrounded by open space. The most intensive and significant land use changes are anticipated to be the proposed 179,000 square-foot hotel northeast of the PCH–Malibu Canyon Road intersection, the Legacy Park Project, and retail, office, residential, and other development in the Malibu Civic Center. Cumulatively, these would establish a more intensive area that is intended to function as the "core" of the Malibu Community. The Project would not result in significant land use compatibility impacts when considered in combination with the related projects anticipated in the area and, therefore, no significant cumulative impacts are anticipated.

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[25] The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

XII. CUMULATIVE ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

A. Cumulative Impacts on Geologic, Geotechnical, and Seismic

1. Description of Significant Effects

Geologic, geotechnical, and seismic impacts related to development of the CLP area are localized and should not directly affect offsite areas. Notwithstanding this generalization, grading in areas with moderate to high relief, and/or moderate to steep slopes, may affect geologic, geotechnical, or seismic stability down slope or upslope if mitigation measures fail to perform as designed. Also, the planned CLP would contribute to the cumulative increase in the number of persons exposed to geologic hazards

2. Mitigation Measures

See MMRP MM5.1-1 and MM5.2-18 for applicable mitigation measures.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on geologic, geotechnical, and seismic issues, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

The CLP area is sufficiently contained by surrounding topography and is sufficiently distant from other campus facilities to eliminate the potential for direct impacts due to some geologic hazard such as a landslide or collateral damage from earthquake groundshaking. However, assuming that the CLP and all of the cumulative projects on campus are adequately studied for hazards, properly designed, and constructed in accordance with approved mitigation measures referenced above, the added impacts of all projects would be minimal and mitigable.

For a complete discussion of Project cumulative impacts on geologic, geotechnical, seismic issues, please see Section 5.1 of the Draft EIR.

B. Cumulative Impacts on Water Quality

1. Description of Significant Effects

The Project could have cumulative construction related water quality and erosion effects.

2. Mitigation Measures

See MMRP MM5.1-1 – MM5.1-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on water quality, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Potential construction-related water quality and erosion effects are generally site-specific and would be controlled through the implementation of State and local regulations, standards, and ordinances, as well as any required mitigation measures. Since the Project would comply with all relevant State and County standards and regulations, it is judged that the project's incremental contributions to cumulative conditions would be less than significant upon implementation of all required mitigation measures referenced above.

For a complete discussion of Project cumulative impacts on water quality, please see Section 5.2 of the Draft EIR.

C. Cumulative Impacts on Biological Resources

1. **Description of Significant Effects**

The Project could have cumulative impacts on biological resources.

2. **Mitigation Measures**

(*See* MMRP MM5.3.-1 – 5.3-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on biological resources, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Draft EIR Table 4.1[26] list the related projects. The majority are single-family residences in various project stages. Several projects are fire rebuilds to replace structures burned in recent wildfires. Other projects involve road improvements, water treatment facilities, retail/office uses, landscape restoration, a city park, four restaurants, a grocery store, and a hotel. Many projects are dispersed along the beachfront south of Malibu Road, and most others are scattered throughout urban and residential areas of the City of Malibu east of Malibu Canyon Road.

[26] The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

There are four planned projects within Marie Canyon. On campus projects include the Firestone Fieldhouse Expansion, an academic and professional building an academic learning center and church facility; and lighting at the existing baseball field. Additional projects in Marie Canyon include a single-family residential home, an addition to a single-family residence, and a stormwater/runoff treatment facility. These additional projects are not within the Pepperdine University property, and are all located to the south of the University along Malibu Road.

The Project would not result in significant cumulative impacts in combination with other projects, as the planned mitigation measures for all project impacts would reduce the CLP project's contribution to cumulative impacts to a less than significant level. Furthermore, the proposed development projects in the area would be required to avoid or mitigate for significant impacts to biological and jurisdictional resources. It is expected that proper compliance with existing regulations would reduce the contributions to cumulative impacts of other proposed development sites in the project area.

5. **Reference**

For a complete discussion of Project cumulative impacts on biological resources, please see Section 5.3 of the Draft EIR.

D. Cumulative Impacts on Noise: Baseball Field Lighting

1. Description of Significant Effects

As a related project, the University proposes to light the baseball field for evening use. A cumulative effect could occur for activity on two lighted fields. Baseball activity noise is more intermittent than ongoing soccer play. The projected L50 noise level at the nearest MCE homes would be less than 45 dB L50 from baseball. Cumulative noise from two lighted fields would be less than 50 dB L50 (pre-10 a.m. standard), but more than 45 dB L50 (post-10 a.m. standard).

2. Mitigation Measures

See MMRP MM5.5-13 for the applicable mitigation measure.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on noise for the related baseball field project, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

By requiring lighted use of the updated Soccer Field to cease by 10 p.m., cumulative noise from two lighted fields would be less than 50 dB L50 and less than significant.

5. **Reference**

For a complete discussion of Project cumulative impacts on noise for the related baseball field project, please see Section 5.5 of the Draft EIR.

E. Cumulative Impacts on Cultural Resources

1. **Description of Significant Effects**

Over time, cultural resources may be impacted either through natural events or as a result of development projects or other human activities. With any development, there is the potential to disrupt unknown resources, especially given the large number of known sites within the Malibu area

2. **Mitigation Measures**

See MMRP MM5.6-1 – MM5.6-4 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on cultural resources, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Related projects in the vicinity must undergo the environmental/CEQA process, and appropriate mitigation would be applied to protect and/or record potential cultural resources found during project development. With implementation of mitigation measures referenced above, the Project's contribution to potentially significant cumulative project impacts would be reduced to less-than-significant levels.

5. **Reference**

For a complete discussion of Project cumulative impacts on cultural resources, please see Section 5.6 of the Draft EIR.

F. Cumulative Impacts on Public Services-Fire Protection

1. **Description of Significant Effects**

Development and occupancy of the Project in combination with the related projects listed in Section 4.0 would have cumulative adverse impacts on LACFD facilities, equipment, and manpower. Each additional development creates greater demands on existing resources, which would increase the significant cumulative impact this project would have on LACFD services. Also, the number of wildfires in the Santa Monica Mountains has risen with increased development and human activities within the mountains and canyons. Therefore, it can be

expected that the cumulative effect of additional development in this area could further increase the occurrence of wildfires. The Project could contribute to this cumulative effect.

2. **Mitigation Measures**

See MMRP MM5.9.1-1 – MM5.9.1-8 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on public services and fire protection, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Each related project would be appraised by the reviewing agencies responsible for evaluating project consistency with applicable land use plans. Each project would also subsequently be required to mitigate its individual impacts on fire protection services. Provided all applicable codes, and policies were followed, and required project specific mitigation is carried out, cumulative impacts upon fire services would be reduced to less than significant levels. (*See* mitigation measures referenced above.)

This wildfire effect would be mitigated to less than significant levels by project-specific mitigation measures including increased fire safety awareness programs and implementation of fire prevention measures such as brush clearance. (*See* mitigation measures referenced above.)

5. **Reference**

For a complete discussion of Project cumulative impacts on public services and fire protection, please see Section 5.9 of the Draft EIR.

G. Cumulative Impacts on Public Services-Police Protection

1. **Description of Significant Effects**

Implementation of the Project and the related projects listed in Draft EIR Table 4.1[27] would increase the existing number of resident students, and any associated increase in the number of employees within the service area of the Lost Hills/Malibu Sheriff's Station. Sheriff services and staffing is determined by minimum state standards and the amount each contracting city is willing to pay. Malibu currently meets the minimum staffing levels. The CLP population increase, along with the population increase that would occur as a result of the related projects, would augment the existing demand for law enforcement and protection services provided by the LACSD, which could affect existing response times and overall levels of service. The LACSD is

[27] The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

also concerned with the cumulative traffic levels on roadways in the Malibu area, and the degree to which the future traffic growth would affect existing traffic enforcement efforts. As mentioned above, one of the goals of the CLP is to decrease the need for students to commute. Nevertheless, the addition of up to 468 beds and a projected increase in 48.3 full time equivalent (FTE) employees and 15 contract staff on campus is considered a cumulatively considerable impact on LACSD services. Therefore, cumulative impacts to the LACSD are considered to be potentially significant, particularly if the various jurisdictions within the service area of the Lost Hills/Malibu Station do not hire additional deputies commensurate with cumulative growth.

2. **Mitigation Measures**

See MMRP MM5.9.2-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on public services and police protection, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

It is the policy of the University's Department of Public Safety to add one new public safety officer per 35,000 square feet of new non-residential development. Based on the 243,445 square feet of non-residential development proposed under the CLP, approximately seven additional public safety officers will be required. By requiring staffing increases implemented based on the formula described above, the EIR mitigation measure referenced above render potentially significant cumulative impacts to police protection services less than significant as a result of the CLP.

5. **Reference**

For a complete discussion of Project cumulative impacts on public services and police protection, please see Section 5.9 of the Draft EIR.

H. Cumulative Impacts on Public Utilities-Solid Waste

1. **Description of Significant Effects**

Construction and operation of the Project and the related projects listed in section 4.0 would result in the generation of additional solid waste to be disposed of at county landfills. The project itself with mitigation incorporated would contribute approximately 250 tons of waste per year into the foreseeable future, and in combination with related projects and regional growth, would consume permitted capacity of landfills over the life of the project. Countywide, if waste generation remained steady annually at the 2008 disposal rate of 7.9 million tons sent to county class iii landfills, there would be approximately 20 years remaining of permitted landfill capacity (154.39 million tons).

2. Mitigation Measures

See MMRP MM5.10.3-1 for the applicable mitigation measure.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on solid waste, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

The annual cumulative waste generation, including the CLP and the related projects, would be 834.6 tons, of which the CLP represents 29.6 percent. The county plans to divert 70 percent by the year 2020, and there would likely be permitted landfill capacity expansions in the future that would provide adequate capacity to accept the cumulative waste generation. Although the Project and the related projects would not produce an amount of solid waste that exceeds available landfill capacity now, they would contribute to a cumulatively considerable impact on solid waste disposal capacity caused in combination with regional growth. The project would contribute to a significant cumulative impact on landfill capacity; however, with incorporation of mitigation requiring the project be incorporated into the existing university recycling program, the project contribution would not be cumulatively considerable. This impact is considered to be potentially significant but mitigable to less than significant levels. (*See* mitigation measure referenced above.)

5. Reference

For a complete discussion of Project cumulative impacts on solid waste, please see Section 5.10 of the Draft EIR.

XIII. ALTERNATIVES

A. Pepperdine University's CLP Objectives

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. To facilitate this comparison, the objectives of the Project contained in the Executive Summary of the Final EIR and Section V of these Findings are re-stated below.

1. Project Objectives

The Project aims to improve Pepperdine University's facilities to accommodate the evolving needs of the University's academic, administrative, and student-support programs, to enhance the educational experience for students, and to improve facilities and programs for students, faculty, and staff, all within the existing enrollment limits currently in place. Specifically, the following list provides a synopsis of the objectives and goals of the Project:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities, thereby attracting increased financial support, endowments, capital, and operating funds.
- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide enhanced recreational facilities including lighted field to alleviate the overcrowded conditions at the existing recreational fields to adequately

accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.

- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Provide needed outdoor recreational fields within areas of the existing developed campus.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University population.
- Foster support of sustainability concepts through student educational programs and continued efforts to improve resource conservation to minimize the University's impact on the land through improvements in the design of campus facilities and the use of the campus' developed space.
- Minimize potential off-site impacts by balancing appropriate soils on-site within existing developed areas to the extent feasible.

B. Project Alternatives

The identification and analysis of alternatives is a fundamental concept under CEQA. The role of alternatives in an EIR is clearly set forth within the CEQA Statute, California Public Resources Code, Section 21000, et seq. Specifically, Public Resources Code Section 21002.1 (a) states that:

> "The purpose of an environmental impact report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided."

CEQA Guidelines section 15126.6 provides further guidance on the formulation and analysis of alternatives in an EIR. This Section states, "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

In addition to the Project, the Draft EIR evaluated a reasonable range of four alternatives to the Project. These alternatives are:

- Alternative 1: No Project – The Project would not be implemented and the proposed component sites would remain unchanged.
- Alternative 2: Offsite Relocation of the Athletics/Events Center
- Alternative 3: Offsite Relocation of Student Housing
- Alternative 4: No Amendment to Long Range Development Plan

These alternatives and their impacts, which are summarized below, are more fully described in Chapter 6 of the Draft EIR (Chapter 6 of the Draft EIR, also, pursuant to CEQA

Guidelines Section 15126.6(c), identifies the alternatives considered but rejected as infeasible during the scoping process).

1. **Alternative 1: No Project – The Project would not be implemented and the proposed component sites would remain unchanged.**

Under CEQA, an EIR must include an analysis of a "No Project" Alternative, which discusses the existing conditions at the time the notice of preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved. (CEQA Guidelines section 15126.6(e)(2)).

a. Description

The analysis of No Project Alternative assumes the continuation of existing conditions, therefore, the existing uses of the Project sites would remain the same. No additional on-campus student residents or staff would be added to the campus under this alternative. The campus would continue to have a residential population of approximately 2,275 students, faculty, and staff, while the employee count would generally remain at 1,561 (1,222 FTE). 50,051 square feet of existing structures and 1,120 existing parking spaces would not be removed. However, other off-site development in the project area would continue (i.e. other Pepperdine University Campus projects, and other projects in the Malibu area).

b. Impact Summary

Alternative 1 would result in the fewest number of environmental impacts compared to the Project and remaining alternatives. However, it would not meet any of the objectives of the CLP or the approved long-term campus plan. For example, Alternative 1 would hinder the continued enhancement of quality of campus life. Campus life would not improve upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment. Alternative 1 also does not fulfill the University's strategic student housing plan that aims to provide housing on the Malibu Campus for seventy five percent of the Seaver College student body, thereby helping to decrease the daily commute for most undergraduate students.

c. Findings

With this Alternative, the new environmental impacts projected to occur from development of the Project would be avoided or reduced. Therefore, this Alternative would be an environmentally superior alternative to the Project. However, this Alternative does not meet the objectives of the Project. It is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XVI of these Findings (Statement of Overriding Considerations), make infeasible Alternative 1: No Project described in the EIR.

d. Facts Supporting and Rationale for Finding

Alternative 1 would not meet the University's objective to plan and implement a phased development that provides for the most effective use, operation, and maintenance of the

University's Malibu campus. Under Alternative 1, the University would not be able to improve the campus life experience by providing additional classroom, residential, athletic, and recreational opportunities, as well as adequate parking, support, and operations facilities. Alternative 1 would also be inconsistent with the University's current and future growth needs, as identified in its DPZ and LRDP/SPD. As such, there would be fewer classroom, residential, athletic, and recreational opportunities for existing and future students at the Malibu campus than what has been previously approved by the County and Coastal Commission.

Finally, Alternative 1 would hinder Pepperdine University's objective to attract financial support, endowments, and capital and operating funds necessary to allow the University to serve young people independent of governmental support and funding. Similarly, without the upgrades proposed as part of the CLP, the University's student recruitment efforts would likely be significantly hindered.

e. Reference

For a complete discussion of impacts associated with Alternative 1, please see Section 6 of the Draft EIR.

2. Alternative 2: Offsite Relocation of the Athletics/Events Center

The CEQA Guidelines state that an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and evaluate the comparative merits of the alternatives." (CEQA Guidelines, Section 15126.6(a), Project alternatives typically fall into one of two categories: on-site alternatives, which generally consist of different uses of the land under consideration; and off-site alternatives, which usually involve similar uses at different locations.

a. Description

Under Alternative 2 the Athletic/Events Center would not be constructed on campus. All other components of the CLP would remain unchanged. Under this alternative, the AEC would be developed on a portion of a 9.4-acre vacant parcel adjacent to municipal buildings on relatively level terrain in the Malibu Civic Center that would be accessed from Civic Center Way. The alternative site is situated at the base of foothill and mountainous slopes adjacent to residential development to the north. Due to the presence of steep slopes on the northern portion of the parcel, development would largely be limited to a 4.8-acre portion of it that gently slopes to nearly level terrain. The parcel is located within the Malibu Civic Center Area north of the library and court building. Like the Project, Alternative 2 would construct a 5,000-seat venue to host athletic competitions. During special events, approximately 470 additional folding chairs may be temporarily placed on the event floor raising the seating capacity to 5,470. However, unlike the Project, which only requires construction of a parking structure featuring 831 spaces due to available parking located elsewhere on campus, Alternative 2 would require the construction of a parking structure with 1,824 parking spaces.

b. Impact Summary

For a complete discussion of impacts associated with Alternative 2, please see Section 6 of the Draft EIR.

To summarize, Alternative 2 would have the same environmental impacts as the Project with respect to the following categories:

- Drainage – Construction
- Water Supply
- Lighting
- Fire Protection
- Police Protection
- Land Use Compatibility
- Solid Waste

Alternative 2 would have a lesser environmental impacts as to the Project with respect to the following categories:

- Air Quality – Construction

Alternative 2 would have a greater environmental impact as to the Project with respect to the following categories:

- Geotechnical Hazards
- Biological Resources
- Drainage – Operation
- Paleontological Resources
- Noise – Operation
- Archaeological Resources
- Water Quality – Operation
- Air Quality – Operation
- Noise – Construction
- Traffic and Access – Average
- Wastewater
- Water Quality – Construction
- Greenhouse Gas Emissions
- Visual Resources
- Visual Character
- Traffic and Access – Large Event
- Land Use Consistency

Overall, Alternative 2 would have a greater environmental impact than the Project.

c. Findings

With this Alternative, some of the new environmental impacts projected to occur from development of the Project would be avoided; however, others would be generated. Therefore, this Alternative would not be an environmentally superior alternative to the Project, and it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the Studio Alternative described in the EIR.

d. Facts Supporting and Rationale for Finding

Alternative 2 does provide for the construction of improved athletic facilities, along with associated parking, which is in alignment with some of the project objectives. To an acceptable level, this alternative would meet the following project objectives:

- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Provide enhanced recreational facilities including lighted field to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.

Alternative 2 does not meet the full range of CLP objectives on several key issues. Specifically, this alternative does not meet the following project objectives:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.

- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.

When compared to the proposed project, Alternative 2 does not meet the Project objectives and would result in greater impacts than the Project; thus the proposed Project has been chosen as the environmentally superior alternative.

e. Reference

For a complete discussion of impacts associated with Alternative 2, please see Section 6 of the Draft EIR.

3. Alternative 3: Offsite Relocation of Student Housing

a. Description

This alternative proposes the relocation of the student housing component from its proposed location on-site within the campus core to an offsite location within the Malibu Civic Center Specific Plan Area. As with Alternative 2, the site is a portion of a 9.4-acre vacant parcel adjacent to municipal buildings on relatively level terrain in the Malibu Civic Center that would be accessed from Civic Center Way. The site is situated at the base of foothill and mountainous slopes adjacent to residential development located to the north. Due to the presence of steep slopes on the northern portion of the parcel, development would largely be limited to a 4.8-acre portion that is relatively flat. Like the Project, Alternative 3 would include a residential facility providing 468 beds, and related amenities. However, unlike the Project, which can rely upon parking available at multiple locations on campus, Alternative 3 would require the construction of a 468-space parking structure. All other components of the CLP would remain unchanged, and no improvements to the existing student housing units at Standard or Outer Precinct would occur.

b. Impact Summary

For a complete discussion of impacts associated with Alternative 3, please see Section 6 of the Draft EIR.

To summarize, Alternative 3 would have the same environmental impacts as the Project with respect to the following categories:

- Drainage – Construction
- Visual Resources
- Visual Character
- Lighting
- Traffic and Access – Large Event
- Fire Protection
- Police Protection
- Land Use Compatibility
- Solid Waste
- Water Supply

Alternative 3 would have a lesser environmental impacts as to the Project with respect to the following categories:

- Air Quality – Construction
- Noise – Construction

Alternative 3 would have a greater environmental impact as to the Project with respect to the following categories:

- Geotechnical Hazards
- Biological Resources
- Drainage – Operation
- Paleontological Resources
- Noise – Operation
- Archaeological Resources
- Water Quality – Operation
- Air Quality – Operation
- Traffic and Access – Average
- Wastewater
- Water Quality – Construction
- Greenhouse Gas Emissions
- Land Use Consistency

Overall, Alternative 3 would have a greater environmental impact than the Project.

c. Findings

With this Alternative, some of the new environmental impacts projected to occur from development of the Project would be avoided; however, others would be generated. Therefore, this Alternative would not be an environmentally superior alternative to the Project, and it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the Studio Alternative described in the EIR.

d. Rationale for Findings

Alternative 3 meets certain project objectives as they pertain to the benefits of the campus as a whole, but does not meet the full range of CLP objectives on several key issues.

To an acceptable level, this alternative would meet the following project objectives:

- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide enhanced recreational facilities including lighted field to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University population.

Alternative 3 does not meet the full range of CLP objectives on several key issues. Specifically, this alternative does not meet the following project objectives:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities, thereby attracting increased financial support, endowments, capital, and operating funds.
- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.

When compared to the proposed project, Alternative 2 does not meet the Project objectives and would result in greater impacts than the Project; thus the Project has been chosen as the environmentally superior alternative.

e. Reference

For a complete discussion of impacts associated with Alternative 3, please see Section 6 of the Draft EIR.

4. Alternative 4: No Amendment to Long Range Development Plan

a. Description

Under Alternative 4, rather than seek an amendment to the LRDP/SPD to allow the adjustments required to implement the CLP, the University would construct the facilities proposed to be used as part of the CLP exactly as approved in the University's long-range planning documents. Alternative 4 would include the build-out of the facilities discussed below. All facilities would be constructed in the previously approved locations. As with the Project, any LRDP/SPD facility, including unused square footage of a utilized facility that is not included in Alternative 4 would remain unchanged in the LRDP/SPD.

b. Impact Summary

For a complete discussion of impacts associated with Alternative 4, please see Section 6 of the Draft EIR.

To summarize, Alternative 4 would have the same environmental impacts as the Project with respect to the following categories:

- Geotechnical Hazards
- Drainage – Construction
- Water Quality – Construction
- Air Quality – Construction
- Noise – Operation
- Paleontological Resources
- Archaeological Resources
- Visual Resources
- Visual Character

Alternative 4 would have a lesser environmental impacts as to the Project with respect to the following categories:

- Biological Resources
- Lighting
- Water Supply
- Wastewater
- Greenhouse Gas Emissions

Alternative 4 would have a greater environmental impact as to the Project with respect to the following categories:

- Drainage – Operation
- Water Quality – Operation
- Air Quality – Construction
- Air Quality – Operation
- Noise – Construction
- Traffic and Access – Average
- Traffic and Access – Large Event
- Solid Waste
- Fire Protection
- Police Protection
- Land Use Compatibility

Overall, Alternative 4 would have a greater environmental impact than the Project.

c. Findings

With this Alternative, some of the new environmental impacts projected to occur from development of the Project would be avoided; however, others would be generated. Therefore, this Alternative would not be an environmentally superior alternative to the Project, and it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the Alternative described in the EIR.

d. Facts Supporting and Rationale for Finding

Alternative 4 would enhance the education, athletic, and student life facilities within the existing core campus within the parameters of the University's approved long-term planning documents. Alternative 4 would also enhance the quality of campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment. The University's objective to improve additional residential, athletic, and recreational opportunities, as well as adequate parking, support, and operations facilities would be accommodated. Likewise, Alternative 4 would attract financial support, endowment, capital, and operating funds necessary to allow the University to serve young people independent of government support and funding.

However, Alternative 4 would be inconsistent with the University's objectives to construct athletic venues on par with other Division I, West Coast Conference schools, including an upgraded lighted NCAA soccer field, and the AEC. The alternative would not provide a lighted recreation field to address the recreational needs of the campus. Nor would the alternative create a central quad area that provides for community interaction in close proximity to existing learning facilities. The Seaver Residence Halls would not be rehabilitated.

Specifically, Alternative 4 is sufficiently consistent with the following project objectives:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities, thereby attracting increased financial support, endowments, capital, and operating funds.
- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Create a housing model that will raise the standard of campus housing to encourage non-

freshman students to reside on campus.

- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University

Alternative 4 is not consistent with the following project objectives:

- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide enhanced recreational facilities including lighted field to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.

Based on the alternative analysis contained in the Draft EIR, it has been determined that of the remaining alternatives (excluding Alternative No. 1- No Project), Alternative 4 would result in the fewest number of significant adverse impacts However, when compared to the Project, Alternative 4 would result in greater impacts than the proposed project; thus the Project has been chosen as the environmentally superior alternative.

e. Reference

For a complete discussion of impacts associated with Alternative 3, please see Section 6 of the Draft EIR.

C. Environmentally Superior Alternative

In addition to the discussion and comparison of impacts of a Project and the alternatives, CEQA Guidelines section 15126.6 requires that an "environmentally superior" alternative be selected and the reasons for such a selection disclosed. In general, the environmentally superior alternative is the alternative that would be expected to generate the least amount of adverse impacts.

A summary of the environmental impacts anticipated for the Project and each alternative is provided in Table below. In this case, the Alternative 1 (No Project) would result in the fewest significant adverse impacts and thus is considered the environmentally superior alternative. However, Section 15126.6(2) of the CEQA Guidelines states if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the alternative analysis provided above, it has been determined that of the remaining alternatives, Alternative 4 (No Amendment to LRDP) would result in the fewest number of significant adverse impacts However, when compared to the Project, Alternative 4 would result in greater impacts than the Project; thus the Project has been chosen as the environmentally superior alternative.

Comparison of Alternatives - Summary of Environmental Impacts

	Proposed CLP	Alternative 1: No Project	Alternative 2: Offsite Relocation of the Athletics/Events Center	Alternative 3: Offsite Relocation of Student Housing	Alternative 4: No Amendment to Long Range Development Plan
Geology and Soils					
Geotechnical Hazards	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Water Quality and Hydrology					
Drainage -Construction	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (same)
Drainage -Operation	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (greater)
Water Quality - Construction	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Water Quality -Operation	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (greater)
Biological Resources					
Biological Resources	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (reduced)
Air Quality					
Air Quality - Construction	LSAM	NI	LSAM (reduced)	LSAM (reduced)	SI (greater)
Air Quality - Operation	BI	NI	BI (greater)	LSAM	BI (greater)

	Proposed CLP	Alternative 1: No Project	Alternative 2: Offsite Relocation of the Athletics/Events Center	Alternative 3: Offsite Relocation of Student Housing	Alternative 4: No Amendment to Long Range Development Plan
				(greater)	
Noise					
Noise - Construction	LSAM	NI	LSAM (greater)	LSAM (reduced)	SI (greater)
Noise - Operation	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Cultural Resources					
Paleontological Resources	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Archaeological Resources	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Visual Resources and Aesthetic Qualities					
Visual Resources	LTS	NI	SI (greater)	LTS (same)	LTS (same)
Visual Character	LSAM	NI	SI (greater)	LSAM (same)	LSAM (same)
Lighting	LSAM	NI	LTS (same)	LTS (same)	LSAM (reduced)
Traffic and Access					
Traffic and Access - Average	BI	NI	LTS (greater)	LTS (greater)	BI (greater)
Traffic and Access - Large Event	SI	NI	SI (greater)	SI (greater)	SI (greater)
Public Services					
Fire Protection	LSAM	NI	LSAM (same)	LSAM (same)	LTS (greater)
Police Protection	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (greater)
Utilities					
Water Supply	LTS	NI	LTS (same)	LTS (same)	LTS (reduced)
Wastewater	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (reduced)
Solid Waste	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (greater)
Land Use					
Land Use Consistency	LTS	NI	SI (greater)	SI (greater)	LTS
Land Use Compatibility	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (greater)
Climate Change					
Greenhouse Gas Emissions	LTS	NI	LTS (greater)	LTS (greater)	LTS (reduced)

	Proposed CLP	Alternative 1: No Project	Alternative 2: Offsite Relocation of the Athletics/Events Center	Alternative 3: Offsite Relocation of Student Housing	Alternative 4: No Amendment to Long Range Development Plan
NI – No Impact BI – Beneficial Impact LTS – Less Than Significant LSAM – Less Than Significant After Mitigation SI – Significant Impact					

XIV. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

A. Growth Inducing Impacts of the Project

Section 15126.2(d) of the CEQA Guidelines requires that the potential growth inducing impacts of a Project be evaluated by analyzing the following four considerations:

1. **Ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment:**

The Project has been conceptually approved and is considered within the densities of the University's DPZ and the LRDP/SPD. Further growth of the Pepperdine University Malibu campus is controlled by the University's DPZ and LRDP/SPD. Implementation of the Project would add 468 student beds and increase existing university staffing by 48.3 full-time equivalent (FTE) employees, without increasing student enrollment. Students that would reside on the Malibu campus under the Project and new staff that would be employed by the CLP already reside in the region. Therefore, implementation of the Project would not induce substantial direct population growth in the area.

Development of the Project would create indirect economic growth in the area during both the construction and operational phases. Short-term, construction-related job opportunities would result in secondary economic growth in order to staff construction crews. In the long-term, the increase of up to 468 on-campus, resident students and additional staffing as part of the CLP is likely to result in increased patronage of local retail and commercial shops, thereby generating additional economic revenue in the immediate project vicinity.

The University currently offers on campus shops and dining facilities. The proposed Student Housing and Rehabilitation component would provide additional support amenities such as café dining, open green space, common gathering spaces, multi-purpose classroom space, recreation lounges, game rooms, outdoor barbeque grills, a student convenience store, open seating space, and a quad area from which students would be able use in lieu of utilizing off campus amenities.

A primary objective of the CLP is to expand on campus housing for existing students without increasing the existing student enrollment. While the Project would also create new jobs on campus, these are expected to number only 48.3 FTE employees. As such, the Project would not directly or indirectly result in a substantial job/housing imbalance or substantially facilitate the construction of more housing in the project vicinity.

The Project and associated movement of students and employees (including construction workers) to the Malibu campus are therefore not expected to substantially indirectly induce population, economic, or housing growth in the area, as student enrollment would not increase and the proposed FTE employees would total only 48.3, and these individuals already reside and commute within the southern California region.

2. **Ways that the Project may remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant):**

The components of the Project would be located among and/or adjacent to already-built components of the University's Malibu campus. Both the Las Virgenes Municipal Water District ("LVMWD") and the Los Angeles County Department of Public Works ("LACDPW") already provide public utilities to the Malibu campus and the Project would not result in a significant amount of new infrastructure on the existing sites or the expansion of critical public facilities. Implementation of the Project would only result in a provision that includes minimal improvements to existing campus infrastructure, such as the requirement for a third pump to be added to the University's Wastewater Flow Equalization Station (WFES). All improvements would only serve Pepperdine University and the CLP sites. As such, the Project does not include the extension of existing public roads or the construction of new public roads. In addition, the Project would not require the installation of new water mains or water mains with increased capacity that could facilitate further growth within the vicinity of the project site. It is expected that existing sewage treatment/water reclamation plants, potable water facilities, and County landfills, as well as associated infrastructure, would be able to sufficiently accommodate the Project. No service/utility service connections would be provided to other off-site uses and the service/utility connections would be sized to serve only the proposed land uses on the project site. Therefore, implementation of the Project would not result in the removal of any impediments to growth in the area.

3. **How increases in the population from the Project may tax existing community serving facilities, requiring construction of new facilities that could cause significant environmental effects:**

The Project would not require the construction of new community facilities. Existing public facilities (landfills, wastewater conveyance and treatment, and water supply and conveyance) are adequate to serve the Project. Both the Los Angeles County Sheriffs' Department and Los Angeles County Fire Department indicate that it can serve the project without expanding their current service capacity. In addition, the University Department of Public Safety that is directly responsible for on-campus public safety, patrolling campus grounds, first response, and crowd control. As such, the Project would not significantly impact fire or police protection services. The University currently provides students with an athletic field, recreational facilities, and a library. The Project would offer students additional amenities (e.g.

upgraded recreational and athletic activities), which would reduce the necessity for them to seek similar amenities off campus, thus reducing the project's demands on local parks and public recreational facilities.

4. **Attributes of the Project that may encourage and facilitate other activities that would significantly affect the environment, either individually or cumulatively:**

Implementation of the Project would require a variety of agency discretionary and ministerial actions, including the County's issuance of conditional use, and building permits, as well as consideration under the University's LRDP/SPD. However, these actions are not considered to be precedent setting, because they do not represent an innovation or an action that is uncommon to the County of Los Angeles or the California Coastal Commission. The Project has long been a component of the University's conceptually approved LRDP/SPD. Approval of the Project is not anticipated to set a precedent that would cause the County or the Coastal Commission to approve similar proposals in the future. All environmental impacts (i.e. transportation, noise, etc.) that may potentially result in indirect growth would be reduced to less than significant levels with implementation of the mitigation measures identified herein.

Although the Project would potentially result in the creation of incremental economic growth in the immediate project vicinity, the CLP is contained within the University confines and would not increase existing student enrollment, while only increasing staffing by 48.3 FTE employees. As such, the CLP is not anticipated to have a widespread growth inducing impact. Therefore, project-specific impacts and the project's contribution to potential cumulative impacts relating to growth inducement would be less than significant.

B. Significant Irreversible Environmental Changes

CEQA Guidelines section 15126.2(c) states:

"Uses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the Project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

Development of the Project would result in the incremental use and depletion of renewable and non-renewable resources during construction and operation. Construction would require the consumption of natural resources as well as renewable and non-renewable materials, including building materials (e.g., wood and metal) and fossil fuels (e.g., gasoline, diesel fuel, and natural gas). Once operational, the project would require the consumption of natural resources as well as renewable and non-renewable materials such as electricity, natural gas, potable water, and fossil fuels for building systems, such as heating, air conditioning, and lighting. To a degree, these resources are readily available, and are expected to remain available in the foreseeable future. Nevertheless, all non-renewable resources are finite in supply, given

the length of time required by the natural process to create them. The University currently utilizes reclaimed water for landscaping purposes and employs successful construction and operational recycling programs that divert a substantial amount of solid waste from County landfills. In addition, the Project would be obliged to comply with all applicable County ordinances requiring green building, and drought-tolerant landscaping standards. As such, given the project's commitment to energy efficiency, the commitment of these resources to construct and operate is not considered significant. Nevertheless, mitigation measures have been included in this EIR to reduce and minimize project-specific and cumulative impacts to less than significant levels.

Irreversible long-term environmental changes associated with the Project would include an increase in stationary and event-related noise levels, although not at significant levels. The Project would also result in an increase of greenhouse gas emissions. Design features have been incorporated into the development and mitigation measures are proposed in this EIR that would minimize the effects of the environmental changes including increases in greenhouse gas emissions associated with the development of the project to less than significant levels. As previously mentioned, while the CLP would increase residential housing by 468 beds, the Project would not change current student enrollment at the University. Consequently, the Project would eliminate the daily commutes for 468 students; thereby, resulting in a decrease of 744 average daily trips and associated trip-related air quality emissions and noise levels. The proposed AEC would increase the capacity for large events by 1,896 seats when compared to the Firestone Fieldhouse. Furthermore, the proposed AEC would relocate games and events, as well as its' associated parking, to an interior campus location farther away from adjacent neighbors. The University would continue to employ a Event Management Plan for the AEC in order to minimize congestion and provide a level of safety for motorists and pedestrians before and after large events. The Project would be located in a site that is currently institutionally designated, and the implementation of the project would enhance the campus environment. Implementation of the Project would not result in any significant and unavoidable impacts with the exception of Major Event traffic impacts from major events exceeding 3,750 attendees and starting or ending at peak morning or evening hours on weekdays and drawing 60% of attendees from off-campus.

The limited use of potentially hazardous materials contained in typical cleaning agents and pesticides for landscaping would continue to occur on the campus during and following Project buildout. Such materials would be used, handled, stored, and disposed of in accordance with applicable government regulations and standards, which would serve to protect against a significant and irreversible change resulting from accidental release of hazardous materials.

The project proposes no uniquely hazardous uses, and its operation would not be expected to cause environmental accidents that would affect other areas. The project site is located within a seismically active region and would be exposed to ground shaking during a seismic event. However, conformance with the regulatory provisions of the Los Angeles County Code pertaining to construction standards would minimize, to the extent feasible, damage and injuries in the event of such an occurrence.

XV. OTHER CEQA CONSIDERATIONS

1. Los Angeles County (the "County"), acting through the Department of Regional Planning, is the "Lead Agency" for the Project evaluated in the EIR. The County finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The County finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the County.

2. The County finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.

3. The Department of Regional Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of Regional Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Department of Regional Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received during the Draft EIR comment period and late comments received as indicated in the FEIR, concerning the environmental impacts identified and analyzed in the EIR.

4. The EIR evaluated the following potential Project and cumulative environmental impacts in the following categories:

Geology and Soils
Water Quality
Biological Resources
Air Quality
Noise
Cultural Resources
Visual Resources and Aesthetic Qualities
Traffic and Access
Public Services
Public Utilities
Land Use
Global Climate Change

Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes, Growth Inducing Impacts and potential secondary effects of the Project. The significant environmental impacts of the Project were identified in the Final EIR. The significant environmental impacts of the Project and the alternatives were also identified in the Draft and Final EIR.

5. The mitigation measures which have been identified for the Project were identified in the Draft and Final EIR. The final mitigation measures are described in the Mitigation Monitoring and Reporting Program ("MMRP") (attached hereto). Each of the mitigation measures identified in the MMRP, and contained in the Final EIR, is incorporated into the Project. The County finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP, and contained in the Final EIR.

6. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The Department of Regional Planning staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with the Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated in order to describe refinements suggested as part of the public participation process.

7. The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR.

8. Having reviewed the information contained in the EIR and in the administrative record as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the County finds that there is no new significant information in the Final EIR and finds that recirculation of the Draft EIR is not required.

9. CEQA requires the Lead Agency approving a Project to adopt an MMRP for the changes to the Project which it has adopted or made a condition of Project approval in order to ensure compliance with the mitigation measures during Project implementation. The mitigation measures included in the EIR as certified by the County and included in the MMRP as adopted by the County serves that function. The MMRP includes all of the mitigation measures identified in the EIR and adopted by the County in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMRP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code §21081.6, the County hereby adopts the MMRP.

10. In accordance with the requirements of Public Resources Code §21081.6, the County hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

11. The custodian of the documents or other material which constitute the record of proceedings upon which the County's decision is based is the Los Angeles County Department of Regional Planning, Special Projects Section, Room 1362, 320 West Temple Street, Los Angeles, CA 90012.

12. The County finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

13. The County is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the County is the Lead Agency for the Project, the EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the Project.

14. The EIR is a Project EIR for purposes of environmental analysis of the Project. A Project EIR examines the environmental effects of a specific Project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the County of Los Angeles and the other regulatory jurisdictions.

XVI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR has identified an unavoidable significant impact that would result from implementation of the Project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decision of the public agency allows the occurrence of significant impacts that are identified in the EIR but are not at least

substantially mitigated, the agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. State CEQA Guidelines require, pursuant to CEQA Guidelines section 15093(b), that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a Project if it finds that significant adverse environmental effects have been identified in the EIR which cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the EIR, the reference library to the EIR, and documents and materials that constitute the record of proceedings.

The following impact is not mitigated to a less than significant level for the Project, as identified in the EIR: Traffic and Access (Large Event in excess of 3,750 attendees starting or ending at weekday morning (7:00-9:00 a.m.) or evening (4:00-6:00 p.m.) peak hours that draws 60% of attendees from off-campus). The required Transportation Demand Management Plan will mitigate these impacts to the extent feasible, but it is conservatively assumed that it is not feasible to mitigate the impact to a less than significant level for all events.

Accordingly, the Commission adopts the following Statement of Overriding Considerations. The Commission recognizes that a significant and unavoidable impact would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the Commission hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide, in addition to the above findings, the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed Final EIR. Many of these overriding considerations individually would be sufficient to outweigh the adverse environmental impacts of the Project and justify adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

1. Implementation of the Project will maintain and enhance the social and economic vitality of the community by providing improved university services and job opportunities associated with the Project.

2. Preliminary General Economic Impact and Tax Revenue Estimates prepared by HR&A Advisors determined that "total economic output impacts from construction of the CLP within the County economy total approximately $431.2 million, including approximately $243.7 million in hard construction costs." "Total employment impacts from the Construction of the CLP within the County economy total 2,217 jobs, of which 1,734 are construction jobs which will be located directly on site." (emphasis omitted). The CLP is expected to generate approximately

$467,231 in construction sales tax revenue to Los Angeles County over the life of construction.

3. The Project will ensure the future vitality of Pepperdine by enhancing its residential facilities, athletic facilities and open space areas, in order to accommodate the evolving needs of current and prospective students, faculty and staff, all within the existing enrollment limits currently in place for Pepperdine.

4. The Project will implement much-needed improvements within the limits of the existing developed campus core, without any modification of the surrounding areas of protected open space.

5. The Project will decrease daily traffic trips to and from campus by 744 trips by increasing the number of undergraduate FTE students living on-campus.

6. The Project will allow the University to achieve its strategic goal of housing 75% of all undergraduate FTE students on-campus.

7. Implementation of the Project will provide new housing units to help meet the market demand for on-campus housing and ensure the maximum number of students have opportunities to experience and contribute to Pepperdine's social living and learning environment, student and faculty interaction, and full participation in campus life and community outreach activities, in order to create a updated cohesive campus community.

8. Development of the Project in an established developed area served by existing infrastructure would minimize the need for the development of new infrastructure and make more efficient use of Pepperdine's existing facilities.

9. Implementation of the Project will promote energy and water conservation, by replacing older buildings with more energy and water efficient buildings, all of which will be designed to meet either LEED Silver (or equivalent) or LEED Certified (or equivalent) standards.

10. The Project will continue the University's many sustainable practices, including using reclaimed water for 99% of campus landscape irrigation, operating an irrigation monitoring program to conserve water and reduce runoff, implementing recycling programs to divert solid waste, installing water saving fixtures such as dual flush toilets, and landscaping with drought tolerant species.

11. The Project will incorporate many sustainable building practices including high-efficiency fluorescent lighting, recycled carpet tiles, minimized grading techniques, energy management systems, chiller water cooling, hydronic gas heating systems, solar reflective film, optimal solar

orientation, natural ventilation, low-VOC building materials, LED lights, and a project construction diversion rate of at least 70%.

12. The Project will provide the University with a state-of-the-art athletics and events venue that is on par with other schools in the West Coast Conference, thereby increasing the potential for future success in student athlete recruiting and retention efforts, along with improved spectator experience.

XVII. MITIGATION MONITORING AND REPORTING PROGRAM

A. Introduction

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition, Section 15097(a) of the CEQA Guidelines requires that:

> *In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.*

The Los Angeles County Department of Regional Planning has been designated as the Lead Agency for the CLP.

A Draft EIR was prepared to address the potential environmental impacts of the Project. Where appropriate, the Draft EIR identified recommended mitigation measures to avoid or to mitigate potential impacts to the environment to a level that would be less than significant. This Mitigation Monitoring and Reporting Program ("MMRP") is designed to monitor implementation of the project design features and mitigation measures required for the Project.

The project design features and mitigation measures identified in the Draft EIR are categorized by environmental impact section. Following each project design feature and mitigation measure is identification of the following:

- **Enforcement Agency**: The agency with the power to enforce the project design feature and mitigation measure.

- **Monitoring Agency**: The agency to which reports involving feasibility, compliance, implementation and development are made.

- **Monitoring Phase**: The phase of the project during which the project design feature and mitigation measure shall be monitored, such as: Pre-Construction, including the

design phase; Construction; Prior to Issuance of a Building Permit; Prior to Issuance of a Certificate of Occupancy; Occupancy (post-construction).

- **Monitoring Frequency**: The frequency with which the project design feature and mitigation measure is to be implemented (i.e., once at a specific point during Pre-Construction, Construction, etc.) or ongoing throughout a phase of the Project.

- **Action Indicating Compliance with Mitigation Measure(s):** The performance standard indicating that compliance with the project design feature and mitigation measure has been satisfactorily achieved.

The MMRP for the Project will be in place throughout all phases of the Project. The Project applicant will be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The County's existing planning, engineering, review, and inspection processes will be used as the basic foundation for the MMRP procedures and will also serve to provide the documentation for the reporting program.

The substance and timing of each certification report that is submitted to Department of Regional Planning shall be at the discretion of Regional Planning. Generally, each report will be submitted to Department of Regional Planning in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. The Department of Regional Planning, in conjunction with the Project applicant, shall assure that Project construction occurs in accordance with the MMRP.

HEARING EXAMINER TRANSCRIPTS

AND

CUP CORRESPONDENCE NOT IN FEIR

PEPPERDINE UNIVERSITY, MALIBU, CALIFORNIA

THURSDAY, DECEMBER 2, 2010

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LOS ANGELES COUNTY REGIONAL PLANNING COMMISSION

HEARING EXAMINER'S PUBLIC HEARING

Agenda Item R2007-03064

Pepperdine University Campus Life Project

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Transcribed By:

Shaune M. Steele, CET
Huntington Court Reporters & Transcription
1450 West Colorado Boulevard, Suite 100
Pasadena, California 91105
(626) 792-7250

HEARING EXAMINER'S PUBLIC HEARING

Agenda Item R2007-03064

MR. McCARTHY: Good evening and thank you for coming to attend the hearing examiner's hearing tonight. We are here tonight regarding Project No. R2007-03064, and the applicant is Pepperdine University. And we will start our procedure by saying the Pledge of Allegiance, so if you will join me by standing and raising your right hand.

(Pledge of Allegiance is said.)

MR. McCARTHY: My name is Paul McCarthy, and I am the hearing examiner for the County of Los Angeles Department of Regional Planning.

The purpose of tonight's meeting is actually two-fold. One is to help the local community members to receive a clear understanding of the proposed project. Sometimes as times pass, rumors get started that this has been added to the project or that's been deleted. Well, this will be the official version. This is what is currently pending with regard to the project, and we're going to have the staff give you a presentation to help you with that.

The other purpose is to provide an opportunity for all of you, both members of the Pepperdine community and members of the community outside the campus, to

comment on strengths and the weaknesses of the proposed project and its related environmental impact report. Now, throughout these procedures, feel free to use the term "EIR" instead of environmental impact report. It'll take an hour off of the length of the proceedings.

The hearing is going to begin, and you don't have to submit all this to memory. I'll go over it periodically as needed. But the hearing will begin with a 15-minute presentation by the Pepperdine folks, the applicant. And those who wish to testify on this matter do need to fill out a speaker card. Do we have --

MR. DEA: Yes, we do. We have speaker cards that have been submitted, and those of you who wish to testify, please -- or have not filled one out, please go to the desk that's outside and fill one out and we'll go ahead --

MR. McCARTHY: So it's not too late to run out if you want to step out and fill out a card. If you request to speak, you may still do so.

So again, the applicant will begin with a -- we will start with a staff presentation, and the applicant will have a 15-minute presentation, and all speakers will then be allowed to come forward one by one; we'll call the names. We start with those who are proponents of the project, and then we'll move to those who are opposed to

the project.

Before we begin to take testimony, we will swear you in. You do have to be sworn in. When you come before us -- and you'll be using the podium to my left -- please give us your name and your address. And say your name slowly and then just spell out your last name, because we have a court reporter here, and it'll make her job a lot easier if we don't have to ask over and over to restate the name. It speeds things up a bit.

All of the oral testimony of course is being taken down here by the court reporter for the benefit of the Regional Planning Commission.

Now, written testimony on the draft EIR can continue to be taken on this matter up until close of business on January the 10th of 2011. January the 10th, 2011. Sometimes you're in the proceeding, something occurs to you that didn't occur to you at the beginning, and you want to write an additional comment, feel free to do that.

The Planning Commission will also be conducting a public hearing in downtown Los Angeles. The date for that has not been set, but that will be noticed on the website, there will be notices sent to surrounding property owners, there will be signs posted, etc., telling you when that hearing will be conducted.

Incidentally, we have a relatively new feature, and that is when these hearings are conducted in downtown Los Angeles, you can view them live on the Department's website. So you go to County of Los Angeles and then Department of Regional Planning. The proceedings will also be archived on that website, so if you're working that day or attending class and you want to see it that evening or you want to see it that weekend, you can replay it at that time, at your convenience.

I think we're really ready to begin. We're going to start with the swearing in. All those who - and again, if there's any questions, we can come along with it one by one as we raise these issues, again with a question when you're coming up to testify.

If everybody who wishes to testify now will please stand and raise their right hand, and then Mr. Dea will swear you in.

(Prospective speakers are sworn in.)

MR. McCARTHY: And we'll have Mr. Kim Szalay from the Department of Regional Planning, he's the staff planner who is assigned this project, and he's going to give us a presentation to describe to all of you, both the Pepperdine community and the surrounding neighbors, what the project proposal is.

MR. SZALAY: Good evening. I am Kim Szalay from the

Special Projects Section, Department of Regional Planning, and I will be presenting a brief overview of the Pepperdine project as it is analyzed in the EIR, and I will continue with a brief outline of the planning that's in process. The project number, for the record, is No. R2007-03064, in the Third District; Conditional Use Permit No. 2007-00203; and Parking Permit No. 2007-00014.

The project -- there we go, always good to get the right button. All right. So anyway, the site is surrounded mostly by vacant land, as you can see around the property and to the north, northwest, and northeast. Malibu Country Estates is located to the southwest, and the Malibu Bluffs State Park is down to the south. Malibu Grove Country Community is down to the south also, and the Malibu Knolls Community is to the -- above Civic Center up here, as well as the City of Malibu Civic Center. And the Hughes Research Center is also located off to the side, here. (Indicating.)

The entire site is zoned A-1-1-DP. That means Light Agricultural Development Program, and the entire site is that zoning. Then it's surrounded by other agricultural zoning and then some urban zoning.

The applicant, Pepperdine University, is requesting a conditional use permit for the construction,

operation, and maintenance of the Campus Life Project, which proposes to develop and redevelop property within an existing, approximately, 365-acre campus area.

If you look at this map this little outline right here is the 365-acre area. Then you have -- this is the whole 830-acre property. So we're dealing with the development area.

A parking permit is requested to continue parking requirements of one parking space per fulltime equivalent student, with a maximum student enrollment of 3500 fulltime equivalent students.

The project also includes overall six components of proposed development for nearly 400,000 square feet of net new development.

Now the phasing for this project is proposed to be a 12-year plan, about six years for two phases. And included in the first phase is outer precinct housing, School of Law parking structure, a portion of the recreation field and debris basin - an upgrade to that - that is, a portion of it and the Athletics Events Center are all proposed to be constructed that first six years, with the rest of the proposed project during the remaining six years.

The first component adds 168 beds. It's an outer precinct upper grades housing. The second part of

component one is the standard precinct as it's called, 300 additional beds for undergrads.

The Athletic Events Center would have a maximum of 5,470 seats, and that's with the floor being used for a major event. The project also would require that the Firestone Fieldhouse remove seating before occupancy of the new Athletic Events Center.

The next component is the soccer field enhancements, which are basically improving that soccer field to be able to be NCAA-compatible and improve the overall facility.

The fourth component would be the Seaver Center, where the parking lot would be removed, and the plaza would become a student plaza with underground parking.

The fifth component is up in the northern part of the property. The recreation field would be improved. There would be some elevation gained from fill on that recreation field. And the debris basin up here - the debris basin would be moved up into the canyon a little bit further.

The sixth component would be the improvement of a three-story parking structure where the - right across where that parking is for this building. And when you look at this map, the grading is proposed to be fully

onsite for this project, with the exception of bedrock grading which would require some offsite removal. And the excessive fill could be taken from this area over near the - below the graduate campus to be used on the rest of the site.

The Department of Regional Planning has determined that an environmental impact report is required, and many things were analyzed: landslide potential, storm water runoff, proposed improvements to the existing underground water monitoring system were all evaluated along with construction dust, annoyance impacts, fire hazards, and greenhouse gas emissions pertaining to global climate change.

Additionally, the - since the project is located within the existing campus development area - the 365 acres I pointed out - impacts to animals and plants, cultural resources, and scenic vistas were kept to a minimum.

Potential traffic impacts were analyzed using County and industry standard methodology, and traffic was determined to be improved by the proposed reduction of 468 commuter students, which would now live on campus according to the project proposal.

Land use compatibility and consistency with the general plan, Malibu local coastal planning, County code

development standards were also analyzed.

In addition to evaluating fire, sheriff's services and so forth, potable and recycled water supplies were analyzed for adequacy, and the project also proposes standard upgrades to the Malibu Mesa sewage treatment plant to ensure adequate capacity.

All of the areas analyzed with one exception were determined to not have significant impacts from the project when approximately 98 required mitigation measures would be implemented and monitored by the County's mitigation monitoring and reporting program.

Major event traffic impacts and only morning and evening peak traffic hours would remain a significant and unavoidable impact, even after the mitigation measures are implemented. A statement of overriding considerations would be requested by the applicant for this remaining impact.

The environmental initial study considered that these areas on this next slide here do not need further analysis. Mineral resources, agricultural, education, etc., as you can see - those items do not need further analysis.

In terms of a brief background on this project which is very important for the current entitlement, so this isn't just a history lesson but it's actually

something that's critical to this entitlement process. The community does need to understand the major planning steps accomplished in previous years to set the stage for the current proposal.

In 1972, a conditional use permit authorized the establishment of the initial Pepperdine campus. The next major milestone was establishment of the Long-Range Development Program, called the LRDP for short. I said "program." I meant "plan." Long-Range Development Plan.

And then there was a zone change to add to development programs, so that's called the Development Program Zone. Those were authorized by the Planning Commission, Board of Supervisors, and ultimately, the California Coastal Commission in 1990. The LRDP and the Development Program Zone provide the conceptual basis for the current Campus Life Project proposal as filling out that conceptual plan in the specific project.

Under the umbrella of the LRDP, the graduate campus was established with a conditional use permit approved in 1999, and the current proposal pursues build-out of most of the remaining components of the LRDP.

Now, as far as the remaining process that we're in right now and to come, before there can be final action on this project, in addition to the letters sent

and are received today, along with today's oral testimony from those of you that wish to speak, and then all other letters that we receive during - that are basically from the public and from agencies -- on the draft EIR, these will be received through January 10, 2011. That's the end of the public comment period for the draft EIR.

However, after that comment period closes, there is still opportunity to comment on the permits -- the conditional use permit and the parking permit -- so that those comments can be received right up to the hearing and including the hearing with the Planning Commission, which will take place later. That date is not yet set.

The final EIR would also be considered. That would include by the Planning Commission when that date is set -- that would include the responses to all the public and agency comments.

Additional written comments -- well, actually I already told you about that so I will continue. Additional oral testimony on those permits that I mentioned earlier, the parking permit and conditional use permit, can be arranged for the - at the Commission's hearing.

The hearing examiner now, today, and the staff will make a recommendation to the Planning Commission,

and the Commission will then take final action on the project.

This concludes my staff summary of the project in process.

MR. McCARTHY: Thank you, Mr. Sazlay. And again, the important thing to remember for tonight is that tonight you can speak on either the project or the EIR proposal. At the public hearing downtown, testimony will be limited to the project not the EIR, because the EIR will have been completed with a final EIR at that time.

Just a note here on how this timing system works. You see the podium here. It has a little box on it, and it's just like a traffic light. Your time is running with the green, and as you get to your last 15 seconds the orange light will go on, and then the red light will go on which means stop.

So just keep that in mind when you're testifying. I don't know if you're able to see this as well from here, but there is one on the podium.

I believe the first presenter tonight is going to be Mr. Benton, who is the president of Pepperdine University.

MR. BENTON: Mr. McCarthy, County staff, friends and neighbors in Malibu, my colleagues at the University, and of course, the many students who are here tonight,

welcome. Welcome to our campus and welcome to this pilot project that I'm very, very proud that we are a part of. I'm grateful for this new hearing process and for this increased opportunity for dialogue.

For 15 years, the period before I became president, these hearings were my life. I've spent a lot of time with the Coastal Commission and the County of Los Angeles, and this morning reminiscing over that period of time, that part of my career and preparing for this evening, I found myself proud of what we've done; proud of how we've been, I think, good stewards of the trust reposed in us by Los Angeles County and the California Coastal Commission; proud that the course we set now many years ago is the same course that we pursue today.

A university does not have the luxury of standing still. This project we share with you this evening is not about increasing enrollment, but it is about increasing quality. In recent years we have focused a lot of attention on scholarly research, on our teaching and learning facilities, the development of our faculty, and so forth. And the product is a strong national presence and, I think, a high regard for this small, still young college located in these beautiful Santa Monica Mountains.

In our planning for this project, which began

in 1987, we've made promises, and we have kept those promises. In our relationship with students and their parents, we also make promises. The project for me is about making and keeping our promises to them. And I'll come back to that in just a very few moments.

The presence of a college within a small community is always challenging. Ask someone in Malibu about Pepperdine and you're likely to hear, "We depend on them for a large portion of our business." Or, "One of their students tutors our daughter." Or, "I really admire their volunteer center, their theatre, their athletic teams." Or, "The Waves of Flags" display on September 11 of each year touches me deeply."

You might also hear, "Those students drive too fast." "They play their music way too loud." And tonight we may hear other impacts from those who will speak in opposition to the project. To those points, the very nature of a college or a university is that it is populated by young people. The university - our university is a presence, there is no question, in the Malibu community. But on balance, it is a clean, good, productive, positive, even sometimes inspirational presence in the Malibu community.

I'm grateful for all that's gone into our EIR, for the fine staff that has made it possible, for the

County's attention to it, and I'm grateful for those who are here this evening whether they speak for the project or in opposition to the project -- that's democracy.

My fear is that what we do will be reduced to what I will call "impacts." We are more than impacts. This project relocates our primary athletic venue to a place removed, to the greatest extent possible, away from Malibu Country Estates.

This project places more of our existing student population in residences on campus, thus reducing presence on the road infrastructure.

This project increases both green space on campus and parking and celebrates the fact that learning takes place not only in our classrooms but in the extra-curricular activities. And so we create spaces, and places, and hopefully, even memories with this project.

There's more of course in all of that. There are impacts. If we reduce to impacts those whom I prefer to think of as students, then I hope we will also consider the impacts of their lives, and the impact their lives will have on others.

Some will be doctors. Some will be entrepreneurs, stars on Broadway, leaders in the green movement, Olympic athletes, and maybe even a few politicians and on both sides of the aisle. They will

have impact indeed, and their time in Malibu on this campus will have changed them forever. Tonight, I'm here for them. I'm here for their hopes and dreams. Thank you very much.

And now I have the pleasure of introducing Lucinda Starrett, one of the finest attorneys that I have ever had the privilege of working with, and she will provide creative detail about our Campus Life Project.

MR. McCARTHY: And just a little note, the applicant has 10 minutes and 47 seconds left.

MS. STARRETT: Good evening. My name is Cindy Starrett, and I've been lucky enough to work with Pepperdine since the 1980s when the Master Plan was conceptualized, approved by the County, approved by the Coastal Commission. We then went back for numerous projects, and I'm delighted that we're here today.

These elements of this project were all included in those initial long-term plans. EIRs were done at that time. There were years of community input, of public hearings, but we agreed that we would come back with specific conditional use permits -- which is of course why we're here tonight -- for construction when aspects of the project were ready to build. So I'd like to tell you a little bit about those aspects.

I think the County staff did a great job, but

let me just remind you, there are six components to the project. They include student housing, and this is housing that was built in the 1970s when the University was first built.

The same is true of the Firestone Fieldhouse. We need a new athletics and events center. Our soccer field needs to be upgraded to meet NCAA standards. We think a town square and a campus welcome center are much, much needed. I'll show you some pictures of that.

The enhanced recreational area currently is a field that used to be a riding area that students do use, but it's too small for a lot of the sports they'd like to play up there. And then we're going to be adding more parking to the Campus.

And I'm just going to show you where each of these are. This is the housing. And you can see, this shows all of the areas. The student housing will be in phases, as I think Kim mentioned. The 300 beds are the larger area that you see kind of in the middle. And then up a little bit to the left is the second phase of housing.

The Athletic Events Center -- and I'll show you another picture -- has been moved all the way to the top. Let's go to the next slide here, and we'll show you a little bit more about the housing.

This is a visualization of what the housing will look like. We'll add a total of 468 new, on-campus beds, and we'll be upgrading the existing facilities.

Pepperdine has established a strategic goal of housing 75 percent of the Seaver College student body on the campus, but we need to provide the students with better housing conditions, particularly in contrast to those that they can find off campus.

Another benefit by the way of on-campus housing is that the students can rejoin the community after they've studied abroad. Pepperdine has great global opportunities for studying, but when the students come back we want them to be able to come to the Campus and reintegrate with the community and with the campus, and we think the new student housing will really help with that. Student housing also helps to improve academic performance.

The next slide shows the Athletics Events Center, and this has actually been moved from where the Development Program Zone located it down by the existing one. It's been moved up, away from the adjacent community.

The Firestone Fieldhouse was also built in the 1970s. It is the location for all home games, all practices, all intermural sports, all pickup games. A

number of student athletes, I think, are with us tonight and you may hear from them about the need for new facilities.

This building is outdated and undersized, and we need to be able to be competitive with other schools in the Conference. Division I volleyball and basketball will be able to be accommodated in the new facility, and again, a visualization of what it may look like.

The facility will be Silver LEED certified. Pepperdine has a huge commitment to sustainability. It will add a net new 1,900 seats. As was mentioned, there are 3,100 seats now in the Firestone Fieldhouse. Those will be decommissioned for events when the new facility opens. We will not be building an auditorium that had previously been thought to add 3,000 seats. So we think this is a very reasonable proposal.

The soccer field is shown here. This needs to be upgraded. The University has a wonderful and very successful women's soccer program, but it's overcrowded. There are many other uses, the track and other things on that field, and the demand for field time exceeds the daylight hours.

And so we do need lighting. Lighting will be put there -- shielded and real state-of-the-art lighting standards. We actually have students that cannot major

in certain academic programs because they have to choose between sports and academics, and we need lighted fields to deal with that.

The town square and campus welcome center will be located where currently there is a parking lot. We'll show you a picture of that. Up on the top, so what's now a surface parking lot will be transformed. And you see a landscaped quad in the picture in the middle. This will provide the University with a gateway to Seaver College. It will have a small welcome center where guests can arrive and get information on the University.

There will be 200 subterranean parking spaces added. The deck of the quad will be landscaped and then parking underneath it. And you can see on the bottom here an artist's rendering of how that fits into the campus as a whole.

We talked a little bit about the enhanced recreation area, for intermural use. There is currently a field up there, which you can see. That will be made larger so that intermural and recreational use can be accommodated for rugby, for lacrosse, for a variety of sports. We think it's very important that the students have the opportunity to play intermural sports, and that shouldn't have to compete with the NCAA and other sports.

Parking is important, and many of you may have

parked across the street here from the law school, in the School of Law parking structure. We have a picture of that, I think it's next -- the next slide of the current parking lot. That will be decked, so that we'll have a total of 433 parking spaces in a location that's very convenient for the campus. I'm sorry, there will be 724 parking spaces added; 433 is the net. And this is an area that will not have any negative visual impact for anybody else. It's a terrific location for the parking.

Now, Kim mentioned the long-range plan and development program zone. And we worked very hard on this. The County identified some specific areas that should be focused on in the future when we came back. And those specific areas included traffic, waste water treatment capacity, visual impacts, infrastructure, and to make sure that we continue to look at alternatives under CEQA. This project does all of those things.

On the long-range plan consistency, we stayed in the existing developed footprint. Kim mentioned earlier that even though the campus is over 800 acres, the developed footprint is only 365 acres, and this project maintains that. We do not disturb any undisturbed areas. We stay within the developed campus.

The square footage that's being added is a total of a little bit less than 400,000 square feet.

That's actually less than was in the notice of preparation when we began the EIR. The University has refined the project and it is below the total that was approved in these Master Plans.

Enrollment is not being increased. Pepperdine is still below the enrollment cutoff, and these uses are all uses that are consistent with those that have been previously approved for the campus. We call it Campus Life -- student housing, student athletics, welcoming to the University. You can see that we're focusing on those important things.

The EIR, as Kim mentioned, went well beyond the five County review factors. It was very extensive. I think you've already seen all the different areas that we've studied. Importantly, in these four areas -- wastewater treatment, visual, infrastructure, and noise -- all of these areas were fully mitigated. A number of conditions and mitigation measures were recommended in the EIR. We're fully supportive of those.

And then, of course, traffic. The University participates in the traffic committee with Malibu and a number of adjacent stakeholders. Traffic will be reduced on a daily basis by over 700 trips, and the major reason for that is that many students who currently live off campus will be able to live on campus with the new

student housing.

All impacts are fully mitigated with one exception, and that's something we're going to continue to work on. The exception is that when events at the Athletic and Events Center occur on weekends, or when they are events that are primarily attended from on-campus attendees, there are no new traffic impacts.

However, we do have some events -- graduation is one -- where we do have some impacts, so our goal there is to have transportation-demand management. That may include shuttles, it may include having visiting teams come in a bus, and event management programs, and the University already works hard on those, to make sure that people can access the campus when there is a special event to try to minimize any inconvenience.

We will be working with the County and working on those two programs to address those special events that might cause some impacts, and the EIR is very conservative when it says there may be impacts in those circumstances.

The Campus Life Project was designed to enhance student life on the Malibu campus. It continues the University's commitment to sustainability. It's fully consistent with all previous approvals, and it meets Pepperdine's goals of seeking to educate the whole

student, not just academics.

I know some of you will be speaking tonight and some are just here to watch, but if there are those who would just like to express their support by standing now even though you're not going to be testifying, please do that. If you're here in support of the Project, please stand. And we appreciate that very much, and we look forward to answering questions and the rest of the evening. Thank you very much.

MR. McCARTHY: Thank you. That was perfect timing. We're now going to begin the comments from the members of the public, who are proponents. Those persons who have signed up here on the cards who are proponents can come forward. Again, you will each have three minutes, and we will start calling the names.

If some of you signed in to speak and you came in late and were not sworn in, please let us know, and we will swear you in before your testimony commences. So Mr. Dea will call the first name.

MR. DEA: Michael Corrigan.

MR. McCARTHY: Why don't you call several names, and we can have folks come forward here and sit in the front row while Mr. Corrigan's coming up.

MR. DEA: Greg Lee, Emily Rose Reeder.

MR. McCARTHY: All right. Very well. Michael

Corrigan. Why don't you just spell your last name for the record.

MR. CORRIGAN: My name is Michael Corrigan, C-o-r-r-i-g-a-n. I live at 24609 Plover Way, which is in Malibu Country Estates, and I've lived there for over 13 years.

I am a proponent in favor of the development plan that's being discussed here this evening. My kids grew up on the Pepperdine campus playing soccer on the soccer field, ignorant of the fact that it didn't comply with NCAA standards. They swam in the pool, walked the dog around the perimeter of the property, and in short, grew up with Pepperdine as part of their lives.

My daughter is now of an age where this past summer we had the jogs through campuses in the northeast, being the furthest geographic point away from Malibu to attend college. And I was struck at almost every one of the excellent campuses that we visited by how much all of those universities are in continuous improvement mode. Bernard comes to mind, Columbia, Boston University, ongoing construction programs all designed to enhance the competitive position vis-à-vis potential undergraduates and to maintain the academic and general standards of the university.

I'm in favor of Pepperdine doing this same kind

of thing as it has for many years here to maintain its competitiveness. Pepperdine is a major benefit to the Malibu community, and I think we all benefit -- neighbors and general residents of Malibu -- by the fact of Pepperdine's presence and vibrancy and prosperity in this community.

I would also observe in closing that I lived through the build-out of the Graziadio Business School, which itself was a major project in general terms comparable to what's being discussed here this evening, and I found that the conduct of that project was neither intrusive or damaging in any way to my quality of life in Malibu Country Estates.

I don't feel in any way threated by the traffic impact other than a community where in the summer months I can't drive to Santa Monica on the weekend in the evening because of beach traffic. So on the margin this incremental traffic impact I view as de minimis.

So for all the reasons stated, I'm very much in favor of this project, and I thank you for your time.

MR. McCARTHY: When we take time to applaud, we add to the time we spend here this evening. Let me tell you, the Planning Commission downtown would not allow that so you're forming a bad habit. So if we could dispense with the applause and just get right on with the next speaker.

MR. LEE: Greg Lee, L-e-e, 74401 Hovely Lane East, Palm Desert, California 92260.

Good evening. As I said, my name is Greg Lee. I'm a member of the Seaver Class of 2010. I appreciate the offer and the opportunity to speak this evening. I currently work as a reporter and anchor for an ABC station in Palm Desert, California, a job that I owe completely to this university.

You see during my time here, I had the pleasure of serving as the student body president, and I've got to tell you the thing I loved the most about that position was not about sitting in meetings, it was not speaking at chapel, and not even driving around with President Benton in his golf cart.

My favorite part was the people. The experiences I gained from spending time with the diverse members of this Pepperdine community taught me far more than any class or any lecture. The ability to share and relate to others has been instrumental to my success in this so-called real world.

I've always been passionate about this project because these experiences are rooted in a deep sense of community. You can ask anyone associated with this university or those that have gone on. There is something electric about this place -- a feeling of

family, a feeling of comfort, a feeling of coming home. That's why I keep coming back.

There's nothing better than eating in the cafeteria, walking through Town Square, or cheering on our Waves in Firestone Fieldhouse, the soccer field or the pool.

This project will create incredible places for students and staff and, hopefully, our community members to grow, to share, to make memories, to pray, and so, so much more and for generations of Waves to come.

In the most recent edition of the student publication, Currents magazine, the headline reads, "The Great Divide. A quiet beach town meets a thriving university."

For a very long time this has been the case. I assure you as this university continues to grow and flourish, and I promise you it will because of the good people here, we hope to include this Malibu community and close that divide.

Our goal is not to just coexist with the members of the Malibu community but to walk hand-in-hand and serve this community to the best of our ability. These are good people at this university.

I wanted to close with a quick story. My parents immigrated to the States from South Korea, with

the goal of getting my brother and I a wonderful education. So when I applied for schools five years ago, they were hoping for something with a lot of notoriety a Harvard, a Yale, a Stanford, a USC. So when I decided to come to Pepperdine, they weren't really sure why, and I can't say they really were sure until about two weeks ago. My mother called me with a lot of joy because she was reading a Korean newspaper online, and the headline read, "Harvard of the West" and that entire article was about Pepperdine.

If we are garnering international recognition and offering a world-class experience, I certainly think our facilities should match. Thank you. God bless.

MR. McCARTHY: And the next speaker. And Mr. Dea is going to call a few more names to come on up and fill in those spaces.

MR. DEA: Kendall Fisher, Carson Radke.

MR. McCARTHY: You may go ahead, ma'am.

MS. REEDER: Emily Rose Reeder, R-e-e-d-e-r, 24255 Pacific Coast Highway, Malibu, California.

My name is Emily Rose, and it's an honor to be here this evening. I'm a junior studying art history here at Pepperdine University, and I'm a student leader.

I lead Pepperdine Green Team. We are currently constructing and planting an organic community garden on

campus, and it has been a long-time vision of mine to see this project underway in correlation with that, this Campus Life Project.

I have seen a theme run through my life and before the same theme continues here I have also been a part of, and this theme is Community. I'm from Omaha, Nebraska and Lake Okoboji, Iowa, and to be part of a community means a lot.

And when the enhancement of the community is enhanced within buildings and proper materials and tools that allow for the facilitation of fellowship and worship and cooking and eating and dining and laughing and playing games -- that's when the magic happens, where people come together and enjoy and learn and we grow, we grow.

And that's what this project is all about, to help this community grow in a brand new way and enhance all of our lives because the development of us here at this university is for us to go out into the great community and share with the world our gifts and our talents. And when they are enhanced greatly by this project, then we have so much to give to all of you in return.

I recently returned from traveling around the world -- London, Tibet, Shanghai, South Korea -- and

everywhere I went, I found community. In London I went to Hyde Park and I frequented it so often. I walked along Serpentine Pond, and there were so many people around me in this beautiful open space. So here in this project, we have open space to share.

A final example is, we just recently did a cooking class here at the university with the Asian Student Association and Green Team, and we all came together. We were cooking; we made curry, we made sweet rice, and it was just a lovely time for us to come together.

This Campus Life Project is going to bring kitchens to all of the freshmen, all the way up to the graduate. And so for us to come together in a unique way of fellowship in cooking and eating, that is just one component of this huge greater project where we can have a lot of fun and learn - learn from each other.

So thank you for your time. God bless you.

MR. FISHER: Kendall Fisher, F-i-s-h-e-r, 24255 Pacific Coast Highway, Malibu, California 90263.

Good evening. My name is Kendall Fisher, and I have the privilege of speaking with you all tonight. I have called Pepperdine my home for the last four years, and I say it with those words very intentionally.

I grew up on a wheat farm in eastern

Washington, an experience that many in this room may not ever have, in a community of less than a thousand people. I can tell you what community looks like from the grassroots of this great nation. I came here and immediately became engaged in a community that I never thought could exist outside of such a small town. I developed friends, and more importantly, I developed my family.

I, like many -- as you may not be aware on this campus -- come from a broken family situation and have come to call not my biological family but my family here at Pepperdine just as that.

I had the unique pleasure of serving as a resident advisor in a sophomore area in my junior year after spending my sophomore year here, while many of my classmates studied abroad. In seeing them -- plus pictures on Facebook of their smiling faces next to the Tower of Pisa and many others locations throughout the world -- I had the unique experience of sharing those travels with them from the comfort of my home.

In seeing many of those return, as a junior as a resident advisor for other sophomore students, I saw the unique disconnect that that created in my family and in my community.

I speak tonight in favor of the project,

especially of the renovations of the housing units that the university has proposed. It's a unique situation to stay when many of your classmates are experiencing those things, and by creating a place where these students can call not only their living space but their home, I feel that we do both the population here at the university and the community as a whole a great justice by keeping those students engaged in the best of things that Pepperdine has to offer, as well as the Malibu community.

I feel that in closing it's important to remember that while many of these students here may seem that they only spend four years here before passing on to go achieve great things, there are those that will walk these halls and will live in these beds that will truly come to call this place home, as I have.

And I think it is for those people that we must remember that these improvements are a great thing. Thank you for your time.

MR. McCARTHY: Thank you. Will you call a couple more names, Mr. Dea?

MR. DEA: Sure. Krista Freeman, Mariah Stockman.

MR. McCARTHY: You may proceed, sir.

MR. RADKE: Carson Radke, R-a-d-k-e, 201 Ocean Avenue, Santa Monica 90402.

Good evening. I come tonight just to speak

real briefly. I think you all have some insight on to how Pepperdine's a great community, and it's a great place for people to grow as students, individuals, possibly later on in their education, but more than anything I want to bring to you a small experience that I had.

Last year I was on the student programming board, and that is one of the organizations here on campus that hosts many events. We've hosted (inaudible) Friday and Saturday, and larger events throughout the year, including March Madness, which is the largest event on campus. It is an event that is completely budgeted by student dollars, to the tens of thousands of dollars.

I just wanted to bring a small piece that I observed from (inaudible) that three of us were in charge of planning this event, and we worked with everybody at Pepperdine, from President Benton to Phil Phillips and his team to Student Activities.

And one of the key parts of putting this program together was taking into consideration, full consideration, the Malibu community and specifically, everybody over there in Malibu Estates. Everything that we did whenever were considering the timing, the lighting, we were very happy to take into consideration how other people in the community felt about the issues.

And I really want to bring this to you and stress it to you that it's not just about the administration and the general counsel at the university that care about the community, but it's also the students, and the student leaders, and the people that are organizing things on this campus, that we care about Los Angeles, Malibu, Malibu Country Estates, and it's something that further creates a great community and a great relationship with our neighbors.

So in closing, I do hope that you will support this. I am in great support. It will be a great addition to the community and also give the students the ability to take pride in leadership and their neighbors as they proceed into their careers. Thank you very much.

MR. McCARTHY: Thank you. Next speaker.

MS. FRIEDMAN: Krista Friedman, F-r-i-e-d-m-a-n, 24255 Pacific Coast Highway, Malibu, California 90263.

My name is Krista Friedman. I'm a senior on the women's volleyball team. Eight years ago it became a dream of mine to attend Pepperdine. I had never visited the campus, and something about playing volleyball seemed special to me. All the work and dedication from that point motivated me by the vision and dream to play here. I am now done with my college athletic career and could not feel more honored to get the opportunity to play and

attend Pepperdine University as a student athlete.

Being a student athlete comes with many blessings as well as many challenges. There have been countless experiences full of joy and tears at Firestone Fieldhouse, but attending Pepperdine has given me the opportunity to be a part of a family that will stay with me longer than any win or any loss.

Pepperdine is a special place full of encouraging people trying to make the world and the people in it better. The heart of Pepperdine's spirit begins in Malibu, and it is that spirit that drew me here where my story began.

I am proud to be a part of Pepperdine and look forward to the growth that is to come that will provide other student athletes with the same opportunities I had and with these developments, hopefully many more. Thank you.

MR. McCARTHY: Thank you. Next speaker. Mr. Dea, if you will call a couple more names.

MR. DEA: John Watson, Jordan Kahler.

MS. STOCKMAN: Mariah Stockman, S-t-o-c-k-m-a-n, 24255 Pacific Coast Highway, Malibu, California 90263.

Good evening. My name is Mariah Stockman, and I currently am a junior sports medicine major on the Pepperdine women's soccer team.

Tonight I would like to advocate for lighting the new soccer field by discussing three ways that it would benefit all my teammates academically.

First, lighting the soccer field would lessen the conflict between laboratory times and practice. Secondly, graduating in the normal four years would be less stressful. And thirdly, it would decrease the amount of people being early or coming late to practice due to classes and thus bettering team chemistry.

Pepperdine is a competitive institution where a student athlete can be challenged academically and prepared for the work force. Majors such as sports medicine, biology, and telecommunications are all well accredited programs that have rigorous laboratory components. These labs can range from two to four hours depending on the major and the class. These labs are essential to allow more instruction on subject matter and to further understanding of the material.

Furthermore, many of the laboratory times are in the afternoon, and for my major there are lab requirements for every single class that I take. Thus, missing a part of practice whether it is in the beginning or at the end is inevitable. By having lights on the soccer field practice times could be later in the day, thus avoiding these conflicts altogether.

A student athlete is in a unique situation when it comes to graduation. The NCAA ensures that all athletes are on their way to graduating by requiring a certain amount of credits to be finished by a certain academic year.

Due to Pepperdine's academic integrity, many of the majors here, such as sports medicine, business administration, and psychology have strict four-year plans that have prerequisite classes to enroll in upper-division courses. For my major, certain classes are only offered during the Fall or Spring. What's more, some of my classes are only offered every other year or every two years.

Lighting the soccer field would allow for easier scheduling and would help our student athletes to graduate in the allotted four years.

My last point is definitely more personal. My team is extremely important to me. For us to be successful on the field we need to have everyone there for the whole practice. Practice is an important time where we go over set plays, specific formations, and other crucial team components. When teammates have to leave early because of class, it really throws off the flow and weakens our team chemistry. However, for us to be successful academically there needs to be as little

conflict between academics and athletics as possible.

Lights on the soccer field and a later practice time would only interfere with one time block for the evening classes. Our team would definitely benefit, and we could be students during regular class time and athletes on the field.

I support the Campus Life Project and know that it would benefit the community in and around Pepperdine University. Thank you.

MR. McCARTHY: Thank you. Next speaker.

MR. WATSON: My name is John Watson, W-a-t-s-o-n. I live at 24721 Laurel Ridge Drive, in Malibu, California 90265.

Good evening. My name is John Watson, and I have the pleasure of serving as the director of athletics at Pepperdine University. I've also had the pleasure of being part of this community for the past 40 years.

It's important for us, of course, in athletics to seek excellence. We have a longstanding tradition of winning -- national championships, conference championships, etc. Our teams have that energy; our athletes come in with that energy and that ambition. They need the facilities in order to accomplish that excellence. That's what this project's about.

I want also to share with you that athletics is

more than just winning and losing. Our student athletes are students first and athletes second. Their education is important to our department. Their development as human beings is important to us. We want them to be totally integrated in the entire student community and live within the residences and engage other students and support other student activities.

It's important to us that we develop student athletes that are not only compassionate but develop into civic leaders -- individuals who find themselves willing to go out into the world and serve others on a daily basis.

Winning is important to us; there's no doubt about it. Our athletes work hard and will work hard throughout their lives. They've developed a great work ethic and are able to manage their time very well.

What's little known in this community, I think, because we don't do well -- a good job in promoting it, is all the service that our athletes provide. In our elementary schools in the clinics they provide and the ways they go out and serve other communities. Even on the road, they visit hospitals, they visit senior citizens homes and they go out and help at the homes.

Perhaps the most proud moment I've had recently was an experience where one of our teams won a national

championship and was invited with -- with many other national championship winners to the White House.

During the ceremony, the President of the United States stood on the south lawn and used our Pepperdine team as an example. For the Pepperdine team had gone to Washington D.C. a day early, at the players' request, to give a full day clinic to children in southeast Washington. The children were wonderful. They thoroughly enjoyed it, as did our athletes.

The President of the United States stood on the south lawn and said that's what Pepperdine did. That's what they should do, because Pepperdine represents what champions do. They give back to their community.

Thank you very much.

MR. McCARTHY: Thank you. Next speaker, and can you call two more names, Mr. Dea.

MR. DEA: Rachel Williams, Susan Saul.

MR. KAHLER: Good evening Mr. McCarthy, County staff, friends, neighbors. My name is Jordan Kahler, K-a-h-l-e-r, and for the last three years I've resided at 24255 Pacific Coast Highway, here in Malibu, California. I'm grateful to have been a member of this community for the last three years now.

This is where I work, where I play. This is where I go to shop for my groceries, where I attend

church. This is where I volunteer when I can, to invest and try to do what I can for the people -- for the young people, especially at Webster, to help make this community what it is.

This Malibu is my home, and that's why I'm so excited by the opportunity to invest in Malibu by contributing to development here at Pepperdine University's campus.

Now, Malibu has the opportunity to provide the kind of facilities that will support the development of Olympian athletes to come here, who would come here already, and now we can support them more fully, to create the kind of place where a national level of competition is fully serviced by a standard that we can uniquely provide.

But more than that, as a member of housing and residence life I've seen the difference the physical surroundings can make in the interplay of students' lives.

It was mentioned briefly that the development of on-campus housing contributes to better academic performance. I've seen what it means when students who reside here are equipped to go out and live lives of service, starting here in the Malibu community and moving beyond.

By investing in this community here and now, we have a unique opportunity to contribute to making Pepperdine University and Malibu, as the community of which we are a part, a community that serves academic performance at an elite level, at a national and an international level here as the Harvard of the West.

But particularly -- and another reason why I can come and stand, and I'm happy to, in support of this project is the incredible amount of gain we have for so little cost, as I understand it, to the community.

Listening to the EIR, I understand that the impact that this service will provide we've already articulated in the lives of our students. But on the members of this community, the development concentrated here moves (inaudible) the campus in such a way that the students who will benefit directly from the services that the university proposes to produce will bear the fullest cost of any inconvenience when they move forward.

We've just listened to minimal environmental impacts in the EIR. How traffic and daily use trips will be improved by the quality of the service. You have the opportunity tonight here to posit a recommendation that will support not only the development of we students academically, athletically, spiritually, and in terms of service, but at the opportunity to do so in a forum which

only minimizes and lessens impact to the Malibu community that the community would consider this advantageous for the opportunity to invest so much at so little cost.

I encourage the support of this (inaudible) for the movement as has been set forth. Thank you.

MR. McCARTHY: Thank you. And the next speaker?

MS. WILLIAMS: Rachel Williams, W-i-l-l-i-a-m-s, 24255 Pacific Coast Highway, 90263.

Good evening, everyone. My name is Rachel Williams, and I'm a senior here at Pepperdine University. I'm a business major, actually an international business major, and I wanted to come speak today in support of the project but also to give you just a greater picture. We all talk about this word "community." It's a real word at Pepperdine that we talk about a lot. But I want to kind of give a greater picture of what that really accomplishes.

So I wanted to talk about the fact that Pepperdine -- we have been ranked as one of the top universities and one of the most beautiful around America, but we have to compete to be able to keep that kind of position. It's not something that's just ranked once and stays like that. That's something that we have to continually improve on to be able to stay there.

But I want to talk about not just these

rankings and that it's just some kind of prestige, but really what it means if the fact that that allows us to attract high-quality families and students who will actually one day bring the greater picture of a great endowment to Pepperdine.

And that really personally affects me because of the fact that I've been able to come here because of support like that. As well, my visions have been able to be supported by an endowment like that. So when it brings an endowment to Pepperdine, students like me are able to go abroad and to live in villages, do what we do, and come back to Pepperdine with a sense of community that fosters us to set forth great visions.

But it doesn't just allow us to just put out a vision there and say, "This is what I'd like to do with my life." But we're able to actually put forth support to the students and say, we want to support you out into the world to what you do.

So the support of building up Pepperdine to be this incredible school allows students like me to be able to go out into the world, come back and gain support, and really as a whole, after we graduate and become alumni to do amazing things around the world. And it's not just about our time here at Pepperdine. It's about what we do, the impact it makes in places you may never even hear

of.

And so I've been able to have a chance to come back, to have a vision and talk to the administrative staff, to talk to teachers and faculty, and actually gain support.

So I want to say that I think -- I want to challenge you to think of this not just as buildings, not just as the environmental impact report, but really the hand that you get to have in the impact around the world that these kinds of students are going to be able to go out and make and the fact that you will have been able to be a part of that.

So I just want to thank you for allowing me to come speak today.

MR. McCARTHY: Mr. Dea, please call another couple of names.

MR. DEA: Lisa Sheedy, Rebecca Evans.

MR. McCARTHY: Please proceed.

MS. SAUL: Susan Saul, S-a-u-l, 31737 Broad Beach Road, and I'm a little bit nervous, so bear with me. I represent a group called A Safer PCH. A Safer PCH is a group that was formed in the Malibu community. It was formed by three moms. We were sick and tired of seeing people killed on Pacific Coast Highway. After the death of Emily Shane (phonetic) -- she was 13 years old, got

struck by a car. We formed this group and we're trying to make Pacific Coast Highway safer.

I'm a big fan of Pepperdine. My kids have spent a lot of time here, soccer. We are asking that in your study it's very important -- we are working with the Malibu City Council, the Public Safety Commission, Assemblywomen, the list goes on -- to make PCH safer. This is our main goal.

You guys talk about community, and when you talk about community, I hear a lot of community around in the Pepperdine area, like the school. The community of Malibu includes -- and we include Pepperdine in our community. They are a big part of our community.

We are asking and we are reaching out to all of you that when you have this plan, the Campus Life Project, we love the plan, we think it's wonderful. But we would like you guys to be more involved in the Malibu community.

We're asking that when it comes to public safety, you're going to have a lot more people at these venues, you're going to have a lot more people coming to see the sporting events, and all the other venues you might have going on.

We have a major problem on Pacific Coast Highway. We're asking that you participate. We're

asking that you get more involved with the Sheriff's Department, talk to them about your plan, get hold of Caltrans, you know, talk about the plan on Pacific Coast Highway.

We have a lot of new venues opening up, including the Malibu Inn, which I found very interesting. At a public safety meeting at a Malibu City Council meeting, a couple of the people from the school, students, are totally in favor of the Malibu Inn opening up until two o'clock in the morning. Your students do go off campus. And I know you care about them. It's really important.

I would have loved to have seen someone else, you know, besides the students -- and the students come off the campus. It's great that you have them living on campus, but they do come off, and they use Pacific Coast Highway. That's their number one travel route.

So we're here asking you to work more with your community, the Malibu community, the residents that live here. We support you.

My dream was always to come be a student at Pepperdine University. I did not get into Pepperdine University, but I did move to Malibu because of Pepperdine University, and my kids frequent Pepperdine University and our great soccer players because of

(inaudible).

So I thank you, and we support you.

MR. McCARTHY: Thank you. Next speaker?

MS. SHEEDY: Good evening. My name is Lisa Sheedy, S-h-e-e-d-y, and I live at 24720 Vantage Point Terrace in Malibu Country Estates.

I've been a neighbor of Pepperdine since 1978, so I've seen you grow. My husband and I have been press members and share many special memories with Pepperdine. We were married in the chapel, and my nephew also was a graduate of the University, so we love you.

But what we are dealing with is the quality of life here in the Estates. Our main concern is the sports arena and how often it will be used, because of noise and traffic. For instance, if there are, say, 5,000 people in the stadium, and if there are two people in each car. That makes 2,500 cars being lined up bumper to bumper for approximately six miles.

This brings further concerns of the ability to access our community, since we share the same exit and entrance on John Tyler. And in an emergency situation, this additional traffic may also be life threatening because our community has a very diverse age group.

The noise factor also seems to infringe on our right to some peace and tranquility. To a large extent,

we have given up some of it, but now I think we're being asked to give up a disproportionate amount. This threatens our community and the very reason we have chosen to live in Malibu.

In conclusion, we feel that the size of the sports arena seems to be overwhelming for the size of the community. We do love Pepperdine, but I'm hoping that these issues will be looked into to a greater degree than it has been and they will be resolved with some mutual satisfaction. Thank you.

MR. McCARTHY: Thank you. Next speaker, and if Mr. Dea will call two more names.

MR. DEA: Marty Wilson, Frank Brady.

MS. EVANS: Good evening. My name is Rebecca Evans, E-v-a-n-s. I am the CEO of the Malibu Chamber of Commerce and Visitors Center, 23805 Stuart Ranch Road, in Malibu, 90265.

On behalf of the Board of Directors, I am here as a representative of over 600-plus business members and the Visitors Center of Malibu. I come to you respectfully to voice our complete support of the Pepperdine Campus Life Project. As a connection between the local residents and businesses, we feel that it is an extremely important community asset, both culturally and economically.

Pepperdine University has been one of our best partners in numerous ways. First, their unending support to the community at large as well as the connection to our businesses as a revenue generator and employment hub for the city of Malibu.

I have been personally impacted by many things, from the staff being on my Board of Directors, to the faculty bringing me in to work with some of the students, to the students actually volunteering at some of our largest events such as the Malibu Arts Festival, such as the Taste of Malibu, that sort of thing. They've also been involved in our economic development summits and that sort of thing, bringing in that Gen X and Gen Y connection.

There are several more benefits for this project. Pepperdine University's plan to improve transportation, the dorms, and more will allow the students to not only stay and play in town, but they bring the students to our doors, and we want them to dine and shop in Malibu. They take pride in being here in Malibu. I hear it constantly. And a lot of our business owners are Pepperdine ex-students.

Our name is known world wide, and one of the things we're very proud of is a thing called Malibu Secrets. We started creating a list of Malibu secrets

that showcased our special things that a lot of people around the world do not know. And I can say probably 10 of the top Malibu Secrets are right here at Pepperdine. And one of the best of mine, and I always say it's my secret, is Heroes Garden. And I'm very proud to send any visitor or any local to Heroes Garden.

I would ask you humbly that you approve this project. One of the things that we work with constantly on with Pepperdine students and faculty is to become eco-friendly. They're consistently working on sustainability and teaching our local businesses to bring that up to the next level.

So on behalf of our businesses and Visitors Center in Malibu, I ask you to approve this project. Thank you.

MR. McCARTHY: Thank you. The next speaker.

MR. WILSON: My name is Marty Wilson, W-i-l-s-o-n. My address is 24515 Mariposa Circle, Malibu, California 90265.

My name is Marty Wilson. I came to Pepperdine in 1984 as a freshman basketball player here from Southern California.

When the basketball program was at a very high level, I competed on back-to-back double CC championship teams. I watched our women's basketball team compete for

WCC championships. I watched our women's volleyball team compete for WCC championships. I've watched our men's volleyball team win back-to-back national championships. That was 26 years ago, and we're still competing in the same facility.

I returned as an assistant a year after I graduated and coached and assisted coaching our basketball team again to back-to-back West Coast Conference championships, in the same facility. I continued to watch our other sports teams excel in the same facility.

I returned two and a half years ago as associate head coach in hopes to help lift this basketball team back -- basketball program back to the level it was when I was a player, to the level it was when I was an assistant.

There's a great saying: Build it and they will come. Obviously, I'm in favor of the new Events Center. The time is now for the Events Center. With the new Events Center, it puts us on a level playing field with the other teams in the West Coast Conference.

With the new Events Center, no longer will we have to juggle four athletic teams in one facility for practice times, for extra and individual workouts. No longer will we have to battle intermurals for gym time.

No longer will we have to battle with the cheerleaders for practice time. No longer will we have shortened practices due to visiting teams pushing us out of our own facility so they can prepare to try to compete against us.

No longer will we have visiting teams' locker rooms adjacent to ours where there's a conflict of noise when you're competing and developing strategies against them. No longer will we have to have visiting teams walk across concession stands before, during, and after the games. And no longer will we as a staff have to hide our locker rooms, our sports medicine facilities, which is in another building, and our academic services, which is in a classroom.

Pepperdine University offers one of the top educations in the country. Pepperdine University offers the top location in the country. And Pepperdine offers the most beautiful campus in the country. The time is now for a new athletic events center. Thank you.

MR. McCARTHY: Thank you, sir. Next speaker. And Mr. Dea, if you would call out two more names.

MR. DEA: Nicolai Sadorodski, Simon Baker.

MR. McCARTHY: Go head, sir.

MR. BRADY: My name is Frank Brady, address 3011 Malibu Canyon Road, Malibu, California 90265. I'm here

representing HRL Laboratories. I'm the director of shared services. We are Pepperdine's neighbor to the northeast.

We as an employer in the community understand the need for Pepperdine to have world-class facilities to attract world-class students, both athletically and in the classroom. They've actively reached out to us; they've kept us apprised of the entire Campus Life Project from the beginning. They've always been and continue to be a good neighbor, a valued partner, and a friend.

We completely support the Campus Life Project. Thank you.

MR. McCARTHY: Thank you. Next speaker.

MR. SADARODSKI: Good evening. I'm Nicolai Sadarodski. I currently live at 6487 Cavalleri Drive, Malibu, California 90265.

MR. McCARTHY: Thank you. Proceed.

MR. SADARODSKI: I'm here representing the Pepperdine student community. I'm here representing Student Government Association, the Pepperdine Green Team, Pepperdine Debate, and all my friends.

Currently, as a member of all these dynamic organizations, I think that Pepperdine still continues to lack school spirit in comparison with those who we

compete with, and this, the Campus Life Project, is our opportunity to shine. We need these facilities. We need these visions. And we need your support.

Pepperdine, to me personally, is the electrical soil in which my spirit lives, thinks, and invents. This is where I thrive, and the reason why I don't live on campus at this moment is because I feel that we don't have that core unity, we don't have that school spirit to the extent that we can have it at in the future, and this will get us there.

This university and myself, personally, we are -- we are blessed on this land on which we live. I just extend this to all my fellow students, to the staff and faculty, to the Malibu community that this is family, you guys are all family, and we need your support. Thank you so much.

MR. McCARTHY: Thank you. Next speaker. And Mr. Dea, if you would call out two more names.

MR. DEA: Ashley Watson, Armand Grant.

MR. BAKER: Simon Baker, S-i-m-o-n, B-a-k-e-r. I live at 24255 Pacific Coast Highway, in Malibu, California 90263. Folks, I appreciate you all being here tonight. I certainly appreciate your time and energy as we try and invest in this project that is the Campus Life Project.

I think, you know, I think those that have come before me as proponents of this project have done a fantastic job of explaining the community that is Pepperdine. I think they've done a fantastic job of explaining how beneficial this will be to our community, how beneficial this will be to the greater Malibu community, and I'm not sure I can do that any better than those who have come before me.

I'd like to give you a little personal view of some of your concerns and how I've kind of interpreted some of the concerns with this project. I've heard a concern that Pepperdine students drive too fast, and I'll admit I'm responsible for driving fast on occasion. And I would ask for you to look at yourself and say, have you ever driven fast, perhaps to get to work on time or to make a certain meeting?

I've heard a concern that Pepperdine students play their music too loud. And I'll admit I'm one of those students that has played my music far too loud, and for that I apologize. But then I'd ask you the same question. Have you found yourself in a position where you're listening to a fantastic song and just felt it necessary to crank that music up loud and sing?

Folks, I've always -- I've always believed that without forward progress, something is dead. And I see

this forward progress of Pepperdine as a way to continue to grow, not only Pepperdine University as an entity, but Pepperdine and Malibu as a community. I see this as a way that we can continue to invest in ourselves - ourselves as students and in Malibu as a community.

And as those that have come before me have said, I'm in favor of this project, I'm a proponent of what Pepperdine is looking to do, and I ask that those that are not in favor would reconsider and help to support this project. Thank you.

MR McCARTHY: Thank you. Next speaker. And Mr. Dea, if you would call out two more names.

MR. DEA: Steve Uhring, Paul Grisanti.

MS. WATSON: Ashley Watson, A-s-h-l-e-y, Watson, W-a-t-s-o-n, 24255 Pacific Coast Highway, Malibu 90263.

Hello everyone. My name is Ashley Watson, and I am a senior here at Pepperdine. I had a fantastic freshman year. I am an out-of-state student so community was very important to me. As a freshman you come in and you live in suite-style dorms, which means you share your room with one other student and then you share a common area with seven other students. This was great because I came into a community already.

A lot of the events we have on campus happen on our central campus, which we call main campus. I spent

my sophomore year abroad in Shanghai, and when I came back I moved in here not sure what things would look like.

As a freshman you have to live on campus, but when you are an upper classman, housing is not guaranteed. Again, I'm an out-of-state student, and I don't have a car so I was freaking out. So I did what I thought was the best idea, and I made sure that I was very involved on campus where they would have to have me here on campus. And I am a senior and I still live on campus, praise God.

But one thing that I will have to say is that community lacks as you go higher and higher, and it's because there aren't any communal areas. I live on the graduate campus, and it's a beautiful place. You have your own room, which is great because you kind want to be by yourself sometimes, but it would be nice to have a place where you could have coffee or tea with a friend or just hang out or have a bite with somebody, but you don't have a space to do that.

And so with the new housing plans, if you are a sophomore, if you are a junior, if you are a senior, you still have that community that you had as a freshman, and that will definitely change the face of Pepperdine.

Also I'm a fan of the quad area. I love open

space; I love green grass. I'm from New York so I can't go outside all the time. I wouldn't be outside right now. But the weather is great, and I'm able to do that so having an open quad space where we can meet will will make the best use of my being here at Pepperdine, in California, let's just say that -- a little selfish.

But I think the plans that we have definitely impact the students positively. I love being a Pepperdine student. I will be proud when I graduate to say that I am an alumna of this prestigious university, and I'm a fan of everything that we're doing right now.

So please support us. Thank you.

MR. McCARTHY: Thank you. Next speaker.

(Microphone problem. Audio starts in mid-sentence.)

MR. UHRING: -- and in doing that I ask you to go back and take a look at the EIR, because I think there's some places where you may have not necessarily looked as clearly as you could about the impacts this project is going to have on Malibu.

Let me just give you a couple quick examples because I'm not going to give you -- we'll do this when we get to the Planning Commission.

But on the traffic, for example. If you read the traffic report, they project traffic forward, and they use a two percent ambient growth rate every year to

project what future traffic's going to be. And they say they've done studies and stuff to support this.

I wonder if you go to Caltrans on their website where they can do traffic counts. They will tell you as part of that project that the average road rate of traffic in Malibu runs between 6.48 percent and 10.15 percent. That's a lot of difference between what's in the report. So maybe if they had accurate numbers - the community wants to know what the impact's going to be. And hopefully if you guys can give us that information, that would be beneficial.

For example, also when you get to the fact that we're going to have more events over 3,000 people, that's going to have an impact on the community; the report says that. You try and figure out how many of those events there are there going to be -- 5, 10, 15 -- and the report really doesn't tell you.

The closest it comes -- it says that in 2077, there were only six events. Now if what you're telling us is that you're going to limit it to six events, I think that's a good representation. If that's not what it is, that number doesn't really mean anything to us. Because it doesn't tell us what's going to happen when this whole impact and project is put together.

And then finally, the only other thing I ask

you to take a look at, and you know, Malibu is a dark community; all right? Now, you know it doesn't seem that way, but we're trying to keep some balance between urbanization coming in and living with the environment which we live in here.

And I just can't believe that you're going to light up a soccer field, a recreational field, a ball field, and you're going to do it for TV with lights, that that's not going to have an impact on our community. It's not going to have impact on the wildlife that live here. It's not going to have an impact on the guys that are going to be camping down here on (inaudible) Park.

So again, I want you to move forward. I want your project to be good. I want everybody here to graduate with great grades and great athletic prowess, but make sure when you're doing this, to tell us what this is going to do to us so at least we can understand, because I don't think it does today. Thank you very much.

MR. McCARTHY: Thank you. Next speaker.

MR. GRISANTI: Hi. My name is Paul Grisanti, G-r-i-s-a-n-t-i. I live here in Malibu at 22251 Carbon Mesa Road. I've been fortunate enough to live in Malibu since 1978.

Pepperdine's been a real good neighbor to the

community of Malibu, in my view. I have a 32-year-old stepson. When he was a small boy, and I mean really small, his coach was Phil Phillips and his dad, (inaudible) Phillips, and Phil is sitting right over there. And you know later on he ended up going to Pepperdine and graduating, and wonder of wonders, getting a job and earning a living. And I think that Pepperdine does a really great job with the students and helps them come out of school with a real sense of responsibility and things like that.

The other thing I've really enjoyed about Pepperdine is there's a lot of events here at Pepperdine that are open to the community, and we actually have culture in Malibu without having to drive into the city, into the Valley. There's a lot of things going on at Pepperdine, and it's been very useful to me, personally, and I think a lot of other people who live in Malibu have taken advantage of those things as well.

As far as Pepperdine's events, I've been at a lot of them, and you look around, and you know to me it looks like the audience is probably about 80 percent students, people who are right here. I love the fact that we're going to have a chance for those kids to live on campus, which is going to reduce the traffic on PCH, and I really believe that this is going to work out

really well for the community as a whole.

So without using up a bunch of other time, I really am totally in favor of this.

MR. McCARTHY: Thank you. Next. Can we call some names, please?

MR. DEA: Sure. Rand Clifford, Samantha Miller, Bob Briskin.

MR. McCarthy: Yes, Mr. Briskin, why don't you come up now so we can try to get (inaudible).

MR. CLIFFORD: Hi, my name is Rand Clifford, C-l-i-f-f-o-r-d. I live at 2855 Hume Road in Malibu, and I'm a 35-year Malibu resident. I wish I could say I was a 35-year old Malibu resident, but I'm stuck.

I'm a 35-year Malibu resident. By that, I mean I'm a fulltime resident. I don't commute to a beach house. And in those 35 years I've seen many changes to our community, many changes -- some good, some not so good.

But one of the important constants throughout all those years has been the presence of Pepperdine University. I like living in a university town. The college brings vibrancy, energy, youthfulness, great sporting events, and culture to the community in which it is located. And I appreciate all of those attributes, particularly the culture (inaudible) such as art,

theatre, communications, etc.

Pepperdine is without a doubt the cultural heart of Malibu. With a great nationally acclaimed art museum, two state-of-the-art theatres, terrific and sophisticated drama, singing, and dance programs, and its own TV station operated entirely by students and broadcast to all of Malibu.

And when Smothers Theatre is not showcasing excellent student productions, it is bringing outside events to the Malibu community -- everything from John Cleese to concerts to children's matinees on weekends. You get my drift.

I appreciate having Pepperdine as part of our community. I appreciate their participation in community events. I appreciate their willing response in community emergencies, and I appreciate them as my neighbor.

I have not had time to inspect the DEIR minutely as yet, but I'm familiar with the plans and aspirations for the Campus Life Project and have been for the past six months. As a member of the Malibu Township Council, we were treated last April to a detailed presentation by Rhiannon Bailard, including diagrams, maps, and topography outlines.

Pepperdine has always been very forthcoming with its long-range plans and very willing to share them

with interested Malibu residents.

What I have seen, I am in favor of. The plans will further enhance one of the most beautiful campuses in the nation. And because of the increased living accommodations with no increase in enrollment, we may even see an improvement in commuter traffic on PCH. Wouldn't that be nice.

So I'm here to give support to the Campus Life Project. I may have some small nitpicks later on, but the overall concept is a good one and is in line with the long-range plans that Pepperdine has always had. These are great kids. Let's approve and implement these plans to update and greatly enhance their temporary home. It will also be a permanent enhancement for every citizen of Malibu.

And since I have a second left, I wanted to just take an issue slightly with one of the previous speakers who said that there were 5,000 attendees at a sporting event that would be 2,500 cars. We have to remember that the majority of those people at the sporting events are going to be students from the campus. They will not be driving here. Thank you.

MR. McCARTHY: Thank you, sir. We're going to take a brief break, maybe five or ten minutes, for the court reporter, or we're going to have a carpel tunnel syndrome

and a lawsuit on our hands. So just go ahead, stand up, take a break, and we'll reconvene here at 6:50.

(A break is taken.)

(Audio begins in mid-sentence. I believe Mr. Briskin is speaking.)

MR. BRISKIN: -- and since that time, there's been construction in the classroom buildings up here, the law school addition, and other additions to the university campus. And each of these has gone through the entitlement process. One of these facilities itself would not necessarily be fatal or hurt our community, but it's the cumulative effect that's occurred over many, many years.

And now with the proposal and primarily the new sports arena, we have some very legitimate concerns on the effect on our quality of life, our families, our children, the noise that permeates from Pepperdine basically through the parking lot areas and the driving up and down John Tyler Drive.

Now if we look at the next picture, this is looking at Firestone Fieldhouse and then the buildings above it from the back of our homes. And I know there's a proposal to turn the Fieldhouse into a student activity center. The EIR talks about it being related to this conversion to the proposed project. And that's going to

have a significant effect on our residents.

The parking lot there, they're talking about an EIR of using it, I'm quoting the EIR, "early morning and using it late at night." In one of the other previous proposals, the County talked about using it for dances. Noise will permeate from this area directly into our residential homes, and if we go up the street, you can see John Tyler Drive directly borders our subdivision of homes. You can see the gate of one of the homeowners, and then that's John Tyler Drive below.

This is the top of our subdivision, and you can see the house up there borders within a few feet of John Tyler Drive. The new sports arena is built way up here, but one of the proposals is to have ingress and egress to the arena come down John Tyler Drive, which is going to have a significant effect on these homes.

You can see how close the windows of this home are to John Tyler Drive. And as we move through here again, the windows facing John Tyler Drive, and as you move down you can see it. And then finally, at the end here, there's a house here, and you exit.

This is the Firestone Fieldhouse parking lot. It's important to our subdivision that noise does not emanate from here; it's left as a surface parking lot. We know that this project of converting it to the

facilities for student activities is part of the Pepperdine proposed project.

We proposed to the University that they put some conditions, such as not allowing use after certain hours at night, not allowing use before certain hours in the morning, because the sound here is going to go directly into our subdivision, as you saw how close our homes are.

We propose entering the facility from the back as a possible solution. So that once people are in there, the noise doesn't (inaudible), and not being able to utilize the parking lot after a certain time, such as ten o'clock at night.

This is a photograph of the baseball stadium from across from where our homes are. Now, if you go back, those homes that we saw directly face this baseball stadium. One of the concerns is if they put night lighting, especially for television use, that light is going to seep and go directly into those homes. When these people bought these homes, in no way did they ever envision that they were going to have lighting -- especially for TV, which as we all know has to be more intense - and that is definitely going to have leakage, even if they have shields, that goes directly into their homes.

The soccer field proposed is a little less impact, because it's up here. It's on the ridge, and they're going to raise it about ten feet. But even that, you're going to have to consider the effect of lighting on these homeowners.

Now this is a photograph of the university at night from our homes. And as you can see, currently when they keep adding on each of these facilities it obviously makes a greater impact. And the light -- it's okay, we can, you know, plant foliage, we could put up sound walls, but you really don't want to inhibit your ocean views, because we have a view protection ordinance in our subdivision, so there's only so much you can do as a homeowner.

But if you keep constructing these facilities, again, it generates lights, and you can see this is the Firestone Fieldhouse and you can see the facilities above it. And again, another shot -- a night shot, of these facilities.

We, you know, we're not trying to come here and be ogres toward the University. We do value the relationship. My daughters played on the playing fields of Pepperdine. We raised our kids in the community, and we value our relationship with many of the faculty of Pepperdine, with Dr. Benton, with many of the students,

they babysat for our kids. I mean, they're good people.

But I think sometimes, you know, you may overstep your boundaries. And with this new sports arena, one of the proposals in the EIR, which should be considered is should the arena be built outside Malibu? Other universities, and I point to Columbia in New York, they built their athletic facilities, because of the pressure of the neighboring group, in Morningside Heights on the north side of Manhattan.

Go to Chicago, Illinois -- Evanston. There's a campus of Northwestern University. Again, their athletic facilities are away from the university.

UCLA here in Los Angeles. They play their football games in Pasadena. They had talked about constructing football stadiums (inaudible) as Bel Air, which is the Veteran's Administration lots. Again, for environmental reasons, the neighbors and certain people that they needed to be courteous to, they moved it away.

And I know that Pepperdine had talked about constructing their facility somewhere along the 101 Freeway, the Conejo Valley, the San Fernando Valley. And I don't know if the EIR really explored those items.

One of the things, you know, with the traffic, there's other ways we could think of mitigating it, such as we would like not to have traffic on John Tyler Drive

when it's going to be bumper-to-bumper, which is going to shoot noise into our homes. You know, cars will be honking, and people will be having a good time, which is understandable.

But our homes are so close to the University. If you look at it, if you go back to one of the pictures, you can see where the home is literally on top of the campus. And if people are backed up bumper-to-bumper, it's not really fair to these homeowners.

They didn't really buy into that when they bought near Pepperdine University. It was always represented as going to be a small liberal arts college. And like anything else that I think has been said here by many of your speakers today, it continually expands.

Well, if you can close off John Tyler Drive when you get the sporting events, that would help. Maybe put a parking facility on the nine and a half acres they mentioned in the environmental impact report off campus and have shuttle busses from the arena there, so that you could close off John Tyler Drive.

Our subdivision a number of years ago entered into an agreement with Pepperdine, where Pepperdine agreed as a condition of getting their approvals for other campus development to close John Tyler Drive at night. And that's worked very well. It's kept peace and

quiet in our neighborhoods, and it's really made a big difference.

They would close it at 10:30 at night and open it up at 6:30 in the morning, and that prevents people with broken mufflers or motorcycles, which always make noise. Because the effect of the university being -- if you can go back here, you can see a shot -- the sound effects, it hits those hills, and then ricochets back into our homes.

The way the campus is situated it's like a giant speaker around our subdivision. So what somebody might consider a small noise off of John Tyler or even on the upper part of that campus by the Smothers Theatre, those sounds, they come right down into or homes. It's basically the way the canyon is like a speaker effect.

Within the EIR there were certain sound studies. Now sound's a funny thing. It's composed of the decibels, but it's also composed of frequencies, the lay of the land, the canyon effect. And I know that the EIR really didn't even get into those details.

But where they put the meters was way down towards the guard gate and then up fairly far. If you put those meters right next to John Tyler Drive where the homes are, I think you're going to get a different result.

And they talk about certain decibel levels where people should have sound insulation or soundproof windows. Well, I can assure you Malibu Country Estates when these houses were constructed, they did not do double-paned windows. They did not construct sound insulation to implement sound walls because everybody assumed we were next to a small liberal arts college. And by keeping increasing the noise element, it really creates a problem for the homeowners.

You know, constructing a sports arena, I mean the university has a wonderful mission to educate students, and there's terrific kids here. And I emphasize with all the kids and the wonderful people who stood up here and spoke.

But you know there's been -- certain studies have been done by Congress that they have looked at big-time college athletics. It was in the context of the Internal Revenue Code. But they have definitely said that a sports arena in college basketball at the NCAA level does not equate to building a library, it doesn't equate to building classroom buildings.

So you know, when you (inaudible) the equities at the Planning Commission level for this new sports arena, we'd appreciate it if you could consider our homes, our quality of life, as well as that of the

University. Thank you.

MR. McCARTHY: Okay. Thank you, sir. And for the benefit of the audience, we did agree that the opposition from the HOA would have ten minutes time.

Also I just wanted to mention that the University wanted to make it clear that everyone, the neighbors, and those from off-campus, that a number of the students are attending a Christmas tree lighting ceremony right now. That's why they had to leave, and they don't want to have that misinterpreted as being disrespectful to these -- the latter speakers here tonight.

So, we'll now proceed. The next speaker. Do you want to call two more names, Mr. Dea?

MR. DEA: Richard Gary, (inaudible) Kotchoumian.

MS. MILLER: Hi, Samantha Miller, M-i-l-l-e-r, and I live at 3802 Lupine Lane, Calabasas, 91302.

Good evening. My name is Samantha Miller. I am a school public policy masters candidate for the class of '11, and I'm very privileged to be here tonight on a scholarship.

I'm here in great support of the Campus Life Project. I believe it will provide many benefits for all future students of the university.

As a commuter student, I have lived in Santa

Monica and also in Calabasas, and I can really understand how hard it is to drive 40 minutes for classes, and I would greatly appreciate having more housing options on campus.

The Campus Life Project will also offer many new recreational activities and possibilities for students who live on campus here. And I'm very excited for the creation of a new sports arena. While I'll not be here to benefit from such an arena, I know it will attract me back as an alumni and many other alumni like me.

I hope that you will approve this project and give students the gift of opportunity. The opportunity I had to come here, and I wouldn't have been able to come here if it weren't for the scholarship provided for me. Thank you.

MR. McCARTHY: Thank you. Next speaker.

MR. GARY: My name is Richard Gary, G-a-r-y. I live at 24539 Vantage Point Terrace in Malibu. I'm a 21-year resident of Malibu Country Estates, and I guess that I'm tonight Oscar the Grouch because I have some major concerns regarding the proposed project, for a number of reasons.

I fear that Pepperdine's objectives, while I respect the people I've met there and I respect the

education mission, I fear that the objectives in the expansion in building may be in conflict with our residential community and our lifestyle.

Malibu is -- we've heard that Pepperdine is 830 acres, and Malibu is 12,700 acres. And our population is 13,000 roughly, and given students, faculty, and employees such as administrative, security, and maintenance, etc., there are probably (inaudible) 40 percent of the entire population of Malibu is concentrated on the 830 acres here. That means that there's a tremendous density in only six and a half percent of the Malibu area.

Nevertheless, included in the Campus Life Project is a 5,470-seat sports and entertainment arena. It was my initial understanding that Pepperdine required that 5,000 seats in order to attract NCAA championship basketball games. However, it's obviously (inaudible) and they said that they intend to hold music concerts and other types of entertainment and other types of gatherings.

And the noise and traffic from these events are going to generate an intrusion coming into our families homes and our privacy. Putting it in perspective, the Greek Theatre, in Hollywood, in Griffith Park, is 1500 seats. Universal City Amphitheatre in Universal City

Walk is 6100 seats. That's very close to the size of the proposed entertainment -- the event arena. And one of those is in a park, one is in a commercial area, neither is in a neighborhood.

And I wonder if we really have the infrastructure in Malibu to accommodate that expansion with only two roads, PCH and Malibu Canyon Drive. It's already tough getting into the neighborhood during graduation, but that only happens a couple of times a year.

Pepperdine has told our Board of Directors that they don't envision many concerts and that they would be somewhat subdued. I'm in the music business, and I can tell you that the audience for the Jonas Brothers and Miley Cyrus is every bit as enthusiastic as it is for other groups. So I don't think there's going to be a big difference there.

And sometimes I fear that good intentions of (inaudible) is changed by circumstances. For instance, the economy. If the economy continues to be bad or got bad and Pepperdine's balance in donations went down, my concern would be they'd still have to pay for the building, and one of the ways would be through additional events.

I think it's one thing for Pepperdine to place

a very large population concentration footprint in a small and sensitive area and to fulfill its legitimate mission of education.

But I think it's an entirely different thing to interfere with lifestyles, potentially, and inconvenience people and create a traffic jam in the entire city for events that actually -- that seem to have absolutely nothing to do with the primary mission.

So for that reason, as it's proposed, I would -- I wouldn't support it. Thank you.

MR. McCARTHY: Thank you, sir. The next speaker. And do you want to call a couple of names, Mr. Dea?

MR. DEA: Yes. These two names will be the last speakers. We have Kathryn Yasick, Armand Grant.

MR. McCARTHY: Please go ahead, sir.

MR. KOTCHOUNIAN: My name is Hiro Kotchounian, K-o-t-c-h-o-u-n-i-a-n. I live in Malibu Country Estates, 24600 Skyline View Drive, 90265. I've lived here for 25 years -- more than 25 years, and I've enjoyed being adjacent to Pepperdine. My kids graduated -- one of my kids graduated Pepperdine. We enjoyed their facility day and night, from the swimming pool to the Smothers Theatre.

As a homeowner and as the president of the Homeowners Association, my main concern -- well, my two

concerns are the sports arena, the traffic and the public safety that this arena would create; the present lighting and the future lighting that this expansion will create. The mechanical noise -- the existing mechanical noise and future mechanical noise from the new facilities. This, already, is bothering most of the neighbors in Malibu Country Estates.

Most of the speakers that were pro this project tonight, mostly students, none of them was concerned about the impact of the growth -- or the expansion. No one mentioned the EIR, very rarely. Our major concern is the impact report that this is going to create.

Most of the speakers that were pro this project are here temporarily. They are here as students or faculty and then they move on. We have purchased homes here. We've lived here for 25 years, and hopefully, we'll live here another 25 years, and this project is going to tremendously impact our life styles. Thank you very much.

MR. McCARTHY: Thank you, sir. Next speaker.

MR. GRANT: Armand Grant, A-r-m-a-n-d, G-r-a-n-t. I live at 3602 Forest Gate Circle, Malibu, 90265. I live directly across the street from the present location of the basketball court and the basketball field.

Before I moved into my property, before I

bought the property, I got permission from the owner of the property to camp out on the empty lot, and I did so for two days, and it was quiet, it was an absolute delight, and I bought the property, and I built a house. And I've lived there now for 25 years.

I have watched construction -- building after building being constructed, and I have to tell you that my property is along John Tyler. I hear the motorcycles, I hear the cars, and I'm willing to live with it all, because I know that there's a campus there, and I know that Malibu is enhanced by Pepperdine University.

But I pray to this panel here to give our homeowners the peace and quiet that we deserve in Malibu Country Estates. The motorcycles that go by, after a basketball game the cheering and the loud noise -- I live with it all. I don't mind living with it.

But now, they are testing us and saying to us we're going to jam your street with cars and motorcycles. We're going to make it so that you can't even get out of your property. The last graduation -- and I am not exaggerating, I couldn't even get home. I had to go through the campus and follow the crowd around Pepperdine to come back down the street so I could get into my property. That's intolerable.

And now you're expecting us to live with a

5400-seat auditorium. And when I met with Pepperdine we discussed concerts, and they said well sure, we're going to have concerts. Do you realize that the noise and what's going to be created from that, it's going to be intolerable.

I'm asking only for quality of life and -- and consider Malibu Country Estates when you folks make your decision, please.

I love Pepperdine. Dr. Benton and I have known each other for many, many years. We've shaken hands. I go to his Christmas parties. He's a wonderful man. I love the students. I love the school. I don't love the proposal now because it is taking away from quality of my life.

Thank you very much for consideration.

MR. McCARTHY: Thank you, sir. Next speaker.

MS. YASICK: Katherine Yasick, Y-a-s-i-c-k. 24255 Pacific Coast Highway, Malibu 90263.

Good evening. My name is Katie Yasick. I'm a junior here at Pepperdine. I just want to tell you a story about the first time I came to Pepperdine. I was a freshman, and I did not go home until Christmas. I'm an out-of-state student, I live outside Philadelphia. And that first trip home was incredible.

I remember talking to my friends who stayed in

state, who were just saying, "How was it; how was it," because I was so excited. And they weren't. And it was so hard to listen to them struggle and say, you know, I don't have this community, like, classes are okay, teachers are all right. The dorms are huge. I don't feel like I know anyone.

And then they'd say, you know, how's Pepperdine, and I'd kind of downplay it because I had the exact opposite experience. And the dorms I mean I had a family (inaudible). We still do (inaudible) with my suite from freshman year.

This year, as an RA in Rockwell Towers Hall, I see the impact. I know I noticed it freshman year as well, but you just -- it's a different kind of recognition of how important it is to have not only facilities that are functioning, that are up to date, but just to create the sense of community. I know that a lot of people are talking about that. But it truly is. It makes such a difference, and it makes happy, motivated students.

I think about even in Towers this year, we've implemented a couple of things, just new furniture even. And the difference it makes in the students. You know, they go hang out, they go study together (inaudible) just because we have new furniture.

I mean, if furniture can do that and a desk can do that, think about what an entire dorm can do or entire residence hall. And when you have happy, motivated students, they're going to impact the community in a positive way.

And I ask you to consider it and support the project. Thank you.

MR. McCARTHY: Thank you. And now it's time for the applicant to come forward. You have a five-minute rebuttal time.

MS. STARRETT: Thank you, Mr. McCarthy. My name is Cindy Starrett, speaking on behalf of Pepperdine. And I'd like to say how appreciative we are of everything we heard tonight of our community, both at the university and around the university.

The environmental impact report process as I think was outlined at the beginning, includes the draft EIR, and of course the County and all the independent consultants worked very hard on that. And then it includes a response to comments space.

So I want to briefly address three issues -- noise, lighting, and traffic, and make the commitment on behalf of the University to make sure that the response to comments addresses all the concerns that we've heard tonight.

On the issue of noise, just to start with that, we did do a very careful noise study. In the EIR, this particular page is 5.5.1. There's actually a graphic that shows where all the noise meters were located, and there were two noise meters on John Tyler Drive.

We did our best and the noise consultant did his best to analyze all the complex issues involving noise, and the conclusion was that with mitigations there will not be any new, unmitigated noise impacts.

We understand that's a concern, and in the response to comments, we'll re-look at it. But we did look at that very carefully, and that was the conclusion of the EIR.

On lighting, we thought the pictures were very interesting of the current conditions. One of the things the EIR looks at on lighting is what will the new conditions be like compared to the current conditions?

We mentioned earlier that many of the facilities on the campus were built in the '70s, and I think a couple of those existing pictures show that some of the existing parking lots, for example, have some older lights.

With new lights that will be on the soccer field -- and there will be lighting on the baseball field. That has been previously approved. The shielding

of these lights is very precise, and it keeps the lights on the field. It reduces any spillover effect of those lights.

And the EIR has a very careful analysis of receptor locations, including the park that was mentioned, including residential areas, and it concludes that there is no new significant impact from the lighting.

Again, response to comments will look at that -- very valid concerns, but we'll make sure that that's analyzed very carefully.

Finally, on traffic and the events center, I do want to comment that we believe the events center and the goal of 5,000 fixed seats is an important and legitimate academic goal of the University. Pepperdine is very proud of its athletic record, but within its conference, the majority of the other schools have much, much larger and better facilities.

We currently have 3,106 seats, and the ability to do 474 temporary seats. So the new facility will have 5,000 fixed seats, the same ability to do those temporary seats, so the net addition is 1900 seats. This is not adding a new facility of 5500, because the Firestone Fieldhouse will no longer have those seats,

As part of our event management plan and our

demand management plan, we're going to be looking at things like will there be a major event at the events center on the same night, for example, that the Smothers Theatre is having an event or another election might be occurring at the University.

There is a lot of scheduling that can be done that's going to ensure that the traffic that comes into the University as a whole will be minimized. And that will be part of those plans. We'll be working on that with the County.

The new location of the events center we think is preferable for Malibu Country Estates. We think the noise from the reuse of the Firestone Fieldhouse will be mitigated.

But I want to reiterate that the University is committed to working with the Malibu community. There are a number of existing committees that involve things like traffic cooperation, public safety cooperation. Rhiannon has committed that we'll be at the Malibu City Council meeting on December 13. The testimony about safety on PCH and about working with the community on issues like that, I know the University very much wants to do that.

And the mutual respect that was shown tonight by everyone who spoke is just very much appreciated, and

I want you all to know that we will work very, very hard to address all of these questions, and we appreciate all the (inaudible) from you tonight. Thank you.

MR. McCARTHY: Thank you. Now, that is the last speaker?

MR. DEA: That's correct. That's the last speaker.

MR. McCARTHY: Very well. You may take your seat. Once again, we want to point out that the comment period for the draft environmental impact report, the DEIR, is open until January 10th, close of business January 10, 2011. At that time, after all the comments are received, Staff will prepare responses to comments received during that comment period and on that EIR.

The final EIR will then be prepared. And that's a voluminous document because it will contain, of course, all of your comments that have been received. And the response to those comments as well.

So that will all be bundled together and put into a document referred to as the final EIR, and the final EIR will go to the Planning Commission. They will receive it two weeks prior to the public hearing.

And again, the public hearing will be advertised 30 days in advance. The property owners surrounding the campus will be notified. There will be signs posted. It will be posted on the website. We'll

advertise in the local Malibu newspapers.

And again, that Planning Commission hearing is held downtown at 320 West Temple Street, and the corner of Temple and Broadway. We always commence at nine o'clock in the morning down there on a Wednesday. I cannot give the exact date now; that time has not been set.

But those proceedings again will be broadcast on the web and will be archived, and you can then look at them at your convenience at a later date if you are unable to either attend or access the website during the meeting.

That really brings us to the conclusion of our proceedings here today, except that we have to ask if there's any public comment, pursuant to Section 54954.3 of the Government Code.

You can comment on anything. If anybody wants a student loan plea, whatever you --

Okay, seeing no hands for further comment, we're going to conclude these proceedings tonight, this portion of the process, and then it will recommence downtown Los Angeles at a date to be advertised.

Thank you for coming tonight. You've been a wonderful audience. Give yourself a big round of applause.

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(Conclusion of Recorded Material.)

WORD INDEX

< ' >
'70s 86:19

< ' >
'11 76:20

< " >
"community." 45:14
"early 69:3
"EIR" 3:4
"Harvard 30:9
"How 84:1
"I 15:10
"impacts." 16:5
"One 15:9
"plan." 11:9
"program." 11:9
"The 15:12 29:12
"They 15:15
"This 46:15
"Those 15:14
"We 15:8

< 0 >
00014 6:8
00203 6:7
03064 1:9 2:2, 6 6:6

< 1 >
1 6:20, 20
10 12:5 17:10 53:2 62:16 74:3 89:10
10.15 62:6
100 1:20
101 72:20
10th 4:15, 15 89:10
11 15:12
12 7:16
12700 78:5
13 26:5 47:25 88:20
13000 78:6
1450 1:20
15 3:9, 22 13:14 14:5 62:16
1500 78:24
168 7:24
1900 20:11 87:22
1970s 18:3 19:24
1972 11:5
1978 50:7 63:24
1980s 17:13
1984 53:21
1987 15:1
1990 11:14
1999 11:20

< 2 >
2 1:2
200 21:12
2007 6:7, 8
201 34:23
2010 1:2 28:4
2011 4:15, 16 12:5 89:11
2077 62:18
21 77:19
22251 63:22
23805 51:16
24255 30:19 32:19 36:17 37:22 42:21 45:8 57:21 59:15 83:17
24515 53:18
24539 77:19
24600 80:18
24609 26:4
24720 50:5
24721 40:12
25 80:18, 19 81:16, 17 82:5
2500 50:17 67:19
26 54:4
2855 65:11

< 3 >
30 74:3, 4 89:23
300 8:2 18:18
3000 20:15 62:13
3011 55:24
3100 20:12
3106 87:19
31737 47:19
32 64:1
320 90:3
35 65:12, 13, 14, 16
3500 7:11
3602 81:22
365 7:3, 5 9:16 22:21
3802 76:17

< 4 >
40 40:17 77:2 78:8
400000 7:13 22:25
433 22:5, 7
468 9:22 19:2
47 17:10
474 87:20

< 5 >
5 62:16
5.5.1 86:3
50 68:2
5000 50:15 67:18 78:16 87:14, 21
5400 83:1
5470 8:4 78:14
54954.3 90:15
5500 87:23

< 6 >
6 68:2 74:4
6.48 62:6
600 51:19
6100 79:1
626 1:21
6487 56:16

< 7 >
700 23:23
724 22:6
7250 1:21
74401 28:1
75 19:5
792 1:21

< 8 >
80 64:21
800 22:20
830 7:6 78:4, 10

< 9 >
90263 32:20 36:17 37:22 45:8 57:22 59:15 83:18
90265 40:13 51:17 53:19 55:25 56:17 80:18 81:22
90402 34:24
91105 1:20
91302 76:17
92260 28:2
98 10:9

< À >
à 26:22

< A >
ABC 28:6
ability 28:18 29:22 36:13 50:19 87:19, 21
able 8:10 13:18 19:13 20:5, 7 23:25 41:16 45:21, 24 46:7, 8, 11, 16, 20 47:2, 10, 11 61:3 70:11 77:14
abroad 19:11 33:16 46:11 60:1
absolute 82:3
absolutely 80:7
academic 19:16 21:1 26:23 39:5, 6 43:21 44:4 55:13 87:15
academically 38:3, 11 39:25 44:24
academics 21:2 25:1 40:1
access 24:14 50:20 90:11
acclaimed 66:3
accommodate 79:6
accommodated 20:7 21:21
accommodations 67:5
accomplish 40:23
accomplished 11:3
accomplishes 45:17
accredited 38:14
accurate 62:8
achieve 34:13
acre 7:3, 5, 6
acres 9:16 22:20, 21 73:17 78:5, 5, 10
action 11:25 13:1
actively 56:7
activities 16:15 35:18 41:7 70:1 77:6
activity 68:23
add 11:10 19:2 20:11, 15 27:21
added 2:18 21:13 22:7, 24
adding 18:13 71:8 87:23
addition 10:2 11:25 36:12 68:8 87:22
additional 4:18 8:2 12:18, 20 50:22 79:23
Additionally 9:14
additions 68:8
address 4:5 24:17 53:18 55:24 85:21 89:2
addresses 85:24
adds 7:24
adequacy 10:4
adequate 10:6
adjacent 19:21 23:22 55:7 80:20
administration 36:3 39:8 72:16
administrative 47:3 78:7
admire 15:10
admit 58:13, 18
advance 89:23
advantage 64:18
advantageous 45:2
advertise 90:1
advertised 89:23 90:22
advisor 33:14, 22
advocate 38:1
afternoon 38:20
age 26:14 50:23
agencies 12:4
agency 12:17
Agenda 1:9 2:2
ago 14:14 30:2, 7 36:19 54:4, 12 73:21
agree 76:3
agreed 17:20 73:23
agreement 73:22
Agricultural 6:21, 23 10:20
ahead 3:16 30:18 68:1 80:15
Air 72:15
aisle 16:25
Allegiance 2:8, 10
allotted 39:16
allow 27:23 31:11 38:17 39:14 46:14 52:17
allowed 3:23

allowing 47:13 70:4, 5
allows 46:2, 20
alternatives 22:16
altogether 38:25
alumna 61:10
alumni 46:22 77:10, 10
amazing 46:23
ambient 61:25
ambition 40:22
America 45:21
amount 38:8 39:4 44:9 51:2
Amphitheatre 78:25
analysis 10:20, 22 87:4
analyze 86:7
analyzed 6:3 9:8, 19 10:1, 4, 7 87:11
anchor 28:6
ANGELES 1:5 2:12 4:21 5:3, 4 14:8, 12 36:7 72:13 90:22
animals 9:16
annoyance 9:11
answering 25:8
anybody 22:9 90:17
anyway 6:10
apologize 58:20
applaud 27:21
applause 27:25 90:25
applicant 2:7 3:10, 20, 21 6:24 10:16 17:9 85:9
applied 30:2
appreciate 25:7 28:4 57:22, 23 65:24 66:13, 14, 15, 16 75:24 77:3 89:2
appreciated 88:25
appreciative 85:13
apprised 56:8
approvals 24:24 73:23
approve 53:7, 14 67:12 77:12
approved 11:20 17:14, 14 23:4, 8 86:25
approximately 7:3 10:9 50:18
April 66:21
archived 5:6 90:9
area 7:3, 5, 7 9:3, 15 18:10, 11, 19 21:18 22:8 33:14 48:11 59:22 60:25 69:6 78:12 79:3 80:2
areas 10:7, 19 18:17 22:12, 14, 23 23:14, 15, 17 60:14 68:18 87:6
aren't 60:14
arena 50:14 51:6 68:15 69:13, 15 72:4, 5 73:19 75:10, 19, 24 77:8, 9 78:14 79:2 81:1, 2
Armand 57:19 80:14 81:21
arranged 12:22
arrive 21:11
art 20:24 30:22 65:25 66:3, 4
article 30:9
articulated 44:13
artist's 21:15
Arts 52:10 73:12 75:7
Ashley 57:19 59:14, 16
Asian 32:7
asked 51:2
asking 48:4, 14, 19, 25 49:1, 18 83:6
aspects 17:23, 24
aspirations 66:19
Assemblywomen 48:7
asset 51:24
assigned 5:21
assistant 54:6, 16
assisted 54:7
associate 54:13
associated 28:23
Association 32:8 56:21 80:25
assumed 75:7
assure 29:16 75:3
athlete 37:1, 2 38:11 39:1
athletes 16:24 20:1 37:15 39:3, 15 40:6, 22 41:1, 2, 9, 14, 19 42:9 43:11
Athletic 8:3, 7 15:11 16:6 18:22 24:5 36:24 54:23 55:19 63:15 72:7, 11 87:16
athletically 44:24 56:6
Athletics 7:20 18:6 19:18 23:9 40:1, 15, 18, 25 75:17
attend 2:5 26:17 36:20 37:1 42:25 90:11
attended 24:6
attendees 24:7 67:18
attending 5:7 37:5 76:8
attention 14:19 16:1
attorneys 17:6
attract 46:3 56:6 77:10 78:16
attributes 65:24
audience 64:21 76:3 79:14 90:24
Audio 61:14 68:4
auditorium 20:14 83:1
authorized 11:5, 12
Avenue 34:24
average 62:5
avoiding 38:25
aware 33:9

< B >
babysat 72:1
back 15:5 17:15, 20 19:13 22:13 29:2 42:13 46:12, 21 47:3 53:24, 24 54:3, 3, 8, 8, 14, 14 60:2 61:16 68:22 70:9, 16 73:6 74:7, 8 77:10 82:23
backed 73:8
background 10:23
bad 27:24 79:20, 21
Bailard 66:22
Baker 55:22 57:20, 20
balance 15:21 63:3 79:21
ball 63:7
baseball 70:14, 16 86:24
basically 8:9 12:3 68:18 74:15
basin 7:19 8:19, 20
basis 11:15 23:23 41:12
basketball 20:6 53:21, 23, 25 54:8, 14, 14 75:19 78:17 81:24, 24 82:15
battle 54:25 55:1
beach 27:17 29:13 47:19 65:15
bear 44:17 47:20
beautiful 14:23 32:4 45:20 55:18 60:15 67:3
bedrock 9:1
beds 7:24 8:2 18:18 19:3 34:14
began 14:25 23:2 37:12
beginning 4:17 38:22 56:9 85:17
begins 37:11 68:4
behalf 51:18 53:13 85:12, 23
beings 41:4
Bel 72:15
believe 13:20 63:6 64:25 68:4 76:23 87:13
believed 58:24
beneficial 58:5, 6 62:11
benefit 4:11 19:9 27:2, 3 38:3 40:4, 8 44:16 76:3 77:9
benefits 52:15 76:23
Benton 13:21, 23 28:13 35:17 71:25 83:9
Bernard 26:20
best 29:22 34:8 52:1 53:4 60:8 61:5 86:6, 7
better 19:7 29:3 37:10 43:21 58:7 87:18
bettering 38:9
beyond 23:12 43:25
big 48:3, 13 74:1 75:17 79:17 90:24
biological 33:11
biology 38:13
bit 4:9 8:21 17:24 18:20, 25 21:17 22:25 47:20 79:15
bite 60:19
bless 30:13 32:18
blessed 57:12
blessings 37:3
block 40:3
Bluffs 6:14
Board 11:13 35:8 51:18 52:7 79:11
Bob 65:6
body 19:5 28:10
borders 69:8, 12
Boston 26:20
bothering 81:6
bottom 21:14
bought 70:20 73:11 82:1, 4
Boulevard 1:20
boundaries 72:3
box 13:12
boy 64:2
Brady 51:13 55:24, 24
brand 31:17
break 67:24 68:2, 3
brief 6:2, 4 10:23 67:24
briefly 35:1 43:20 85:21

bring 32:12 35:5, 14 36:1 46:4 52:19 53:11
bringing 52:8, 13 66:9
brings 46:10 50:19 65:22 90:13
Briskin 65:7, 8 68:4, 6
Broad 47:19
broadcast 66:7 90:8
Broadway 16:23 90:4
broken 33:10 74:5
brother 30:1
Brothers 79:14
budgeted 35:12
build 11:21 17:23 27:8 54:17
building 8:24 20:4, 14 46:19 55:13 75:20, 21 78:2 79:23 82:6, 7
buildings 31:10 47:7 68:7, 21 75:21
built 18:3, 4 19:23 69:13 72:5, 7 82:4 86:19
bumper 50:17, 17 73:1, 1, 8, 8
bunch 65:2
bundled 89:18
bus 24:12
business 4:15 27:8 39:7 45:11, 11 51:19 52:21 79:13 89:10
business." 15:9
businesses 51:23 52:4 53:11, 13
busses 73:19
button 6:10
buy 73:10

< C >
cafeteria 29:4
Calabasas 76:17 77:1
CALIFORNIA 1:1, 20 11:14 14:12 28:2, 7 30:20 32:20 36:17 37:22 40:12 42:21 53:18, 22 55:25 56:17 57:22 61:6
call 3:23 16:5 23:8 25:19, 21 30:15 33:11 34:5, 15, 19 37:19 42:16 47:15 51:12 55:21 57:18 59:12, 25 65:4 76:14 80:12
called 8:1 11:8, 11 28:20 30:7 32:23 47:21 52:24
calling 25:15
Caltrans 49:3 62:3
camp 82:2
camping 63:12
Campus 1:10 2:25 7:1, 3 9:4, 15, 22 11:6, 16, 19 14:1 16:10, 13 17:2, 8 18:8, 14 19:2, 6, 8, 9, 13, 14 21:4, 16 22:6, 20, 23 23:8, 8, 25, 25 24:7, 14, 21, 22 26:9 31:1, 3 32:12 33:10 35:9, 12 36:6, 21 40:7 43:8, 21 44:15 48:15 49:11, 15, 16 51:22 55:18 56:8, 12 57:1, 7, 24 59:24, 25, 25 60:4, 9, 10, 11, 15 64:24 66:19 67:8, 21 68:9 72:11 73:8, 18, 24 74:10, 13 76:7, 22 77:4, 5, 7 78:13 82:10, 22 86:19 89:24
campuses 26:15, 18 67:3
can't 27:16 30:6 61:1 63:6 82:19
candidate 76:19
canyon 8:20 55:25 74:15, 19 79:7
capacity 10:6 22:15
car 48:1 50:16 60:7
Carbon 63:22
card 3:11, 18
cards 3:12 25:13
care 36:4, 6 49:11
career 14:9 36:24
careers 36:14
careful 86:2 87:4
carefully 86:12 87:11
carpel 67:25
cars 50:17 67:19 73:2 82:9, 18
Carson 30:17 34:23
cart 28:14
case 29:15
cause 24:18
Cavalleri 56:16
CC 53:24
celebrates 16:13
Center 6:17, 18, 18 7:20 8:3, 7, 13 15:11 18:6, 8, 22 19:19 21:4, 10 24:5 51:16, 20 53:14 54:18, 19, 20, 22 55:19 68:24 87:12, 13 88:3, 11
central 59:25
CEO 51:15
CEQA 22:17
ceremony 42:3 76:9
certain 21:1 39:4, 4, 10 58:16 70:4, 5, 12 72:17 74:16 75:1, 15
certainly 30:12 57:23
certified 20:9
CET 1:19
challenge 47:7
challenged 38:11
challenges 37:3
challenging 15:7
Chamber 51:15
champions 42:13
championship 42:1, 2 53:24 78:16
championships 40:20, 21 54:1, 2, 3, 9
chance 47:2 64:23
change 9:13 11:10 60:24
changed 17:2 79:19
changes 65:16, 17
chapel 28:13 50:10
charge 35:15
cheering 29:4 82:15
cheerleaders 55:1
chemistry 38:9 39:24
Chicago 72:10
children 42:7, 8 68:17
children's 66:11
choose 21:1
chosen 51:4
Christmas 76:8 83:11, 22
church 43:1
Cindy 17:11 85:12
Circle 53:18 81:22
circumstances 24:20 79:19
citizen 67:14
citizens 41:23
City 6:17 48:6 49:7 52:5 64:14 78:25, 25 80:6 88:19
Civic 6:16, 17 41:10
class 5:7 28:4, 18 30:12 32:7 38:16, 21 39:23 40:5 56:5, 6 76:19
classes 38:9 39:9, 10, 12 40:4 77:2 84:4
classman 60:5
classmates 33:16 34:3
classroom 55:14 56:7 68:7 75:21
classrooms 16:14
clean 15:21
clear 2:16 76:6
clearly 61:18
Cleese 66:11
Clifford 65:6, 10, 10
climate 9:13
clinic 42:7
clinics 41:20
close 4:14 29:19, 24 69:17 70:7 73:5, 15, 20, 24 74:3 79:1 89:10
closes 12:7
closest 62:18
closing 27:7 34:10 36:10
coach 54:13 64:3
coached 54:7
coaching 54:7
Coast 30:20 32:20 36:17 37:22 42:21 45:8 47:24 48:2, 24 49:3, 16 54:8, 21 57:21 59:15 83:18
coastal 9:25 11:14 14:7, 13 17:15
code 9:25 75:18 90:16
coexist 29:20
coffee 60:18
colleagues 13:24
college 14:23 15:6, 18 19:5 21:9 26:17 36:24 65:22 73:12 75:7, 17, 19
Colorado 1:20
Columbia 26:20 72:6
come 3:23 4:3 5:12 11:24 15:5 17:20 19:12, 13 24:12 25:13, 22 29:10 30:5, 15 31:14 32:10, 14 33:10, 11 34:15, 25 37:14 40:22 43:11, 11 44:8 45:12 46:7, 12, 21 47:2, 14

49:14, 16, 21 51:20 54:18 58:1, 8 59:6, 19 64:9 65:8 69:15 71:20 74:14 77:14, 14 82:23 85:9
comes 26:20 37:2 39:2 48:19 62:18 88:7
comfort 29:1 33:20
coming 2:4 5:14 25:23 29:1, 2 38:8 48:21 63:4 78:22 90:23
commence 90:4
commences 25:18
comment 3:1 4:18 12:6, 7, 8 87:13 89:8, 13 90:15, 17, 19
comments 12:10, 17, 18 25:11 85:20, 24 86:11 87:9 89:11, 12, 16, 17
Commerce 51:16
commercial 79:3
COMMISSION 1:5 4:12, 20 11:13, 14 12:12, 15, 25 13:1 14:7, 13 17:15 27:23 48:6 61:22 75:23 89:20 90:2
Commission's 12:22
commitment 20:10 24:23 85:22
committed 88:16, 19
committee 23:21
committees 88:17
common 59:21
communal 60:14
communications 66:1
communities 41:21
community 2:15, 24, 25 5:23 6:15, 16 11:2 15:7, 21, 23 17:19 19:10, 14, 22 27:3, 6, 15 28:17, 23 29:8, 18, 21, 22 30:25 31:6, 8, 9, 17, 20 32:1 33:2, 3, 5, 24 34:7, 9 35:2, 21, 25 36:4, 8, 12 40:8, 17 41:5, 17 42:13, 22 43:4, 24 44:1, 3, 4, 10, 14 45:1, 2 46:12 47:22 48:9, 10, 10, 11, 13, 13, 18 49:19, 19 50:20, 23 51:3, 7, 24 52:3 56:4, 20 57:14 58:3, 5, 7 59:3, 5, 18, 23 60:13, 23 62:9, 14 63:2, 9 64:1, 13 65:1, 17, 23 66:10, 14, 14, 15 68:11 71:23 78:3 84:4, 17 85:4, 14 88:16, 21
commute 65:15
commuter 9:22 67:6 76:25
comparable 27:10
compared 86:17
comparison 56:25
compassionate 41:9
compatibility 9:24
compatible 8:10
compete 21:24 45:21 53:25 54:2 55:4 57:1
competed 53:24
competing 54:4 55:8
competition 43:14
competitive 20:5 26:22 38:10
competitiveness 27:2
complete 51:21
completed 13:10
completely 28:8 35:12 56:12
complex 86:7
comply 26:10
component 7:24 8:1, 8, 12, 16, 22 32:16
components 7:13 11:21 18:1 38:15 39:22
composed 74:17, 18
concentrated 44:14 78:10
concentration 80:1
concept 67:10
conceptual 11:15, 17
conceptualized 17:14
concern 50:13 58:12, 17 79:22 80:25 81:11 86:10
concerned 81:9
concerns 50:19 58:10, 11 68:15 70:17 77:22 81:1 85:24 87:10
concerts 66:11 78:18 79:12 83:2, 3
concession 55:10
conclude 90:20
concludes 13:3 87:6
conclusion 51:5 86:8, 12 90:13 91:3
condition 73:23
Conditional 6:6, 25 11:5, 19 12:9, 21 17:21
conditions 19:7 23:18 70:4 86:15, 17, 17
conduct 27:11
conducted 4:25 5:2
conducting 4:20
Conejo 72:21
Conference 20:6 40:20 54:9, 21 87:16
conflict 38:5 40:1 55:7 78:2
conflicts 38:25
Congress 75:16
connection 51:22 52:3, 14
conservative 24:19
consider 16:20 45:2 71:4 74:12 75:24 83:7 85:6
consideration 35:20, 21, 24 83:15
considerations 10:16
considered 10:18 12:14 72:5
considering 35:23
consistency 9:24 22:18
consistent 23:7 24:24
consistently 53:10
constantly 52:21 53:8
constants 65:19
construct 75:5
constructed 7:21 75:4 82:7
constructing 30:25 71:15 72:15, 20 75:10
construction 6:25 9:11 17:22 26:21 68:7 82:6
consultant 86:6
consultants 85:19
contain 89:15
context 75:17
continually 45:24 73:14
continue 4:14 6:4 7:8 12:19 22:16 24:3 56:10 59:1, 4
continued 54:10
continues 24:22 29:16 31:5 56:24 79:20
continuous 26:19
contrast 19:7
contribute 44:2
contributes 43:21
contributing 43:7
convenience 5:9 90:10
convenient 22:6
conversion 68:25
converting 69:25
cooking 31:12 32:7, 9, 15
cooperation 88:18, 18
core 57:8
corner 90:3
correct 89:6
correlation 31:2
Corrigan 25:20 26:1, 3, 3
Corrigan's 25:23
cost 44:10, 18 45:3
couldn't 82:21
Council 48:6 49:7 66:21 88:20
counsel 36:3
countless 37:4
Country 6:13, 15 16:8 26:5 27:13 36:7 50:6 55:16, 17, 18 75:3 77:20 80:17 81:7 82:14 83:7 88:12
counts 62:4
COUNTY 1:5 2:12 5:4 9:20, 25 13:23 14:7, 12 17:14, 25 22:12 23:13 24:16 42:18 69:5 85:18 88:10
County's 10:11 16:1
couple 34:19 37:19 47:15 49:8 61:20 79:9 80:12 84:22 86:20
course 4:10 13:25 14:13, 14 16:17 17:22 23:20 40:18 85:18 89:16
courses 39:10
Court 1:19 4:7, 11 67:24 81:24
courteous 72:18
crank 58:23
create 16:15 29:7 43:13 80:6 81:2, 3, 12 84:17

created 33:23 83:4
creates 36:8 75:9
creating 34:4 52:25
creation 77:8
creative 17:8
credits 39:4
critical 11:1
crowd 82:22
crucial 39:22
cultural 9:17 66:2
culturally 51:24
culture 64:14 65:23, 25
cumulative 68:12
current 10:24 11:4, 16, 20 22:3 86:15, 17
currently 2:20 18:10 21:5, 18 23:24 28:6 30:24 37:24 56:16, 23 71:7 87:19
Currents 29:12
curricular 16:15
curry 32:9
cutoff 23:6
Cyrus 79:15

< D >
D.C 42:6
dad 64:3
daily 23:23 41:11 44:20
damaging 27:12
dance 66:5
dances 69:5
dark 63:1
date 4:21 12:12, 15 84:16 90:6, 10, 22
daughter 26:14
daughter." 15:10
daughters 71:22
day 5:7 38:24 42:6, 7 46:4 80:21
daylight 20:22
days 82:3 89:23
de 27:18
DEA 3:12 5:16 25:19, 20, 24 30:14, 17 34:20, 21 37:18, 20 42:16, 17 47:15, 17 51:12, 13 55:21, 22 57:18, 19 59:11, 13 65:6 76:14, 15 80:12, 13 89:6
dead 58:25
deal 21:3
dealing 7:6 50:12
death 47:24
Debate 56:22
debris 7:19 8:19, 20
DECEMBER 1:2 88:20
decibel 75:1
decibels 74:18
decided 30:4
decision 83:8
deck 21:13
decked 22:4
decommissioned 20:13
decrease 38:7
dedication 36:22
deep 28:22
deeply." 15:13
definitely 39:17 40:4 60:24 61:7 70:23 75:18
degree 51:8
DEIR 66:17 89:9
deleted 2:18
delight 82:4
delighted 17:16
demand 20:21 24:10 88:1
democracy 16:3
density 78:11
Department 2:13 5:5, 20 6:1 9:6 41:3 49:2
Department's 5:3
depend 15:8
depending 38:16
describe 5:22
Desert 28:2, 7
deserve 82:13
designed 24:21 26:21
desk 3:15 85:1
detail 17:8
detailed 66:21
details 74:20
determined 9:7, 21 10:8
develop 7:2 41:8, 9
developed 22:19, 21, 23 33:7, 7 41:15
developing 55:8
Development 6:21 7:7, 13, 14 9:15 10:1 11:8, 9, 11, 11, 15 14:20 19:20 22:11 26:7 31:18 41:3 43:7, 10, 20 44:14, 23 52:12 73:24
developments 37:16
diagrams 66:22
dialogue 14:4
didn't 4:17 26:10 73:10 74:20
difference 43:17 62:7 74:2 79:17 84:19, 23
different 23:14 74:24 80:4 84:14
dine 52:19
dining 31:12
directly 44:16 69:6, 8 70:7, 16, 19, 24 81:23
director 40:15 56:1
Directors 51:18 52:7 79:11
disconnect 33:23
discussed 26:8 27:10 83:2
discussing 38:2
dispense 27:24
display 15:12
disproportionate 51:2
disrespectful 76:11
District 6:6
disturb 22:22
diverse 28:16 50:23
Divide 29:13, 19
Division 20:6 39:10
doctors 16:22
document 89:15, 19
doesn't 46:14 62:17, 22, 23 63:2 70:11 75:20
dog 26:12
doing 26:25 61:11, 15 63:16
dollars 35:13, 13
don't 3:6 4:8 13:18 25:21 26:1 27:14 41:18 57:6, 7, 8 60:7, 19 63:18 65:8, 15 71:11 72:22 76:10 79:12, 16 82:16 83:12 84:4, 5
donations 79:21
doors 52:19
dorm 85:2
dorms 52:17 59:20 84:5, 9
double 53:24 75:5
doubt 41:13 66:2
downplay 84:8
downtown 4:21 5:2 13:8 27:23 90:3, 22
DP 6:20
Dr 71:25 83:9
draft 4:13 12:4, 6 85:17 89:9
drama 66:5
dream 36:20, 23 49:21
dreams 17:3
drew 37:11
drift 66:12
drive 15:14 27:16 40:12 56:16 58:12 64:14 68:19 69:8, 10, 13, 15, 18, 19 72:25 73:15, 20, 24 74:23 77:2 79:7 80:18 86:5
driven 58:15
driving 28:13 58:13 67:22 68:18
due 38:9 39:6 55:3
dust 9:11
dynamic 56:23

< E >
earlier 12:21 22:20 86:18
early 38:8 39:23 42:6
earning 64:7
easier 4:8 39:15
East 28:1
eastern 32:25
eating 29:3 31:12 32:15
eco 53:10
economic 52:12
economically 51:25
economy 79:20, 20
edition 29:11
educate 24:25 75:11
education 10:20 30:2 35:4 41:2 78:1 80:3
educations 55:16
effect 68:12, 16 69:1, 16 71:4 74:6, 15, 19 87:2
effects 74:8
egress 69:14
Eight 36:19
EIR 4:13 6:3 12:4, 6, 14 13:7, 9, 9, 10 15:24 23:2, 12, 19 24:18 44:11, 20 61:16 68:24 69:3, 3 72:4, 22 74:16, 20 81:11 85:18 86:2, 13, 16 87:4 89:13, 14, 19, 20
EIRs 17:18
either 13:7 90:11
election 88:4
electric 28:25
electrical 57:4
element 75:8
elementary 41:20
elements 17:17
elevation 8:18
elite 44:5
emanate 69:24
emergencies 66:16
emergency 50:21
Emily 25:24 30:19, 21 47:25
emissions 9:12
emphasize 75:13
employees 78:7
employer 56:4

employment 52:4
empty 82:2
encourage 45:4
encouraging 37:9
ended 64:5
endowment 46:5, 9, 10
energy 40:21, 22 57:23 65:22
engage 41:6
engaged 33:5 34:8
enhance 24:21 26:21 31:17 67:3, 13
enhanced 18:10 21:17 31:10, 21 82:11
enhancement 31:9 67:14
enhancements 8:9
enjoy 31:14
enjoyed 42:9 64:11 80:19, 21
enroll 39:9
enrollment 7:10 14:17 23:5, 6 67:5
ensure 10:6 88:7
ensures 39:2
entered 73:21
entering 70:9
entertainment 78:14, 19 79:2
enthusiastic 79:15
entire 6:20, 21 30:9 41:5 56:8 78:9 80:6 85:2, 2
entirely 66:6 80:4
entitlement 10:24 11:1 68:10
entity 59:2
entrance 50:21
entrepreneurs 16:23
environment 63:4
environmental 3:2, 4 9:7 10:18 44:19 47:8 72:17 73:18 85:16 89:9
envision 70:21 79:12
equate 75:20, 21
equipped 43:23
equities 75:22
equivalent 7:10, 11
especially 34:1 43:3 70:18, 22
essential 38:17
established 11:19 19:4
establishment 11:6, 7
Estates 6:13 16:8 26:5 27:13 35:22 36:7 50:6, 13 75:3 77:20 80:17 81:7 82:14 83:7 88:12
ethic 41:16
evaluated 9:11
evaluating 10:2
Evans 47:17 51:14, 14
Evanston 72:10
evening 2:4 5:8, 25 10:13 14:10, 17 16:2 17:11 25:9 26:8 27:10, 17, 22 28:3, 5 30:22 32:21 34:25 37:23 40:4, 14 42:18 45:9 50:4 51:14 56:15 76:18 83:19
event 8:5 10:12 24:12, 15 35:11, 12, 16 67:19 79:2 87:25 88:2, 4
Events 7:20 8:3, 7 18:6, 22 19:18 20:13 24:4, 5, 6, 8, 17 35:9, 10 48:22 52:10 54:18, 19, 20, 22 55:19 59:24 62:13, 15, 19, 20 64:12, 19 65:23 66:10, 15 67:21 73:16 78:21 79:24 80:7 87:12, 13 88:2, 11
everybody 5:15 35:16, 22 63:14 75:6
ex 52:22
exact 84:9 90:6
exaggerating 82:21
examiner 2:12 12:24
EXAMINER'S 1:6 2:1, 5
example 32:6 42:5 61:23 62:12 86:21 88:3
examples 61:20
exceeds 20:21
excel 54:10
excellence 40:19, 24
excellent 26:18 66:9
exception 9:1 10:7 24:3, 4
excessive 9:3
excited 43:6 77:7 84:2
exist 33:6
existing 7:3 9:10, 15 16:9 19:3, 20 22:19 81:4 86:20, 21 88:17
exit 50:20 69:21
expands 73:14
expansion 78:2 79:6 81:3, 10
expecting 82:25
experience 30:12 33:1, 19 35:5 41:25 84:9
experiences 28:16, 22 37:4
experiencing 34:3
explaining 58:3, 5
explored 72:22
express 25:4
extend 57:13
extensive 23:13
extent 16:7 50:25 57:9
extra 16:14 54:24
extremely 39:18 51:24

< F >
face 60:24 70:16
Facebook 33:17
faces 33:17
facilitation 31:11
facilities 14:20 19:3 20:3 30:13 40:23 43:10 55:12 56:5 57:2 68:10 70:1 71:8, 15, 17, 19 72:7, 12 81:5 84:16 86:19 87:18
facility 8:11 20:7, 9, 13 54:5, 9, 11, 23 55:4 70:9 72:20 73:17 80:21 87:20, 23
facing 69:19
fact 16:13 26:10 27:4 45:18 46:2, 7 47:11 62:12 64:22
factor 50:24
factors 23:13
faculty 14:21 47:4 52:8 53:9 57:14 71:24 78:6 81:14
fair 73:9
fairly 74:22
Fall 39:11
familiar 66:18
families 46:3 68:16 78:22
family 29:1 33:8, 10, 11, 11, 23 37:6 57:14, 15 84:10
fan 48:3 60:25 61:11
fantastic 58:3, 4, 22 59:17
far 11:23 28:17 58:19 64:19 74:22
farm 32:25
fast 58:12, 13, 15
fast." 15:15
fatal 68:11
favor 26:7, 25 27:20 33:25 49:9 54:18 59:7, 9 65:3 67:2
favorite 28:15
fear 16:4 77:24 78:1 79:18
feature 5:1
feel 3:3 4:18 27:14 34:5, 10 36:25 51:5, 23 57:7 84:6
feeling 28:25 29:1, 1
feet 7:14 22:25 69:12 71:3
fellow 57:13
fellowship 31:11 32:15
felt 35:25 58:22
Fernando 72:21
Festival 52:10
field 7:19 8:8, 10, 17, 19 18:7, 11 20:17, 21, 21 21:19 26:10 29:5 38:2, 4, 24 39:14, 19 40:2, 6 54:20 63:7, 7, 8 71:1 81:24 86:24, 25 87:2
Fieldhouse 8:6 18:5 19:23 20:12 29:5 37:5 68:21, 23 69:22 71:17 87:24 88:13
fields 21:2 71:22
fifth 8:16
figure 62:15
fill 3:11, 15, 18 8:18 9:3 30:15
filled 3:14
filling 11:16
final 11:24 12:14 13:1, 10 32:6 89:14, 19, 20
finally 62:25 69:20 87:12
find 19:8 41:10
fine 15:25
finest 17:6
finished 39:4
fire 9:12 10:2
Firestone 8:6 18:5 19:23 20:12 29:5 37:4 68:21 69:22 71:17 87:23 88:13
first 7:17, 21, 24 13:20 18:4 25:19 38:4 41:2 52:2 83:21, 24

Fisher 30:17 32:19, 19, 21
fits 21:15
five 23:13 30:2 67:24 85:9
fixed 87:14, 21
Flags" 15:12
floor 8:4
flourish 29:17
flow 39:24
focused 14:19 22:13
focusing 23:10
fold 2:15
foliage 71:10
folks 3:9 25:22 57:22 58:24 83:7
follow 82:22
footage 22:24
football 72:14, 15
footprint 22:19, 21 80:1
force 38:12
Forest 81:22
forever 17:2
formations 39:21
formed 47:22, 23 48:1
forming 27:24
forth 10:3 14:21 45:5 46:13, 16
forthcoming 66:24
fortunate 63:23
forum 44:25
forward 3:23 25:8, 14, 22 37:14 44:18 58:25 59:1 61:24 63:13 85:9
fosters 46:13
found 14:10 27:11 32:1 49:6 58:21
four 23:15 32:23 34:12 38:6, 15 39:8, 16 54:23
fourth 8:12
Frank 51:13 55:24
freaking 60:7
free 3:3 4:18
Freeman 34:21
Freeway 72:21
frequencies 74:18
frequent 49:24
frequented 32:2
freshman 53:21 59:18, 19 60:4, 23 83:22 84:11, 13
freshmen 32:13
Friday 35:10
FRIEDMAN 36:16, 16, 18
friend 56:11 60:18
friendly 53:10
friends 13:23 33:7 42:19 56:22 83:25
front 25:22
fulfill 80:2
full 35:20 37:4, 8 42:7
fullest 44:17
fulltime 7:9, 11 65:15
fully 8:25 23:17, 19 24:2, 23 43:12, 14
fun 32:17
functioning 84:16
funny 74:17
furniture 84:22, 25 85:1
further 8:21 10:19, 21 36:8 38:18 50:19 67:3 90:19
Furthermore 38:19
furthest 26:16
future 22:13 57:9 62:1 76:24 81:3, 5

< G >

gain 44:9 46:21 47:4
gained 8:18 28:16
game 82:15
games 19:24, 25 31:13 55:11 72:14 78:17
garden 30:25 53:5, 6
garnering 30:11
Gary 76:15 77:18, 18
gas 9:12
gate 69:9 74:22 81:22
gateway 21:9
gatherings 78:20
Gen 52:13, 13
general 9:25 26:23 27:4, 9 36:3
generate 78:22
generates 71:16
generations 29:10
generator 52:4
geographic 26:16
getting 30:1 64:6 73:23 79:8
giant 74:11
gift 77:13
gifts 31:20
give 2:21 4:5 5:22 31:22 36:12 42:7, 13 45:13, 16 51:2 58:9 61:20, 21 62:10 67:8 77:13 82:12 90:6, 24
given 37:5 51:1 78:6
global 9:13 19:11
go 3:7, 14, 15 5:4 6:9 13:15, 16 18:24 30:18 31:19 34:13 39:21 41:11, 21, 23 42:25 43:23 46:11, 21 47:10 49:10 55:23 60:13 61:2, 15 62:3 68:1 69:7 70:6, 15, 19 72:10 73:6 74:7 80:15 82:14, 21 83:11, 22 84:24, 24 89:20
goal 19:4 24:9 29:20 30:1 48:8 87:14, 15
goals 24:25
God 30:13 32:18 60:11
goes 48:7 70:24
going 2:21 3:6 5:11, 21 13:20 18:13, 15 24:3 25:5, 11 30:15 32:12 47:10 48:20, 21, 23 61:19, 21 62:1, 9, 13, 14, 16, 20, 23 63:6, 8, 9, 10, 11, 12, 17 64:5, 15, 23, 24, 25 67:21, 23, 25 68:25 69:15 70:6, 19, 21, 23 71:3, 4 73:1, 1, 12 74:24 78:22 79:16 81:12, 17 82:18, 19 83:2, 4, 4 85:4 88:1, 7 90:20
golf 28:14
Good 2:4 5:25 6:9 14:11 15:21 17:11 28:3 29:17, 23 32:21 34:25 37:23 40:14 41:18 42:18 45:9 50:4 51:14 56:10, 15 62:21 63:14, 25 65:17, 18 67:10 72:1 73:3 76:18 79:18 83:19
Government 56:21 90:16
grades 7:25 63:15
grading 8:25 9:2
graduate 9:4 11:18 32:14 39:16 46:22 50:11 60:15 61:9 63:15
graduated 54:7 80:20, 21
graduating 38:6 39:3 64:6
graduation 24:8 39:2 79:9 82:20
Grant 57:19 80:14 81:21, 21
graphic 86:3
grass 61:1
grassroots 33:4
grateful 14:3 15:24 16:1 42:22
Graziadio 27:8
great 17:25 19:11 29:13 31:19 33:4 34:7, 13, 17 35:2, 2 36:8, 9, 11, 11 41:15 46:4, 13 49:15, 25 54:17 59:22 60:16 61:3 63:15, 15 64:8 65:22 66:3 67:12 76:22
greater 32:16 45:13, 16 46:4 51:8 58:6 71:9
greatest 16:7
greatly 31:21 67:13 77:3
Greek 78:24
green 13:14 16:12, 23 30:24 32:8 56:21 61:1
greenhouse 9:12
Greg 25:24 28:1, 3
grew 26:9, 13 32:25
Griffith 78:24
Grisanti 59:13 63:21, 21
groceries 42:25
Grouch 77:21
group 47:21, 22 48:1 50:23 72:8
groups 79:16
Grove 6:15
grow 29:9, 16 31:14, 15, 17 35:3 50:8 59:2
growth 37:14 61:25 81:10
guaranteed 60:6
guard 74:22
guess 77:20
guests 21:10
guys 48:9, 17 57:15 62:10 63:11
gym 54:25

< H >

habit 27:24
half 54:12 73:17 78:11
Hall 84:12 85:3
halls 34:14
hand 2:9 5:16 29:21, 21 47:9
hands 68:1 83:10 90:19
hang 60:19 84:24
happen 59:24 62:23
happens 31:13 79:9
happy 35:24 44:8 84:19 85:3

hard 22:11 24:13 41:14, 14 77:2 84:3 85:19 89:1
Harvard 30:4 44:6
hazards 9:12
he's 5:20, 21 83:11
head 54:13 55:23
headline 29:12 30:8
hear 15:8, 14, 16 20:2 46:25 48:10 52:21 82:8, 9
heard 58:11, 17 78:4 85:14, 24
HEARING 1:6, 6 2:1, 1, 5, 5, 12 3:6, 8 4:21, 25 12:11, 11, 23, 24 13:8 14:3 89:21, 22 90:2
hearings 5:2 14:6 17:20
heart 37:10 66:3
Heights 72:8
held 90:3
Hello 59:16
help 2:15, 21 19:15 31:17 39:15 41:23 43:3 54:13 59:9 73:16
helps 19:16 64:8
Heroes 53:5, 6
Hi 63:21 65:10 76:16
hide 55:11
high 14:22 46:3 53:23
higher 60:13, 13
Highway 30:20 32:20 36:17 37:22 42:21 45:8 47:24 48:2, 25 49:4, 17 57:21 59:15 83:18
hills 74:8
Hiro 80:16
history 10:25 30:22
hits 74:8
HOA 76:4
hold 49:2 78:18
Hollywood 78:24
home 19:24 29:1 32:23 33:20 34:5, 15 43:5 67:13 69:17 73:7 82:21 83:22, 24
homeowner 71:14 80:24
homeowners 69:9 71:5 73:9 75:9 80:25 82:13
homes 41:23, 23 68:22 69:7, 9, 16 70:8, 15, 16, 19, 20, 25 71:7 73:2, 5 74:9, 14, 24 75:25 78:23 81:15
honking 73:3
honor 30:21
honored 36:25
hope 16:19 29:18 36:10 77:12
hopefully 16:16 29:8 37:16 62:10 81:16
hopes 17:3 54:13
hoping 30:3 51:7
hospitals 41:22
hosted 35:9
hosts 35:9
hour 3:5
hours 10:13 20:22 38:15 70:5, 5
House 42:2 65:16 69:12, 21 82:4
houses 75:4
housing 7:17, 25 18:2, 3, 16, 17, 21, 25 19:1, 5, 7, 9, 15, 16 23:9 24:1 34:1 43:16, 21 60:5, 21 77:3
Hovely 28:1
how's 84:7
HRL 56:1
hub 52:4
huge 20:10 32:16 84:5
Hughes 6:18
human 41:4
humbly 53:7
Hume 65:11
Huntington 1:19
hurt 68:11
husband 50:8
Hyde 32:2

< I >
I'd 17:23 46:15 58:9, 20 84:8 85:13
I'll 3:7 15:4 18:9, 22 58:12, 18 77:8
I'm 14:2, 3 15:24 16:1 17:2, 3, 16 18:15 22:6 26:25 27:19 28:4 30:22, 23 31:6 36:18 42:22 43:5 44:8 45:10, 11 47:20 48:3 51:7 53:5 54:18 55:25 56:1, 15, 19, 20 58:7, 13, 18 59:7, 7 60:6, 25 61:1, 3, 11, 21 65:12, 13, 14, 15 66:18 67:8 69:3 76:20, 22 77:7, 19, 20 79:13 82:9 83:6, 19, 22
I've 14:6 17:12 26:5 28:10, 21 40:16 41:24 42:20 43:17, 22 46:7 47:2 50:7, 8 54:2 58:10, 11, 17, 24, 24 63:23 64:11, 19 65:16 77:25 80:18, 19 82:5
idea 60:8
identified 22:12
ignorant 26:10
Illinois 72:10
immediately 33:5
immigrated 29:25
impact 3:2, 4 9:7 10:14, 17 16:20 17:1 22:8 27:15, 18 44:12 45:1 46:25 47:8, 9 61:8 62:14, 24 63:9, 10, 11 71:2, 9 73:18 81:10, 12, 18 84:13 85:4, 16 87:7 89:9
impact's 62:9
impacted 52:6
impacts 9:12, 16, 19 10:8, 12 15:16 16:5, 18, 18, 20 22:15 24:2, 7, 9, 18, 19 44:20 61:18 86:9
implement 67:12 75:6
implemented 10:10, 15 84:22
important 10:24 13:6 21:22, 25 23:11 34:10 39:18, 20 40:18 41:3, 4, 8, 13 48:5 49:12 51:24 59:19 65:19 69:23 84:15 87:14
Importantly 23:15 33:7
improve 8:10 19:16 45:24 52:16
improved 8:17 9:21 44:21
improvement 8:22 26:19 67:6
improvements 9:9 34:17
improving 8:9
inaudible 35:9, 15 44:15 45:4 50:1 63:12 64:4 65:9, 25 70:11 72:15 75:22 76:15 78:8, 17 79:19 84:10, 10, 24 89:3
Incidentally 5:1
include 12:15, 16 18:2 24:11, 11 29:18 48:12
included 7:17 17:18 22:14 78:13
includes 7:12 48:12 85:17, 20
including 12:11 35:11 49:6 66:22 87:5, 6
inconvenience 24:15 44:18 80:5
increase 67:5
increased 14:4 23:5 67:4
increases 16:12
increasing 14:17, 18 75:8
incredible 29:7 44:9 46:20 83:24
incremental 27:18
independent 85:18
Indicating 6:19
individual 54:24
individuals 35:3 41:10
industry 9:20
inevitable 38:23
information 21:11 62:10
infrastructure 16:11 22:15 23:16 79:6
infringe 50:24
ingress 69:14
inhibit 71:11
initial 10:18 11:6 17:18 78:15
Inn 49:6, 9
input 17:19
insight 35:1
inspect 66:17
inspirational 15:22
instance 50:15 79:19
institution 38:10
instruction 38:17
instrumental 28:19
insulation 75:2, 6
integrated 41:5
integrity 39:6
intend 78:18
intense 70:23
intentionally 32:24
intentions 79:18
interested 67:1
interesting 49:6 86:15
interfere 40:3 80:5
intermural 19:25 21:18, 20, 23
intermurals 54:25
Internal 75:18

international 30:11 44:6 45:11
interplay 43:18
interpreted 58:10
intolerable 82:24 83:5
introducing 17:5
intrusion 78:22
intrusive 27:12
invents 57:5
invest 43:1, 6 45:3 57:24 59:4
investing 44:1
invited 42:1
involve 88:17
involved 48:17 49:1 52:12 60:9
involving 86:7
Iowa 31:7
isn't 10:25
issue 67:17 86:1
issues 5:13 35:25 51:8 85:21 86:7 88:22
It'll 3:4 4:7
it's 3:17 6:22 7:24 8:1 10:25 13:13 18:12 19:21 20:19 21:22 22:3, 9 24:23 30:21 34:2, 10 35:2 36:2, 4, 7 40:18 41:8 45:14, 22 46:1, 23, 24 48:5, 16 49:11, 15 53:4 60:13, 15 63:10, 11 64:16 68:12 69:23, 24 71:2, 2, 9 73:1, 9, 25 74:1, 10, 14, 17, 18 78:17 79:7, 25 80:4, 9 83:4 84:14 85:8
it" 84:1
Item 1:9 2:2
items 10:21 72:22
its 3:2 27:1 66:5, 25 80:2 87:16, 16

< J >
jam 80:6 82:18
January 4:15, 15 12:5 89:10, 10
job 4:8 17:25 28:7 41:18 58:3, 4 64:7, 8
jogs 26:15
John 37:20 40:11, 14 50:21 66:10 68:19 69:8, 10, 12, 15, 18, 19 72:25 73:15, 20, 24 74:12, 23 82:8 86:5
join 2:9
Jonas 79:14
Jordan 37:20 42:19
joy 30:7 37:4
juggle 54:23
junior 30:22 33:14, 21 37:24 60:22 83:20
justice 34:7

< K >
Kahler 37:20 42:18, 19
Katherine 83:17
Kathryn 80:14
Katie 83:19
keep 13:17 29:2 45:21 63:3 71:8, 15
keeping 15:4 34:7 75:8
keeps 87:1
Kendall 30:17 32:19, 21
kept 9:17 15:1 56:8 73:25
key 35:19
kids 26:8 48:3 49:24 64:23 67:12 71:23 72:1 75:12, 13 80:20, 21
killed 47:24
Kim 5:19, 25 18:18 22:10, 19 23:12
kind 18:19 26:25 43:10, 13 45:16, 22 46:1 58:10 60:16 84:8, 14
kinds 47:10
kitchens 32:13
Knolls 6:16
know 13:18 25:2, 17 40:7 49:3, 11, 14 53:2 58:1 62:9 63:1, 2 64:5, 20 68:22 69:25 70:22 71:10, 20 72:2, 19, 22, 23 73:2 74:19 75:10, 15, 22 77:9 82:10, 10 84:3, 6, 7, 13, 17, 23 88:22 89:1
known 41:17 52:23 83:9
Korea 29:25 31:25
Korean 30:8
Kotchoumian 76:15
Kotchounian 80:16, 16
Krista 34:21 36:16, 18

< L >
lab 38:20
Laboratories 56:1
laboratory 38:5, 14, 19
labs 38:15, 16
lack 56:25
lacks 60:13
lacrosse 21:21
Lake 31:7
land 6:11 9:24 57:12 74:19
landscaped 21:8, 13
landslide 9:8
Lane 28:1 76:17
large 15:9 50:25 52:3 80:1
larger 18:19 21:20 35:10 87:17
largest 35:11 52:10
late 3:17 25:17 38:8 69:4
laughing 31:12
Laurel 40:12
Law 7:18 22:1, 2 68:7
lawn 42:4, 11
lawsuit 68:1
lay 74:19
lead 30:24
leader 30:23
leaders 16:23 36:5 41:10
leadership 36:13
leakage 70:23
learn 31:14 32:17, 17
learning 14:20 16:13
leave 39:23 76:9
lecture 28:18
Lee 25:24 28:1, 1, 3
LEED 20:9
left 4:4 17:10 18:20 67:16 69:24
legitimate 68:15 80:2 87:14
length 3:5
lessen 38:4
lessens 45:1
lesson 10:25
Let's 18:24 61:6 67:12
letters 11:25 12:3
level 43:13 44:5, 6 53:12, 24 54:15, 15, 20 75:20, 23
levels 75:1
liberal 73:12 75:7
library 75:20
Life 1:10 7:1 11:16 14:6 17:8 23:9 24:21, 22 27:12 31:3, 4 32:12 40:7 43:17 48:15 50:13, 22 51:22 56:8, 12 57:1, 25 66:19 67:8 68:16 75:25 76:22 77:5 78:13 81:18 83:6, 14
life." 46:16
lifestyle 78:3
lifestyles 80:5
lift 54:13
Light 6:21 13:13, 15, 16 63:7 70:18 71:9
lighted 21:2
Lighting 20:23, 23, 24 35:24 38:1, 4 39:14 70:18, 21 71:4 76:8 81:2, 3 85:22 86:14, 16, 24 87:8
lights 38:23 40:2 63:8 71:16 86:22, 23 87:1, 1, 3
limit 62:20
limited 13:9
line 67:10
lined 50:17
Lisa 47:17 50:4
list 48:7 52:25
listen 84:3
listened 44:19
Listening 44:11 58:22
literally 73:7
little 7:4 8:20 13:12 17:9, 24 18:20, 25 21:17 22:25 39:25 41:17 44:10 45:3 47:20 58:9 61:6 71:1
live 5:3 9:22 23:24, 25 26:4 34:14 40:12 41:6 43:23 46:11 49:19 50:5 51:4 56:16 57:6, 12, 21 59:20 60:4, 10, 14 63:5, 10, 22, 23 64:17, 23 65:11 76:17 77:7, 18 80:17 81:16, 22, 22 82:9, 15, 25 83:23
lived 26:5 27:7 76:25 80:18 81:16 82:5
lives 16:20, 21 26:13 31:18 41:15 43:19, 23 44:13 57:5
living 34:5 49:15 63:4 64:7 65:21 67:4 82:16
loan 90:18
local 2:15 9:25 51:23 53:6, 11 90:1
located 6:13, 18 9:15 14:23 19:20 21:5 65:24 86:4
location 19:24 22:5, 9 55:17 81:23 88:11
locations 33:18 87:5
locker 55:6, 12

London 31:25 32:1
Long 11:7, 9 17:18 22:10, 18 29:15 31:1 66:25 67:11
longer 37:7 54:22, 25 55:1, 2, 6, 9, 11 87:24
longstanding 40:19
look 7:4 8:25 19:2 20:8 22:16 25:7 37:13 58:14 60:2 61:16 63:1 64:20 68:20 73:6 86:11, 12 87:9 90:9
looked 51:8 61:17 75:16
looking 59:8 68:21 88:1
looks 33:3 64:21 86:16
LOS 1:5 2:12 4:21 5:3, 4 14:7, 12 36:7 72:13 90:22
losing 41:1
loss 37:7
lot 4:8 8:13 14:6, 19 18:12 21:5, 7 22:4 30:3, 7 31:8 32:17 45:15 48:4, 10, 20, 21 49:5 52:21 53:1 59:24 62:7 64:12, 15, 17, 20 68:18 69:2, 22, 24 70:12 82:2 84:17 88:6
lots 72:16 86:21
loud 58:18, 19, 23 82:15
loud." 15:15
love 48:16 50:11 51:7 60:25 61:1, 8 64:22 83:9, 12, 12, 12
loved 28:11 49:13
lovely 32:10
LRDP 11:8, 14, 18, 22
Lucinda 17:6
lucky 17:12
Lupine 76:17
luxury 14:15

< M >
ma'am 30:18
Madness 35:11
magazine 29:12
magic 31:13
main 48:8 50:13 59:25 80:25
maintain 26:23 27:1
maintains 22:22
maintenance 7:1 78:8
major 8:5 10:12 11:2, 7 20:25 23:23 27:2, 9 37:24 38:16, 20 39:10 45:11, 12 48:24 77:21 81:11 88:2
majority 67:20 87:17
Majors 38:12 39:7
making 15:4 44:2
MALIBU 1:1 6:13, 14, 15, 16, 17 9:25 10:5 13:24 15:7, 21, 23 16:8 17:1 23:21 24:22 26:5, 16 27:3, 4, 13 29:18, 21 30:20 32:20 34:9 35:21, 22 36:7, 7, 17 37:11, 22 40:12 42:21 43:5, 6, 9, 24 44:3 45:1 47:22 48:6, 12, 17 49:6, 7, 9, 19, 23 50:6 51:4, 15, 17, 20 52:5, 10, 11, 20, 21, 24, 25 53:3, 14, 18 55:25, 25 56:17 57:14, 21 58:6 59:3, 5, 15 61:19 62:6 63:1, 22, 23 64:1, 14, 17 65:11, 12, 13, 14 66:3, 7, 10, 20 67:1, 15 72:5 75:3 77:19, 20 78:4, 5, 9, 12 79:6, 7 80:17 81:6, 22 82:11, 13 83:7, 18 88:12, 16, 19 90:1
man 83:11
manage 41:16
management 24:10, 12 87:25 88:1
Manhattan 72:9
map 7:4 8:25
maps 66:23
March 35:11
margin 27:17
Mariah 34:21 37:21, 23
Mariposa 53:18
married 50:10
Marty 51:13 53:17, 20
Master 17:13 23:4
masters 76:19
match 30:13
material 38:18 91:3
materials 31:10
matinees 66:11
matter 3:10 4:14 38:17
maximum 7:10 8:3
McCARTHY 2:4, 11, 11 3:17 5:19 13:5, 23 17:9 25:10, 21, 25 27:21 30:14, 18 34:19, 22 36:15 37:18 40:10 42:15, 18 45:6 47:15, 18 50:3 51:11 53:16 55:20, 23 56:14, 18 57:17 59:11 61:13 63:20 65:4, 8 67:23 76:2 77:17 80:11, 15 81:20 83:16 85:8, 11 89:4, 7
mean 62:22 64:2 65:14 72:1 75:10 84:9 85:1
means 6:20 13:16 31:8 43:22 46:2 59:20 78:10
meant 11:9
measures 10:10, 15 23:18
mechanical 81:4, 4, 5
medicine 37:24 38:13 39:7 55:12
meet 18:7 61:4
meeting 2:14 49:7, 8 58:16 88:20 90:12
meetings 28:12
meets 24:24 29:13
member 28:4 42:22 43:16 56:23 66:20
members 2:15, 24, 25 25:11 28:17 29:8, 21 44:14 50:9 51:19
memories 16:16 29:9 50:9
memory 3:7
men's 54:2
mention 76:5
mentioned 12:21 18:18 20:11 22:10, 19 23:12 43:20 73:18 81:11 86:18 87:6
Mesa 10:5 63:23
met 77:25 83:1
meters 74:21, 23 86:4, 5
methodology 9:20
Michael 25:20, 25 26:3
Microphone 61:14
mid 61:14 68:4
middle 18:19 21:8
miles 50:18
milestone 11:7
Miley 79:15
Miller 65:6 76:16, 16, 18
mind 13:17 26:20 82:16
mine 31:1 36:20 53:4
Mineral 10:20
minimal 44:19
minimis 27:18
minimize 24:15
minimized 88:8
minimizes 45:1
minimum 9:18
minute 3:9, 22 85:9
minutely 66:18
minutes 17:10 25:14 67:24 76:4 77:2
misinterpreted 76:10
missing 38:22
mission 75:11 78:1 80:3, 8
mitigated 23:17 24:2 88:14
mitigating 72:24
mitigation 10:9, 11, 14 23:18
mitigations 86:8
mode 26:19
moment 41:24 57:7
moments 15:5
moms 47:23
Monica 14:24 27:16 34:24 77:1
monitored 10:10
monitoring 9:10 10:11
months 27:15 66:20
morning 10:12 14:8 49:10 69:3 70:6 74:4 90:5
Morningside 72:8
mother 30:7
motivated 36:23 84:19 85:3
motorcycles 74:5 82:8, 14, 18
Mountains 14:24
move 3:25 44:18 49:23 63:13 69:18, 20 81:15
moved 8:20 18:23 19:19, 21 60:2 72:18 81:25
movement 16:24 45:5
moves 44:15
moving 43:24
mufflers 74:5
museum 66:4

music 15:*15* 58:*18, 19, 23* 78:*18* 79:*13*
mutual 51:*9* 88:*24*

< N >
name 2:*11* 4:*5, 6, 6, 9* 17:*11* 25:*19* 26:*1, 3* 28:*3* 30:*21* 32:*21* 36:*18* 37:*23* 40:*11, 14* 42:*19* 45:*9* 50:*4* 51:*14* 52:*23* 53:*17, 20* 55:*24* 59:*16* 63:*21* 65:*10* 76:*18* 77:*18* 80:*16* 83:*19* 85:*11*
names 3:*24* 25:*15, 21* 30:*15* 34:*20* 37:*19* 42:*16* 47:*16* 51:*12* 55:*21* 57:*18* 59:*12* 65:*5* 76:*14* 80:*12, 13*
nation 33:*4* 67:*4*
national 14:*22* 40:*20* 41:*25* 42:*2* 43:*13* 44:*5* 54:*3*
nationally 66:*3*
nature 15:*18*
NCAA 8:*10* 18:*7* 21:*24* 26:*11* 39:*2* 75:*19* 78:*16*
near 9:*4* 73:*11*
nearly 7:*13*
Nebraska 31:*7*
necessarily 61:*17* 68:*11*
necessary 58:*23*
need 3:*11* 10:*19, 21* 11:*2* 18:*6* 19:*6* 20:*2, 5, 23* 21:*2* 39:*19* 40:*23* 56:*5* 57:*2, 2, 3, 15*
needed 3:*8* 18:*9* 72:*18*
needs 18:*7* 20:*17* 39:*25*
negative 22:*8*
neighbor 50:*7* 56:*2, 10* 63:*25* 66:*16*
neighborhood 79:*4, 8*
neighborhoods 74:*1*
neighboring 72:*8*
neighbors 5:*23* 13:*24* 27:*3* 36:*9, 13* 42:*19* 72:*17* 76:*7* 81:*6*
neither 27:*11* 79:*3*
nephew 50:*10*
nervous 47:*20*
net 7:*14* 20:*11* 22:*7* 87:*22*
never 33:*5* 36:*20* 46:*25*
Nevertheless 78:*13*
new 5:*1* 7:*14* 8:*7* 14:*3* 18:*6* 19:*2, 15* 20:*2, 7, 11, 13* 23:*25* 24:*7* 31:*17* 38:*2* 49:*5* 54:*18, 19, 22* 55:*19* 60:*21* 61:*1* 68:*14* 69:*13* 72:*3, 6* 75:*23* 77:*6, 8* 81:*5* 84:*22, 25* 86:*9, 16, 23* 87:*7, 20, 23* 88:*11*
newspaper 30:*8*
newspapers 90:*1*
nice 60:*17* 67:*7*
Nicolai 55:*22* 56:*15*
night 70:*5, 13, 17* 71:*7, 18* 73:*25* 74:*3* 80:*22* 88:*3*
night." 69:*4*
nine 73:*17* 90:*4*
nitpicks 67:*9*
noise 23:*16* 50:*14, 24* 55:*7* 68:*17* 69:*6, 23* 70:*11* 73:*2* 74:*6, 12* 75:*8* 78:*21* 81:*4, 4, 5* 82:*15* 83:*3* 85:*22* 86:*1, 2, 4, 5, 6, 8, 9* 88:*13*
normal 38:*6*
north 6:*12* 72:*9*
northeast 6:*12* 26:*15* 56:*3*
northern 8:*16*
northwest 6:*12*
Northwestern 72:*11*
note 13:*11* 17:*9*
notice 23:*1*
noticed 4:*22* 84:*13*
notices 4:*23*
notified 89:*24*
notoriety 30:*3*
number 6:*5* 20:*1* 23:*17, 22* 49:*17* 62:*22* 73:*21* 76:*7* 77:*22* 88:*17*
numbers 62:*8*
numerous 17:*15* 52:*2*

< O >
o'clock 49:*10* 70:*13* 90:*5*
o0o 1:*3, 12* 91:*1*
objectives 77:*24* 78:*1*
observe 27:*7*
observed 35:*15*
Obviously 54:*18* 71:*8* 78:*17*
occasion 58:*13*
occupancy 8:*6*
occur 4:*17* 24:*5*
occurred 68:*12*
occurring 88:*5*
occurs 4:*17*
Ocean 34:*23* 71:*11*
offer 28:*5* 34:*9* 77:*5*
offered 39:*11, 12*
offering 30:*12*
offers 55:*15, 16, 17*
official 2:*19*
offsite 9:*2*
ogres 71:*21*
okay 71:*9* 76:*2* 84:*4* 90:*19*
Okoboji 31:*7*
old 47:*25* 64:*1* 65:*13*
older 86:*22*
Olympian 43:*11*
Olympic 16:*24*
Omaha 31:*6*
once 45:*23* 70:*10* 89:*8*
ongoing 26:*21*
online 30:*8*
onsite 9:*1*
open 32:*4, 5* 60:*25* 61:*4* 64:*13* 74:*3* 89:*10*
opening 49:*5, 9*
opens 20:*14*
operated 66:*6*
operation 7:*1*
opportunities 19:*12* 37:*15*
opportunity 2:*23* 12:*8* 14:*4* 21:*23* 28:*5* 36:*25* 37:*6* 43:*6, 9* 44:*2, 22, 25* 45:*3* 57:*2* 77:*13, 13*
opposed 3:*25*
opposite 84:*9*
opposition 15:*17* 16:*3* 76:*3*
options 77:*3*
oral 4:*10* 12:*1, 20*
orange 13:*15*
order 40:*23* 78:*16*
ordinance 71:*12*
organic 30:*25*
organizations 35:*8* 56:*24*
organizing 36:*6*
Oscar 77:*21*
outdated 20:*4*
outer 7:*17, 25*
outline 6:*4* 7:*4*
outlined 85:*17*
outlines 66:*23*
outside 2:*25* 3:*15* 33:*6* 61:*2, 2* 66:*9* 72:*5* 83:*23*
overall 7:*12* 8:*11* 67:*10*
overcrowded 20:*19*
overriding 10:*15*
overstep 72:*3*
overview 6:*2*
overwhelming 51:*6*
owe 28:*7*
owner 82:*1*
owners 4:*24* 52:*22* 89:*23*

< P >
Pacific 30:*20* 32:*20* 36:*17* 37:*22* 42:*21* 45:*8* 47:*24* 48:*2, 24* 49:*3, 16* 57:*21* 59:*15* 83:*18*
page 86:*3*
Palm 28:*2, 7*
paned 75:*5*
panel 82:*12*
parents 15:*3* 29:*25*
Park 6:*14* 32:*2* 63:*12* 78:*24* 79:*3* 87:*5*
parked 22:*1*
Parking 6:*7* 7:*8, 9, 9, 18* 8:*13, 15, 23, 24* 12:*9, 21* 16:*13* 18:*14* 21:*5, 7, 12, 14, 25* 22:*2, 4, 5, 7, 9* 68:*18* 69:*2, 22, 24* 70:*12* 73:*17* 86:*21*
part 7:*25* 8:*16* 14:*2, 9* 26:*13* 28:*15* 31:*6, 7* 37:*6, 13* 38:*22* 40:*17* 44:*4* 47:*12* 48:*13* 62:*5* 66:*13* 70:*1* 74:*13* 87:*25* 88:*9*
participate 48:*25*
participates 23:*21*
participation 66:*14*
particular 86:*3*
particularly 19:*7* 44:*7* 65:*25*
parties 83:*11*
partner 56:*10*
partners 52:*2*
parts 35:*19*
Pasadena 1:*20* 72:*14*
pass 2:*17*
passing 34:*12*
passionate 28:*21*
Paul 2:*11* 59:*13* 63:*21*
pay 79:*22*
PCH 47:*21, 21* 48:*7* 64:*24* 67:*6* 79:*7* 88:*21*
peace 50:*25* 73:*25* 82:*13*
peak 10:*13*
pending 2:*20*
people 15:*19* 24:*14* 28:*15* 29:*18, 23* 31:*14* 32:*3* 33:*2*

34:16 35:3, 25 36:5 37:9, 10 38:8 43:2, 3 47:24 48:20, 21 49:8 50:15, 16 53:1 62:13 64:17, 22 67:20 70:10, 20 72:1, 17 73:3, 8 74:4 75:2, 13 77:25 80:6 84:18
PEPPERDINE 1:1, 10 2:7, 24 3:9 5:23 6:3, 24 11:6 13:21 15:8 17:13 19:4, 11 20:10 23:5 26:9, 13, 25 27:2 28:17 30:5, 10, 23, 24 32:23 33:12 34:8 35:17 36:20 37:1, 5, 8, 13, 25 38:10 40:8, 16 42:5, 5, 11, 12 43:7 44:3 45:10, 15, 19 46:5, 10, 12, 19, 24 48:3, 11, 12 49:22, 22, 24, 24 50:7, 9 51:7, 22 52:1, 16, 22 53:3, 9, 20 55:15, 16, 17 56:5, 20, 21, 22, 24 57:4 58:4, 12, 17 59:1, 2, 3, 8, 17 60:24 61:5, 9 64:6, 7, 12, 12, 16 65:20 66:2, 13, 24 67:11 68:17 70:2 71:23, 25 72:19 73:11, 22, 22 78:4, 15 79:11, 25 80:20, 21 82:11, 22 83:1, 9, 20, 21 84:8 85:12 87:15
Pepperdine's 24:25 27:5 35:2 37:10 39:6 56:2 63:25 64:19 77:24 79:21
percent 19:5 61:25 62:6, 7 64:21 78:9, 12
perfect 25:10
performance 19:17 43:22 44:5
perimeter 26:12
period 12:6, 7 14:5, 8 89:8, 13
periodically 3:8
permanent 67:14
permeate 69:6
permeates 68:17
permission 82:1
Permit 6:7, 7, 25 7:8 11:5, 19 12:9, 9, 21, 22
permits 12:8, 20 17:21
personal 39:17 58:9
personally 46:6 52:6 57:4, 11 64:16
persons 25:12
perspective 78:23
pertaining 9:13
phase 7:17 18:20
phases 7:16 18:18
phasing 7:15
Phil 35:17 64:3, 4
Philadelphia 83:23
Phillips 35:17 64:3, 4
phonetic 47:25
photograph 70:14 71:6
physical 43:17
pickup 19:25
picture 18:23 21:6, 8 22:2 45:13, 16 46:4 68:20
pictures 18:9 33:17 73:6 86:14, 20
piece 35:14
pilot 14:1
Pisa 33:18
place 12:12 16:7, 14 28:25 34:4, 15 35:3 37:8 43:13 60:15, 18 79:25
places 16:9, 16 29:7 46:25 61:17
plan 7:16 9:25 11:9, 17 17:13 22:10, 18 26:8 48:15, 16 49:2, 3 52:16 87:25 88:1
planner 5:21
PLANNING 1:5 2:13 4:12, 20 5:5, 20 6:2, 4 9:6, 25 11:2, 12 12:11, 15, 25 14:25 27:23 35:16 61:22 75:23 89:20 90:2
plans 17:18 23:4 39:9 60:21 61:7 66:18, 25 67:2, 11, 12 88:9
plant 10:6 71:10
planting 30:25
plants 9:16
play 15:15 18:13 21:23 36:23, 25 42:24 52:18 58:18 72:13
played 58:19 71:22
player 53:21 54:15
players 49:25
players' 42:6
playing 26:9 31:13 36:21 54:20 71:22
plays 39:21
plaza 8:14, 14
plea 90:18
please 3:14, 14 4:5 5:16 25:5, 6, 17 47:15, 18 61:12 65:5 80:15 83:8
pleasure 17:5 28:9 33:13 40:15, 16
Pledge 2:8, 10
Plover 26:4
plus 33:16 51:19
podium 4:4 13:12, 19
point 26:16 36:23 39:17 50:5 72:6 77:19 89:8
pointed 9:16
points 15:17
policy 76:19
politicians 16:25
Pond 32:3
pool 26:11 29:6 80:22
populated 15:19
population 16:10 34:6 78:5, 9 80:1
portion 7:18, 20 15:9 90:21
posit 44:22
position 26:22 28:11 45:22 58:21
positive 15:22 85:5
positively 61:8
possibilities 77:6
possible 15:25 16:7 40:1 70:10
possibly 35:4
posted 4:24 89:25, 25
potable 10:3
potential 9:9, 19 26:22
potentially 80:5
practice 38:5, 8, 22, 24 39:20, 20 40:2 54:24 55:2
practices 19:25 55:3
praise 60:11
pray 29:9 82:12
precinct 7:17, 25 8:1
precise 87:1
prefer 16:18
preferable 88:12
preparation 23:2
prepare 55:4 89:12
prepared 38:12 89:14
preparing 14:9
prerequisite 39:9
presence 14:22 15:6, 20, 23 16:11 27:5 65:20
present 81:2, 23
presentation 2:21 3:9, 21, 22 5:22 66:22
presenter 13:20
presenting 6:2
president 13:21 14:6 28:10, 13 35:17 42:3, 10 80:24
press 50:8
pressure 72:8
prestige 46:1
prestigious 61:10
prevents 74:4
previous 11:3 24:24 67:17 69:4
previously 20:15 23:8 86:25
pride 36:13 52:20
primarily 24:6 68:14
primary 16:6 80:8
prior 89:21
privacy 78:23
privilege 17:7 32:22
privileged 76:20
pro 81:8, 13
probably 53:2 64:21 78:8
problem 48:24 61:14 75:9
procedure 2:8
procedures 3:3
proceed 34:22 36:14 47:18 56:18 76:13
proceeding 4:16
proceedings 3:5 5:5 90:8, 14, 20
process 6:5 11:1, 23 13:4 14:3 68:10 85:16 90:21
produce 44:17
product 14:21
productions 66:9
productive 15:22
Program 6:21 10:11 11:8, 12, 15 19:20 20:19 22:11 35:20 53:23 54:14
programming 35:7
programs 11:11 21:1 24:12, 17 26:21 38:14 66:5
progress 58:25 59:1
Project 1:10 2:6, 16, 18, 20 3:2, 25 4:1 5:21, 24 6:3, 5,

9 7:1, 12, 15, 22 8:5 9:1, 14, 23 10:4, 9, 23 11:16, 17, 25 13:2, 3, 7, 9 14:2, 16, 25 15:3, 17 16:2, 3, 6, 9, 12, 16 17:8, 17, 23 18:2 22:17, 22 23:3 24:21 25:6 27:9, 11, 20 28:21 29:7 31:2, 3, 16, 22 32:5, 12, 16 33:25 40:7 44:9 45:13 48:16 51:22 52:16 53:8, 14 56:9, 12 57:1, 24, 25 58:2, 11 59:7, 10 61:18, 24 62:1, 5, 24 63:14 66:19 67:9 68:25 69:25 70:2 76:23 77:5, 12, 22 78:14 81:8, 13, 17 85:7
project's 40:24
Projects 6:1 17:16
promise 29:17
promises 15:1, 2, 3, 4
promoting 41:18
proper 31:10
property 4:24 6:12 7:2, 6 8:17 26:12 81:25 82:1, 2, 4, 8, 20, 24 89:23
proponent 26:7 59:7
proponents 3:24 25:12, 13 58:2
proposal 5:24 9:23 11:4, 16, 20 13:8 20:16 68:14, 23 83:13
proposals 69:5, 14 72:4
propose 70:9
proposed 2:16 3:1 7:13, 15, 21, 22 8:25 9:9, 21 34:2 68:25 70:2, 3 71:1 77:22 79:2 80:9
proposes 7:2 10:5 44:17
Prospective 5:18
prosperity 27:5
protection 71:12
proud 14:2, 10, 10, 13 37:13 41:24 52:24 53:5 61:9 87:16
provide 2:23 11:15 17:8 19:6 21:9 37:14 41:19, 20 43:9, 15 44:12 76:23
provided 77:15
prowess 63:15
psychology 39:8
PUBLIC 1:6 2:1 4:21 12:4, 6, 17 13:8 17:20 25:12 48:6, 19 49:7 76:19 81:1 88:18 89:21, 22 90:15
publication 29:12
purchased 81:15
purpose 2:14, 23
pursuant 90:15
pursue 14:14
pursues 11:20
pushing 55:3
put 20:24 46:14, 16 62:24 70:3, 17 71:10 73:17 74:21, 23 89:18
puts 54:20
putting 35:19 78:23

< Q >
quad 21:8, 13 60:25 61:4
quality 14:18 27:12 44:21 46:3 50:12 68:16 75:25 83:6, 13
question 5:14 15:20 58:21
questions 5:12 25:8 89:2
quick 29:24 61:20
quiet 29:13 74:1 82:3, 13
quoting 69:3

< R >
R2007 1:9 2:2, 6 6:6
RA 84:12
Rachel 42:17 45:7, 9
Radke 30:17 34:23, 23
raise 5:13, 16 71:3
raised 71:23
raising 2:9
Ranch 51:16
Rand 65:6, 10
Range 11:7, 9 22:10, 18 38:15 66:25 67:11
ranked 45:19, 22
rankings 46:1
rarely 81:11
rate 61:25 62:5
reached 56:7
reaching 48:14
read 30:9 61:23
reading 30:8
reads 29:12
ready 5:10 17:23
real 20:24 28:20 35:1 45:14 63:25 64:9
realize 83:3
really 5:10 15:10 19:15 30:5, 6 36:1 39:23 45:16 46:2, 6, 22 47:8 49:11 62:17, 22 64:2, 8, 11, 25 65:1, 3 71:11 72:22 73:9, 10 74:1, 20 75:8 77:1 79:5 90:13
reason 23:23 44:7 51:3 57:6 80:9
reasonable 20:16
reasons 27:19 72:17 77:23
Rebecca 47:17 51:14
rebuttal 85:10
receive 2:16 12:3 89:21
received 12:1, 5, 10 89:11, 12, 16
receptor 87:5
recognition 30:11 84:15
recommence 90:21
recommendation 12:25 44:22
recommended 23:18
reconsider 59:9
reconvene 68:2
record 6:5 26:2 87:16
Recorded 91:3
recreation 7:19 8:17, 19 21:18
recreational 18:10 21:20 63:7 77:6
recycled 10:3
red 13:15
redevelop 7:2
reduce 16:18 64:24
reduced 16:4 23:22
reduces 87:2
reducing 16:10
reduction 9:21
Reeder 25:24 30:19, 19
referred 89:19
refined 23:3
regard 2:20 14:22
regarding 2:6 77:22
REGIONAL 1:5 2:13 4:12 5:5, 20 6:1 9:6
regular 40:5
reintegrate 19:14
reiterate 88:15
rejoin 19:10
relate 28:19
related 3:2 68:24
relationship 15:2 36:9 71:22, 24
relatively 5:1
relocates 16:6
remain 10:13
remaining 7:23 10:17 11:21, 23
remember 13:6 34:11, 17 67:20 83:25
remind 18:1
reminiscing 14:8
removal 9:2
remove 8:6
removed 8:13 16:7
rendering 21:15
renovations 34:1
replay 5:9
report 3:2, 4 9:7 47:8 61:24 62:8, 14, 17 73:18 81:12 85:16 89:9
reporter 4:7, 11 28:6 67:25
Reporters 1:19
reporting 10:11
reposed 14:12
represent 47:21
representation 62:21
representative 51:19
represented 73:12
representing 56:1, 19, 20
represents 42:12
request 3:18 42:7
requested 7:8 10:16
requesting 6:25
require 8:5 9:2
required 9:8 10:9 78:15
requirements 7:9 38:21
requiring 39:3
Research 6:18 14:19
reside 43:23
resided 42:20
residence 43:17 85:3
residences 16:10 41:6
resident 33:14, 22 65:12, 13, 14, 15 77:20
residential 69:7 78:3 87:6
residents 27:4 49:19 51:23 67:1 69:1
resolved 51:9
resources 9:17 10:20
respect 77:25, 25 88:24
respectfully 51:21
response 66:15 85:20, 23 86:11 87:9 89:17
responses 12:16 89:12

responsibility 64:9
responsible 58:13
rest 7:22 9:5 25:8
restate 4:9
result 74:25
return 31:23 33:21
returned 31:24 54:6, 12
reuse 88:13
revenue 52:4 75:18
review 23:13
Rhiannon 66:22 88:19
rice 32:10
Richard 76:15 77:18
ricochets 74:8
Ridge 40:12 71:2
riding 18:11
right 2:9 5:16 6:10, 10 7:5 8:23 11:24 12:10 25:25 27:25 50:25 53:3 61:2, 11 63:2 64:4, 22 74:14, 23 76:9 84:5
rigorous 38:14
road 16:11 41:22 47:20 51:16 55:25 62:5 63:23 65:11
roads 79:7
Rockwell 84:12
room 33:1 59:21 60:16
rooms 55:7, 12
rooted 28:22
Rose 25:24 30:19, 21
roughly 78:6
round 90:24
route 49:17
row 25:23
rugby 21:21
rumors 2:17
run 3:17 31:4
running 13:14
runoff 9:9
runs 62:6

< S >

SADARODSKI 56:15, 16, 19
Sadorodski 55:22
Safer 47:21, 21 48:2, 7
Safety 48:6, 20 49:7 81:2 88:18, 21
Samantha 65:6 76:16, 18
San 72:21
Santa 14:24 27:16 34:24 76:25
satisfaction 51:10
Saturday 35:10
Saul 42:17 47:19, 19
saw 33:22 70:7, 16
saying 2:8 54:17 82:17 84:1
says 24:19 62:14, 18
Sazlay 13:5
scenic 9:17
scheduling 39:15 88:6
scholarly 14:19
scholarship 76:21 77:15
School 7:18 22:1, 2 27:8 46:20 48:11 49:8 56:25 57:8 64:9 68:8 76:19 83:12
schools 20:5 30:2 41:20 87:17
seat 78:14 83:1 89:7
seating 8:6
seats 8:4 20:11, 12, 15 78:16, 25 79:1 87:14, 19, 20, 21, 22, 22, 24
Seaver 8:12 19:5 21:9 28:4
second 7:25 18:20 41:2 67:16
Secondly 38:6
seconds 13:15 17:10
secret 53:5
secrets 52:25, 25 53:3
Section 6:1 90:15
security 78:7
see 5:7, 8 6:11 10:21 13:12, 18 18:16, 19 21:7, 14, 19 23:10 28:9 31:1 48:22 58:25 59:3 67:6 69:8, 9, 12, 17, 20 71:7, 16, 17 73:7 74:7 84:13
seeing 33:16, 21 47:23 90:19
seek 40:19
seeking 24:25
seen 23:14 31:4 43:17, 22 49:13 50:8 65:16 67:2
seep 70:19
selfish 61:6
send 53:5
senior 36:18 41:22 45:10 59:17 60:10, 22
sense 28:22 46:12 64:9 84:17
sensitive 80:2
sent 4:23 11:25
sentence 61:14 68:4
September 15:12
Serpentine 32:3
serve 29:22 41:11, 21
serves 44:4
service 41:19 43:24 44:12, 21, 25
serviced 43:14
services 10:3 44:16 55:13 56:2
serving 28:10 33:13 40:15
set 4:22 11:3 12:13, 16 14:13 39:21 45:5 46:13 90:7
seven 59:22
sewage 10:5
shaken 83:10
Shane 47:25
Shanghai 31:25 60:1
share 14:16 28:18 29:9 31:20 32:5 40:25 50:9, 20 59:20, 21 66:25
shared 56:2
sharing 33:19
Shaune 1:19
Sheedy 47:17 50:4, 4
sheriff's 10:2 49:1
shielded 20:24
shielding 86:25
shields 70:24
shine 57:2
shoot 73:2
shop 42:25 52:20
short 11:8 26:12
shortened 55:2
shot 71:18, 18 74:7
shouldn't 21:24
show 18:9, 15, 22, 24 21:6 86:20
showcased 53:1
showcasing 66:8
shown 20:17 88:24
shows 18:17 19:18 86:4
shuttle 73:19
shuttles 24:11
sick 47:23
side 6:19 72:9
sides 16:25
signed 25:13, 16
significant 10:8, 13 69:1, 16 87:7
signs 4:24 89:25
Silver 20:9
Simon 55:22 57:20
sing 58:23
singing 66:5
single 38:21
sir 34:22 55:20, 23 67:23 76:2 80:11, 15 81:20 83:16
sit 25:22
site 6:10, 20, 22 9:5
sitting 28:12 64:4
situated 74:10
situation 33:10 34:2 39:1 50:21
six 7:12, 16, 21, 23 18:1 50:18 62:19, 20 66:20 78:11
sixth 8:22
size 51:5, 6 79:1
Skyline 80:18
slide 10:19 18:24 19:18 22:3
slightly 67:17
slowly 4:6
small 14:23 15:6 18:12 21:10 33:6 35:5, 14 64:2, 3 67:9 73:12 74:12 75:7 80:2
smiling 33:17
Smothers 66:8 74:13 80:22 88:3
soccer 8:8, 9 18:6 20:17, 19 26:9, 10 29:5 37:25 38:2, 4, 24 39:14 40:2 48:4 49:25 63:7 71:1 86:23
soil 57:5
solution 70:10
somebody 60:19 74:11
somewhat 79:13
song 58:22
sophisticated 66:5
sophomore 33:14, 15, 22 60:1, 22
sorry 22:6
sort 52:11, 13
sound 70:6 71:10 74:7, 16 75:2, 5, 6
sound's 74:17
soundproof 75:2
sounds 74:14
south 6:14, 15 29:25 31:25 42:4, 11
southeast 42:8
Southern 53:22
southwest 6:13
space 7:9 16:12 32:4, 5 34:5 60:20 61:1, 4 85:20
spaces 16:15 21:12 22:5, 7 30:16
speak 3:19 12:2 13:7

15:17 16:2 25:16 28:5 33:25 34:25 45:12 47:14
speaker 3:11, 12 27:25 30:14 36:15 37:18 40:10 42:15 45:6 50:3 51:11 53:16 55:20 56:14 57:17 59:11 61:13 63:20 74:11, 15 76:13 77:17 80:11 81:20 83:16 89:5, 6
speakers 3:22 5:18 67:18 73:14 76:11 80:14 81:8, 13
speaking 25:2 28:12 32:22 68:5 85:12
Special 6:1 24:14, 17 36:22 37:8 50:9 53:1
specific 11:17 17:21 22:12, 14 39:21
specifically 35:21
speeds 4:9
spell 4:6 26:1
spend 27:22 34:12
spending 28:16 33:15
spent 14:6 48:4 59:25
spillover 87:2
spirit 37:10, 11 56:25 57:5, 8
spiritually 44:24
spoke 75:14 88:25
sporting 48:22 65:23 67:19, 21 73:16
sports 18:12 19:25 21:2, 22, 23, 24 37:24 38:12 39:7 50:13 51:6 54:10 55:12 68:15 69:13 72:3 75:10, 19, 23 77:8 78:14 81:1
Spring 39:11
square 7:14 18:8 21:4 22:24, 25 29:4
stadium 50:16 70:14, 17
stadiums 72:15
staff 2:21 3:21 5:20 12:24 13:3, 23 15:25 17:25 29:8 42:19 47:4 52:7 55:11 57:13 89:12
stage 11:3
stakeholders 23:22
stand 5:16 25:7 44:8 68:1
standard 8:1 9:20 10:5 43:14
standards 10:1 18:7 20:25 26:11, 23
standing 2:9 14:16 25:4
stands 55:10
Stanford 30:4
Starrett 17:6, 11, 12 85:11, 12
stars 16:23
start 2:7 3:21, 24 5:11 25:15 86:1
started 2:17 52:25
starting 43:24
starts 61:14
State 6:14 20:24 59:18 60:6 66:4 83:23 84:1
stated 27:19
statement 10:15
States 29:25 42:4, 10
station 28:7 66:6
stay 22:23 34:3 37:6 45:24 52:18
stayed 22:18 83:25
stays 45:23
Steele 1:19
step 3:18
steps 11:3
stepson 64:2
Steve 59:13
stewards 14:11
Stockman 34:21 37:21, 21, 23
stood 42:4, 10 75:14
stop 13:16
storm 9:9
story 8:23 29:24 37:12 83:21
strategic 19:4
strategies 55:8
street 22:1 69:7 81:23 82:18, 23 90:3
strengths 3:1
stress 36:2
stressful 38:7
strict 39:8
strong 14:21
struck 26:17 48:1
structure 7:18 8:23 22:2
struggle 84:3
Stuart 51:16
stuck 65:13
student 7:10, 10 8:14 16:10 18:2, 17 19:5, 15, 16 20:1 23:9, 9 24:1, 22 25:1 28:10 29:11 30:23 32:8 35:7, 13, 18 36:5 37:1, 2, 15 38:11 39:1, 15 41:1, 5, 7, 8 49:21 56:20, 21 59:18, 21 60:6 61:9 66:9 68:23 70:1 76:25 83:23 90:18
students 7:11 9:22 13:25 15:2, 10, 14 16:19 18:11 19:6, 10, 12 20:25 21:22 23:24 29:8 33:22 34:4, 8, 11 35:3 36:5, 12 40:5 41:2, 6 43:22 44:13, 16, 23 46:3, 10, 17, 20 47:10 49:9, 10, 14, 14 52:8, 9, 18, 19, 22 53:9 56:6 57:13 58:12, 17, 19 59:5, 22 61:8 64:8, 22 66:6 67:21 71:25 75:12 76:8, 24 77:7, 13 78:6 81:9, 14 83:12 84:20, 23 85:4
students' 43:18
studied 19:11 23:15 33:16
studies 62:2 74:17 75:15
study 10:18 48:5 84:24 86:2
studying 19:12 30:22
stuff 62:2
style 59:20
styles 81:18
subdivision 69:8, 11, 23 70:7 71:13 73:21 74:11
subdued 79:13
subject 38:17
submit 3:7
submitted 3:13
subterranean 21:12
success 28:19
successful 20:19 39:19, 25
Suite 1:20 59:20 84:11
summary 13:3
summer 26:15 27:15
summits 52:12
Supervisors 11:13
supplies 10:4
support 25:4, 6 36:10, 11 40:7 41:7 43:10, 12 44:8, 23 45:4, 12 46:8, 16, 17, 19, 21 47:5 49:20 50:2 51:21 52:2 56:12 57:3, 15 59:10 61:12 62:2 67:8 76:22 80:10 85:6
supported 46:9
supportive 23:19
sure 22:16 24:13 30:5, 6 34:21 58:7 60:2, 8 63:16 65:6 83:2 85:23 87:10
surface 21:7 69:24
surrounded 6:11, 22
surrounding 4:23 5:23 89:24
surroundings 43:18
Susan 42:17 47:19
sustainability 20:10 24:23 53:11
swam 26:11
swear 4:3 5:17 25:18
swearing 5:11
sweet 32:9
swimming 80:22
sworn 4:3 5:18 25:17
syndrome 67:25
system 9:10 13:11
Szalay 5:19, 25, 25

< T >
take 3:5 4:2 12:12 13:1 27:21 35:24 36:13 38:21 52:20 61:16 63:1 67:17, 23 68:2 89:7
taken 4:11, 14 9:3 64:18 68:3
takes 16:14
talents 31:21
talk 45:14, 15, 18, 25 47:3, 4 48:9, 10 49:2, 3 75:1
talked 21:17 69:5 72:14, 19
talking 69:2 83:25 84:18
talks 68:24
Taste 52:11
taught 28:17
tea 60:18
teachers 47:4 84:5
teaching 14:20 53:11
Team 30:24 32:8 35:18 36:19 37:25 38:9 39:18, 22, 24 40:4 42:5, 5

53:25 54:1, 3, 8, 14 56:22
teammates 38:3 39:22
teams 24:12 40:21 41:25 53:25 54:10, 21, 23 55:3, 9
teams." 15:12
teams' 55:6
tears 37:4
telecommunications 38:13
television 70:18
tell 17:24 27:22 28:11 33:3 62:4, 17, 23 63:16 79:14 82:7 83:20
telling 4:25 62:19
Temple 90:3, 4
temporarily 81:14
temporary 67:13 87:20, 21
ten 67:24 70:13 71:3 76:4
tens 35:13
term 3:4 17:18
terms 10:23 27:9 44:24
Terrace 50:5 77:19
terrific 22:9 66:4 75:12
testify 3:10, 14 5:14, 15
testifying 13:18 25:5
testimony 4:2, 10, 13 12:1, 20 13:8 25:18 88:20
testing 82:17
thank 2:4 13:5 17:3 25:9, 10 27:20 30:13 32:18 34:18, 19 36:14, 15 37:16, 18 40:9, 10 42:14, 15 45:5, 6 47:13 50:2, 3 51:10, 11 53:15, 16 55:19, 20 56:13, 14, 18 57:15, 17 59:10, 11 61:12, 13 63:18, 20 65:4 67:22, 23 76:1, 2 77:16, 17 80:10, 11 81:18, 20 83:15, 16 85:7, 8, 11 89:3, 4 90:23
that's 2:18 3:15 6:5 8:4 11:1, 11 12:5 15:24 16:3 22:5, 24 23:1 24:3 26:8 29:2 31:13, 16 40:24 42:11, 11 43:5 45:22, 23 49:17 62:7, 13, 21, 21 63:9 68:12, 25 69:10 73:25 76:9 79:1 82:24 86:10 87:10 88:7 89:6, 6, 15
theatre 15:11 66:1, 8 74:13 78:24 80:23 88:4
theatres 66:4
theme 31:4, 5, 6
there's 5:12 16:17 29:3 41:13 54:17 55:7 61:16 64:12, 15 68:6, 22 69:21 71:13 72:10, 24 75:12, 15 78:11 79:16 82:10 86:3 90:15
they'd 18:12 79:22 84:7
They're 53:10 69:2 71:3 72:1 85:4
they've 19:11 41:15 52:11 56:7, 8, 9 58:4 62:2
thing 13:6 27:1 28:11 34:17 52:11, 13, 24 60:12 62:25 64:11 74:17 79:25 80:4
things 4:9 9:8 20:20 22:17 23:11 34:4, 8, 13 36:6 46:23 52:6, 24 53:1, 8 60:2 64:10, 15, 18 72:23 84:22 86:15 88:2, 17
think 5:10 14:11, 22 16:19 17:25 18:8, 18 19:15 20:1, 15 21:22 22:3 23:14 27:3 30:12 34:16 35:1 41:17 47:6, 7 48:16 51:1 56:24 58:1, 1, 4 61:7, 16 62:21 63:18 64:7, 17 72:2, 24 73:13 74:24 79:16, 25 80:4 84:21 85:2, 17 86:20 88:11, 12
thinks 57:5
Third 6:6
thirdly 38:7
thoroughly 42:9
thought 20:15 33:6 60:8 86:14
thousand 33:2
thousands 35:13
threated 27:14
threatening 50:22
threatens 51:3
three 8:23 25:14 35:15 38:2 42:20, 23 47:23 85:21
thrive 57:6
thriving 29:13
throws 39:23
THURSDAY 1:2
Tibet 31:25
time 5:9 13:10, 13 14:7, 9 17:1, 19 20:21 27:20, 21, 22 28:9, 16 29:15 31:1 32:10, 18 34:18 39:20 40:3, 3, 5 41:16 46:24 48:4 54:19, 25 55:2, 18 57:23 58:15 61:2 65:2 66:17 68:6 70:12 73:3 75:17 76:4 83:21 85:8, 10 89:11 90:6
times 2:17 38:5, 19, 24 54:24 79:9
timing 13:11 25:10 35:23
tired 47:23
today 12:1, 24 14:14 17:16 45:12 47:14 63:18 73:14 90:14
today's 12:1
told 12:19 79:11
tonight 2:5, 6 13:6, 7, 20, 25 15:16 17:2, 22 20:1 25:2 32:22 33:25 34:25 38:1 44:22 57:23 76:12, 20 77:21 81:9 85:14, 25 88:24 89:3 90:20, 23
tonight's 2:14
tools 31:10
top 18:23 21:6 45:19 53:3 55:15, 17 69:11 73:7
topography 66:23
total 19:2 22:5, 25 23:3
totally 41:5 49:9 65:3
touches 15:13
tough 79:8
Tower 33:18
Towers 84:12, 21
town 18:8 21:4 29:4, 13 33:6 52:18 65:21
Township 66:20
track 20:20
tradition 40:19
traffic 9:19, 20 10:12, 13 13:13 22:14 23:20, 21, 22 24:7 27:14, 17, 18 44:20 50:15, 22 61:23, 24, 24 62:4, 6 64:24 67:6 72:23, 25 78:21 80:6 81:1 85:22 87:12 88:7, 18
traffic's 62:1
tranquility 50:25
Transcribed 1:18
Transcription 1:19
transformed 21:7
transportation 24:10 52:17
travel 49:17
traveling 31:24
travels 33:20
treated 66:21
treatment 10:6 22:15 23:16
tree 76:8
tremendous 78:11
tremendously 81:18
trip 83:24
trips 23:23 44:20
true 18:5
truly 34:14 84:18
trust 14:11
try 24:15 43:2 55:4 57:24 62:15 65:9
trying 37:9 48:1 63:3 71:20
tunnel 67:25
turn 68:23
tutors 15:10
TV 63:8 66:6 70:22
two 2:15 7:16 24:17 30:6 38:15 39:13 42:16 49:10 50:16 51:12 54:12 55:21 57:18 59:12 61:25 66:4 76:14 79:7 80:13, 25 82:3 86:5 89:21
Tyler 50:21 68:19 69:8, 10, 13, 15, 18, 19 72:25 73:15, 20, 24 74:12, 23 82:8 86:5
types 78:19, 19

< U >
UCLA 72:13
Uhring 59:13 61:15
ultimately 11:13
umbrella 11:18
unable 90:11
unavoidable 10:14
undergrads 8:2
undergraduates 26:22
underground 8:14 9:10
underneath

21:14
undersized 20:4
understand 11:2 44:10, 11 56:4 63:18 77:1 86:10
understandable 73:4
understanding 2:16 38:18 78:15
underway 31:2
undisturbed 22:23
unending 52:2
unique 32:14 33:13, 19, 23 34:2 39:1 44:2
uniquely 43:15
United 42:4, 10
units 34:1
unity 57:8
Universal 78:25, 25
universities 26:19 45:20 72:6
UNIVERSITY 1:1, 10 2:7 6:24 13:22, 24 14:15 15:18, 19, 20 18:3 20:18 21:9, 11 23:2, 10, 20 24:13 26:20, 24 28:8, 24 29:16, 23 30:23 31:19 32:7 34:2, 6 36:3 37:1 40:9, 16 44:3, 17 45:10 49:22, 23, 24, 25 50:11 52:1 55:15, 16 57:11 59:2 61:10 65:21, 21 68:8 70:3 71:6, 21 72:11, 12 73:5, 11 74:6 75:11 76:1, 6, 24 82:11 85:14, 15, 23 87:15 88:5, 8, 15, 22
university." 29:14
University's 24:23 43:8 52:16
unmitigated 86:9
update 67:13
upgrade 7:19
upgraded 18:7 20:18
upgrades 10:5
upgrading 19:3
upper 7:25 39:10 60:5 74:13
urban 6:23
urbanization 63:4
USC 30:4
use 3:3 6:7, 25 9:24 11:5, 19 12:9, 21 17:21 18:11 21:18, 20 44:20 49:16 61:5, 25 70:4, 5, 18
useful 64:16
uses 20:20 23:6, 7
utilize 70:12

< V >
vacant 6:11
valid 87:10
Valley 64:15 72:21, 21
value 71:21, 24
valued 56:10
Vantage 50:5 77:19
variety 21:21
venue 16:6
venues 48:21, 22 49:5
version 2:19
Veteran's 72:16
vibrancy 27:5 65:22
view 5:3 27:18 58:9 64:1 71:12 80:18
views 71:12
villages 46:11
vis 26:22, 22
vision 31:1 36:23 46:15 47:3
visions 46:8, 13 57:3
visit 41:22, 22
visited 26:18 36:20
visiting 24:11 55:3, 6, 9
visitor 53:6
Visitors 51:16, 20 53:13
vistas 9:17
visual 22:8, 15 23:16
visualization 19:1 20:8
voice 51:21
volleyball 20:6 36:19, 21 54:1, 3
voluminous 89:15
volunteer 15:11 43:1
volunteering 52:9

< W >
walk 29:21 34:13 55:9 79:1
walked 26:11 32:2
walking 29:4
walls 71:11 75:6
want 3:18 4:18 5:7, 8 19:13 35:5 36:1 40:25 41:4 45:15, 25 46:17 47:6, 6, 13 52:19 60:16 63:13, 13, 14 71:11 76:10, 14 80:12 83:20 85:21 87:13 88:15 89:1, 8
wanted 29:24 35:14 45:12, 18 67:16 76:5, 6
wants 62:9 88:22 90:17
Washington 33:1 42:6, 8
waste 22:14
wastewater 23:16
watch 25:3 54:10
watched 53:25 54:1, 2 82:6
water 9:9, 10 10:3 22:14
Watson 37:20 40:11, 11, 14 57:19 59:14, 14, 14, 16
Waves 15:12 29:5, 10
way 15:15 18:23 19:9 26:4 27:12, 14 31:17 32:13, 14 39:3 44:15 59:1, 4 63:3 69:13 70:20 74:10, 15, 21 85:5
ways 38:2 41:21 52:2 72:24 79:23
WCC 54:1, 2
we'd 75:24
we'll 3:15, 23, 25 5:19 18:24 19:2, 3 21:5 22:4 61:21 68:2 76:13 81:16 86:11 87:10 88:9, 19 89:25
we're 2:20 5:10, 10 7:6 11:23 17:16, 22 18:13 23:10, 19 24:3 25:11 46:16 48:1, 19, 25, 25 49:18 51:1 52:24 54:4 61:11 62:13 63:3 64:23 67:23, 25 71:20 82:18, 19 83:2 88:1 90:20
we've 14:10, 11 15:1 23:15 35:9 44:12, 19 78:4 81:16 83:10 84:21 85:24
weakens 39:24
weaknesses 3:1
weather 61:3
web 90:9
website 4:23 5:4, 6 62:3 89:25 90:11
Webster 43:3
Wednesday 90:5
weekend 5:8 27:16
weekends 24:5 66:11
weeks 30:6 89:21
welcome 14:1, 1, 1 18:8 21:4, 10
welcoming 23:9
Well 2:18 6:17 12:18 13:19 23:12 25:25 34:9 37:3 38:13 41:16, 18 46:8 52:3 64:18 65:1 73:15, 25 75:3, 25 80:25 83:2 84:14 89:7, 17
went 17:15 23:12 32:1, 1 79:21
weren't 30:5 77:15 84:2
West 1:20 44:6 54:8, 21 90:3
West" 30:9
what's 21:6 27:10 39:11 41:17 62:7, 23 83:4
wheat 32:25
White 42:2
wide 52:23
wildlife 63:10
Williams 42:17 45:7, 7, 10
willing 41:10 66:15, 25 82:9
Wilson 51:13 53:17, 17, 20
win 37:7 54:3
windows 69:17, 19 75:3, 5
winners 42:2
winning 40:20 41:1, 13
wish 3:10, 13 12:2 65:12
wishes 5:15
women's 20:19 36:19 37:25 53:25 54:1
won 41:25
wonder 62:3 64:6 79:5
wonderful 20:18 30:1 42:8 48:16 75:11, 13 83:11 90:24
wonders 64:6
word 45:14, 14
words 32:24
work 17:12 24:4 28:6 36:22 38:12 41:14, 14, 15 42:24 49:18 52:8 53:8 58:15 64:25 89:1
worked 22:11 35:16 73:25 85:19
working 5:6 17:7 24:16, 16 48:5 53:10

88:9, 16, 21
workouts 54:24
works 13:12
24:13
world 28:20
30:12 31:20, 25
33:19 37:9
41:11 46:18, 21,
23 47:9 52:23
53:2 56:5, 6
worship 31:11
wouldn't 61:2
67:7 77:14
80:10
write 4:18
written 4:13
12:18

< Y >
Yale 30:4
Yasick 80:14
83:17, 17, 19
year 7:16 15:13
33:14, 15 35:7,
11 39:5, 8, 12
54:6 59:18
60:1 61:25
64:1 65:12, 13,
14 77:19 79:10
84:11, 12, 13, 21
years 7:16, 21,
23 11:3 14:5,
14, 18 17:19
26:6 27:1 30:2
32:23 34:12
36:19 38:6
39:13, 16 40:17
42:20, 23 47:25
54:4, 12 65:16,
20 68:13 73:21
80:19, 19 81:16,
17 82:5 83:10
York 61:1 72:6
you'll 4:4
you're 4:16 5:6,
14 13:17, 18
15:8 25:5, 6
27:24 48:20, 21
55:8 58:22
62:19, 20 63:6,
8, 16 71:4
74:24 82:25
you've 23:14
90:23
young 14:23
15:19 43:2
youthfulness
65:22

< Z >

zone 11:10, 12,
15 19:20 22:11
zoned 6:20
zoning 6:22, 23,
23

Law Offices of
ROBERT A. BRISKIN
A PROFESSIONAL CORPORATION

WEBSITE: www.rablegal.com
E-MAIL: rbriskin@rablegal.com
OUR FILE NO.:

1901 Avenue of the Stars, Suite 1700, Los Angeles, California 90067
Telephone (310) 201-0507 ▪ Facsimile (310) 201-0588

February 9, 2011

BY E-MAIL AND U.S. MAIL
kszalay@planning.lacounty.gov

Kim K. Szalay
County of Los Angeles,
Department of Regional Planning
Special Projects Section
320 West Temple Street
Los Angeles, California 90012-3225

Re: Pepperdine University Campus Project No. R2007-03064-(3) ("Project")

Dear Kim:

I enjoyed our telephone conversation yesterday to discuss the status of this Project. The purpose of this letter is to follow up on some of the topics that we spoke about concerning this Pepperdine Project.

1. Our Homeowners Association stands by what we told you at our meeting at Dick Gary's home. We are prepared to reach an agreement with Pepperdine University concerning conditions and mitigation measures, and to have Pepperdine proceed forward with their project. Kim, we also agree with the observation that you made in our telephone call that it is in the best interests of our Homeowners Association to reach an agreement with Pepperdine.

2. I indicated to you that our Homeowners Association has attempted since the beginning of December to meet with Pepperdine in order to come to an agreement on the mitigation measures and conditions for this Project. Pepperdine has refused to meet with our Homeowners Association. Directors of our Homeowners Association have reached out and have contacted the President of Pepperdine and other persons at Pepperdine, both in person and by telephone, in an effort to set up such a meeting. To date, Pepperdine has refused to meet with our Homeowners Association. For your reference, we are enclosing a copy of our December 17, 2010 letter to Pepperdine showing our willingness to meet and agree.

3. Since Pepperdine will not agree with our Homeowners Association as to any conditions or even meet with our Homeowners Association, we are forced to be active with the various governmental bodies and agencies. I am sure you can understand that we simply want our residents' voices heard and their homes and families protected.

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Our Homeowners Association looks forward to continuing to work with the County of Los Angeles and yourself on this Project.

Thank you again for your assistance. Please feel free to contact me if you want to discuss any of the above further or require further information.

Very truly yours,

ROBERT A. BRISKIN,
A PROFESSIONAL CORPORATION

ROBERT A. BRISKIN

RAB:cb
Enclosure

cc: Hiro Kotchounian, President of Malibu Country Estates Homeowners Association (by e-mail)
Board of Directors of Malibu Country Estates Homeowners Association (by e-mails)

MALIBU COUNTRY ESTATES HOMEOWNERS ASSOCIATION

December 17, 2010

Rhiannon Bailard
Pepperdine University
24255 Pacific Coast Highway
Malibu, CA 90263

Re: Malibu Country Estates Homeowners Association responses to Pepperdine Project and Draft Environmental Impact Report

Dear Rhiannon:

We are transmitting with this letter, a copy of our responses to the Draft Environmental Impact Report for the Pepperdine University Campus Life Project.

As we have expressed before, our homeowners' association has legitimate concerns as to the affect that this project will have on our homeowners and their quality of life. Our enclosed response suggests mitigation measures to reduce the project's impact on our homes.

We look forward to working with Pepperdine to come to an agreement which will allow Pepperdine to accomplish its goals, while at the same time to protect our homes and residents.

As always, thank you for your courtesy.

Very truly yours,

Malibu Country Estates Homeowners Association

Hiro Kotchounian, President

P.O. BOX 831, MALIBU, CALIFORNIA 90265

Bcc: Kim Szalay, AICP, Principle Planner, Special Projects Section, Los Angeles County Department of Regional Planning (by e-mail & U.S. mail w/o encl.)
Ben Saltsman (by e-mail & U.S. mail w/o encl.)
Samuel Dea (by e-mail & U.S. mail w/o encl.)

DEVELOPMENT TABLE

As of March 17, 2011

PEPPERDINE UNIVERSITY
DPZ/SPECIFIC PLAN FOR DEVELOPMENT AND LONG RANGE DEVELOPMENT PLAN SQUARE FOOTAGE COMPILATION

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
1	**Theme Tower**	140	Complete	0	0
1A	**Night Lighting of Theme Tower**	N/A	Use Still Available (Not Yet Implemented)	N/A	N/A
2	**Chapel**	2,775	Complete	0	0
100	**Student Housing Buildings**	180,000	Complete	0	0
101	**Housing Director Residence**	1,400	784	784	0
102	**Student Housing Building**	16,000	Complete	0	0
103	**Student Housing**	75,000	Complete	0	0
103A	**Central Reception Center**	4,000	1,136	0	1,136
104	**Student Housing**	40,000	3,478	3,478	0
104A	**Central Reception Center**	3,000	620	620	0
105	**Faculty/Staff Housing -- Pad 1**	36,000	2,808	2,808	0
106	**Faculty/Staff Housing -- Pad 2**	24,000	1,110	1,110	0
107	**Faculty/Staff Housing -- Pad 3**	36,000	7,957	7,957	0
108	**Faculty/Staff Housing -- Pad 4**	24,000	2,253	2,253	0
109	**Faculty/Staff Housing -- Pad 5**	24,000	6,259	6,259	0
110	**Executive Housing**	26,100	5,637	5,637	0
111	**Executive**	4,500	Complete	0	0

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
	Residence / Office				
112	**Executive Residence / Office**	9,000	Complete	0	0
150[1]	**Student Housing**	~~105,000~~*	Deleted	0	0
151	**Student Housing**	74,000*	Complete	0	0
152[2]	**Student Housing**	~~90,000~~*	Reallocated	0	0
153	**Student Housing**	38,000*	600	600	0
154	**Faculty / Staff Housing**	8,000*	Complete	0	0
155[3]	**Student Housing**	~~171,000~~*	Deleted	0	0
156	**Student Housing**	104,000*	4,843	4,843	0
157	**Faculty Condominiums**	100,800*	Complete	0	0
158	**Faculty / Staff Housing**	30,000*	2,623	2,623	0
159	**Student Housing**	75,000	75,000	75,000	0
160	**Faculty / Staff Housing**	30,697*	Complete	0	0
161	**Student Housing**	36,000	36,000	36,000	0
162[4]	**Student Housing**	~~171,000~~*	Deleted	0	0
200	**Administrative Computer Facilities**	7,000	Complete	0	0
201	**Academic Complex**	72,431	Complete	0	0
202	**Campus Center**	49,000	Complete	0	0

1 Facility 150 was approved in the Los Angeles County DPZ/Specific Plan for Development ("DPZ") and deleted at the approval of the California Coastal Commission Long Range Development Program ("LRDP").

2 Facility 152 was combined with Facility 151 per CUP 91-156(3) and LRDP Amendment 1-92.

3 Facility 155 was approved in the DPZ and deleted at the approval of the LRDP.

4 Facility 162 was approved in the DPZ and deleted at the approval of the LRDP.

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
202A	**Campus Center Expansion**	24,300*	9,900	0	9,900
202B[5]	**Campus Center Expansion**	~~1,000~~*	Reallocated	0	0
203	**Greenhouse Facility**	500	Complete	0	0
204	**Meeting / Office Training Building**	10,000	Complete	0	0
205	**Science Complex**	41,900	Complete	0	0
206	**Lecture Hall**	6,080	Complete	0	0
206A	**Lecture Hall Expansion and Addition**	9,500	Complete	0	0
207	**Fine Arts Complex**	24,000	Complete	0	0
208	**Music Wing of Fine Arts Complex**	20,000	Complete	0	0
209	**Student Housing Office**	9,216*	Complete	0	0
210	**School of Law - Phase I**	80,000	Complete	0	0
250	**Administration Building**	95,000	Complete	0	0
251	**Academic Building**	59,000*	Complete	0	0
252	**Auditorium**	70,000	70,000 3,500 seats	70,000 1,896 seats	0 1,604 seats
253	**Academic Complex**	33,000*	Complete	0	0
254	**Housing Reception**	4,000	4,000	4,000	0

[5] Facility 202B was combined with Facility 202A per LRDP Amendment 2-91 and NOID 1-91.

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
255	**Academic / Professional Building**	60,000	Complete	0	0
256	**Academic / Professional Building**	40,000	40,000	0	40,000
257	**School of Law - Phase II**	47,100*	2,133	0	2,133
258[6]	**Student Union**	75,000 / 100,000*	75,000 / 100,000	75,000 / 100,000	0
259	**Student Support Facility**	25,000	25,000	0	25,000
260[7]	**Graphic Arts Facility**	~~35,000~~*	Deleted	0	0
261	**Professional School**	95,500*	Complete	0	0
262[8]	**Conference Center**	~~25,000~~*	Reallocated	0	0
263[9]	**University Housing**	~~80,000~~*	Deleted	0	0
264	**Academic Learning Center**	25,000	25,000	0	25,000
265	**Academic Support Facility**	30,000	30,000	0	30,000
266	**Information /**	300	Complete	0	0

6 Facility 258 was approved for 75,000 square feet ("sf") in the DPZ and 100,000 sf in the LRDP.
7 Facility 260 was approved in the DPZ and deleted at the approval of the LRDP.
8 Facility 262 was combined with Facility 261 per CUP 97-191, LRDP Amendment 1-99, and NOID 3-99.
9 Facility 263 was approved in the DPZ and deleted at the approval of the LRDP.

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
	Traffic Control Booths				
267[10]	**University Reception Center**	25,000*	17,800	4,500	13,300
300	**Tennis Facilities**	300*	Complete	0	0
301	**Playing Field**	125,000 2 softball-size fields	Complete	0	0
302	**Gymnasium**	31,360	Complete	0	0
302A[11]	**Gymnasium Expansion**	10,377*	7,992	0	7,992
303	**Swimming Pool**	14,000	Complete	0	0
304	**Swim Building**	1,500	Complete	0	0
305	**Tennis Facilities**	3 courts*	Complete	N/A	N/A
306	**Baseball Stadium**	N/A	Complete	N/A	N/A
306A[12]	**Baseball Field Lighting**	N/A	Use Still Available (Not Yet Implemented)	N/A	N/A
307	**Running Track / Soccer Field**	Track surrounding soccer field	Complete	N/A	N/A
308	**Faculty / Staff Swimming Pool / Play Area**	65,000	Complete	0	0
351	**Tennis Courts and Snack Deck**	10,810*	5,310	0	5,310
352[13]	**Racquetball**	~~5,000~~*	Deleted	0	0

10 A portion of facility 267 amounting to 7,200 sf was allocated to facility 209 per LRDP amendment 2-91.

11 This facility, in conjunction with facility 355, is associated with the previously approved 25,992 sf expansion of the Firestone Fieldhouse, which is listed and analyzed in the CLP DEIR as a related project.

12 This facility is associated with the lighting of the baseball field, which is listed and analyzed in the CLP DEIR as a related project.

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
	Courts	~~6 Courts~~			
353	**Paddle Tennis Courts**	6 Courts	Use Still Available (Not Yet Implemented)	N/A	N/A
354	**Racquetball Courts**	3,500* 9 Courts	3,500 Use Still Available (Not Yet Implemented)	3,500	0
355[14]	**Gymnasium Facilities**	50,000	50,000	32,000	18,000
356[15]	**Playing Field**	~~1 Field~~*	Deleted	N/A	N/A
357	**Equestrian Center**	6,000 Riding Ring	Complete	0	0
358[16]	**Recreation Areas**	~~4.5 acres~~*	Deleted	N/A	N/A
359	**Running Track**	0.8 mile track	Use still available (Not Yet Implemented)	N/A	N/A
401	**Effluent Storage Reservoirs**	80,000 2 reservoirs	Complete	0	0
401A	**Effluent Storage Reservoir**	40,000 1 reservoir	40,000 Use still available (Not Yet Implemented)	N/A	40,000
403	**Telephone Switchgear Building**	1,200	Complete	0	0
404	**Domestic Water Storage Tank**	N/A	Complete	N/A	N/A
405	**Reclaimed Water Storage Tank**	N/A	Complete	N/A	N/A

13 Facility 352 was approved in the DPZ and deleted at the approval of the LRDP.

14 A portion of this facility (i.e., 18,000 sf), in conjunction with facility 302A, is associated with the previously approved 25,992 sf expansion of the Firestone Fieldhouse, which is listed and analyzed in the CLP DEIR as a related project.

15 Facility 356 was approved in the DPZ and deleted at the approval of the LRDP.

16 Facility 358 was approved in the DPZ and deleted at the approval of the LRDP.

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
406	**Domestic Water Storage Tank**	N/A	Complete	N/A	N/A
407	**Telephone Switchgear Building**	300	Complete	0	0
410	**Information / Security Booth**	50	Complete	0	0
450	**Expansion and Modification of the Existing Malibu Mesa Wastewater Reclamation Plant**	10,000 Increase Capacity to 500,000 gpd	10,000 Use still available (Not Yet Implemented)	0	10,000
451	**Reclaimed Water Storage Tank**	N/A	Complete	N/A	N/A
452	**Maintenance Facility**	200,000	178,000	58,445 / 33,445[17]	119,555 / 144,555
453	**Domestic Water Storage Tank**	N/A	Complete	N/A	N/A
470	**Extension of Campus Road System**	Internal Roadway System	Complete	N/A	N/A
471[18]	**Extension of Campus Road System**	~~Internal Roadway System~~*	Reallocated	N/A	N/A
472[19]	**Extension of Campus Road**	~~Internal Roadway System~~*	Reallocated	N/A	N/A

[17] The sf required for reallocation from facility 452 for the Athletics/Events Center is either 58,445 sf (assuming 75,000 total sf approved at facility 258 per the DPZ) or 33,445 sf (assuming 100,000 total sf approved at facility 258 per the LRDP). The remaining square footage, either 119,555 or 144,555 sf, would be retained at its existing planned location for future campus projects.

[18] Combined with facilities 470 and 472 per CUP 97-191-(3), LRDP amendment 1-99, and NOID 3-99.

[19] Combined with facilities 470 and 471 per CUP 97-191-(3), LRDP amendment 1-99, and NOID 3-99.

FACILITY NO.	LRDP/DPZ APPROVED FACILITY	APPROVED SQUARE FOOTAGE ("SF")	AVAILABLE SF OR AVAILABLE USES	SF APPLIED FOR CLP (IF APPLICABLE)	REMAINING SF AFTER CLP
	System				
473	**Intracampus Road**	Internal Roadway System	Complete	N/A	N/A
RB	**Retention Basins**	N/A	Complete	N/A	N/A
480	**Stockpile**	37,000 Site & Drainage	Complete	0	0
TOTAL SF AVAILABLE, APPLIED, AND REMAINING[20]	**Total Available Sq. Ft. Prior to CLP**				**744,743 / 769,743**
	Total SF Used for CLP				**397,417**[21]
	Total Remaining After CLP				**347,326 / 372,326**

KEY	
*	Altered square footage allocation or use from originally approved DPZ per the LRDP, subsequent CUPs, and/or LRDP amendments. Further clarification provided in footnotes.
~~STRIKE-THROUGH~~	Square feet and/or use that were approved in the Specific Plan and subsequently deleted or reallocated via the LRDP, subsequent CUPs, and/or LRDP amendments. Further clarification provided in footnotes.

[20] Facility 258 states 75,000 sf in the DPZ and 100,000 sf in the LRDP, which results in two separate running totals of available and remaining sf in the following order: County / Coastal.

[21] The Campus Life Project requires 394,137 net new square feet while the portions of facilities proposed for use in the Campus Life Project total 397,417 square feet, resulting in an overage of 3,280 square feet.

EXHIBIT "A"

SITE PLANS AND ELEVATIONS

AND

LAND USE MAP