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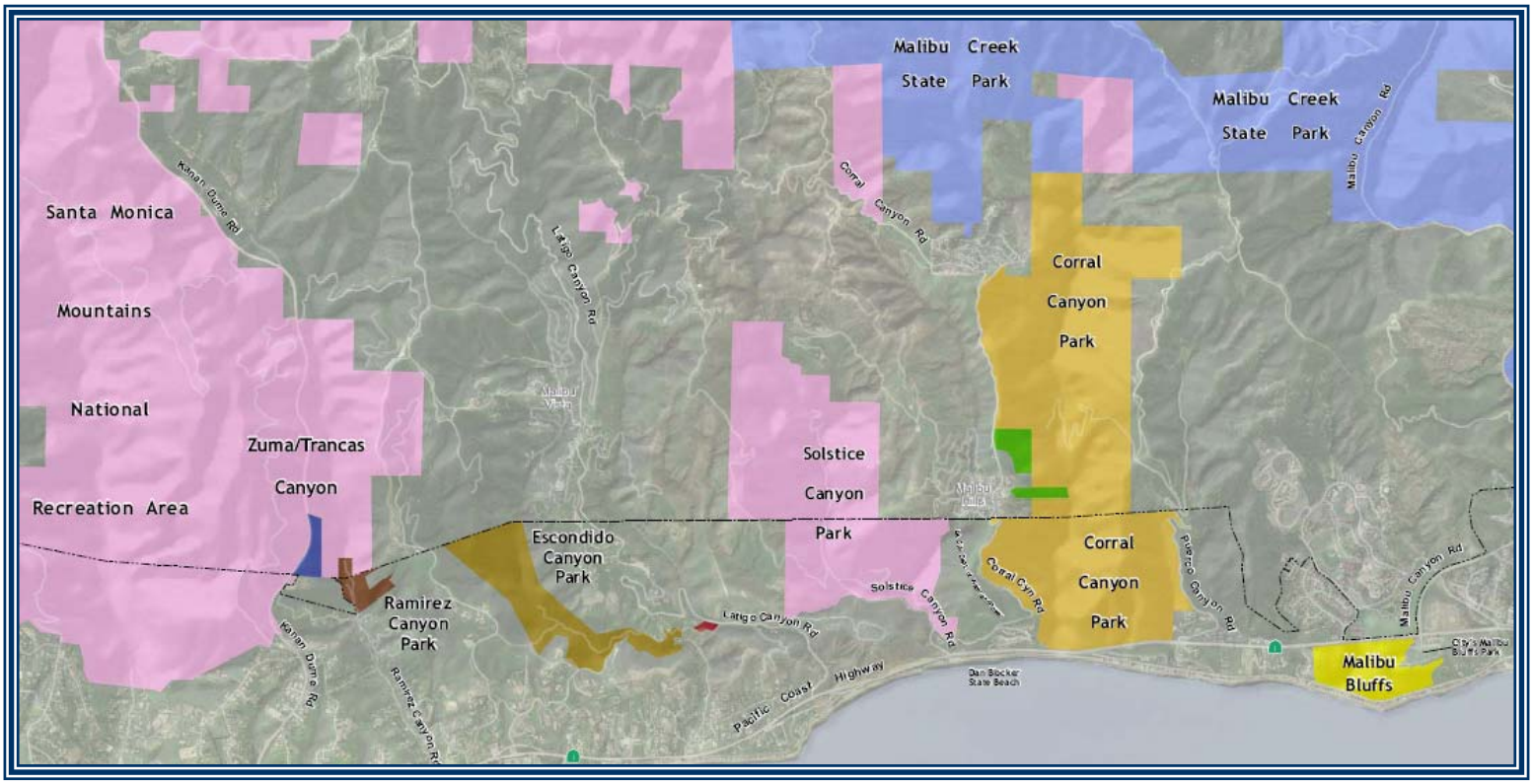
MALIBU PARKS PUBLIC ACCESS ENHANCEMENT PLAN
PUBLIC WORKS PLAN



SANTA MONICA MOUNTAINS CONSERVANCY
MOUNTAINS RECREATION & CONSERVATION AUTHORITY

DRAFT MALIBU PARKS PUBLIC ACCESS ENHANCEMENT PLAN
PUBLIC WORKS PLAN

January 2010

For

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Chapter 1 INTRODUCTION

1.0 PURPOSE OF THE MALIBU PARKS PUBLIC ACCESS ENHANCEMENT PLAN - PUBLIC WORKS PLAN

The California Coastal Act (Pub. Resources Code section 30000 et seq.), adopted by the Legislature in 1976, is the standard of review for planning and regulatory decisions affecting lands within the Coastal Zone and includes policies that address coastal resource issues such as shoreline public access and recreation, inland recreation, lower cost visitor accommodations, protection of habitat and water quality, and visual resources among others. California Coastal Act mandates are further implemented pursuant to certified local coastal programs (LCP) which, upon certification by the Coastal Commission (Commission), become the standard of review for addressing most new development and coastal resources issues within respective jurisdictions.

The City of Malibu LCP, certified by the Commission on September 13, 2002 and adopted by the City of Malibu, is the standard of review for all projects requiring a coastal development permit in the City. The City's LCP contains numerous policies that encourage development of new public access and recreational resources and associated support facilities in the City. The City's LCP also contains a comprehensive set of policies and implementation measures to ensure that such uses and facilities are developed consistent with the resource protection policies of the LCP and the Coastal Act. In addition, the Malibu LCP contains a specific goal to "promote the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

On June 10, 2009, the Commission certified an amendment to Malibu's LCP incorporating the Malibu Parks Public Access Enhancement Plan Overlay (Overlay), a special land use and implementation plan overlay that includes a comprehensive set of policies and development standards for public access and recreation-oriented development within specific park properties and recreation areas within the City including Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and the Conservancy-owned Malibu Bluffs. The Overlay further identifies specific actions necessary to implement improvements intended to enhance public access and recreation opportunities throughout the area covered by the Overlay including: creation of an interconnected system of trails, parks, open space, and habitats; improvement of alternative methods of transportation between parklands in the area and; identification of recreational facility and program improvements for the park properties to better support existing recreational demand and to facilitate an increased level of accessibility for visitors with diverse backgrounds, interests, ages, and abilities.

Pursuant to Section 30605 of the Coastal Act, the Malibu Parks Public Access Enhancement Plan-Public Works Plan (the Plan) has been developed to serve as the facilities plan for lands subject to the Overlay as defined by Section 3.4.2 of the Malibu LCP, and specific park and recreation areas located within adjacent lands of unincorporated Los Angeles County, collectively referred to as the "Plan area" (Figures 2 and 7). The Plan is reviewed and approved by the Commission, which applies Malibu's LCP as the standard of review for proposed improvements located in the City, and applies the Chapter 3 policies of the Coastal Act as the standard of review for proposed improvements located in unincorporated Los Angeles County. The Plan includes detailed project and facility plans for development of trails, campgrounds, various park support facilities and park uses within the trail corridors and parklands included in the Plan area. In addition to the policies and implementation measures of the Overlay, the Plan includes a detailed policy framework

to guide future improvements and various park programs for the trail corridors and parklands included in the Plan area to ensure consistency with all applicable policies of the Malibu LCP and Coastal Act.

The Malibu coastal zone consists of some of the most scenic shoreline and desirable beach areas in southern California. Views to varying and extraordinary coastline features and to open mountain lands that abruptly ascend from the coastline exhibit a striking visual and natural quality unique to the Malibu coastal area. In addition to picturesque beach areas and scenic vistas, the Santa Monica Mountains area within the City and adjacent unincorporated lands of the County of Los Angeles contain an extensive network of trails connecting thousands of acres of coastal and inland parklands traversing Federal, State, County, City, and other local parklands. The City comprises a substantial coastal portion of the Santa Monica Mountains National Recreation Area, a unit of the National Park Service. These public resources provide a range of recreational opportunities including hiking, biking, horseback riding, nature study, picnicking, camping, fishing, surfing, diving, and swimming. As such, the Malibu area and adjacent Santa Monica Mountains have become a renowned destination area for millions of visitors annually.

While Malibu and the rest of the Santa Monica Mountains provide unique recreational opportunities, there is no doubt that population growth and decades of private development in the area result in loss of recreational opportunities as once open lands, beaches, and historic trails become developed and more people seek recreation at the dwindling supply of such resources. In addition to the physical supply of recreational lands, many necessary support facilities for recreation have been affected as available transit, parking, restrooms, and other amenities become overburdened and/or are difficult to accommodate given the shrinking supply of land for such facilities. Also, while extensive trails exist in the National Recreation Area, there are substantial gaps in many of the regional and local trails.

Chapter 2 of the City of Malibu Local Coastal Program Land Use Plan describes the various factors which have historically adversely affected or limited public access opportunities in the Malibu region and recognizes that "Public access to and along the shoreline and trails, and the provision of public recreational opportunities and visitor-serving facilities such as campgrounds, hotels and motels has historically been a critical and controversial issue in Malibu." The Land Use Plan further describes the incremental loss of public access and recreation opportunities over time and the need to maintain and ensure provision of adequate services and facilities in support of access and recreation:

The loss of coastal recreation opportunities resulting from development occurring over the past 25 years represents a significant adverse impact to the availability of public access and recreation in Malibu. Defined broadly, these opportunities include not only the physical availability of access and recreation areas, but also the ability of the public to reach and utilize these sites. Coastal access is generally viewed as an issue of physical supply, and includes lateral access (access along a beach), vertical access (access from an upland street, parking area, bluff or public park to the beach), coastal blufftop trails, and upland trails that lead to the shore or traverse inland parklands within the coastal zone. These inland parks provide significant access and recreation opportunities in the City and Santa Monica Mountains coastal zone, and are as important to coastal access as shoreline accessways.

While the physical supply of access is a primary factor in assuring access opportunities, the Local Coastal Program cannot view the issue of supply in isolation of a number of other factors. These variables include the availability of transit to beaches, parking availability, providing other support facilities such as restrooms and picnic areas, addressing user demands and conflicts, and maintenance of a diversity of coastal recreation experiences. Impacts to any one of these variables may ultimately affect the availability and use of the physical supply of access. For example, without adequate parking or alternate transportation, users will have difficulty reaching the shoreline or trailhead. Therefore, managing and increasing coastal access

and ensuring that growth and development does not cumulatively impact the ability of the public to access the shoreline and trails, involves improving not only the physical supply of access, but all of the other variables that contribute to ensuring maximum coastal access.

In an effort to secure public access and recreation, a number of Federal, State, and local agencies are charged with preserving, acquiring, and enhancing lands and natural resources for the benefit of environmental protection, public enjoyment, and education. The Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority work in cooperation with Federal, State, and other local government partners, as well as non-profit organizations and other interested parties, to acquire parkland, participate in vital planning processes, and to complete and manage major park improvement projects. The proposed Plan focuses on both upland and shoreline recreation and parks areas within the Malibu coastal area. The Plan includes public recreation areas (parklands and trail corridors) extending from the east edge of Kanan Dume Road to the Malibu Bluffs Conservancy Property (Malibu Bluffs). It extends southerly to Pacific Coast Highway at Corral Canyon Park and to Malibu Road by Malibu Bluffs. It extends northerly beyond the City of Malibu/Unincorporated Los Angeles County Boundary to the Santa Monica Mountains "ridgeline" in Malibu Creek State Park in Corral Canyon. Public lands addressed in the Plan include Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Solstice Canyon Park, Corral Canyon Park, Malibu Bluffs, National Park Service-owned land in Ramirez Canyon, Los Angeles County-owned land, City of Los Angeles Department of Water and Power property, and State Parks-owned and National Park Service-owned land in upper Corral Canyon. (Figures 2 and7).

In concert with and as part of the Malibu LCP, the proposed Plan is intended to provide policies and implementation actions to complete trail connections for the Coastal Slope Trail, which include trail connections from proposed public parking/trailhead facilities on the east side of Kanan Dume Road to Ramirez Canyon Park and Escondido Canyon Park and Latigo Trailhead property, through Solstice Canyon Park, and finally to Corral Canyon Park. The Plan further provides for completing the Beach to Backbone Trail, which includes a continuous trail corridor through Corral Canyon from Dan Blocker County Beach in the City to the Santa Monica Mountains “ridgeline” in Malibu Creek State Park, and improving additional Beach to Bluffs trails at the Conservancy-owned Malibu Bluffs. Though not part of the proposed Plan, the City of Malibu Draft Trails Master Plans also identifies trail alignments connecting Corral Canyon Park to Malibu Bluffs. The Plan provides methods for establishing trail connections and filling “missing links” of the Coastal Slope Trail and connector trails and to ensure adjacent lands are protected as natural and scenic areas to enhance the recreational experience of trail corridors. These methods include identifying opportunities for accepting recorded offers to dedicate (OTDs) for trail easements, accepting lands subject to OTDs for open space easements (including those associated with the Coastal Commission’s Transfer of Development Credits [TDC] program), and by identifying and prioritizing potential land acquisitions in the Plan area for development of trail connections.

The Plan identifies specific public access, recreational facility, and program improvements for the five park properties in the Plan area owned by the Santa Monica Mountains Conservancy and the Mountains Recreation and Conservation Authority: Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park, and the Conservancy-owned Malibu Bluffs (Figure 2). The proposed improvements generally include parking, camp areas and associated support facilities within existing park boundaries, and trail improvements to support existing recreational demand and to facilitate an increased level of accessibility for visitors with diverse backgrounds, interests, ages, and abilities, including the unique opportunity for fully accessible overnight camping. The Plan also addresses opportunities for creek restoration, and administrative and public program uses at Ramirez Canyon Park that were previously the subject of a Coastal Development Permit issued by the Coastal Commission on

February 5, 2001 (CDP 4-98-334).

The Plan seeks to link and integrate natural parks for all visitors via trail linkages, public transit, and/or thematically via special programs and events. This includes developing and implementing specific improvements for trail and park accessibility while remaining sensitive to the natural character of park areas. In this regard, the Plan's policies incorporate guidelines for fully accessible or universal design of trails, camp areas and support facilities, where feasible given the natural constraints of the park areas, and best management practices necessary to maintain facilities for all visitors. The Plan also includes alternative provisions intended to improve access and use by persons with disabilities to natural park properties by modifying existing programs or providing new specialized programs able to be accommodated at existing facilities and landscapes. Existing examples of such specialized programs include the Children's Educational Program and Senior & Public Outreach Program provided at Ramirez Canyon Park.

The unique environment at Ramirez Canyon Park and existing facilities consisting of intriguing structures, gardens, and designed hardscape associated with the property's former owner, Barbra Streisand, and the generally gentle terrain, provide an extraordinary retreat for park visitors. The park contains accessible garden paths, picnic areas, a riparian area interpretive trail and creek overlook that can be readily enjoyed by individuals with physical limitations, and also contains the necessary support facilities to operate and maintain the property for specialized programs. The Children's Outreach Program centers around various activities that emphasize and reinforce self-esteem, improved communication and cooperation skills, and activities that provide environmental instruction about the ecology of Ramirez Canyon Park and the Santa Monica Mountains. The gentle terrain and sensitive construction and maintenance of a barrier-free riparian area interpretive trail offers relatively undisturbed creekside interpretive areas that provide an outdoor access opportunity for visitors who have mobility impairments and who are rarely able to enjoy natural areas in the Santa Monica Mountains due to limited accessible opportunities. Similarly, the Senior & Public Outreach Program provides access to visitors who typically have limited access to traditional park programs.

Finally, the Plan addresses long term programmatic, improvement and maintenance needs to ensure continued success of the various programs currently implemented and those proposed to facilitate public access and recreation opportunities for visitors with diverse backgrounds, interests, ages, and abilities. The proposed Plan identifies a comprehensive set of policies and implementation measures that expand on existing policies and implementation measures of Malibu's LCP to enhance general and specialized public access, recreation, and public outreach opportunities by planning for the physical improvements, maintenance requirements, and the programmatic needs necessary to ensure safe access and recreation for visitors of all abilities in Malibu and the Santa Monica Mountains.

1.1 THE SANTA MONICA MOUNTAINS CONSERVANCY

The Santa Monica Mountains Conservancy Act was enacted in 1979 by Assembly Bill 1312 based on the recommendations of the Santa Monica Mountains Comprehensive Planning Commission. The Santa Monica Mountains Conservancy Act was signed into law by Governor Edmund G. Brown, Jr. on September 27, 1979, as Chapter 1087 of the Statutes of 1979 and pursuant to the California Constitution the Act became effective on January 1, 1980. Since its establishment, the Conservancy has helped to preserve over approximately 60,000 acres of parkland in both wilderness and urban settings, and has improved more than 114 public recreational facilities throughout Southern California. In addition, the Conservancy has given grants to nonprofit organizations for outdoor and environmental educational and interpretation

programs that have served hundreds of thousands of children and other park visitors.

Mission Statement

Through direct action, alliances, partnerships, and joint powers authorities, the Conservancy's mission is to strategically buy back, preserve, protect, restore, and enhance treasured pieces of Southern California to form an interlinking system of urban, rural and river parks, open space, trails, and wildlife habitats that are easily accessible to the general public.

In furthering the Mission of the Santa Monica Mountains Conservancy, the Conservancy intends to remain in the forefront of creating improved outdoor recreational and educational environments that balance the needs of people with disabilities, environmental constraints, and the nature of the experiences offered at public parklands.

The Conservancy's success depends largely on partnerships. The Conservancy maximizes its effectiveness by working together with local government, joint powers entities, landowners, State and Federal agencies, and community-based organizations to secure and develop parkland. Through direct action, alliances, partnerships, and joint powers authorities, the Conservancy has great success in realizing the Mission to preserve, protect, restore, and enhance treasured pieces of land to form an interlinking system of urban, rural and river parks, open space, trails, and wildlife habitats that are easily accessible to visitors of all abilities.

1.2 THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

The Mountains Recreation and Conservation Authority is a local government public entity established in 1985 pursuant to the Joint Exercise of Powers Act (Government Code Section 6500 *et seq.*) consisting of a partnership between the Santa Monica Mountains Conservancy and the Conejo and Rancho Simi Recreation and Park Districts that are local park agencies established by the vote of the people in those communities.

Like the Conservancy, the Mountains Recreation and Conservation Authority (MRCA) is dedicated to the preservation and management of local open space and parkland, watershed lands, trails, and wildlife habitat. The MRCA manages and provides ranger services for about 60,000 acres of public lands and parks and provides comprehensive education and interpretation programs for the public. The MRCA also provides natural resource and scientific expertise, critical regional planning services, park construction services, park operations, fire prevention, ranger services, educational and leadership programs for thousands of youth each year.

1.3 JOINT AGENCY PUBLIC WORKS PLAN

Together the Conservancy and MRCA strive to preserve, protect, restore, and enhance lands of Southern California and to create an interconnected system of parks, open space, trails, and wildlife habitats that are easily accessible to the general public. The programs employed to further these goals include critical planning, coordination on park construction and improvement projects, park management and operations, fire prevention, ranger services, and a variety of educational and public outreach programs.

The Conservancy and MRCA are proposing a comprehensive planning and facilities improvement program that will extend and improve a variety of trail connections and achieve implementation of a key segment of the Coastal Slope Trail and the Beach to Backbone Trail in the Plan area, and thus ultimately connect several significant Federal and State-owned coastal parklands including Ramirez Canyon Park, Escondido Canyon Park, Solstice Canyon Park, Corral Canyon Park, and Malibu Creek State Park, for the benefit of

the public seeking recreation and retreat within the Malibu coastal area.

In addition, the Conservancy and MRCA strive to maintain and develop new recreational, interpretative, and educational programs that will accommodate various means of access for all visitors. As such, the proposed Plan provides for specific improvements to existing park facilities in the Plan area for development of trail resources and limited overnight recreational opportunities designed to accommodate visitors of diverse backgrounds, interests, ages, and abilities. Given the various constraints of each park property addressed in the Plan, the need to preserve, protect, restore, and enhance coastal parklands for the benefit of coastal resources and in the interest of all people, the Conservancy and MRCA have considered a combination of design features and public programs specifically intended to facilitate access opportunities and thus provide creative alternative solutions to accessibility where the physical challenges of natural parks or current limitations on accessibility due to lack of transit or necessary support facilities might otherwise deny access to people of all races, cultures, and incomes. For this reason in particular, the Plan intends to address and re-establish entitlements for the critical park administrative and public outreach program uses at Ramirez Canyon Park and existing conditions that were previously the subject of a Coastal Development Permit issued by the Coastal Commission on February 5, 2001 (CDP 4-98-334).

The Plan provides the framework and facilities plan for implementing programs and improvements to the parklands and trail system as described in Chapter 3, as well as managing development, visitation and natural resources in the Plan area for a 10 year planning period. The Plan is intended to address issues associated with growing visitation and demands for public access and outdoor recreation opportunities in the Santa Monica Mountains and Malibu area. The Plan also addresses potential impacts and enhancement opportunities for natural resources including ESHA and water quality, transportation opportunities needed to facilitate public access in the Plan area, and balancing the needs and concerns of private residents adjacent to public recreational lands with the need to promote and enhance access opportunities in the Coastal Zone for all residents and visitors.

CHAPTER 2 CONTEXT FOR PROPOSED PLAN

2.0 PLAN AREA

Project areas subject to a public works plan are often defined, in part, in terms of service area [California Code of Regulations Section 13353(4)]. However, because the Malibu Parks Public Access Enhancement Plan-Public Works Plan is intended to provide access and recreation opportunities on a regional and statewide scale, thus providing a public service that extends well beyond any specified "service area or boundary", the term Plan area is used in place of service area for purposes of defining the areas subject to the Malibu Parks Public Access Enhancement Plan-Public Works Plan. Figures 2 and 6-8, the Plan's Public Parkland, Planned and Proposed Trail Resources Maps and the OTD Map, generally illustrate the particular land areas subject to proposed trail and park facilities improvements included in the Plan (although acquisition and improvements to OTDs for trails are part of a longer, onging planning process). The entire Plan area is located in the Coastal Zone, and includes areas within the City of Malibu, unincorporated Los Angeles County, and National Park Service, California State Parks and Conservancy/MRCA parklands.

Public Parklands

The Plan addresses public parklands as generally illustrated in Figure 2, including recreation areas (parklands and trails) that extend from the east edge of Kanan Dume Road easterly to the Malibu Bluffs Conservancy Property (Malibu Bluffs). The Plan area extends southerly to Pacific Coast Highway at Corral Canyon Park and to Malibu Road by Malibu Bluffs, and northerly beyond the City of Malibu/Unincorporated Los Angeles County Boundary to the Santa Monica Mountains "ridgeline" in Malibu Creek State Park in Corral Canyon. Public lands addressed in the Plan include Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Solstice Canyon Park, Corral Canyon Park, Malibu Bluffs, National Park Service-owned land in Ramirez Canyon, Los Angeles County-owned land, City of Los Angeles Department of Water and Power property, and State Parks-owned and National Park Service-owned land in upper Corral Canyon. Public parklands that are owned and maintained by the National Park Service and California State Parks are included in the Plan to allow for comprehensive and strategic planning for developing trail connectors with the goal of establishing a network of parks, trails, and open space for public use; however, the Plan does not discuss in detail the existing conditions and facilities or future plans of the National Park Service and California State Parks for these parklands beyond these trail connections.

Trail Corridors

Recreation areas included in the Plan area consist of existing and proposed trail corridors, some of which incorporate trails identified on the City's Trail Master Plan, the Malibu Local Coastal Program, and Draft Santa Monica Mountains National Recreation Area Interagency Trail Management Plan (Figures 6-8). In addition, private property included in the Plan area consists only of those properties containing existing trail and open space Offers To Dedicate (OTDs) and subject to the trail segments depicted on the Local Coastal Program - City of Malibu Park Lands Map 6 and Figure 7 of this Plan, or such trail easements that may be purchased from willing sellers, dedicated to public use as part of the entitlement process, donated by a private landowner in the future or acquired through eminent domain. Eminent domain will be considered as a last resort when all other methods have failed (negotiation, etc.) and where a critical connection must be acquired to ensure the functionality of the trail system.

Neither the Santa Monica Mountains Conservancy nor the Mountains Recreation and Conservation Authority have land use regulatory or zoning power. No entity must obtain a permit or other entitlement

from the Santa Monica Mountains Conservancy or Mountains Recreation and Conservation Authority to develop private property. Inclusion of a privately owned parcel within the Plan area does not mean that the Santa Monica Mountains Conservancy has any land use regulatory or zoning control over that property. Land use regulation and zoning control over private property will remain unaffected by the Plan and will remain with the City of Malibu, County of Los Angeles, and/or California Coastal Commission, as the case may be.

2.1 PARKLANDS AND RECREATION FACILITIES

2.1.1 Ramirez Canyon Park

Ramirez Canyon Park is located in Ramirez Canyon off the Malibu coastline and is bordered by National Park Service land in its northern portion, and private residential land in its southern portion (Figure 2). Barbra Streisand donated this 22-acre estate to the Santa Monica Mountains Conservancy in December 1993. The park contains five structures once serving as residences on six separate lots with exquisitely designed landscape.

Because Ramirez Canyon Park contains a number of intriguing structures, gardens, and designed hardscape on the majority of the property associated with the former ownership, rather than the open natural habitat typically associated with other park properties, the park serves to provide a range of diverse environmental, cultural, and educational opportunities for both passive and active recreation activities. The more developed nature of the park lends itself well to function as a place for special, pre-arranged activities, events, and functions typically permitted by the State Parks system for the benefit of the community and visitors.

Ramirez Canyon Park is bisected by the City of Malibu-County of Los Angeles jurisdictional boundary. Access to the property is provided by gated vehicular access roads from Pacific Coast Highway via Ramirez Canyon Road or via West Winding Way and Delaplane, and then through a gated entrance at the terminus of Ramirez Canyon Road. At the request of local neighbors along Ramirez Canyon Road and pursuant to the conditions of a Coastal Development Permit previously issued by the California Coastal Commission, but not currently in effect, public access to the park property is by appointment only. The portion of the park property located within the City of Malibu is designated and zoned as Public Open Space (OS) in the City's Local Coastal Program, while the balance of the property located in the Los Angeles County is designated Rural Land III (1 unit/2 acres) and Mountain Land (1 unit/20 acres), and is zoned A-1, Light Agriculture (Figures 3 and 4).

Park Facilities

Barwood

The "Hollywood" Craftsman post and beam two-story house was constructed by Barbra Streisand for the postproduction activities connected with her film "Yentil." This building serves as a conference room, library, and office and is used by both the Conservancy and MRCA. The offices at Ramirez Canyon Park are used to support on site park maintenance and public outreach programs, and to conduct the administrative responsibilities associated with open space acquisitions, planning, research, the management of conservation and recreation activities at Conservancy and MRCA holdings. "Barwood" refers to the name of Barbra Streisand's production company. Built around existing sycamore trees, the large windows, skylights, vaulted ceilings, and Douglas fir framing create the feeling of being in a tree house.

Barn

Yellow copa del oro vines planted over 20 years ago cover the whimsical Barn building, Ms. Streisand's first and favorite house on the property. Originally stucco, the three bedroom structure was covered inside and out in old and aged wood by craftsmen and toy makers. Beveled glass doors, large picture windows and a 30' high pitched ceiling bring nature into the main living room. Highlights of the structure include stained glass, lofts, ladders, and a river rock fireplace. This building is used as a meeting and reception area; former bedrooms have been converted to office space for park planners and park administrators.

Peach House

Named for its color, this Mediterranean style villa was converted from a one-story stable. The lower two floors were a guest apartment. The upper level, accessible only by an exterior winding brick staircase, was designed as a screening room with automatic black-out curtains and drop down screen. This room has hardwood floors, a marble fireplace, Art Nouveau hand-carved detailing, and beveled-glass french doors.

Art Deco House

Ms. Streisand spent five years turning this house into a veritable Art Deco temple. Featured in the December 1993 Architectural Digest, the Deco House design includes stainless steel panels from Los Angeles' landmark Atlantic Richfield building, a carpet copied from a Bigelow original, stunning ceilings, and authentic period light fixtures. Inside and out, including the black bottom pool, the color scheme strictly adheres to a palette of black to gray and burgundy to pale rose.

Gardens and Meadows

The largest meadow, to the north, is the site of the 1986 One Voice fundraising concert. Behind the Barn, Ms. Streisand converted a former corral into a garden that, like the other scattered cutting gardens, yields roses, foxglove, asters, sweet peas, and camellias as well as herbs, vegetables, and fruit.

Ranger/Maintenance Supervisor Residence

Previously used a caretakers residences, the 1,350 sq. ft. residence is located on the west-facing hillside of the Park and now serves as a Ranger/Maintenance Supervisor residence occupied by MRCA staff charged with park security and other public safety duties.

Public Programs

Riparian Interpretative Trail

In the northern portion of the property a barrier-free riparian area interpretive trail and picnic facilities has been developed north of the Barn facility that extends to the adjacent National Park Service lands. The gentle terrain of the trail offers a creekside interpretive area that provides an outdoor access opportunity for visitors who have mobility impairments and who are rarely able to enjoy such natural areas readily available to other visitors in the Santa Monica Mountains due to limited accessible opportunities.

Educational Programs

Educational Programs at Ramirez Canyon Park give children and young adults with various abilities a high-quality, interactive and educational experience in a fun and safe learning environment. The programs focus on various animal activities to emphasize reinforcement of high self-esteem, and improved communication and cooperation skills. The program also provides environmental instruction about the ecology of Ramirez Canyon Park and the Santa Monica Mountains.

Public Outreach Programs

Ramirez Canyon Park is proud of its outreach program designed to bring the best of Malibu and the Santa Monica Mountains to populations with limited access to traditional park programs. Numerous senior homes, the Reverends from the Los Angeles Mission on Skid Row, Veterans from the V.A. Hospital in Westwood, at-risk youth, various battered women's shelters, and young ladies from Esperanza Housing Project in the inner city have all been guests of the Park.

Ramirez Canyon Park provides a retreat to visitors with accessible garden paths and picnic areas. A riparian area interpretive trail and overlook with picnic facilities are fully accessible and can be readily enjoyed by individuals with physical limitations.

Special Events, Small Group Gatherings and Tours

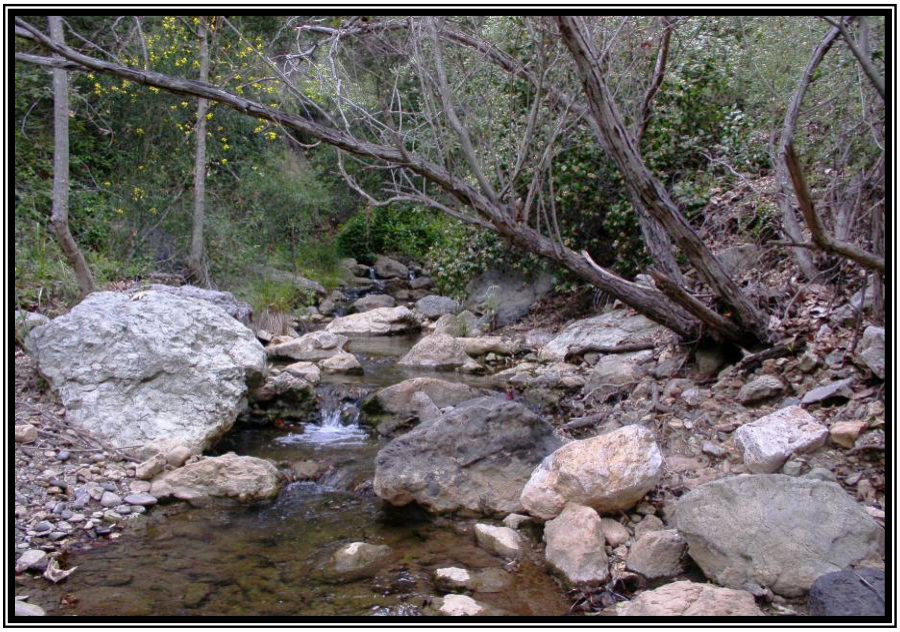
The gardens and unique structures of the park have been made accessible to the public with docent-led canyon and garden tours. The one-hour walking tour covers the historical, botanical, and architectural background of the property, as well as its broader relationship to the Santa Monica Mountains. Visitors have an additional hour to relax and explore the grounds. Special events and small gatherings have

historically helped to maintain the property and support outreach programs designed to serve disadvantaged youth, visitors who have physical disabilities, and seniors.

Public Amenities

Ramirez Canyon Park contains a number of support facilities for the park's public use programs including picnic areas, restrooms, educational displays, sitting benches, gardens, and a riparian area interpretive trail. Public restrooms are served by a state-of-the-art alternative septic system. Additionally, the park has facilities to provide indoor and outdoor conference and event amenities.

Natural Resources



Ramirez Canyon Park is traversed by Ramirez Canyon Creek within the west and southernmost portions of the property, and contains extensive stands of native coastal sage scrub habitat along the canyon walls and northern portion of the property which is adjacent to National Park Service land. Ramirez Canyon Creek is a blueline stream with regular water which is conveyed to the Pacific Ocean at Paradise Cove. Given the occurrence of Ramirez Canyon Creek and those areas vegetated with native coastal sage scrub habitat outside of the developed areas of the park, the majority of the park property is mapped as an Environmentally Sensitive Habitat Area per the City of Malibu Local Coastal Program (Figure 5). Some of the areas within the ESHA mapped under the City of Malibu LCP (2002) and by the County LCP LUP (1986) are currently developed or disturbed. A site-specific analysis, including detailed vegetation mapping and land use characterization, has been completed.

Planning/Permitting History

A Riparian Habitat Evaluation study, prepared by LSA Associates, Inc., August 30, 2002, details the history of development on the property beginning with construction of the first residence in 1953. Based on a review of historic aerial photographs and legal records, the study documents site conditions prior to 1977 (prior to establishment of the Coastal Commission and effectiveness of the Coastal Act in January 1977) and reports that all residential structures and associated infrastructure where developed on the property prior to 1977. In addition, the existing tennis court, swimming pool, various garden pads including the existing meadow, and the retaining wall and bridge at Barwood are documented to have been developed prior to 1977. While most of the existing structural development of Ramirez Canyon Park was developed prior to 1977, the study reports that much of the existing stream channelization of Ramirez Canyon Creek was conducted by previous property owners subsequent to 1977 without the benefit of permits.

On April 12, 2000, the Coastal Commission (Commission) approved Coastal Development Permit 4-98-334 permitting the Conservancy to establish and conduct the various administrative uses, programs, and events at Ramirez Canyon Park; which at the time, prior to certification of the City of Malibu Local Coastal Program, was zoned and designated for rural residential use per the City of Malibu zoning code and General Plan. Because the City of Malibu did not have a certified LCP at the time of Commission decision, the standard of review for the proposed project was the Coastal Act. The Commission found that the uses proposed by the Conservancy for the park were consistent with all applicable policies of Coastal Act subject to a number of special conditions of the permit, all of which were complied with and the permit issued by the Commission on February 5, 2001.

The approved coastal development permit provided a detailed project description for improvements, programs, and limitations for use of Ramirez Canyon Park including the following project components and conditions of approval:

- Park administrative offices for the Conservancy and Mountains Recreation & Conservation Authority (MRCA).
- Ranger residence utilized by a ranger charged with security and public safety duties.
- Public improvements for the riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by persons with disabilities in compliance with Americans With Disabilities Act (ADA) requirements, including trails, picnic facilities, drinking fountains, restrooms, and parking areas.
- Use of the Peach House and Barn facility for small group gatherings and tours for up to 40 participants each, and to a limited extent the Art Deco facility permitted to be used to greet guests or as a component of site tours.
- Events, Gatherings, Tours, Workshops, and Outreach Programs as follows:
  - 32 Special Events per Year (March through October only)
  - (16 events for up to 150 guests per event, March, and August through October)
  - (16 events for up to 200 guests per event, April through July)
  - No more than one special event per week
  - 8 tours per month, (40-person maximum per tour) (all year),
  - 4 small gatherings per month (40-person maximum per gathering) (all year)
  - 10 outreach programs per month minimum (for up to 40 participants) (all year)
  - Special events, group gatherings, workshops, and tours subject to the following limitations:
  - Special events: gatherings of guests numbering more than 40, permitted to occur a maximum of one day per week during the special event season, including weekends and holidays, between the hours of 8:00 a.m. and 9:00 p.m. Sunday-Thursday, and 8:00 a.m. to 10:00 p.m. Friday and Saturday. The event season for special events for up to 200 guests was established between April 1 and August 1, allowing such events one day per week only, including weekends and holidays. The event season for special events for up to 150 guests was established between March 1 and April 1 and between August 1 and October 1 (peak fire season; which was defined as August 1 through December 31), allowing such events one day

per week only, including weekends and holidays. Additional provisions applicable to events include:

  - Special events held during fire season to retain all guest van, shuttles, and drivers continuously on site during the event.
  - Special events for groups of over 40 participants permitted outdoors only.
  - No special events to be permitted between October 31 and March 1.

- Events, tours, or other special functions on site to be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued, and that written warnings of such policy to be provided to prospective sponsor prior to contracting for park use.
- Outreach programs designed to provide access and recreation opportunities primarily for disadvantaged youths, people who have disabilities, and seniors permitted to be conducted year round, seven days per week from 8:00 a.m. to dusk. The programs are provided at no cost to the participants and the Conservancy provides free or low-cost transportation for participants typically consisting of up to three vans or small transit buses. A minimum of ten Outreach Programs were required to be conducted each month.
- Event Monitoring Program consisting of annual monitoring reports to be submitted to the Executive Director of the Commission by November 15th of each year. The monitoring reports include a summary of the number and kind of events, tours, small gatherings, and outreach programs conducted at Ramirez Canyon Park during the annual reporting period, distinguishing revenue-generating and non-revenue generating events, activities, tours, and outreach programs, and specifying the dates, vehicle trip counts, and event sponsor or beneficiary as applicable, for each.
- Transportation and Parking Management Plan including components to ensure that:
- Agreements were secured and offsite parking provisions (three private parking areas at the Church of Christ Scientist, 28635 Pacific Coast Highway; a private property in the 27400 block of Pacific Coast Highway; and the Paradise Cove Beach Cafe, 28128 Pacific Coast Highway) for groups of 200 people were identified and available at private parking locations for visitors boarding van shuttles or consolidating carpools to Ramirez Canyon Park to accommodate the maximum parking demand for the authorized uses of the park without displacing the current parking use of the designated locations.
- No off-site public coastal access parking, including but not limited to the Winding Way Trailhead, would be utilized to satisfy the off-site parking requirements associated with Ramirez Canyon Park use.
- Daily vehicle trips associated with all authorized uses of Ramirez Canyon Park were restricted to a maximum of 80 trips each way per day (40 round trips).
- Signage was provided at the entrance gate to Ramirez Canyon Park forbidding horn honking except in case of emergency.
- Vans and shuttles minimize traffic trips on Ramirez Canyon Road by traveling with maximum passenger capability and in convoys, whenever feasible.
- Emergency Access and On-Site Parking Plan developed by a licensed civil engineer and approved by the Los Angeles County Fire Department to comply with applicable State and County fire and life

safety regulations. The plan requires that all vehicles at Ramirez Canyon Park use the appropriate designated parking areas identified in the approved plan and that a number of physical improvements to accessways, roads, parking, and placement of signage be implemented. These improvements include, among other things, construction of fire department hammerhead turnaround areas, road widening, and installation of water tanks and back up generators on the park property. In addition, the Conservancy contributes annually a proportionate share of fees (generally equivalent to that normally assessed for 6 single family homes) to the neighborhood homeowners association for maintenance of Ramirez Canyon Road. Finally, as previously mentioned, the Conservancy adopted a policy to ensure that events, tours, or other special functions on site be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued, and that written warnings of such policy to be provided to prospective sponsor prior to contracting for park use.

- Septic System Abandonment/Wastewater Treatment and Recycled Water System Installation Plan developed to provide for the permanent abandonment of the idle septic system and leachfields located beneath the tennis court, the leachfield then serving Barwood, and of the leachfields and/or pits and septic tanks serving the Barn and Peach House Structures and installation of a new, on site wastewater treatment system and recycled water reuse program, including a landscape/ orchard planting and management plan designed to maintain sufficient evapotranspiration capacity for the maximum effluent production of the site during all potential seasonal conditions. The plan also provides for the installation and maintenance on site of emergency power generators and fuel supply necessary to maintain the wastewater treatment system for at least twelve (12) hours.
- Water Quality Monitoring Program including provisions for quarterly analysis of water samples up- and down-stream of the subject site for a minimum of four quarters of available streamflow (streamflow in Ramirez Canyon Creek is intermittent), commencing with the first quarter of available streamflow following the installation of the new wastewater treatment system. The quarterly analysis of water samples shall determine fecal coliform concentration and, should the results of the one year analysis be adverse or inconclusive, additional water quality analysis shall be performed. If the results of the water quality monitoring fail to rule out existing septic systems as a potential source of elevated fecal coliform counts downstream of Ramirez Canyon Park, a complete permit application was required to abandon the remaining septic systems and further upgrade the new wastewater treatment system to accept and treat the effluent from the ranger residence and/or the Art Deco building.
- Fire Management and Evacuation Plan developed and approved by the State Fire Marshall and Los Angeles County Fire Department, Division of Fire and Life Safety, including provisions for submittal of an annual fuel modification plan for site vegetation management and tree trimming/limbing on Ramirez Canyon Road, Delaplane Road, and Winding Way prior to the annual fire season. The plan also provides for the installation and maintenance on site of emergency power generators and fuel supply necessary to maintain emergency lighting for at least twelve (12) hours; that events, tours, or other special functions on site be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued; and that written warnings of such policy to be provided to prospective event sponsors prior to contracting for park use.
- Wooden Bridge Reinforcement Plan to provide for bridge reinforcement of the wood bridge over Ramirez Canyon Creek next to the park to ensure the bridge could safely support a 25 ton fire engine.

- Amplified Music and Noise Restrictions provide for use of amplified music only in the meadow located immediately adjacent to and in front of Bam facility, but not allowed in any location on the park property after 8:00 p.m. Sunday through Thursday evenings or after 10:00 p.m. on Friday or Saturday evenings. Use of amplified sound requires monitoring of sound levels by park rangers and restrictions on amplified music are provided to events sponsors contracting for park use.
- Drainage and Polluted Runoff Control Plan developed for the on site roadway, turnouts, and parking areas to ensure implementation of best management practices to minimize the volume, velocity, and pollutant load of stormwater leaving the developed areas of the site, and provisions for maintaining the drainage and filtration systems so that they are functional throughout the life of the approved development.

The Commission's review of the Ramirez Canyon Park project under Coastal Development Permit 4-98-334 noted that the streambed of Ramirez Canyon Creek through the property has been substantially modified and channelized without the benefit of permits. While the channelization occurred under prior ownership, the Conservancy, as the current property owner, is responsible for seeking the appropriate permits to permit or restore the stream channel as necessary and consistent with all applicable laws. The Conservancy submitted a Coastal Development Permit Application to address the issue of streambed alterations; however, the application was never completed and the issue remains unresolved at this time.

Although the permit was issued by the Commission on February 5, 2001, and all of the proposed and required improvements and programs were implemented, during the review process the City of Malibu filed suit against the Conservancy in November 1999, alleging that the Conservancy was holding commercial events at its Ramirez Canyon property in violation of the Coastal Act. Ultimately, the Court of Appeal held that the Conservancy was subject to Malibu's land use regulations. (City of Malibu v. Santa Monica Mountains Conservancy (2002) 98 Cal.App.4th 1379). The Legislature then amended the Conservancy Act to overrule that decision. (Pub. Res. Code sections 33208 and 33211.5(d)(1)(2).)

In May 2000, the Ramirez Canyon Preservation Fund filed a separate suit for a writ of mandate, challenging the Commission's April 12, 2000 decision to approve Coastal Development Permit 4-98-334. Ultimately, on February 4, 2005, the Ventura County Superior Court granted the writ of mandate, ruling that at the time the Commission approved Coastal Development Permit 4-98-334, the Conservancy was subject to local land use regulation, and that the Conservancy should have sought approval from the City of Malibu before applying to the Coastal Commission. The Court's decision did not reach the question of the consistency of the Commission's findings with the proposed park uses with the Coastal Act. The Conservancy filed an appeal on November 23, 2005, but , in recognizing long-standing and continued controversy in protecting public access and recreation opportunities to numerous Conservancy/MRCA owned park properties in the City, the Conservancy subsequently abandoned the appeal on April 10, 2006 in order to pursue an expanded public access program beyond the scope of the original Coastal Commission application for Ramirez Canyon alone, now the Malibu Parks Public Access Enhancement Plan. With the exception of the Conservancy's Public Outreach Programs, pursuant to stipulated agreement with the City, all programmatic uses of the park approved pursuant to Coastal Development Permit 4-98-334 (events, gatherings, tours, workshops) have been suspended pending the review of the proposed Plan.

2.1.2 Escondido Canyon Park

Escondido Canyon Park is located approximately one mile east of Kanan Dume Road in Malibu (Figure 2). The park is approximately 140 acres in size and is, for the most part, surrounded by privately owned land.

The park consists of open land heavily vegetated with a variety of native and nonnative plant and tree species. Escondido Canyon Park consists of the Escondido Canyon Natural Area acquired by MRCA in 1990 and the balance of the park property that was acquired by the Conservancy in 1997.

The park is only accessible by the public via pedestrian access along the road shoulder of East Winding Way from a parking lot located on Winding Way at Pacific Coast Highway, approximately 1 mile south of the park boundary. A dirt trail then takes access from the terminus of Winding Way onto the park property. The entire park property is designated and zoned as Public Open Space (OS) in the City of Malibu Local Coastal Program (Figures 3 and 4).

Park Facilities

There presently are very few support facilities at Escondido Canyon Park, with the exception of one picnic table at the park entrance. The primary public amenity at the park is the trail system through the Escondido Canyon Natural Area that leads hikers, mountain bikers, and equestrians along an approximately 1.3-mile trail through oak woodland, riparian woodland, and coastal sage scrub habitat to the spectacular, multi-tiered 150-foot Escondido Falls—the highest in the Santa Monica Mountains.

Natural Resources

Escondido Canyon Park is in its entirety naturally vegetated with native and non-native plant species. The majority of the park area can be characterized as relatively undisturbed coastal sage scrub habitat; however, Escondido Creek winds its way through the park along which riparian woodland is the dominating habitat. In addition, areas containing a mix of native and non-native grassland occur in various areas of the park. Various pocket areas of disturbance along the trail are evident through the park. The majority of the park property is designated as an Environmentally Sensitive Habitat Area in the City of Malibu Local Coastal Program (Figure 5). Some of the areas within the ESHA mapped under the City of Malibu LCP (2002) are currently developed or disturbed. A site-specific analysis, including detailed vegetation mapping and land use characterization, has been completed.

Planning/Permitting History

As detailed above, Escondido Canyon Park had been acquired in its entirety by the Conservancy and MRCA by 1997. During the 1997 acquisition of the park, the Conservancy also began planning for park improvements and initiated the permitting and environmental review process to develop a fifteen car parking lot near the Escondido trailhead adjacent to the terminus of Winding Way, which would have also

accommodated one bus and a horse trailer pull-out. The project also included installation of two chemical restrooms, an ADA accessible trail to Escondido Creek, a water fountain, horse trough and hitching post, picnic tables, and trail improvements. A Negative Declaration was approved for the proposed project; however, subsequent permits were never sought and the project was never fully implemented.

2.1.3 Latigo Trailhead Property

The Latigo Trailhead property is approximately 2.4 acres of vegetated and disturbed land located in the City of Malibu (Figure 2). The property is accessed via Latigo Canyon Road and is surrounded by privately owned land, but is within easy walking distance to the easternmost boundary of Escondido Canyon Park. Given its proximity to Escondido Canyon, the property was acquired by MRCA in 2008 with the intent of supporting access to Escondido Canyon Park and the surrounding trail network. The property is designated and zoned Rural Residential (1 unit/2 acres) in the City of Malibu Local Coastal Program (Figures 3 and 4).

Park Facilities

There are presently no park facilities at the Latigo Trailhead property. Remnants of a burned-out residential development occur on the site, which is otherwise vacant.

Natural Resources

The majority of the Latigo Trailhead property is naturally vegetated with native and non-native species, with the exception of highly disturbed areas around the driveway access to the property and the location a the burned-out single family residence. Vegetation communities on the property include annual grassland, coastal sage scrub, oak woodland and southern willow scrub. In addition, a blueline stream traverses the northern boundary of the property adjacent to and parallel Latigo Canyon Road. The majority of the park property is designated as an Environmentally Sensitive Habitat Area in the City of Malibu Local Coastal Program (Figure 5). Some of the areas within the ESHA mapped under the City of Malibu LCP (2002) are currently developed or disturbed. A site-specific analysis, including detailed vegetation mapping and land use characterization, has been completed.

Planning/Permitting History

In 1978, the County of Los Angeles issued a building permit for a modular residence on the property, which was later permitted for relocation (Emergency Coastal Development Permit 4-95-239-G) due to landslide hazard; however, the residence was destroyed by fire in 1996. In July 1998, the Commission granted

Coastal Development Permit 4-97-202 for construction of a new single family residence, which was never constructed leaving the property in a relatively undeveloped condition.

2.1.4 Corral Canyon Park

Corral Canyon Park is regionally significant in that it encompasses approximately 772-acres of coastal and upland parkland in the City of Malibu and unincorporated County of Los Angeles and contains the last undeveloped coastal canyon in Los Angeles County that flows freely to the ocean (Figure 2). The park is surrounded by privately owned land with the exception of where Dan Blocker County Beach lies just south along the shoreline and State and Federal parkland to the north. The parkland consists of open land heavily vegetated with a variety of native and non-native plant and tree species.

The southernmost portion of the Park property within the City of Malibu was formerly owned by Bob Hope, who in the early 1990s had County approvals to build a luxury home development and golf course in Corral Canyon. Corral Canyon Park and the trailhead were acquired by the MRCA in 1998 and transferred to the Conservancy in early 2000. The northern portion of Corral Canyon Park was acquired by MRCA in 2007/2008.The park is easily accessed directly from Pacific Coast Highway between Malibu Canyon and Kanan Dume Roads and also via public transit where a MTA bus stop is located at the entrance to the park. The park property is designated and zoned as Public Open Space (OS) in the City of Malibu Local Coastal Program, while the balance of the property located in the Los Angeles County is designated Mountain Land (1 unit/20 acres) and is zoned A-2, Heavy Agriculture (Figures 3 and 4).

Park Facilities

The Corral Canyon Park trailhead contains a number of support facilities including public parking, picnic areas, a restroom, sitting benches educational displays, and hiking trails. The park contains an approximately 2-mile loop trail that climbs through pristine wilderness to the Puerco Canyon watershed divide which provides spectacular ocean and mountain views along coastal bluffs and hillsides. The trailhead also provides seasonal access underneath Pacific Coast Highway to Dan Blocker County Beach.

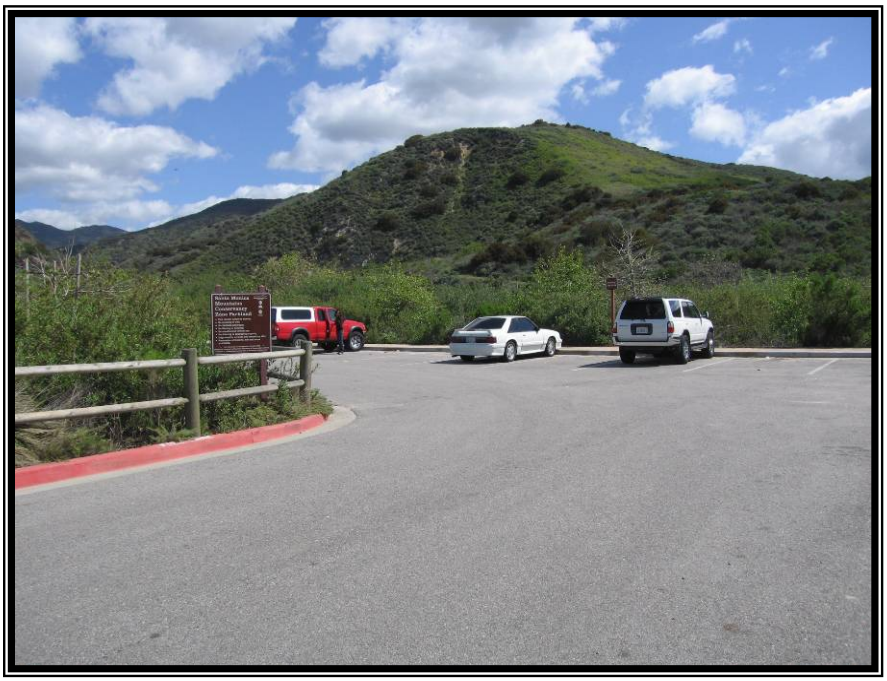
Natural Resources

Given the unique terrain of Corral Canyon, and its proximity to the ocean and extent of upland areas, the park contains a wide variety of habitat, including coastal sage scrub, coastal bluff, native grassland, and the riparian corridor of Corral Creek which includes among other species alder, coast live oak, California

sycamore, and willow trees. A pocket of coastal salt marsh is located where the creek meets the ocean at the Pacific Coast Highway bridge. Various pocket areas of disturbance along the trail are evident in the southernmost portion of the park where a number of structures once existed. The park property within the City is designated as an Environmentally Sensitive Habitat Area (ESHA) in the City of Malibu Local Coastal Program (Figure 5). Within the County's jurisdiction, the Corral Canyon Creek corridor is designated as ESHA and the majority of the park is designated as a Significant Watershed per the County's certified Coastal Land Use Plan (Figure 5). Some of the areas within the ESHA mapped under the City of Malibu LCP (2002) and mapped ESHA or Significant Watershed by the County LCP LUP (1986) are currently developed or disturbed. A site-specific analysis, including detailed vegetation mapping and land use characterization, has been completed.

Planning/Permitting History

On September 26, 2002, the Coastal Commission granted a waiver for Coastal Development Permit 4-02-072-W for the construction of trailhead and trail improvements at Corral Canyon Park. The project included construction of a 15 car public parking lot, one chemical restroom, and an approximately 2- mile loop trail through the park. In addition, the project included an ADA accessible picnic area, an interpretive kiosk, park signage, drinking fountain, recycling bins, and an extensive native vegetation planting plan. The proposed improvements are now available for public use.



2.1.5 Conservancy-Owned Malibu Bluffs

The Conservancy-owned Malibu Bluffs encompasses 84-acres of blufftop land in the City of Malibu and contains a large expanse of undeveloped open space directly adjacent to Malibu Road and the shoreline (Figure 2). The park is surrounded by privately owned land to the west, the City's 10-acre Malibu Bluffs Park and private land to east, Malibu Road, residential development and the shoreline to the south, and Pacific Coast Highway and Pepperdine University to the north. The park consists of open land heavily vegetated with a variety of native and non-native plant and tree species. The Conservancy-owned Malibu Bluffs is designated and zoned as Public Open Space (OS) in the City of Malibu Local Coastal Program (Figures 3 and 4).

The City's adjacent Malibu Bluffs Park and the Conservancy-owned Malibu Bluffs were acquired as a single unit by the California Department of Parks and Recreation utilizing State Bonds funds in 1979. In 2006 the

California Department of Parks and Recreation transferred the property to the Conservancy,-which in turn transferred what is now the developed 10-acre Malibu Bluffs Park parcel to the City.

Park Facilities

The Conservancy-owned Malibu Bluffs contains very few support facilities with the exception of limited trailhead improvements (signs, trash receptacles) at key entry locations into the property and picnic areas, although picnic areas, restrooms, sitting benches, and other active recreation areas can be accessed on the adjacent City-owned Malibu Bluffs Park. The park contains several trails (approximately 2.3 miles) that traverse the bluff, and which provide spectacular upcoast and downcoast views. These trails also provide year-round access to the beach across Malibu Road where a number of vertical beach access easements exist and are open to the public.

Natural Resources

The Conservancy-owned Malibu Bluffs is in its entirety naturally vegetated with native and non-native plant species. The majority of the park area can be characterized as annual grassland and coastal sage scrub habitat; however, two drainages traverse the open space in a general north-south direction along which southern willow scrub habitat occurs. In addition, areas containing a mix of native and non-native grassland occur in various areas of the park. The majority of the property, particularly along the site's drainages and where large stands of coastal sage scrub occur, is designated as an Environmentally Sensitive Habitat Area (ESHA) in the City of Malibu Local Coastal Program (Figure 5). Some of the areas within the ESHA mapped under the City of Malibu LCP (2002) are currently developed or disturbed. A site-specific analysis, including detailed vegetation mapping and land use characterization, has been completed.

Planning/Permitting History

The Malibu Bluffs area has been the subject of many discussions, and disagreement, relative to recreation land use in the past. In 1982, the Commission approved the temporary installation (5-year limit) of two ball fields, parking and restrooms on what is now the City's 10-acre Malibu Bluffs Park (Coastal Development Permit 5-82-780). In 1985, the Commission denied a permit amendment request (Coastal Development Permit 5-82-780A) to develop a community park on the entire 94-acre property, finding that the proposed uses were insufficient to serve the growing demand of visitors from the region and elsewhere in California for recreation, namely, recreational uses such as camping, hiking, walking for pleasure and picnicking. The Commission later approved a permit amendment request to develop a 30-acre park which included an interpretative center, picnic amenities, and walking paths, concession stand and bleachers. The permit

amendment further removed the 5-year limit for retaining the ball fields onsite, permitting the ball fields as an interim use subject to a condition requiring the County, which then had jurisdiction over the property, to "seek alternative local recreation facilities, including ball fields, within the Malibu-Calabasas area."

2.2 TRAIL EASEMENT & OPEN SPACE DEED RESTRICTION ACCEPTANCE PROGRAM

The Conservancy and MRCA administer an ongoing program in coordination with the Coastal Commission to accept offers-to-dedicate (OTDs) for access easements to and along the shoreline and inland coastal trails, and to accept OTDs for open space easements (including those from the Commission's transfer of development credits [TDC] program). OTDs are a mechanism utilized by the Coastal Commission and many local governments throughout the state to mitigate adverse impacts to public access resulting from build-out of land that may potentially either directly displace accessways or trail segments, or cumulatively result in loss of open space and public recreation opportunities. The TDC program is implemented with the intent of mitigating potential adverse impacts associated with new development created by new subdivisions and for multiple-family development; and to mitigate impacts associated with build-out of undeveloped legal nonconforming properties (also referred to as "rural villages") and/or of lands in highly sensitive areas.

While the OTD and TDC programs have successfully resulted in securing easements dedicated for public use or for preserving open lands, the OTDs must be "accepted", and improved as necessary, by a managing agency to ensure that the intended public benefits of the programs are effectuated. In addition, OTDs are valid for a limited time; therefore, acceptance of the OTDs must also occur prior to expiration of the offer. The Conservancy and MRCA currently work to accept priority outstanding OTDs prior to expiration, whenever feasible, to ensure that the mitigation benefits of these programs are not lost. The agencies will continue to accept new and future OTDs in the Plan area as they become available, and will improve and implement trail improvements when possible and appropriate as OTDs are secured and accepted for complete, continuous trail alignments, an equivalent self-contained segment, or if public need arises for implementation of a particular trail segment, at which time detailed planning and implementation of these OTDs would be undertaken with applicable environmental review conducted at that time.

2.3 PUBLIC TRANSIT SYSTEM

There are presently very limited means of public transit to parklands and trails in the Plan area. Many people often do not have a reliable transportation source, and public transportation routes usually bypass most natural areas. The Metropolitan Transportation Authority travels through the Plan area through the primary thoroughfare of the City of Malibu, Pacific Coast Highway, but includes limited stops at public parklands and trailheads. The Metropolitan Transportation Authority provides low-cost transportation for people throughout the Santa Monica Mountains National Recreation Area and has the potential to support public access opportunities for those who may otherwise not have access to mountain parks or beaches.

2.4 PLANNING CONSIDERATIONS AND CONSTRAINTS

2.4.1 Standard of Review and Permitting Process

Section 30114 of the California Coastal Act states in part,

> *"Public works" means the following:*

(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

Furthermore, the City of Malibu certified Local Coastal Program defines "Major Public Works and Major Energy Facilities" as follows:

- facilities that cost more than one hundred thousand dollars ($100,000) with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index, except for those governed by the provisions of Public Resources Code Sections 30610, 30610.5, 30611 or 30624. Notwithstanding the criteria above, "major public works" also means publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

The Malibu Parks Public Access Enhancement Plan-Public Works Plan encompasses land area and involves public access and recreation improvements located within two coastal permit jurisdictions; the City of Malibu and unincorporated Los Angeles County, and also includes land owned by the National Park Service. The Plan is proposed by the Conservancy and MRCA to enhance public access and recreational opportunities of regional significance and will include use of public funds for Plan implementation. Therefore, the proposed Plan and all project components meet the definition of a public works project.

Local Coastal Program Amendment Override

The City of Malibu LCP contains numerous policies encouraging and addressing the development of new public access and recreational facilities in the City. On June 10, 2009, pursuant to the LCP override provisions in the Coastal Act (Section 30515) and California Code of Regulation, Title 14 (" 14 CCR") Section 13666 *et seq*., the Commission certified an amendment to Malibu's LCP incorporating the Malibu Parks Public Access Enhancement Plan Overlay (Overlay), a special land use and implementation plan overlay that includes a comprehensive set of policies and development standards for public access and recreation-oriented development in specific park properties and recreation areas within the City including Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and the Conservancy-owned Malibu Bluffs. The Overlay further identifies specific actions necessary to implement improvements intended to enhance public access and recreation opportunities throughout the area covered by the Overlay including: creation of an interconnected system of trails, parks, open space, and habitats; improvement of alternative methods of transportation between parklands in the area; and identification of recreational facility and program improvements for the park properties to better support existing recreational demand and to facilitate an increased level of accessibility for visitors with diverse backgrounds, interests, ages, and abilities.

The Overlay provides the planning mechanism and policy framework for implementing the specific public improvement projects proposed pursuant to the Plan within the City, guided by land use maps, land use policies and development standards that were incorporated into the certified Malibu LCP upon approval of the LCP amendment by the Commission. Appendix A of the Plan includes the Coastal Commission's Staff Report Findings for certification of the Overlay, September 22, 2009.

Public Works Plan Process

Implementation of the proposed Plan improvements (i.e. specific public works projects) may be achieved pursuant to the public works plan process. The Plan improvements are proposed by the Conservancy and MRCA to enhance public access and recreational opportunities of regional significance and will include use of public funds for Plan implementation. Therefore, the proposed Plan and all project components meet the

definition of a public works project and therefore are subject to all provisions of Coastal Act Section 30605 governing development of a public works plan for submittal to the Coastal Commission.

Section 30605 of the Coastal Act states, in part:

> *To promote greater efficiency for the planning of any public works or state university or college or private university development projects and as an alternative to project-by-project review, plans for public works or state university or college or private university long-range land use development plans may be submitted to the commission for review in the same manner prescribed for the review of local coastal programs set forth in Chapter 6 (commencing with Section 30500).*

The proposed Plan addresses an area and includes improvements that occur within two coastal permit jurisdictions (unincorporated Los Angeles County and the City of Malibu), as well as National Park Service and State Parks property. The proposed improvements (trail connections and park-specific camp facility improvements, etc.) are not likely to occur simultaneously, but will be implemented within different portions of the Plan area as funds and/or additional trail easements and land purchase opportunities become available. The public works plan process allows for an efficient and expeditious process for planning and implementation of public works projects, and in the case of the proposed the Plan, will eliminate the need to coordinate permit processing through separate jurisdictions and/or processing numerous permits for individual, and potentially non-contiguous properties of the Plan area. In place of processing an undetermined number of coastal development permits in separate jurisdictions to implement projects identified in the Plan, the proposed improvements are instead subject to the public works plan process that provides consistency in processing and implementation.

Standard of Review

The public works plan process does not relieve the proposed Plan improvements from a stringent consistency review with a certified Local Coastal Program or the policies of the Coastal Act, as applicable. In fact, the policies, implementation measures, and specific project improvements identified in the Plan must be found consistent with all applicable LCP policies, and the Plan is subject to suggested modifications to ensure policy consistency as part of the public works plan process.

Section 30605 of the Coastal Act and Title 14, Section 13356 of California Code of Regulations provides that where a public works plan is submitted prior to certification of the Local Coastal Program for the jurisdiction affected by the public works plan the Commission's standard of review for certification is Chapter 3 of the Coastal Act. Section 30605 and Section 13357 of the Code of Regulations also state that where a public works plan or plan amendment is submitted after the certification of the LCP any such public works plan shall be approved by the Commission only if it finds, after full consultation with the affected local government(s), that it is in conformity with the certified LCP. Therefore, as described further below, the standard of review for the portion of the Plan area within the City is that the proposed Plan is in conformance with the certified Local Coastal Program for the City of Malibu, and the standard of review for the portion of the Plan area within Los Angeles County, is that the proposed Plan is consistent with the Chapter 3 policies of the Coastal Act.

City of Malibu Plan Components

On September 13, 2002, the Coastal Commission (Commission) adopted the City of Malibu Local Coastal Program (LCP) which is the standard of review for all projects requiring a coastal development permit in the City. In addition, on June 10, 2009, the Commission certified an amendment to Malibu's LCP incorporating the Malibu Parks Public Access Enhancement Plan Overlay (Overlay), a special land use and implementation plan overlay that includes a comprehensive set of policies and development standards for

public access and recreation-oriented development in specific park properties and recreation areas within the City including Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and the Conservancy-owned Malibu Bluffs. The Overlay provides the framework and standard of review for implementing the specific public improvement projects proposed pursuant to the Plan within the City, guided by land use maps, land use policies and development standards that were incorporated into the certified Malibu LCP upon approval of the LCP amendment by the Commission.

Unincorporated County of Los Angeles Plan Components

On December 11, 1986 the Commission certified the County of Los Angeles Malibu Local Coastal Program Land Use Plan (County LUP) for the Malibu and Santa Monica Mountains area located in unincorporated Los Angeles County. Portions of the County LUP addressing areas within what are now the incorporated boundaries of the City of Malibu were superseded when the Commission certified the City's LCP; however, the certified County LUP remains applicable to the Santa Monica Mountains area within this region. Although the County's LUP was certified by the Commission, the Coastal Local Implementation Plan (LIP) for the LUP was never completed and certified. Therefore, the County does not have coastal development permit jurisdiction for the unincorporated Santa Monica Mountains land area included in the Plan. Projects requiring a coastal development permit in the Santa Monica Mountains land area are thus subject to review for consistency with the Chapter 3 policies of the Coastal Act, with the County's LUP providing guidance for such review.

Notice of Impending Development

As projects are implemented pursuant to the Plan, once certified as a public works plan by the Commission, project proposals may further be subject to special conditions to ensure project consistency with the approved plan. These consistency determinations are made by the Coastal Commission and are subject to public review and comment. Sections 30605 & 30606 of the Coastal Act and Title 14, Section 13359 of the California Code of Regulations govern the Coastal Commission's review process for development proposed pursuant to a certified public works plan. Section 30606 of the Coastal Act requires the public agency proposing the public works project to provide notice [notice of impending development (NOID)] to the Coastal Commission and other interested parties, organizations and governmental agencies, and to provide data demonstrating that it is consistent with the certified public works plan. Once a NOID is deemed complete it is scheduled for public hearing and the Coastal Commission determines whether the development is consistent with the certified public works plan and whether conditions are required to bring the development into conformance with the approved plan. No construction is permitted to commence until after the Coastal Commission finds the proposed development is consistent with the certified plan. In the event that a proposed project is found inconsistent with the certified public works plan, the agency may choose to submit a coastal development permit application to the appropriate permitting agency, or to amend the public works plan for inclusion of the specific project proposal. The NOID process and procedures for implementing specific public works projects included in the plan are contained in Chapter 5.

2.4.2 Interagency Coordination

Development and implementation of the proposed Plan requires coordination between a number of agencies owning and/or maintaining lands which are included in the Plan area, and agencies that have similar vested interests to fulfill the goals and objectives of this Plan. Coordinated planning efforts among agencies with responsibility for developing trails and recreation areas, and the public who uses and enjoys these resources, is an important element to implementing the goals of enhancing public access and recreational opportunities in the Plan area. To date, personnel from the Conservancy, MRCA, National Park

Service, State Parks and the public access program of the Coastal Commission have coordinated via field analysis and information sharing to identify recreational demand, a number of program and facility improvements to meet that demand, potential public transit expansion opportunities, and to build the database of existing and potential trail and land acquisition sites, all of which are essential to achieve the goals of this Plan and to ensure the long term success in preserving and enhancing public access and recreation.

2.4.3 Public Access and Recreation/ Transportation

The public lands contained in the Plan area and subject to the proposed Plan are managed by the Conservancy, MRCA, the National Park Service and State Parks. These public lands provide recreational opportunities for hikers, cyclists, equestrians, surfers, swimmers, and sightseers. The lands' open space values and natural landscape with significant native habitat also offer vast educational opportunities for the public. Extensive trails exist in the Santa Monica Mountains, including in the Plan area; however, substantial gaps in these regional and local trails exist. In addition, the amenities of Ramirez Canyon Park include a number of support facilities for the park's unique public use programs including facilities designed to specifically support outreach to visitors with disabilities, and facilities to provide indoor and outdoor use opportunities. As the California coastal area population continues to grow and the supply of open lands available for public recreation continue to dwindle, preservation of remaining open space lands and development of readily available and affordable access and recreation opportunities such as trails and camping are increasing critical to ensuring the environmental and human-based resources of the California coast are protected. Finally, ensuring that adequate parking and transit are available for the public to reach parklands is equally important in ensuring the public access and recreation opportunities are maximized. The proposed Plan will serve to enhance public access opportunities to all parklands identified in the Plan and has thus considered provisions to provide access, recreational opportunities and transportation options for all people.

2.4.4 Resource Protection

Environmentally Sensitive Habitat Areas

The Plan area is located along the Malibu coastline in the Santa Monica Mountains area and the parklands subject to the proposed Plan improvements consist primarily of open, undeveloped coastal land and, as such, provide significant connecting links between the coast and large, undisturbed habitat areas in the Santa Monica Mountains. In addition, much of the ecological significance of the subject parks is the presence of riparian corridors within the parklands that connect large inland watersheds with the coast. Though all the park properties have experienced some disturbance that remains today, the lands remain relatively undisturbed and collectively consist of vegetated coastal bluff terrain, oak woodland, steep canyons containing riparian oak-sycamore bottoms, and coastal sage scrub and chaparral ascending the canyon walls. The majority of the park properties designated as Environmentally Sensitive Habitat Areas are appropriately zoned Open Space (OS); therefore, all proposed uses and improvements of the Plan must be consistent with the uses and development permitted in the OS zone and only those allowed in designated ESHA areas. In addition, permitted uses must be carried out in a manner to avoid impacts and to minimize potential disruption and/or degradation of environmentally sensitive habitat.

Water Quality

Water quality has become an increasingly important environmental issue in Southern California, particularly in coastal areas where public recreation is often concentrated. The Plan area is located in an Area of

Special Biological Significance as designated by California Ocean Plan (State Water Resources Control Board). Protection of this sensitive coastal area is dependent, in part, on maintaining and restoring water quality throughout watersheds in Malibu and unincorporated Los Angeles County. The primary waterways located within the Plan area also provide important habitat for wetland and riparian plant and animal species. Therefore, all proposed uses and improvements of the Plan must be implemented in ways to maintain and restore, whenever feasible, coastal waters through means such as: controlling runoff, preventing interference with surface water flows and alteration of natural streams, and by maintaining natural vegetation buffer areas. This planning consideration is of particular importance where Plan components include new development adjacent to riparian areas and/or where vegetation removal is proposed, and where opportunities to enhance water quality exists at the various parklands included in the Plan.

Visual Resources

The striking topography, unique coastline features, and varying habitat and vegetation communities of Malibu and the Santa Monica Mountains area maintain a unique visual and natural quality in the Malibu coastal area. The Plan area, in its entirety, represents a significant scenic area in that it provides views from within the parklands and trail system to and along the ocean and coastline and the surrounding mountain terrain. Additionally, the park's open space and natural coastal landscape provide highly scenic views from Pacific Coast Highway and other public streets in the Plan area. Therefore, in locating and designing the proposed Plan improvements, potential impacts on public views within the park areas and those views to the parklands from public viewing points must be considered and addressed.

Archaeological Resources

As evident by the numerous and diverse archaeological sites identified and recovered in the Malibu and Santa Monica Mountains, the area is known to be one of the most significant areas of concentrated archaeological deposits in Southern California. Improvements to undeveloped areas, or additions that expand existing development into undeveloped areas, have the potential to impact cultural resources in sensitive archaeological areas. Of particular concern are those areas that contain watercourses or other water bodies that tend to be areas of high sensitivity for archaeological resource. Given its proximity to the ocean, its generally undeveloped and natural state, and the presence of a number of water courses within the Plan area, the proposed Plan must consider potential impacts to archaeological resources that could result from implementing the proposed physical improvements. This is particularly true for those Plan components requiring grading.

2.4.5 Hazards

The Plan area is located along the Malibu/Santa Monica Mountains coastline, an area that is subject to an unusually high amount of hazards associated with natural processes. Geologic hazards common to the Malibu/Santa Monica Mountains coastline include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. While the proposed Plan involves very little development of new, habitable, or flammable structures, planning for the proposed uses, programs, and public facility improvements must ensure that all development and uses provide for geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard.

2.4.6 Land Use and Neighborhood Compatibility

The Conservancy and MRCA seek to cooperate with all interested parties in carrying out their goals to preserve, protect, restore, and enhance lands of Southern California and to form an interconnected system of parks, open space, trails, and wildlife habitats that are easily accessible to the general public. This includes cooperation with neighborhoods that are located adjacent to, and might be affected by, parklands programs and development. To that end, the Conservancy and MRCA have considered a number of Plan program alternatives and improvement elements to ensure that the proposed uses and improvements are compatible with surrounding residential neighborhoods.

The proposed Plan includes park and trail improvements confined to existing park properties and along trail corridors previously explored and analyzed by various park and recreation agencies and planning groups including the National Park Service, the Santa Monica Mountains Area Recreation Trails Coordination Project, and the Coastal Commission. Plan revisions have been incorporated in many instances to remove, relocate, and scale back park and trail improvements to ensure that the proposed uses and improvements are compatible with surrounding residential neighborhoods while still meeting the needs and desires of the public seeking recreation in the Malibu area.

2.5 ENVIRONMENTAL REVIEW

Section 30605 of the Coastal Act provides that public works plans may be submitted to the Commission for review in the same manner prescribed for the review of local coastal programs as set forth in Chapter 6 (commencing with Section 30500) of the Coastal Act. Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from requiring preparation of an Environmental Impact Report (EIR) in connection with preparing local coastal programs. Rather, CEQA compliance responsibilities are assigned to the Commission's LCP review and approval process which has been found by the Secretary of the Resources Agency to be functionally equivalent to the EIR process. Thus, pursuant to Section 21080.9 of the California Environmental Quality Act, the Commission is the lead agency responsible for reviewing LCPs and public works plans for CEQA compliance.

Section 21080.5(a) of CEQA, Section 30605 of the Coastal Act and Title 14, and Section 13355 of the Coastal Commission Regulations require public works plans to include environmental information sufficient in detail to enable the Commission to determine the consistency of the plan with the policies of the Coastal Act. Consistent with these requirements, the Conservancy and MRCA are preparing an EIR for the proposed Plan, which will examine the potential environmental impacts of the proposed Plan, and alternatives and mitigation measures to reduce potentially significant impacts. The results of the Final EIR, as adopted by the Boards of the Conservancy and MRCA, will be incorporated, as applicable, into the Final Malibu Parks Public Access Enhancement Plan-Public Works Plan prior to submittal to the Commission.

As an agency with a certified regulatory program under CEQA Section 21080.5, the Commission must consider alternatives and mitigation measures that would substantially lessen any significant adverse environmental effects that a proposed project under their jurisdiction would have on the environment. Sections 13371 and 13356(b)(2) of California Code of Regulations Title 14 require that the Commission not approve or adopt a public works plan unless it finds that there are no feasible alternatives or feasible mitigation measures available that would substantially lessen significant adverse impact that the development may have on the environment.

2.6 LOCAL HEARINGS AND COMMUNITY INVOLVEMENT

The Conservancy and MRCA began the planning and public outreach process to address increased public access opportunities within the Malibu coastal zone with a publicly noticed meeting of the MRCA on February 17, 2006, and of the Conservancy on February 27, 2006. On February 27, 2006 the Conservancy heard two items relative to this, the first a comment letter to the City of Malibu on its trails plan implementation, and the second authorizing a project planning and design grant to the MRCA for preparation of a Public Works Plan that would authorize access improvements at Ramirez and Escondido Canyons. A staff presentation was made on March 27, 2006 relative to the various access improvement alternatives. The consensus of the Board's comments was that the staff should proceed to develop a comprehensive program of public access involving as many properties as possible owned by the Conservancy or the MRCA in Malibu.

As a result, a draft Malibu Parks Public Access Enhancement Plan–Public Works Plan addressing public access and recreation improvements for Ramirez Canyon Park, Escondido Canyon Park and Corral Canyon Park, and trail improvements in the planning area, was released to the public and posted on the MRCA website for viewing on June 6, 2006, and a public meeting was noticed and conducted by MRCA on the draft Public Works Plan in Thousand Oaks, California, on June 7, 2006.

The draft Plan was submitted to the Coastal Commission for review on June 9, 2006. On June 13, 2006, while the draft Plan was pending initial review by Coastal Commission staff, staff of the Conservancy met with City of Malibu staff to review and discuss the draft Plan. The draft Plan was revised in response to comments and letters received during the preceding hearings and meetings, and the revised draft was posted on the MRCA website for public viewing on July 25, 2006, which was then followed by an additional public Conservancy hearing on June 26th where voting on the Plan was postponed to allow further negotiation with City of Malibu and Ramirez Canyon Preservation Fund lawyers.

On June 30, 2006, Commission staff issued a letter indicating the draft Plan application could not be accepted by the Commission pending, among other things, completion of certain procedural elements including the need to conduct a hearing on the Plan in the City of Malibu.

An additional publicly noticed hearing on the draft Plan was conducted by the Conservancy on July 31, 2006 in Malibu to receive public comment. At this hearing representatives from the City of Malibu urged the Conservancy not to pursue a Public Works Plan, but rather to apply to the City for a local coastal program amendment.

On August 28, 2006 the Conservancy held a public hearing and took action to augment the project planning and design grant for the Public Works Plan to enable further studies as well as to provide additional legal analysis to ensure Coastal Act compliance.

A further public hearing was held concurrently by the Conservancy and MRCA on September 18, 2006 in Agoura Hills, California, to discuss and provide direction regarding amendments to the draft Plan and submitting such at the next Conservancy meeting. At that hearing the fire management plan and an advice letter from the Attorney General's Office relative to access rights over Winding Way were also considered.

On October 23, 2006 the Conservancy held a public hearing in Malibu on the draft Plan, with a further staff report detailing responses to previous public comment.

Conservancy staff met with Los Angeles County Department of Parks and Recreation planning staff on October 31, 2006 to provide information on the draft Plan and to solicit the Department's comments, particularly regarding trail linkages and the County's Trail Plan (which is currently being updated as part of

the County's Local Coastal Program planning process). The Office of Los Angeles County Supervisor Zev Yaroslavsky, Third District, was also provided with information on the draft Plan, including a presentation on November 9, 2006 at the quarterly Third District Parks Planning meeting with County staff, park agencies staff, nonprofit land trusts, and deputies for the Assemblymember and State Senator.

An additional public hearing was held locally in Malibu on November 20, 2006 wherein, by a majority vote, a resolution was passed amending the draft Plan and noticing it for final adoption.

On November 29, 2006, the Conservancy held a public hearing and adopted the Malibu Parks Public Access Enhancement Plan–Public Works Plan.

The City of Malibu continued to urge that the Conservancy to submit a Local Coastal Program amendment to the City rather than pursue a Public Works Plan. Ultimately, a negotiated Memorandum of Understanding and litigation stand-still agreement (together referred to as the "MOU") was tentatively accepted by the Conservancy pending further discussion with the City. On January 22, 2007 the Conservancy took two actions required of it by the MOU: (a) The Conservancy rescinded the resolution adopting the Malibu Public Parks Enhancement Plan–Public Works Plan, and (b) directed instead that a Local Coastal Program amendment be submitted to the City of Malibu.

Subsequent to these meetings, Conservancy and MRCA staff and the City of Malibu met to discuss the proposed Plan resulting in revision of various elements of the Plan, particularly to include Charmlee Park as a major component of the Plan with new camping facilities in exchange for eliminating proposed camp facilities at Escondido Canyon Park, and to prepare and process a local coastal program amendment with the City of Malibu for incorporation of the Malibu Parks Public Access Enhancement Plan Overlay into the City's LCP. The Local Coastal Program amendment (07-002) was filed with the City on April 23, 2007. This process resulted in a number of public meetings and hearings on the proposed Plan including a meeting before the City Environmental Review Board on July 25, 2007, a meeting with the City Planning Commission on October 9, 2007, a community workshop on November 10, 2007, and two hearings before the City Council on November 13, 2007 and December 5, 2007.

The City Council approved a local coastal program amendment at the December 5, 2007 hearing; however, the local coastal program amendment as approved by the City Council prohibited and/or deleted a number of the primary components of the proposed Overlay intended to enhance public access and recreation in the Plan area. The City's action on the proposed Local Coastal Program amendment request included a prohibition on all camping facilities throughout the City of Malibu (with the exception of three (3) ADA campsites proposed at Ramirez Canyon Park that would be subject to conditional use permit requirements, deletion of public parking facilities necessary to support parkland and trail access for Escondido Canyon Park, and a gross reduction of public uses of Ramirez Canyon Park (as well as the requirement to build a new access road into Ramirez Canyon from Kanan-Dume Road as a precondition to allow a majority of the public uses).

Following the December 5, 2007 action by the Malibu City Council on the proposed LCP Amendment, which essentially denied several primary components of the proposed Overlay specifically intended to enhance public access and recreational resources, the Conservancy held a number of public hearings to discuss options for proceeding with the proposed Plan and Overlay. Public hearings of the Conservancy were held on December 28, 2007 and January 9, 2008, respectively, in which the Conservancy and MRCA acted to proceed with project planning and design for development of additions and refinements to the Malibu Park Public Access Enhancement Plan–Public Works Plan; additional project planning and design for the LCP amendment, and to authorize the Executive Director to submit a Malibu LCP amendment to the

Executive Director of the California Coastal Commission pursuant to the LCP override procedures of Section 30515 of the California Coastal Act and Section 13666 *et seq.* of the Commission's regulations (Title 14, Cal. Code Regs. § 13000 *et seq.*). In taking this action, the Conservancy and MRCA found that the LCP amendment as adopted by the Malibu City Council on December 5, 2007 was contrary to the action of the Malibu Planning Commission, and effectively reduced the allowed uses of public parkland, restricted access to parks owned by the Conservancy and MRCA, and failed to fulfill the intent of the original Public Works Plan, contrary to the intent of the LCP amendment as proposed by the Conservancy and MRCA. Additional public hearings were noticed and held by the Conservancy and MRCA on January 28, 2008 and February 6, 2008, respectively, in which the agencies reiterated their support and authorization for the Executive Director to submit the LCP Amendment to the Executive Director of the Coastal Commission, finding that the amendment meets public needs of an area greater than that included within the certified Malibu LCP that had not been anticipated at the time the LCP was before the Commission for certification.

On April 15, 2008, the Conservancy submitted the proposed LCP amendment for the Malibu Parks Public Access Enhancement Plan Overlay, with a request for a preliminary determination by the Executive Director of the Coastal Commission.

On May 15, 2008, the Commission issued a letter to both the City of Malibu and Conservancy, with notification that the Executive Director of the Commission had reviewed the subject LCP amendment request in consideration of the Commission's override procedure requirements and determined that the LCP amendment is a public works project that meets the public needs of an area greater than that included in Malibu's certified LCP, unanticipated at the time the LCP was before the Commission for certification. The Commission's letter included the LCP amendment submittal, and notified the City that, according to Section 13666.2 of the Commission's regulations, the City had 90 days from the submittal of the amendment request to review and act upon the proposal, and that the City's failure to act within 90 days of the amendment submittal would allow the Conservancy to file the request for the LCP amendment with the Commission.

On July 14, 2008, the Malibu City Attorney announced that the Council, in closed session, unanimously voted to file a lawsuit against the Commission's Executive Director to require the Executive Director to rescind the Commission's preliminary determination as to the applicability of the local coastal program "override" procedures. Thereafter, the City Council held a public hearing regarding the Commission's preliminary determination as to the applicability of the LCP "override" procedures, and the Council acted pursuant to its staff's recommendation to adopt City Resolution No. 08-44, which found that "the proposed Malibu Parks Public Access Enhancement Plan Overlay is not development subject to the LCP override provisions, reaffirms related amendments to the certified LCP Land Use Plan (LUP) now pending for certification with the Coastal Commission (MAJ-3-07) and makes findings in connection with the proposed Overlay District."

As the City failed to review and act on the Conservancy/MRCA LCP amendment proposal within 90-days as required by Section 13666.2 of the Commission's regulations, on July 15, 2008 the Conservancy/MRCA submitted its proposed LCP amendment override application to the Commission for the Malibu Parks Public Access Enhancement Plan Overlay pursuant to Coastal Act Section 30515 and Section 13666 *et seq.* of the Commission's regulations. The LCP amendment override for the Malibu Parks Public Access Enhancement Plan Overlay, submitted by the Conservancy and MRCA, was certified by the Commission on June 10, 2009, as revised by the Commission.

On September 2, 2009, the Conservancy/MRCA released a Notice of Preparation and Notice of Environmental Scoping Hearing to inform members of the public and interested parties that of the agencies' intent to prepare an environmental impacts report (EIR) for the proposed Plan. The notice referenced the availability of an initial study, the analysis of which found that the EIR scope of analysis would include evaluation of project environmental effects associated with aesthetics, agricultural resources, biological resources, hazards, public services, utilities/service systems, cultural and hydrology/water resources, noise, recreation, air quality, geology, land use, and transportation.

The agencies invited comments on the proposed EIR scope of analysis from public agencies, interest groups, and members of the public in writing, and/or via verbal comments at a public scoping hearing held on October 1, 2009 at Temescal Gateway Park in Pacific Palisades.

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CHAPTER 3 PUBLIC ACCESS AND RECREATION PLAN

3.0 PUBLIC ACCESS PLAN GOALS

The strategic objectives of the Malibu Parks Public Access Enhancement Plan are directed by the general goal of creating an interlinking network of trails parks, and open space for diverse public use, wildlife habitat protection, and for ensuring future preservation of open space and recreational lands. The Public Access Plan provides policies and implementation measures in concert with and as part of Malibu's certified Local Coastal Program for implementing this goal. The Public Access Plan identifies the specific Plan components intended to preserve and link parks and open space via trail improvements and to enhance a diversity of public access and recreation opportunities. The Public Access Plan also establishes the uses and facilities to be accommodated by park-specific projects, and provisions to ensure project implementation is carried out consistent with all applicable resource protection policies associated with the planning considerations and constraints discussed in Section 2.5.

The Malibu Parks Public Access Enhancement Plan Overlay has been developed to meet the following public access and recreation objectives:

- Enhance public access and recreation opportunities to park facilities in the Plan area to the maximum extent feasible for both local and non-local visitors, and for visitors with diverse backgrounds, interests, ages, and abilities.
- Plan, design and develop trail connections throughout the Plan area and new overnight camping opportunities, and ensure that sufficient support facilities are provided, to readily serve the existing and growing demand for public access and recreation in the Santa Monica Mountains and Malibu coastal area, and to increase accessibility to parklands for all people.
- Develop a continuous inland public access trail system that provides unique and spectacular views of the coast and ocean and, wherever feasible, complete linkages for the Coastal Slope Trail, the Beach to Backbone Trail, from the beach to Malibu Bluffs, and other connector trails to access the coastal mountains and the shoreline.
- Facilitate the right of way acquisition and construction of a section of the Coastal Slope Trail between Kanan Dume Road and Corral Canyon Park. The proposed Coastal Slope Trail extends between Topanga State Park and Leo Carrillo State Park
- Facilitate the California Coastal Trail vision to "Create linkages to other trail systems and to units of the State Park system, and use the Coastal Trail system to increase accessibility to coastal resources from urban population centers." (Completing the California Coastal Trail, Coastal Conservancy 2003.)
- Secure trail easements and land purchases where necessary and feasible to connect Conservancy/MRCA-owned coastal parks and link with the regionally significant Coastal Slope Trail and Backbone Trail in the City of Malibu and unincorporated County of Los Angeles, and across National Park Service and State Park lands.
- Implement a Beach to Bluffs Trail plan, connecting Malibu Bluffs with existing shoreline access facilities.

- Provide public access to, and promote use of, coastal parks and trails by visitors outside of the City of Malibu, consistent with Coastal Act section 30223: "Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible."
- Provide low-impact and low-cost camping and trail facilities for all persons in the coastal zone, and specifically the Malibu coastal zone.
- Provide for public access and recreation uses and support facilities approved by the Coastal Commission (No. 4-98-334) at Ramirez Canyon Park.
- Provide public outreach at coastal parks and trails, including educational/interpretive/recreational programs, for visitors with diverse backgrounds, interests, ages, and abilities.
- Encourage non-vehicular circulation between park areas over vehicular use and emphasize pedestrian circulation between park areas and the shoreline as a primary form of circulation.
- Protect and enhance, wherever feasible, sensitive habitats and water quality when developing park facility improvements and when establishing park uses and programs.
- Establish park uses consistent with resource protection policies applicable to specific park areas taking into consideration available support facilities, opportunities to develop new support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility.

3.1 ENHANCEMENT OF PUBLIC ACCESS AND RECREATIONAL OPPORTUNITIES

The Malibu LCP provides policies to protect, enhance and expand public access and recreational opportunities in the City and defines public access and trail improvements as permitted uses in all zone districts and ESHAs (LUP Policies 2.1, 2.4, 2.7, 2.17, 2.34, 2.36, 2.37). The LCP further provides numerous policies that identify methods for achieving the access and recreation goals of the LCP including implementing programs to accept and open OTDs and associated operation and maintenance requirements (LUP Policies 2.13 and 2.41), and development of critical support facilities and public transit (LUP Policies 2.8, 2.24-2.28). In addition, the LCP contains policies that mandate maximum protection and enhancement of sensitive resources and requires consideration of public safety and private property rights in conjunction with carrying out access and recreation improvements (LUP Policies 2.11, 2.16). Finally the LCP calls on interagency coordination to acquire, operate and maintain public trails and recreation areas (2.9, 2.15, 2.18, 2.46).

LUP Policies 2.44-2.45, 2.48, and 2.50-2.53 apply specifically to trail development for public access and recreation purposes. These policies provide in pertinent part for 1) development of an extensive public trail system across the Santa Monica Mountains that provides public coastal access and recreation opportunities, 2) development of public or private campsites along primary trail routes where resource impacts are minimized and where designed consistent with fire safety standards, 3) development of a uniform sign program to assist the public in locating and recognizing trail access points and sensitive resources, 4) provision of support facilities such as parking, trash receptacles, restrooms, picnic areas, etc., and 5) implementation of restoration activities and limitations on access where necessary to restore degraded sensitive habitat areas affected by access and recreation activities.

The following Section provides policies and implementing measures that expand on the public access and recreation policies of the Malibu LCP and that will serve to enhance public access and recreation opportunities to and within park facilities in the Plan area for local and non-local visitors and for visitors with diverse backgrounds, interests, ages, and abilities. Consistent with the Malibu Parks Public Access Enhancement Plan, the proposed policies and implementation measures identify where and when access and recreation improvements and programs permitted by the LCP are allowed within the specific park properties and trail corridors addressed by the Plan. In addition, because the LCP and the Coastal Act clearly encourages protection, enhancement and expansion of public access and recreational opportunities via development of trails, support facilities and campsites, the proposed policies and implementation measures define the recreation and park uses, activities, support facilities and public outreach programs permitted within the specific park properties of the Plan area. The Plan's public access policies and implementation measures further identify and define specific development standards and design criteria for the proposed trail and park improvements intended to maximize access and recreation opportunities. While the below policies and implementations measures address development and program improvements to facilitate maximum public access and recreation for public trails and parklands, these policies and implementation measures are applicable only to those specific trail corridors and parklands addressed in the Plan as defined in Chapter 2 of the Plan and are not intended to be applied to properties not specifically identified in the Plan or properties outside of the Plan area.

The public access and recreation goals of the Malibu LCP and the proposed Plan are best accomplished by linking and integrating natural parks via trail linkages, public transportation, and/or thematically via programs and events. Given the diversity of parklands included in the Plan area, and the unique and

varying degree of available amenities and opportunities to develop new amenities at the parklands, this Plan similarly has the opportunity to provide a varying degree of public access and recreation opportunities unique to each park property. These policies may be further implemented by developing necessary park support facilities within park boundaries to ensure Plan goals are achieved including facilities for parking, visitor restrooms, park staff housing, and facilities to support program operations and park maintenance, as appropriate.

3.1.1 Trails

Trails Policy 1: The parklands and trails located within the Plan area provide a wide range of recreational opportunities in unique settings which include hiking, equestrian activities, mountain biking, picnicking, camping, coastal access, and educational and nature study for visitors of diverse backgrounds, interests, ages, and abilities. These recreational opportunities shall be protected, and where feasible, expanded or enhanced as a resource of regional, state and national importance.

Trails Policy 2: Public access and recreation opportunities on lands subject to the Malibu Parks Public Access Enhancement Plan Overlay and other Los Angeles County lands identified in this Plan shall be provided and enhanced by developing trail resources pursuant to implementation of a number of site-specific trail improvements as conceptually illustrated on the Malibu Parks Public Access Enhancement Plan Proposed Trail Resources Map (Figure 7), and which shall be subject to the implementation measures of the Malibu Parks Public Access Enhancement Plan Overlay and this Plan, as applicable.

Trails Policy 3: The City, Santa Monica Mountains Conservancy, and Mountains Recreation and Conservation Authority, shall coordinate and consult with the National Park Service and the County of Los Angeles, and other appropriate public and private entities and interested parties in designing, locating, funding, acquiring, and implementing the public access and recreational facility improvements identified in this Malibu Parks Public Access Enhancement Plan Overlay and as implemented by this Plan.

Trails Policy 4: Trails are defined as permitted uses in Environmentally Sensitive Habitat Areas (ESHA) and shall be located, designed, and maintained to avoid or minimize impacts to ESHA to the maximum extent feasible.

Trails Policy 5: Trail development and maintenance shall be designed to accommodate multiple uses (hiking, mountain biking and equestrian) and, where feasible, to provide for unique access opportunities to people with disabilities, where such uses can be provided safely for all users and where impacts to coastal resources are minimized.

A. Trail Easement & Open Space Deed Restriction Land Acceptance Program

Trails Implementation Measure 1: The Conservancy/MRCA shall work with the Public Access Division of the Coastal Commission and the City of Malibu Planning Division to accept all Offers To Dedicate property interests (OTDs) in real property identified as prospective trail corridors or open space areas in areas subject to Malibu Parks Public Access Enhancement Plan Overlay or other Los Angeles County lands subject to this Plan beginning July 2006, as conceptually illustrated on the Malibu Parks Public Access Enhancement Plan Proposed Trail Resources Map (Figure 7).

Trails Implementation Measure 2: As data becomes available, the Conservancy/MRCA shall work with the Coastal Commission and City of Malibu to identify and accept, as applicable, all trail and open space OTDs identified in areas subject to Malibu Parks Public Access Enhancement Plan Overlay or other Los Angeles County lands identified in this Plan, as conceptually illustrated on the Malibu Parks Public Access Enhancement Plan Proposed Trail Resources Map (Figure 7), and evaluate/process the legal documentation necessary to ensure allowance of trail use on properties subject to OTDs, where appropriate, or to ensure such properties are protected as natural and scenic areas to enhance the recreational experience of trail corridors.

Trails Implementation Measure 3: The Conservancy/MRCA should monitor the review and approval process for coastal development permits in the areas subject to Malibu Parks Public Access Enhancement Plan Overlay or other Los Angeles County lands subject to this Plan (as conceptually illustrated on the Malibu Parks Public Access Enhancement Plan Proposed Trail Resources Map, Figure 7), and subject to City or Coastal Commission action, for potential future OTD requirements and act to accept OTDs that may become available.

Trails Implementation Measure 4: The Conservancy/MRCA should study opportunities for and evaluate potential land acquisitions based on proximity to existing trail alignments and existing OTDs to facilitate development of the Coastal Slope Trail and Beach to Backbone Trail, and associated connector trails, where private property presents a significant obstacle to trail implementation.

B. Park Agency Coordination

Trails Implementation Measure 5: All plans for location, design and development of trail improvements located on, or potentially affecting, adjacent Federal parklands and/or County lands shall be submitted to the Outdoor Recreation Planner of the National Park Service and/or the Los Angeles County Department of Parks and Recreation to ensure continued interagency coordination and successful planning efforts for providing an accessible, safe and enjoyable trail system throughout the Malibu Parks Public Access Enhancement Plan area.

C. Trail Location, Development and Design

Trails Implementation Measure 6: The Conservancy/MRCA should develop plans to construct, improve and maintain trails for public use once they have accepted an OTD, a property interest in the land proposed for trail use, or once fee title to such property is acquired through land purchase or donation, consistent with the resource protection policies of this Plan.

Trails Implementation Measure 7: To the maximum extent feasible, and where consistent with all public safety provisions and the resource protection policies of this Plan, the City of Malibu Local Coastal Program and the Coastal Act, trails should be designed in accordance with current accessibility guidelines and technical requirements. Where full compliance with accessibility guidelines is determined to be infeasible, trails and trail facilities will incorporate those accessible features that can be reasonably accommodated.

Trails Implementation Measure 8: Trails shall be located, designed, and maintained to avoid or minimize impacts to ESHA and other coastal resources by utilizing established trail corridors, following natural

contours, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. Trail construction resulting in unavoidable impacts to ESHA may be permitted if found consistent with all applicable resource protection policies of the Malibu Parks Public Access Enhancement Plan Overlay, the City of Malibu Local Coastal Program and the Coastal Act.

Trails Implementation Measure 9: Trail development and maintenance shall be designed to accommodate multiple uses including hiking, mountain biking and equestrian uses wherever feasible. Where multi-use trails occur along existing roadways, wood bollards shall be installed between trails and roadways, and pedestrian crossing signs and/or signals shall be installed at all major road crossings, to clearly delineate trail alignments, and to provide separation and ensure safety for trails adjacent to roadways.

Population growth and decades of private development in the coastal area of Malibu have and will continue to result in substantial loss of public access and recreational opportunities. Previously open lands, beaches, and historic trails have become developed and, as population has continued to grow in the region, more people seek use of the dwindling supply of such resources. In addition, many necessary support facilities for recreation have been affected as available public transit, parking, restrooms, and other amenities become overburdened and/or are difficult to accommodate given the shrinking supply of land available to provide for such facilities.

Public shoreline access and recreation policies of the Coastal Act and Malibu LCP are not separate and distinct, but are interrelated and often necessarily dependent policies. These are implemented together to meet an ever-increasing demand for public access and recreation opportunities throughout upland and shoreline areas of the coastal zone. This is reflected in the certified Malibu LCP, which addresses coastal access in terms of physical supply including *"lateral access (access along a beach), vertical access (access from an upland street, parking area, bluff or public park to the beach), coastal blufftop trails, and upland trails that lead to the shore or traverse inland parklands within the coastal zone".*

In response to widespread public demand and support for recreation opportunities, several agencies have spent decades planning for an expansive trail system for the Malibu coastal zone and larger Santa Monica Mountains National Recreation Area, major components of which cross and potentially connect the parklands addressed in the Overlay. This trail system includes the Backbone Trail, a primary trail corridor traversing a variety of public parklands along the coast north of the City from urban areas of Los Angeles County to the east, past Topanga State Park and on to Point Mugu State Park in Ventura County to the west. Various inland connector trails link urban areas (such as Santa Monica, the San Fernando Valley and Simi Valley) with the trail corridors and parklands of the Santa Monica Mountains National Recreation Area from which one could ultimately gain access to the shoreline.

Expanding access and recreational opportunities begins with efforts to create an integrated system of trail connections linking the public parklands within the Plan area and thus allowing for continuous, open access opportunities for hikers, mountain bikers, backpackers and equestrians. Focusing on trail linkages will enhance the park experience for visitors and help bring visitors into the parklands.

The proposed Plan would construct major components of an expansive trail system planned for the Malibu coastal area and the larger Santa Monica Mountains National Recreation Area, thus connecting a number of federal and state-owned parklands in the Plan area including the Zuma/Trancas Canyon Units of the Santa Monica Mountains National Recreation Area, Ramirez Canyon Park, Escondido Canyon Park, Latigo Trailhead, Solstice Canyon Park, Corral Canyon Park and Malibu Creek State Park. The proposed trail

improvements would complete trail connections for the Coastal Slope Trail and its ultimate connection to the Beach to Backbone Trail (in Corral Canyon), which will provide access to and between adjacent urban areas of Los Angeles and Ventura Counties, the larger Santa Monica Mountains National Recreation Area, and to the shoreline within the City of Malibu (see Figure 7 for an overview). Additional parkland and shoreline access would be provided with the Beach to Bluffs trail improvements proposed at the Conservancy-owned Malibu Bluffs.

There are currently a number of existing trail planning resources from which this Plan has drawn from in an effort to implement a comprehensive trail system within the Plan area. Such resources include the Santa Monica Mountains National Recreation Area Interagency Regional Trail Management Plan (TMP), City of Malibu Local Coastal Program Trail Map, and the City of Malibu Trail Plan. The existing and proposed trail alignments from these resources will be implemented wherever feasible, and in many instances, as illustrated on the Plan's Proposed Trail Resources Map (Figure 7), the proposed Plan will achieve many segments of these trail plans. However, where there is presently insufficient access opportunities via public easements (existing or proposed) and/or where there may be potential conflicts with adjacent neighborhoods or steep terrain that may be avoided, alternative trail alignments have been evaluated for the proposed Plan to ensure trail implementation, connectivity, and to reduce potential land use conflicts and resource impacts consistent with all applicable policies of the Malibu Local Coastal Program and the Coastal Act. New trail connection alignments have been planned to utilize existing trail corridors, whether they have been formally established and improved or unofficially established by use, and to utilize previously disturbed areas and gradual sloping terrain wherever feasible.

As described previously, the Conservancy and MRCA administer an ongoing program in coordination with the Coastal Commission to accept offers-to-dedicate (OTDs) for trail access easements to and along the shoreline and inland coastal trails, and to accept parcels subject to OTDs for open space easements (including those from the Commission's transfer of development credits [TDC] program). OTDs are a mechanism utilized by the Coastal Commission and many local governments throughout the state to mitigate adverse impacts to public access resulting from build-out of land that may potentially either directly displace accessways or trail segments, or cumulatively result in loss of open space and public recreation opportunities. The TDC program is implemented with the intent of mitigating potential adverse impacts associated with new development created by subdivisions and for multiple-family development; and to mitigate impacts associated with build-out of undeveloped legal nonconforming properties (also referred to as "rural villages") and/or of lands in highly sensitive areas. While the programs have successfully resulted in securing easements dedicated for public use and for preserving open lands, the OTDs must be "accepted", and improved as necessary, by a managing agency to ensure that the intended public benefits of the programs are effectuated. In addition, OTDs are valid for a limited time; therefore, acceptance of the OTDs must also occur prior to expiration of the offer.

The Conservancy and MRCA currently work to accept priority OTDs at risk for expiration, whenever feasible, to ensure that the mitigation benefits of these programs are not lost. This Plan seeks to focus the OTD "acceptance" program in the Plan area, as applicable, to facilitate implementation of the Coastal Slope Trail, and other connector trails, where trail development opportunities have been identified and to protect natural and scenic areas to enhance the recreational experience of trail corridors. On September 18, 2006, the MRCA approved a Resolution accepting trail OTDs associated with twenty-two previously issued Coastal Development Permits in the Plan area. Table 1, Plan Area Trail OTD Information, lists the associated Coastal Development Permit number of the recorded OTDs identified in the Plan area, the associated parcel data, acceptance status, and the Trail Offer to Dedicate (OTD) Map (Figure 8) illustrates

the properties in the Plan area subject to trail OTDs and the general location of the hiking/equestrian trail easement at each property.

The Conservancy and MRCA have a history of successful land purchases intended to carry out the mission and goals of the agencies. Agency staff spend considerable time and resources when studying opportunities for land purchase to, among other things, research property ownership, facilitate property appraisals, review legal documents, identify natural resource occurrence, and to conduct negotiations and prepare the necessary purchase agreements. The Plan provides for continued study of opportunities for potential land purchases in the Plan area; however, because facilitating additional potential land acquisition from willing sellers is a relatively uncertain and long term process compared to the other components of this Plan, there are no specific implementation measures identified to implement this Plan component as the effort will be ongoing as will the acceptance of trail OTDs as they become available.

Pursuant to Policy 2.4 the City of Malibu Local Coastal Program Land Use Plan, trails are permitted uses in ESHA; therefore, to the Plan establishes that trails shall be considered as such for purposes of this Plan. The Plan further provides that trails should be located, designed, and maintained to avoid or minimize impacts to ESHA to the maximum extent feasible which will ensure implementation of the public access and recreation policies of this Plan consistent with the resource protection policies related to ESHA. Policies and implementation measures specific to resource protection are discussed in more detail in Section 3.2. The Plan also provides for trail design that maximizes public access and recreation for all citizens and includes a specific provision for developing trails designed consistent with current accessibility guidelines and technical requirements, where accommodation of such improvements can be carried out consist with public safety and where impacts to coastal resources are minimized.

To implement the identified goals for trail improvements in the Plan, a number of park-specific facility improvements are proposed as part of the Plan and are discussed in detail in Section 3.5.1 Project Specific Implementation and Phasing. Project-specific plans and documentation are also included with the proposed Plan.

3.1.2 Low Impact Campsites

Camp Policy 1: Public access and recreation opportunities on lands subject to this Plan shall be provided by developing low-cost visitor-serving camp facilities, including low-impact campsites, in the general locations indicated on the Trail Resources Map designated as Local Coastal Program - City of Malibu Park Lands Map 6 and the Proposed Trail Resources Map included as Figure 7 of this Plan, subject to the resource protection policies in the City of Malibu Local Coastal Program and the specific implementation measures included in the Malibu Parks Public Access Enhancement Plan Overlay. For purposes of this Plan, low impact campsites (and associated support facilities including, where appropriate, picnic tables, potable water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations) are “carry-in carry-out” campsites accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains. Low impact campsites, as defined, constitute a resource dependent use. Access to low impact campsites shall be supported by parking areas and designated ADA drop-offs located in non-ESHA areas.

Camp Policy 2: Limited overnight campsites, including "low-impact" campsites, are defined as permitted uses in parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay and should be developed within park boundaries for public use to provide a wider range of recreational opportunities and low-cost visitor serving opportunities for visitors of diverse abilities, where impacts to coastal resources are minimized and where such sites can be designed within site constraints and to adequately address public safety issues.

Camp Policy 3: Development of limited overnight campsites within designated park boundaries, as generally indicated on the Trail Resources Map designated as Local Coastal Program - City of Malibu Park Lands Map 6 and the Proposed Trail Resources Map included as Figure 7 of this Plan, shall be encouraged where impacts to environmentally sensitive habitat areas, water quality, and visual and archaeological resources are avoided or minimized, and where such improvements can be designed consistent with site constraints and fire safety standards.

A. Low Impact Camps Location, Development, Design and Operations

Camp Implementation Measure 1: To maximize access to parklands, trails and recreational opportunities, new campsite facilities shall be provided within park boundaries at Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and the Conservancy-owned Malibu Bluffs.

Camp Implementation Measure 2: Campsites proposed and developed pursuant to the Malibu Parks Public Access Enhancement Plan shall consist of designated and improved camps areas located within park boundaries in the general locations indicated on the Trail Resources Map designated as Local Coastal Program - City of Malibu Park Lands Map 6 and the Proposed Trail Resources Map included as Figure 7 of this Plan. Consistent with Table B, Permitted Uses, of the City of Malibu Local Implementation Plan, these campsites are permitted uses in the Public Open Space (OS) Zone and are therefore not subject to conditional and/or special use permit requirements.

Camp Implementation Measure 3: To the extent supported by funds available in the Fund operated and maintained pursuant to Land Use Implementation Measure 7 of this Plan, programs that provide camping opportunities for disadvantaged youth will be provided by the Conservancy/MRCA at Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park, and the Conservancy-owned Malibu Bluffs at no cost to participants. The Fund shall specifically serve to implement a program designed for disadvantaged youth and dedicated to teaching first-time campers proper use of camping equipment, environmental awareness and outdoor leadership skills. The program shall include all necessary transportation, food and equipment, with staffing provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education.

Camp Implementation Measure 4: Campsites shall be located to take advantage of the unique and diverse resources of Ramirez Canyon Park, Escondido Canyon Park, Latigo Trailhead property, Corral Canyon Park, and the Conservancy-owned Malibu Bluffs, and to facilitate disabled access where possible. To the maximum extent feasible, campsites shall be located in previously disturbed areas (except those described in Policy 3.6 of the City of Malibu Land Use Plan) to minimize impacts to ESHA and other coastal resources.

Camp Implementation Measure 5: Campsites shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective. If it is determined, by a qualified biologist or environmental resource specialist, to the satisfaction of the reviewing body, that potential impacts to riparian corridors will be avoided or appropriately mitigated and there is no alternative site design to meet these setback requirements given other environmental constraints such as sensitive habitat, archaeological resources or topography, reduced stream corridor setbacks may be permitted for low-impact campsites.

Camp Implementation Measure 6: Campsites shall be located in areas of level terrain, as much as feasible, to avoid the need for grading and the need for excessive maintenance requirements that may be necessary for substantially altered sites. Exceptions to this specific requirement shall be provided for campsites specifically designed to facilitate disabled access, in which case grading shall be minimized to the maximum extent feasible, and the development will still need to satisfy other resource protection requirements.

Camp Implementation Measure 7: To the extent possible consistent with other resource protection policies, campsites shall be located in proximity to maintenance and/or administrative access points to provide for easy access and to minimize potential impacts to sensitive habitat areas associated with maintenance requirements.

Camp Implementation Measure 8: Campsites shall be located to avoid the need for new construction in undisturbed and remote habitat areas and impacts associated with grading and vegetation removal to the maximum extent feasible; however, where feasible, campsites should be located in areas where vegetation provides a natural buffer between campsites and trail corridors. Where necessary, native vegetation, of local genetic stock, shall be planted to provide a buffer between campers and trail users and to screen camp facilities from adjacent trails, parking areas, and day use facilities.

Camp Implementation Measure 9: Campsites shall be provided with limited, necessary support facilities to support overnight use of the sites including, where appropriate, picnic tables, water, self-contained chemical/composting restrooms, and shade trees. However, the maximum area of ground disturbance required to accommodate facilities for any single campsite, excluding shared parking, fuel modification and restroom facilities, and campsites specifically designed to facilitate disabled access, shall be limited to the least environmental damaging alternative meeting project objectives.

Camp Implementation Measure 10: Proposed campsite locations shall be evaluated by a qualified biologist or environmental resource specialist to ensure that, to the maximum extent feasible, 1) campsites are appropriately located in previously disturbed areas (except those described in Policy 3.6 of the City of Malibu Land Use Plan), 2) campsites are appropriately set back from the top of bank of any adjacent stream, and 3) to assess potential impacts to adjacent habitat areas and provide recommendations for mitigation, as applicable.

Camp Implementation Measure 11: No person shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this Plan. Development, use restrictions, and brush maintenance for all campsites shall be carried out in accordance with the Fire Protection and Emergency Evacuation Plan approved pursuant to Hazards Implementation Measure 4 of this Plan.

Camp Implementation Measure 12: Overnight camping at Ramirez Canyon Park shall be allowed by reservation only. Overnight camping at Escondido Canyon Park, Corral Canyon Park, and the Conservancy-owned Malibu Bluffs shall be allowed by reservation and/or by onsite registration (e.g., by an

onsite drop-box or by onsite Park staff). A board or kiosk at the Corral Canyon Park parking area shall designate which campsites have been reserved. At Escondido Canyon Park, if feasible, a board or kiosk shall be placed at the parking area on Winding Way (near Pacific Coast Highway) that designates which campsites have been reserved (to reduce unnecessary additional trips to the park). In addition, a board or kiosk shall be placed at the Escondido Canyon Park parking lot to designate which campsites have been reserved. The reservation and onsite registration systems shall require campers to acknowledge and agree to all park rules including, but not limited to, the prohibition on campfires and the "cold camping" regulation.

Camp Implementation Measure 13: Consistent with all public safety provisions and the resource protection policies of this Plan, the City of Malibu Local Coastal Program and the Coastal Act, campsites should be designed in accordance with current accessibility guidelines and technical requirements. Where full compliance with accessibility guidelines is determined to be infeasible, campsites shall incorporate those accessible features that can be reasonably accommodated.

The Conservancy and MRCA believe that providing new low-cost camping opportunities is a critical component to enhancing public access and recreation opportunities in the Coastal Zone as current trends in the market place and along the coast provide a clear challenge to developing and maintaining lower-cost overnight accommodations that are in high demand to serve various types of visitors. Personnel of the Long Range Planning Program for California State Parks reports the following on public demand and support for developing new camp areas along the California Coast:

> *The California State Parks system has not stayed abreast with the demand for peak-season camping as the population has grown. There is a high unmet demand for camping outdoor opportunities in California. Changes in California's demography, coupled with growing tourism, have created unprecedented demand for more camping opportunities. The demand for all campsites at State Parks grew by approximately 13% between the years 2000 and 2005.*
>
> *California's state parks are the most heavily visited of any state park system in the nation. Some facilities are at capacity. Coastal beaches and campgrounds, for example are the most heavily used state parks. State Parks coastal campsites are at or near capacity during the spring, summer and fall months, with thousands of potential visitors turned away. Demand is so high that if the Department were to add 325 camp sites a year, it would not keep up with requests. (The State Park System Plan 2002, Part I: A System for the Future, www.parks.ca.gov/?page_id=24512).*
>
> *Developing additional camping opportunities also receives a lot of public support. Camping in developed sites was ranked the second highest of those activities that had latent or unmet demand according to the 2002 Survey of Public Opinions and Attitudes on Outdoor Recreation in California. This activity scored the highest on public support for government funding. According to the survey, high public support is frequently linked to high latent demand. Camping in developed sites was one of the activities that received the highest combined score for public support and latent demand. The 2002 Public Opinions and Attitudes survey demonstrates that there is a high degree of public support for the development of additional camping facilities (www.parks.ca.gov/?page_id=23880)*

Expanding access and recreational opportunities continues with efforts to provide new low-cost, overnight recreational opportunities by developing campsites at existing parks in the Plan area. The Plan provides for development of limited campsites, including "low-impact" campsites, which are defined as permitted uses in parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay. The Plan further defines low impact campsites (and associated support facilities including, where appropriate, picnic tables, potable

water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations) as "carry-in carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains. Low impact campsites, as defined by the Plan, are a resource dependent use. Access to low impact campsites would be supported by parking areas and designated ADA drop-offs located in non-ESHA areas.

Currently, there are very few, if any, camp facilities in the Santa Monica Mountains designed with the specific objective of accommodating individuals with disabilities. As such, the Plan provides for fully accessible camps facilities in each park area considered for campsite development. In addition, the Plan establishes a Fund, supported by net proceeds of special event uses at Ramirez Canyon Park, to fund a coastal camping program. It is anticipated that each special event at Ramirez Canyon Park would yield approximately $1,000 of net proceeds, and could therefore fund approximately 20 participants in one overnight program event. The camping experience funded by this Plan component is designed to provide urban, disadvantaged youth with their first overnight camping experience.

The Plan's camping program is intended to provide unique visitor-serving experiences in the Malibu area by providing smaller campsites close to both coastal canyon habitat and the beach, and with little development disturbance or activities. The only other existing camp areas in Malibu and other nearby areas of the Santa Monica Mountains are larger campgrounds that inherently generate more disturbance from foot traffic and vehicles (e.g., noise and light associated with vehicles coming and going, noise associated with car doors shutting, etc.). As opposed to "car camping" in larger campsites in the region, the campsites proposed would be smaller and easily accessible by a short walk. The proposed campsites would provide an opportunity to experience wilderness and natural habitat more readily than backpacking, and at a smaller scale compared with all other area campgrounds. The lack of distractions would make for a unique natural experience, yet the minimal scale of the proposed camp areas would be less likely to disturb local wildlife. It is expected that proposed camp areas would be relatively quiet in all respects and more likely to remain so during the course of the night. Camp areas at the Conservancy-owned Malibu Bluffs would provide similarly unique camping opportunities with some camp areas remotely located toward the bluff with others more easily accessed from parking areas near Pacific Coast Highway, all with spectacular ocean views and within an easy hike to beach access points along Malibu Road. In addition, as campfires are prohibited, the associated distractions (e.g., smoke, burned out coals, etc.) would be avoided. Visitors travelling up and down the coast could experience an amazing opportunity to camp, hike, enjoy nature, and visit the beach. In addition, at Corral Canyon Park, visitors would have easy access to local eateries. By allowing campers to reserve campsites onsite (with the exception of Ramirez Canyon Park), there would be visitor-serving flexibility to take advantage of a high-quality, low-cost and unique camping experience.

Ramirez Canyon Park would also provide visitors a unique camping experience, unlike other camping opportunities in the area. Campsites at Ramirez Canyon Park would also be small and accessible by a short walk, with fewer disturbances that are found at larger, car camping sites. The Ramirez Canyon Park campsites would also be close to coastal canyon habitat and the beach. Campers at Ramirez Canyon Park could enjoy observing the beautiful landscaping/gardens and architecture of this developed compound, as well as the surrounding native vegetation, adjacent creek, and local wildlife. The existing amenities at the park (e.g., picnic areas, sitting benches, riparian area interpretative trail) would contribute to this unique camping experience.

Pursuant to the requirements of the Plan, camping improvements at each park property also include an accessible campsite component, designed in accordance with current accessibility guidelines and technical requirements. In addition, a number of improvements would be implemented for all of the park properties included in the Plan, including: 1) hospitality stations with fire safe shields to provide safe cooking surfaces for approved-camp stoves for all proposed camp areas, 2) signage to provide information relative to park and trail use regulations, potential hazards, park services, and information related to the natural resources of the Santa Monica Mountains and their special nature or role in the local ecosystem, 3) bicycle parking amenities at all public parking areas, 4) fire protection apparatus and water storage tank or water delivery system at each proposed camp area to ensure adequate water supply for fire protection of new camp facilities, 5) post-development phase drainage and polluted runoff control plans for park improvement areas, including designated areas to provide fresh water for camp uses including drinking water, hand washing and dish washing, and areas where overspill will be contained onsite and treated with appropriate BMPs, 6) where determined appropriate, fencing to delineate trail corridors, park boundaries, restoration areas, permitted parking areas, and private property, and 7) native habitat restoration at the parklands, including native plantings to screen campsites and associated facilities, and riparian restoration along the streams and drainages, where appropriate.

To implement the identified goals for low-impact camp facilities identified in the Plan, a number of park-specific campsite improvements are proposed exclusively at Ramirez Canyon Park, Escondido Canyon Park, Latigo Trailhead, Corral Canyon Park and the Conservancy-owned Malibu Bluffs as part of the Plan, which are illustrated on project plans (Figure 9) and discussed in detail in Section 3.5.1 Project Specific Implementation and Phasing.

3.1.3 Public Transit

Transportation Policy 1: Public access opportunities to parklands and recreation areas subject to the Malibu Parks Public Access Enhancement Plan Overlay or other Los Angeles County lands identified in this Plan shall be maximized by encouraging and expanding transportation options supported by adequate support facilities pursuant to development of site-specific transit and facility improvements and subject to the implementation measures of the Malibu Parks Public Access Enhancement Plan Overlay and this Plan.

Transportation Policy 2: Access to Ramirez Canyon Park shall be supported with shuttles and van pools to maximize public access opportunities consistent with Transportation Implementation Measure 2 of this Plan. Hike-in public access shall be provided and shall remain open for passive recreation to allow for connectivity with adjacent parks.

Transportation Policy 3: Proposals to improve or construct new parking or trailhead facilities shall include bike racks, or other devices for securing bicycles, to facilitate alternative means of transportation to park areas.

Transportation Policy 4: The Conservancy/MRCA shall coordinate with the Metropolitan Transportation Authority (MTA) to include stops along the existing service route to existing and proposed public parking resources along primary transportation corridors in the Plan area. MTA service shall not be extended to existing or proposed public parking resources accessed via neighborhood streets or roads.

A. Public Transit Improvements

Transportation Implementation Measure 1: The Conservancy/MRCA shall coordinate with the Metropolitan Transportation Authority (MTA) to include a stop in the existing service route to the Winding Way Trailhead parking lot, typically used to access Escondido Canyon Park. The Conservancy/MRCA shall provide MTA service information to the public via public notices, trailhead signs and website posting.

B. Transportation and Parking Management

Transportation Implementation Measure 2: The Conservancy shall implement a Transportation and Parking Management Plan for Ramirez Canyon Park including the following provisions:

- Agreements shall be secured and maintained between the Conservancy/MRCA and willing providers of offsite parking resources to accommodate the maximum parking demand associated with the authorized uses of the park for groups of up to 200 people without displacing the current parking needs of the provider.
- No off-site public coastal access parking, including the Winding Way Trailhead parking lot and the proposed parking facilities at Escondido Canyon Park, shall be utilized to satisfy the off-site parking requirements associated with Ramirez Canyon Park use.
- Daily vehicle trips associated with all authorized uses of Ramirez Canyon Park are restricted to a maximum of 80 trips per day (40 round trips).
- Signs shall be provided and maintained at the entrance gate to Ramirez Canyon Park forbidding horn honking except in case of emergency.
- Vans and shuttles shall minimize traffic trips on Ramirez Canyon Road by traveling with maximum passenger capability and in convoys, whenever feasible.

Transportation Implementation Measure 3: Bicycle parking facilities shall be included on all plans to construct new parking or trailhead facilities.

Transportation Implementation Measure 4: Hike-in and walk-in public access opportunities shall be developed for Ramirez Canyon Park due to existing limitations on vehicular transportation to the Park. Hike-in opportunities shall be developed from the proposed parking areas along Kanan Dume Road and from dedicated, donated, and purchased easements along Murphy Way (formerly De Butts Terrace), Winding Way, Delaplane, and Ramirez Canyon Road, and from Pacific Coast Highway, where feasible.

Transportation Implementation Measure 5: A parking area may be developed at Escondido Canyon Park and a parking area/trailhead may be developed on Latigo Canyon Road for hike-in access to Escondido Canyon Park if feasible.

The Plan provides for development of camp areas at Corral Canyon Park and the Conservancy-owned Malibu Bluffs that are readily accessible by transit to benefit recreationist in the Los Angeles region who don't otherwise have the means to drive long distances for camping opportunities. In addition to being accessible by transit, visitors will be able utilize the MTA bus service at Corral Canyon Park and the

Conservancy-owned Malibu Bluffs and hike to the other parklands in the Plan area and to the shoreline via the proposed trail network.

To maximize public access in the Plan area, the Plan provides for the use of shuttles and van pools, and development of new hike-in opportunities, to facilitate public use of Ramirez Canyon Park where public access opportunities to the park are presently very limited. The Plan further provides for coordinating efforts with MTA to increase access opportunities to the coastal parklands from inland areas along primary transportation corridors. These transportation services are particularly vital in the Plan area given the limited amount of existing and proposed parking resources for visitors to travel to and park at trailheads.

The Plan further provides that new parking or trailhead facilities shall include bike racks, or secured storage for bicycles, to facilitate alternative means of transportation to park areas. The Trails and Transportation Policies and proposed park-specific improvements will provide an alternative method of accessing park areas by providing pedestrian connections between parklands, further supported by development of new facilities intended to accommodate and encourage biking and utilizing public transit to access the Plan area.

To ensure that public access is maximized to parklands and to implement the identified goals for expanding transportation options identified in the Plan, and number of park-specific improvements and plan specifications are proposed as part of the Plan and are discussed in detail in Section 3.5.1 Project Specific Implementation and Phasing.

3.1.4 Public Outreach and Education

Public Outreach and Education Policy 1: The Conservancy/MRCA will maximize public access to public lands and programs within its jurisdiction while ensuring the fair treatment of people of all races, cultures, and incomes. Maximizing public access will be balanced with the protection of public trust resources. In carrying out this policy, the Conservancy/MRCA will proactively comply with state and federal laws against intentional discrimination and unjustified discriminatory impacts, including Title VI of the Civil Rights Act of 1964 and its regulations, and California Government Code section 11135 and its regulations, and will implement practices to achieve these goals.

Public Outreach and Education Policy 2: Public access to parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay or other Los Angeles County lands identified in this Plan shall be maximized by improving accessibility of parklands for visitors of diverse backgrounds, interests and abilities. This Plan specifically recognizes Ramirez Canyon Park as an existing parkland with well established amenities available to support various public use programs including picnic areas, restrooms, educational displays, sitting benches, gardens, easily accessible terrain, and a riparian area interpretive trail. This Plan provides for a number of park-specific improvements and plan specifications designed to accommodate visitors with various disabilities (e.g., mentally and physically challenged), and further provides detailed program and operational requirements of public outreach and educational opportunities necessary to ensure that public programs are implemented to the maximum extent feasible within the site constraints of Ramirez Canyon Park.

Public Outreach and Education Policy 3: In selected areas where physical constraints of natural park areas limit access opportunities for people with disabilities, park support facilities and amenities shall be developed and maintained, where available and consistent with public safety needs and resource

protection policies, to provide access opportunities for people with disabilities, and thematically link nature study, education and recreation via specialized public programs and events.

A. Ramirez Canyon Park Public Outreach, Recreation and Education Programs

Public Outreach and Education Implementation Measure 1: Outreach programs designed to provide access and recreation opportunities primarily for disadvantaged youths, physically and mentally challenged visitors, clients from various shelters, Los Angeles Mission representatives, veterans, and seniors may be permitted year round at Ramirez Canyon Park, seven days per week from 8:00 a.m. to dusk. The programs shall be provided at no cost to the participants, and free or low-cost transportation utilizing vans or small transit buses shall be provided.

Public Outreach and Education Implementation Measure 2: Public improvements for a riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by visitors with mobility disabilities in compliance with Americans with Disabilities Act (ADA), including trails, picnic facilities, drinking fountains, restrooms, and parking areas, may be permitted for public use.

Public Outreach and Education Implementation Measure 3: Three day-use picnic areas and two overnight camp areas may be developed at Ramirez Canyon Park, which shall be designed specifically to provide park amenities to accommodate disabled visitors and their families. The accessible day-use picnic areas shall be located in level, previously disturbed areas so as not to adversely impact sensitive habitat, but shall be located in proximity to natural areas to provide association with natural resources to the maximum extent feasible.

Public Outreach and Education Implementation Measure 4: All public outreach, recreation and education programs operated at Ramirez Canyon Park shall comply with the requirements of Transportation Implementation Measure 2 of this Plan, Transportation and Parking Management, which includes use of shuttles and van pools to support public visitation, and limitations on daily vehicle trips. The Conservancy/MRCA shall give priority to public outreach, recreation and education programs at Ramirez Canyon Park over private events and/or small group gathering uses, specifically as it relates to implementing Transportation Implementation Measure 2 of this Plan, Transportation and Parking Management.

B. Accessibility Design Guidelines

Public Outreach and Education Implementation Measure 7: To ensure that access and recreational opportunities for visitors with diverse abilities are maximized, the Conservancy/MRCA may continue all public outreach programs at Ramirez Canyon Park, may provide additional day-use picnic facilities, and may implement park improvements to provide for limited overnight camping opportunities at Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and the Conservancy-owned Malibu Bluffs in compliance with Americans with Disabilities Act (ADA) and consistent with the policies of this Plan, the City of Malibu Local Coastal Program and the Coastal Act

Public Outreach and Education Implementation Measure 8: Access and recreational opportunities for visitors with diverse abilities shall be accommodated, where feasible and consistent with public safety needs and resource protection policies, by trail design and improvements intended to meet current accessibility standards and technical requirements. Where such improvements would potentially result in

adverse impacts to cultural, historic, religious, or significant natural features or characteristics; where such improvements would substantially alter the nature of the setting or the purpose of the trail or would require construction methods or materials that are prohibited by law; or where compliance would not be feasible due to terrain or prevailing construction practices, specialized programs shall be developed and implemented to provide feasible alternatives for compliance and/or universal design when appropriate.

Public Outreach and Education Implementation Measure 9: The Conservancy/MRCA will assess all contributing structures and landscape features for their role in developing programs that meet current accessibility guidelines and technical requirements at the parks areas owned and maintained by the Conservancy/MRCA. Where programmatic needs cannot be met within existing park facilities, the Conservancy/MRCA shall consider the following: 1) appropriate new construction, 2) modifying programs or providing new specialized programs able to be accommodated at existing facilities and landscapes, or 3) not implementing the program element.

The park areas addressed in the proposed Plan vary substantially with respect to existing access, recreation support facilities, and amenities and thus the access opportunities and type of public park use also vary greatly between individual park areas. The Plan's Public Outreach and Education Policies provide for expansion of recreational opportunities at park facilities to serve a variety of visitors, whenever feasible and consistent with the constraints of natural parklands. The Conservancy and MRCA recognize that, in some cases, natural constraints of parklands inherently limit access and recreation opportunities for visitors with special needs. As such, the Conservancy and MRCA have identified an underserved population seeking coastal access and recreation and have therefore emphasized the need to provide facilities and outreach programs intended to reach this population pursuant to this Plan.

In making public parkland facilities maximally accessible, the Conservancy and MRCA have developed the Plan with specific provisions for accessibility while remaining sensitive to circumstances in which conventional accessibility modifications may adversely affect the natural character of park areas. In these situations, the Plan proposes to incorporate the recommended guidelines for the universal design of trails and trail facilities. These guidelines provide design specifications and alternative regulations to facilitate access and use by persons with disabilities to structures and natural park properties.

The Plan's Public Outreach and Education Policies are particularly applicable for Ramirez Canyon Park which, given its unique history of use as an estate compound and relatively built-out condition, contains a number of existing support facilities and amenities including picnic areas, restrooms, educational displays, sitting benches, gardens, easily accessible terrain, and a riparian area interpretive trail, all of which are readily available for specialized public use programs. In addition, the existing developed environment of Ramirez Canyon Park supplies the administrative infrastructure necessary to operate specialized public outreach programs. The existing onsite facilities allow Park personnel to operate and monitor public outreach and educational programs for the park while conducting administrative, maintenance, and critical planning programs for park and recreational lands in the coastal area. Although public access into the park is currently limited per the request of local neighbors along Ramirez Canyon Road, the existing facilities at Ramirez Canyon Park provide a unique park environment with well established support facilities necessary to operate specialized public outreach programs for individuals with varying degrees of special needs.

Ramirez Canyon Park contains a number of established amenities to support the park's public use programs including picnic areas, restrooms, educational displays, sitting benches, gardens, easily accessible terrain, and a riparian area interpretive trail. Given this, the proposed Plan includes detailed

program and operational descriptions of public outreach and educational opportunities to ensure that public programs are implemented to the maximum extent feasible and within the site constraints of the park (i.e. public vehicular access). The Plan also provides for the development of new park facilities designed to accommodate visitors with special needs including accessible day-use picnic areas, camping facilities, a public restroom (to be connected to the onsite wastewater treatment and recycled water reuse system), as well as new hike-in camping opportunities. The implementing program specifications and park- specific improvements intended to carry out the Public Outreach and Education Policy and Implementation Measures proposed as part of the Plan and are discussed in more detail in Section 3.5.1 Project Specific Implementation and Phasing.

3.1.5 Support Facilities

Facilities Policy 1: Public access and recreation opportunities shall be maximized by development of critical public support facilities (e.g. parking, trailhead facilities, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs) subject to the implementation measures included in this Plan.

Facilities Policy 2: Public park areas that may be subject to degradation as the result of intense and/or unrestricted use should be curtailed and addressed by 1) revegetating degraded areas with native plants, 2) trail consolidation and improvement, 3) provision of support facilities such as defined parking areas and trail corridors, trash receptacles, self contained chemical/composting restrooms, picnic areas, and 4) provision of limited support facilities necessary for park operations and maintenance personnel and associated maintenance equipment.

A. Support Facilities Location, Development and Design

Facilities Implementation Measure 1: To maximize access to parklands and trails consistent with the other provisions of the Malibu Parks Public Access Enhancement Plan Overlay and this Plan, new, limited parking and trailhead facilities may be provided at Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park, and the Conservancy-owned Malibu Bluffs, provided they are consistent with the resource protection policies of the City of Malibu Local Coastal Program and this Plan.

Facilities Implementation Measure 2: New support facilities shall be located at park entrances and along existing primary trail routes, provided they can be so located consistent with the resource protection policies of the City of Malibu Local Coastal Program and this Plan. They will be located within previously disturbed areas where feasible, to minimize impacts to sensitive habitat areas to the maximum extent feasible.

Facilities Implementation Measure 3: New support facilities (not associated with low-impact campsites) shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective (excepting support facilities within Ramirez Canyon Park, a limited [no more than 10 space] Latigo trailhead parking and picnic area for Escondido Canyon Park, and

an Americans with Disabilities Act (ADA) compliant drop-off area at Corral Canyon Park, all of which may be located closer to the stream bank provided they are still no less than 25 feet from top of stream bank).

Facilities Implementation Measure 4: New support facilities shall be located in areas of level terrain to minimize the need for grading as much as feasible.

Facilities Implementation Measure 5: New support facilities shall be strategically located in disturbed areas (except those described in Policy 3.6 of the City of Malibu Land Use Plan) and outside of any ESHA but shall also be located adjacent to vegetated areas whenever feasible where existing vegetation may provide a natural buffer between support facilities, trail corridors and/or public viewing areas. Where necessary, native vegetation may be planted to provide a buffer and to screen support facilities.

Facilities Implementation Measure 6: Proposed support facility locations shall be evaluated by a qualified biologist to ensure that, to the maximum extent feasible, 1) facilities are appropriately located in previously disturbed areas, 2) facilities are appropriately setback from the top of bank of any adjacent stream, and 3) to assess potential impacts to habitat areas that may result from development of new facilities and to provide recommendations for mitigation, as applicable. These analyses and recommendations must be submitted to the body reviewing any application for development for review and approval.

The public access and recreation demand of the region can only be met where adequate facilities exist to support recreation. For the Conservancy/MRCA parklands in region, this is best accomplished by linking and integrating natural parks via trail linkages, public transportation, and/or thematically via public programs and events, and providing adequate support facilities to make certain residents, visitors and recreationists can reach and enjoy these public resources. Given the diversity of parklands included in the Plan area, and the unique and varying degree of available amenities and opportunities to develop new amenities at the parklands, the Plan similarly has the opportunity to provide for a varying degree of public access and recreation opportunities unique to each park property. As such, the Plan provides for developing necessary park support facilities to ensure access and recreation goals are achieved by providing facilities for parking, visitor restrooms, park staff housing, and facilities to support program operations and park maintenance, as appropriate.

The physical supply of public access and recreational resources (trails, parklands, camping facilities, etc.) is a primary factor in securing access and recreational opportunities. However, a number of other elements affecting access and recreational opportunities include 1) the availability of public transit, 2) parking availability, 3) provisions for support facilities such as restrooms and picnic areas, 4) addressing user demands and conflicts, and 5) the availability of personnel facilities necessary to support daily operations, maintenance needs for parklands, and public programs intended to provide a diversity of coastal access and recreation opportunities. The Malibu LCP provides numerous policies that apply specifically to trail development for public access and recreation purposes, which must be supported by provision of adequate support facilities such as parking, trash receptacles, restrooms, picnic areas, etc.

Existing and proposed support facilities provided for in the Plan are those facilities deemed necessary to support the primary permitted land use, in this case public access and recreation, research and education, and nature observation. The type of support facilities addressed at each park facility is based on the level and complexity of public uses and specialized programs offered at each park area. Ramirez Canyon Park, given its unique character, relatively built-out condition (used previously as an estate compound), limited accessibility to the public, and specialized programs requires more administrative and support facilities to maintain access programs, daily operations and maintenance, than the other park properties in the Plan

area. Although public access into the park is currently limited per the request of local neighbors along Ramirez Canyon Road, the existing facilities at Ramirez Canyon Park provide a unique park environment with well established support facilities necessary to operate specialized public outreach programs for individuals with varying degrees of abilities (e.g., physically and mentally challenged). Additionally, the developed nature of Ramirez Canyon Park provides facilities from which the Conservancy and MRCA operate and monitor public outreach and educational programs for the park while conducting administrative, maintenance, and critical planning programs for park and recreational lands in the coastal area.

The Plan includes provisions to facilitate development of support facilities identified as necessary to meet the goals of the Plan to ensure the many elements that contribute to maximum access and recreation are provided and maintained for the public. The Plan also addresses potential compatibility issues of developing support facilities relating to sensitive habitat and visual resource protection policies.

To implement the identified policies for maximizing public access and recreation via development of necessary public support facilities, a number of park-specific improvements are proposed as part of the Plan and are discussed in detail in Section 3.5.1 Project Specific Implementation and Phasing.

3.1.6 Signs

Signs Policy 1: A uniform and comprehensive park and trail sign program, which is essential for identifying park areas, permitted uses, support facilities, sensitive habitats, and adjacent land uses, shall be applied to all new trail and park area improvements as appropriate and shall be subject to the implementation measures included in this Plan.

Signs Policy 2: A uniform and comprehensive sign program shall be developed and utilized, consistent with the guidelines and recommendations of the draft Santa Monica Mountains Area Recreation Trails Coordination Project (SMMART) report, to assist the public in identifying public parks, and locating and recognizing trail access points, public support facilities, potential natural hazards, and park rules. In areas containing environmentally sensitive habitat or safety hazards, signs shall be posted in English and in Spanish, where appropriate, with a description of the sensitive habitat or safety hazard once the trail is opened for public use. The sign program shall also be designed to minimize conflicts between public and private property uses.

Signs Policy 3: Signs shall be located and designed to be subordinate to natural park areas and shall not substantially intrude into or obstruct public scenic viewing areas.

A. Signs Location, Content and Design

Sign Implementation Measure 1: Signs shall be provided at all park locations, as determined necessary and appropriate by the Conservancy/MRCA, to provide information relative to, among other things, trails, regulations, natural resources, and services.

- Trail signs shall be provided for visitors beyond the trailhead and shall include distance to destination points and information about trail conditions and accessibility that will help visitors determine the level of trail difficulty.
- Regulatory signs shall be provided at park entrance areas, staging areas or gathering points and may include, but need not be limited to, the following information: 1) permitted use of the area or facility being posted, 2) general regulations at trail-heads, 3) general regulations at jurisdiction boundaries, 4) regulations required to promote safe use of an area (including limitations on fires) and resource protection, and 5) identification of private property boundaries.
- Services signs identifying services and/or support facilities for the park visitor shall be provided in locations as determined appropriate by the managing agency.
- Educational/interpretive signs shall be provided in public use areas in or adjacent to ESHA that identify natural resources and explain their special nature or role in the local ecosystem.

Sign Implementation Measure 2: Sign appearance shall be standardized for easy recognition by visitors including face, font, capitalization, colors, icons, materials, and dimensions, except where unique signage is used to identify architecturally significant structures in Ramirez Canyon Park.

Sign Implementation Measure 3: Trail improvements must provide adequate signs at all access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads, and must provide adequate safety signs, including, but not limited to, road crossing signs and yield/warning signs on multi-use trail segments.

Sign Implementation Measure 4: Final plans for location and content of proposed trail and park signs shall be submitted for review and comment to the Outdoor Recreation Planner of the National Park Service to ensure continuity of signs between the park properties in the Plan area.

Sign Implementation Measure 5: The Conservancy/MRCA shall retain the services of a bilingual consultant who will assist in determining which of those regulatory, informational, and directional signs should be posted in both English and Spanish.

The Plan provides for uniformity in a comprehensive park and trail sign program essential for identifying park areas, permitted uses, support facilities and sensitive habitats, and thereby also essential for minimizing potential issues arising from land use conflicts, resource protection, and safety concerns. The sign program and sign content will help to ensure protection of park resources and the safety and quality of visitor experiences. Park visitors to the Plan area will encounter properties subject to both public and private ownership and varying agency regulations. Therefore, signs in the Plan area must serve to make visitors aware of all regulations pertaining to the jurisdiction they are in and when they cross from one jurisdiction into another. Uniformity in sign design and physical appearance will provide a consistent means of communication and information presentation easily recognized by park visitors

To implement the identified provisions for providing uniformity in a comprehensive park and trail sign program, essential for identifying park areas, permitted uses, support facilities, sensitive habitats, and adjacent land uses, a number of park-specific improvements are proposed as part of the Plan. Project-specific plans and documentation regarding existing and proposed signs are also included with the proposed Plan.

The above policies and implementing measures of the Public Access Plan will serve to enhance public access and recreation to and within parklands of the Plan area. These measures establish the park-specific uses and facilities critical in ensuring maximum public access and recreation opportunities are achieved, consistent with all public access and recreation policies of the Malibu LCP and the Coastal Act.

3.2 RESOURCE PROTECTION

Policy 3.1 of the Malibu LCP defines ESHA, in part, as "*Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments are Environmentally Sensitive Habitat Areas (ESHAs) and are generally shown on the LUP ESHA Map. The ESHAs in the City of Malibu are riparian areas, streams, native woodlands, native grasslands/savannas, chaparral, coastal sage scrub, dunes, bluffs, and wetlands".* The Malibu LCP also contains an ESHA map that represents those areas subject to protection under the applicable sensitive resource protection policies of the LCP. The LCP ESHA map includes the majority City parklands and other open space areas under public ownership, and areas with slopes greater than 40%. These areas are protected and/or considered un-developable and thus habitat values in these areas are expected to have been, and will continue to be, preserved. As such, the majority of parklands addressed in the Plan are designated ESHA in addition to various areas located along trail corridors subject to the proposed Plan and, therefore, those permitted uses in these areas as identified by the public access and recreation policies of the LCP and the Plan must be developed consistent with the ESHA protection policies of the LCP.

The Malibu LCP requires that ESHA be protected against significant disruption of habitat values, that only resource dependent uses be allowed in ESHA and specifically identifies accessways and trails as resource dependent uses (LUP Policies 3.8 and 3.9). The LCP defines specific criteria for allowable development areas in ESHA (LUP Policies 3.12 and 3.13), requires ESHA impacts to be minimized to the maximum extent feasible through siting and design, requires that alternatives analyses be conducted and mitigation measure implemented (LUP Policies 3.14 and 3.15) where impacts to ESHA may occur. ESHA protection policies also address regulations relating to potential toxic substance uses including herbicides and insecticides, and natural and mechanical wildfire burn area regeneration processes (LUP Policies 3.19-3.21). The LCP further contains policies applicable to specific types of ESHA and associated application requirements including streams (LUP Policies 3.32-3.34 and 3.121-3.123), native trees (LUP Policies 3.63-3.65), and wetlands (LUP Policies 3.83-3.91). Additional policies of the LCP provide regulations for new development to ensure potential impacts to ESHA are minimized including limitations and timing restrictions on grading activities, fencing, lighting and vegetation removal (including fuel modification), requirements for revegetation and restoration of disturbed areas, and specific application and review requirements applicable to new development projects with the potential to impact ESHA (LUP Policies 3.42-3.56, 3.59-3.62 and 3.36-3.41). In addition to the many ESHA resource protection measures of the Malibu LCP, the proposed Plan includes ESHA protection policies and implementation measures specific to proposed trail and park facility improvements to ensure impacts to ESHA are avoided, minimized, and appropriately mitigated where impacts can not be avoided.

Protection and enhancement of water quality is mandated by the Malibu LCP which contains numerous policies requiring careful siting and design considerations, and construction- and post-construction phase best management practices (BMPs) for new development designed to prevent and minimize impacts to water quality (LUP Policies 3.95-3.120). Such BMPs include limiting increases in impervious surfaces, land disturbance, surface erosion, and vegetation removal, and minimizing stormwater discharge and requiring that stormwater be treated prior to discharge from a project site. The LCP also requires development of drainage, erosion control, and BMP plans for new development and long-term maintenance of such plans to ensure they function to protect water quality as intended. Because the proposed Plan includes improvements that will require some grading, vegetation removal and minor surface construction for trail,

campsite and park support facilities, the Plan includes water quality policies that reflect the water quality protection provisions of the LCP as specifically applicable to the proposed trail and park improvements.

The Malibu LCP provides for the protection of scenic and visual resources, including views of the beach and ocean, views of mountains, canyons, prominent ridgelines and natural habitat areas, and views along scenic roads, trails and within public parklands (LUP Policies 6.1-6.4, 6.8). The LCP requires that new development be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads and public viewing areas. Where it is not feasible to locate development such that it is not visible from scenic areas, new development must minimize visual impacts through siting and design measures including 1) siting development in the least visible portion of the site, 2) breaking up the mass of new structures, 3) designing structures to blend into the natural hillside setting, 4) restricting maximum building size, 5) reducing maximum height standards, 6) clustering development, 7) minimizing grading, 8) incorporating landscape elements, 9) berming, and 10) minimizing grading, access roads and retaining walls (LUP Policy 6.5, 6.9-6.14). The LCP further requires that fences, walls, and landscaping maintain views of scenic areas from scenic roads, parks, beaches, and other public viewing areas (LUP Policy 6.15). While the proposed Plan includes very little structural development that would have the potential to impact public views, the Plan includes Visual Resource policies that mirror many of the protection measures of the LCP as they relate to park and trail improvements including siting development in the least visible portion of the site, designing improvements to blend with the natural setting, minimizing development area and associated grading for campsites, support facilities and trails, clustering development, incorporating landscape screening elements, and requiring landscape screening of new facilities.

Finally, resource protection policies related to sensitive archaeological resources are included in the Malibu LCP as LUP Policies 5.60-5.64. These policies require that new development be located and designed to protect and preserve archaeological, historical and paleontological resources by avoiding and minimizing impacts to such resources and implementing appropriate mitigation where sensitive resources exist.

The following Section provides policies and implementing measures that will serve to enhance public access and recreation opportunities to and within the Plan area for all visitors while ensuring that all Plan uses and project components are located, designed and implemented consistent with the resource protection policies of the Plan, the Malibu Local Coastal Program and the Coastal Act.

3.2.1 Environmentally Sensitive Habitat Area

ESHA Policy 1: Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values and all areas subject to proposed access and recreation improvements found to constitute ESHA pursuant to the provisions of Chapter 4 of the Malibu Local Implementation Plan or the Coastal Act, as applicable, shall be subject to the implementation measures contained in this Plan, as well as other, generally-applicable resource protection provisions of City of Malibu Local Coastal Program and the Coastal Act.

ESHA Policy 2: Trails to and within public parklands, camp facilities, public outreach and educational programs and/or related support facilities (e.g. parking, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, nature centers, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs), and special programs and events conducted at Ramirez Canyon Park, are defined as permitted uses in the Malibu Parks Public Access Enhancement

Plan Overlay and other lands of Los Angeles County subject to this Plan, and shall be permitted to be constructed, opened and operated for intended public use or benefit where it is determined feasible to locate, design, and maintain such facilities and uses so as to avoid, or minimize and fully mitigate, potential impacts to ESHA.

ESHA Policy 3: Channelizations or other substantial alterations of streams shall be prohibited except for 1) necessary water supply projects where no feasible alternative exists; 2) flood protection for existing development where there is no other feasible alternative, or 3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels.

ESHA Policy 4: Signs shall be included in park development projects and/or shall be provided at existing facilities where determined appropriate for the purpose of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts, and shall be designed consistent with the Sign Policies and Implementation Measures of this Plan.

ESHA Policy 5: Park fencing shall be strategically located only where determined necessary for public safety or to ensure habitat protection or restoration and to minimize conflicts with adjacent neighborhoods. All necessary fencing shall be designed to allow for wildlife passage.

A. Permitted Parkland Uses, Development and Design

ESHA Implementation Measure 1: Trails, camp facilities, park uses as described in this Plan, and necessary support facilities shall be considered permitted uses for those parkland areas subject to the Malibu Parks Public Access Enhancement Plan Overlay and other Los Angeles County lands subject to this Plan, as identified on the Public Parkland Map and Proposed Trail Resources Map (Figure 7). Trails and other resource dependent park uses, and necessary support facilities associated with resource dependent uses, located within or adjacent to areas mapped as ESHA shall be sited and designed to avoid significant disruptions of habitat values within the ESHA and avoid significantly degrading such areas. Minor disruptions to ESHA resulting from resource dependent uses shall be mitigated pursuant to the City of Malibu Local Implementation Plan provision 3.4.2(D)(7)(a)(viii). Such uses shall also minimize impacts to other coastal resources through, among other things, mitigation measures, including, but not limited to, siting for new permitted park improvements in previously disturbed areas, signs, and limited fencing shall be implemented as necessary to protect ESHA.

ESHA Implementation Measure 2: New park facilities shall be located along existing primary trail routes, in proximity to trail entrances and trailheads, and in previously disturbed areas, where feasible, to avoid and minimize impacts to sensitive habitat areas to the maximum extent feasible. Any new, non-resource dependent facilities must be located outside of ESHAs.

ESHA Implementation Measure 3: New park facilities shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective, to the maximum extent feasible, excluding those special provisions for low-impact campsites and associated support facilities as provided for per City of Malibu Local Implementation Plan provisions D.2.a.v and D.5.a.iii and as implemented by Overnight Camp Implementation Measure 5 and Facilities Implementation

Measure 3 this Plan, respectively, and new park facilities at Ramirez Canyon Park, a limited (no more than 10 spaces) Latigo trailhead parking and picnic area for Escondido Canyon Park, and an ADA compliant drop-off area at Corral Canyon Park which shall be located no less than 25 feet from top of stream bank. Riparian area buffers shall be planted with appropriate native species to provide canopy and vegetative structure to improve habitat function and value of buffer areas.

ESHA Implementation Measure 4: Proposed park facility locations shall be evaluated by a qualified biologist (1) to ensure that, to the maximum extent feasible, (a) facilities are appropriately located in previously disturbed areas (except those described in Policy 3.6 of the City of Malibu Land Use Plan), and (b) facilities are appropriately setback from the top of bank of any adjacent stream, and (2) to assess potential impacts to habitat areas and provide recommendations for alternatives to avoid impacts, and if impacts are unavoidable, for mitigation measures, as applicable.

ESHA Implementation Measure 5: Proposed park facility locations shall be located in proximity to maintenance and/or administrative access points (trailheads) to provide for easy maintenance access and to minimize potential impacts to sensitive habitat areas associated with existing maintenance operations requiring motorized access by park personnel. Motorized vehicle access by park personnel within parklands shall avoid sensitive habitat areas and shall be limited to existing maintenance routes to the maximum extent feasible, and shall be for the purposes of conducting maintenance, providing emergency services, conducting patrols, implementing habitat restoration, assisting accessibility to camps with fully accessible campsites and facilities, and providing other park services.

ESHA Implementation Measure 6: Proposed park facilities shall be developed with the smallest development envelope determined necessary to accommodate such facilities to minimize the area of disturbance and avoid potential impacts to ESHA.

ESHA Implementation Measure 7: All new and improved park facility projects, including trails, campsites, parking, etc., where determined appropriate and feasible, shall be designed in accordance with current accessibility guidelines and technical requirements.

ESHA Implementation Measure 8: Consistent with City Malibu Local Implementation Plan provision 3.4.2(D)(7)(a)(viii), prior to improving and opening any trail or other resource dependent park facility for public use in an area of naturally vegetated habitat, a site-specific biological assessment shall be prepared by a qualified biologist or environmental resource specialist to evaluate the vegetation and habitat of the project area to determine potential impacts to ESHA that may occur. Should the biological assessment determine that unavoidable adverse impacts to ESHA may result from permitted development, the impacts must be mitigated to avoid any significant disruption or degradation of habitat values. The following additional mitigation measures shall also be implemented:

- Mitigation measures for impacts to ESHA shall include habitat restoration and/or enhancement and shall be monitored for a period of no less than five years following completion. Mitigation ratios for permanent impacts to specific types of habitat shall be as follows:

  Coastal sage scrub/chaparral 3 to 1

  Riparian vegetation areas 3 to 1

  Native trees 10 to 1 (oak, walnut, sycamore, alder, or toyon)

  Native grasslands 3 to 1

To address temporary impacts to ESHA, all disturbed areas shall be re-vegetated consistent with City Malibu Local Implementation Plan provision 3.4.2(D)(8)(a)(iv) and as implemented by Water Quality Implementation Measure 4 of this Plan.

ESHA Implementation Measure 9: Focused spring surveys for special status plant species shall occur within project footprint areas where potential habitat occurs to assess potential direct and indirect impacts to special status species prior to implementation of new park facility improvement projects.

ESHA Implementation Measure 10: In addition to any applicable provisions of Section 4.4.2 of the Malibu Local Implementation Plan, should project construction occur during the migratory bird nesting season (typically February through August), a focused avian nesting survey shall be performed by a qualified wildlife biologist 72 hours prior to construction in accordance with the Migratory Bird Treaty Act (MBTA) (16 U.S.C. Sec. 703 et seq). If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with a 300 foot buffer for all bird species except raptors which require a 500 foot buffer. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing.

B. Hydromodification

ESHA Implementation Measure 11: Existing streambed modifications in Ramirez Canyon Park are part of a larger system of channelization in Ramirez Canyon where numerous neighboring properties contain similarly modified channels. The Conservancy/MRCA shall initiate a site-specific, comprehensive analysis of the modified stream channel at Ramirez Canyon Park to assess opportunities for streambed and riparian habitat restoration and potential onsite and offsite flooding or erosional hazards that might result from removing or other modification of the channelization structures.

ESHA Implementation Measure 12: If the analysis described conducted pursuant to ESHA Implementation Measure 11 reveals a need for additional streambed alterations, and such alterations are allowable under policies 3.32 and 3.33 of the certified Malibu Land Use Plan, bioengineering methods or "soft solutions" shall be developed as an alternative to constructing rock revetments, vertical retaining walls or other "hard structures" along Ramirez Canyon Creek wherever feasible. If bioengineering methods are demonstrated to be infeasible, then other alternatives may be considered. Any development that includes protective measures along Ramirez Canyon Creek shall demonstrate that existing development and/or public use areas in Ramirez Canyon Park are in danger from flood hazards, that the proposed protective device is the least environmentally damaging alternative, that it is sited and designed to avoid and minimize impacts to the habitat values of the riparian corridor along the creek and the recreational and public access use of the Park property along the creek, and that any unavoidable impacts have been mitigated to the maximum extent feasible.

ESHA Implementation Measure 13: Where minor alteration of natural streams for the purpose of stream crossings (vehicular or pedestrian) are necessary to provide access to and within public recreation areas, the following development standards shall be applied:

- Use of Arizona crossings shall be limited to repair and maintenance of existing, legal crossings consistent with the repair and maintenance provisions of Section 13.4.2 Repair and Maintenance Activities of the City of Malibu Local Coastal Program Local Implementation Plan.

- All new stream crossings shall consist of a span bridge design which minimizes placement of any new structures within the stream bed or channel and avoids removal of natural riparian vegetation to the maximum extent feasible.
- Construction activities shall be scheduled to occur during the dry season.
- Staging areas outside of the riparian canopy shall be identified and flagged for construction workers and to store materials.
- Monitoring of stream crossing construction activities shall be conducted by a qualified biologist or environmental resource specialist. The biologist/resource specialist shall be responsible for advising construction workers on potential resource damage avoidance prior to the commencement of any on site activities.
- These provisions shall not apply to existing or proposed pedestrian stream crossings along hiking trails where no alteration of the natural stream channel is required to accommodate access.

C. Parkland Habitat Preservation and Monitoring

ESHA Implementation Measure 14: Trail or park areas that have been severely degraded as the result of overuse or lack of maintenance shall be restored by such techniques as revegetation with native plants, trail consolidation and improvement, and through the provision of support facilities such as parking, defined trail systems, raised walkways, trash receptacles, restrooms, and picnic areas. Fencing and signs, designed and located consistent with other applicable provisions of this Plan, shall be installed around restoration areas for purposes of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts. All park fencing shall be designed to allow for wildlife passage. In severely degraded areas, controlled and limited public access may be allowed during the recovery period and in consultation with appropriate public agencies and/or resource specialists. Any limitation of public use shall be evaluated periodically to determine the need for continued use restrictions and the limitation shall be removed at the termination of the recovery period.

ESHA Implementation Measure 15: The Conservancy/MRCA shall conduct periodic assessments of park visitation numbers and patterns of use and shall monitor the quality of visitor experience and make the appropriate management changes to prevent potential degradation of natural resources from overuse. Monitoring and visitor survey data shall be evaluated to identify needs, problems, and issues that require management action.

D. Native Trees

ESHA Implementation Measure 16: All development involving access and recreation improvements within areas containing one or more native oak (Quercus species), California Walnut (Juglans californica), Western Sycamore (Platanus racemosa), Alder (Alnus rhombifolia), or Toyon (Heteromeles arbutifolia) tree, that has at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter, measured at four and one-half feet above natural

grade shall be subject to the provisions of Chapter 5 Native Tree Protection of the Malibu Local Coastal Program Local Implementation Plan.

ESHA Implementation Measure 17: Future development not specifically described and analyzed in this Plan that may potentially affect environmentally sensitive habitat area shall be submitted to the City, County and/or Coastal Commission as may be applicable for specific project review. A site-specific biological survey shall accompany any specific project proposal or coastal development permit application involving development potentially affecting ESHA, as applicable, so that a determination of potential ESHA impacts and appropriate mitigation can be made.

Much of the parklands located in the Plan area are designated as Environmentally Sensitive Habitat Areas (ESHAs) as illustrated in Figure 5. Sensitive habitats contained in the Plan area consist of riparian areas, streams, native woodlands, native grasslands, chaparral, coastal sage scrub, bluffs, and coastal salt marsh. The proposed access and recreational uses are permitted uses in ESHA; however, such uses may only be allowed if it can be found that impacts to ESHA are avoided or minimized and appropriately mitigated to the maximum extent feasible.

The above ESHA policies include a number of provisions to ensure that environmentally sensitive habitat areas are protected, and that potential impacts to sensitive habitats resulting from Plan implementation be avoided, where feasible, and minimized to the maximum extent possible. The policies require that new development be sited and designed in disturbed areas and where minimal grading and removal of natural vegetation are required to minimize impacts to ESHA. Provisions for very limited motorized vehicular access, signs and fencing are included for accessibility services, public safety, or to ensure habitat protection or restoration success. Fencing may also be provided on park property where found necessary to minimize potential conflicts with adjacent neighborhoods. The Plan addresses issues associated with stream channelization and details the uses and circumstances under which such structures are permitted. The Plan specifically addresses creek corridor within Ramirez Canyon Park, which was previously channelized by the prior property owners and now proposed for restoration.

3.2.2 Water Quality

Water Quality Policy 1: All new public access and recreation improvements shall be evaluated for potential adverse impacts to water quality and shall consider Site Design, Source Control and Treatment Control Best Management Practices (BMPs) to prevent polluted runoff and water quality impacts resulting from new development, and shall be designed to prevent the introduction of pollutants that may result in water quality impacts. Projects shall be designed to control post-development peak runoff rates and average volumes to maintain or reduce pre-development downstream erosion rates. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 17 of the Malibu Local Implementation Plan.

Water Quality Policy 2: The Conservancy/MRCA shall identify where watershed restoration and enhancement opportunities exist in the Plan area, and develop and implement watershed restoration and enhancement projects in conjunction with the public access and recreation improvements described in this Plan. Mitigation for unavoidable habitat impacts associated with proposed public access and recreation

improvements shall be implemented within the watersheds of each park area included in the Plan to enhance water resources within the Plan area.

A. Parkland Facilities Development and Design

Water Quality Implementation Measure 1: New park facility development shall, as applicable, include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control Best Management Practices (BMPs), that will be implemented to minimize post-construction polluted runoff, and shall include monitoring and maintenance provisions for identified BMPs and shall specifically address:

- Designated areas within camp facilities to provide fresh water for camp uses including drinking water, hand washing and dish washing, and areas where overspill will drain. All overspill shall be contained onsite and treated with appropriate post-development BMPs measures.
- Methods to accommodate onsite percolation and to mitigate and treat any increase in runoff from impervious surfaces consistent with all applicable development standards of Section 17.5.1 BMP Requirements and Implementation of the Malibu Local Implementation Plan.

Water Quality Implementation Measure 2: An Interim Erosion Control Plan shall be developed and implemented for construction activities resulting in soil disturbance and vegetation removal and the following development standards shall be applied:

- The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- Should grading take place during the rainy season (November 1 – March 31) temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, geofabric covers or other appropriate cover, geotextiles or mats shall be installed on all cut or fill slopes as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction.

Water Quality Implementation Measure 3: All new park facilities shall be located in areas of level terrain, to the maximum extent feasible, to avoid the need for grading and to minimize landform alteration and alteration of natural drainage patterns. Campsites specifically designed to facilitate disabled access, parking resources to support trail access, and development of important trail linkages, shall be sited and designed to ensure grading is minimized to the maximum extent feasible

Water Quality Implementation Measure 4: All graded and disturbed areas on development sites shall be planted and maintained for erosion control purposes within sixty (60) days of completing construction activities resulting in soil disturbance or vegetation removal. To minimize the need for irrigation all landscaping shall consist of native drought resistant plants. All native plant species shall be of local (Santa Monica Mountains) genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a

"noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

B. Onsite Wastewater Disposal

Water Quality Implementation Measure 5: All new public restroom facilities shall consist of self contained, chemical or composting restrooms (except for new restrooms proposed at Ramirez Canyon Park and subject to Water Quality Implementation Measure 7), which shall be sited and designed to ensure that impacts to ESHA and water quality are avoided. Where feasible, self-contained restroom facilities shall be located a minimum of 200 feet from the top of bank of any adjacent stream, and in no case shall they be located less than 100 feet from the top of bank of any adjacent stream or the outer edge of riparian vegetation (except at Ramirez Canyon Park, at a limited (no more than 10 spaces) Latigo trailhead parking and picnic area for Escondido Canyon Park, where restroom facilities shall be located no less than 25 feet from top of stream bank), which ever is the most protective. Minimal grading to create minor berms around the facilities shall be allowed, provided it is not in violation of other Local Coastal Program resource protection policies, to ensure run-off is contained in the vicinity and/or is conveyed and filtered through bioswales. Self-contained restroom facilities shall be maintained pursuant to manufacturer specifications at all times.

Water Quality Implementation Measure 6: Development at Ramirez Canyon Park shall provide for 1) the permanent abandonment of the idle septic system and leachfields located beneath the tennis court, the leachfield serving Barwood, and of the leachfields and/or pits and septic tanks serving the Barn and Peach House Structures, 2) installation of an on site wastewater treatment system and recycled water reuse program, including a landscape/ orchard planting and management plan designed to maintain sufficient evapotranspiration capacity for the maximum effluent production of the site during all potential seasonal conditions, and 3) the installation and maintenance of on site emergency power generators and fuel supply necessary to maintain the wastewater treatment system for at least twelve (12) hours. These improvements shall be maintained and all new permanent restroom facilities shall be required to connect to the on-site wastewater treatment and recycled water reuse system.

Water Quality Implementation Measure 7: Development at Ramirez Canyon Park shall require use of restrooms connected to the wastewater treatment system for all visitors, tours, gatherings and events at Ramirez Canyon Park accommodating up to 200 people (the design capacity of the wastewater treatment system). Should any use, or combination of uses, at Ramirez Canyon Park result in a capacity of visitors exceeding 200 people at any one time, portable restrooms shall be provided to supplement the treatment capacity of the wastewater treatment system.

Water Quality Implementation Measure 8: A Water Quality Monitoring Program shall be implemented at Ramirez Canyon Park that includes provisions for quarterly analysis of water samples up- and down-stream of the subject site for a minimum of four quarters of available streamflow (streamflow in Ramirez Canyon Creek is intermittent), commencing with certification of the Malibu Parks Public Access Enhancement Plan Overlay (June 2009). The quarterly analysis of water samples shall determine fecal coliform concentration and, should the results of the one year analysis be adverse or inconclusive, additional water quality analysis shall be performed. If the results of the water quality monitoring fail to rule out existing septic systems as a potential source of elevated fecal coliform counts downstream of Ramirez Canyon Park, a complete permit application shall be made to the City of Malibu Health Department for abandonment of the

remaining septic systems and further upgrade the new wastewater treatment system to accept and treat the effluent from the ranger/maintenance supervisor residence and/or the Art Deco building.

The riparian corridors contained in the Plan area provide important habitat for a variety of sensitive plant and animal species. The value and quality of the sensitive habitat areas within these parks are directly related to the water quality of the coastal tributary that sustains them. Therefore, to ensure protection of ESHA and to minimize impacts to water quality, the Plan requires that new park development be located and designed to minimize soil disturbance, removal of natural vegetation, and landform alteration. The Plan further requires that new park facilities be designed to minimize stormwater runoff and potential pollutant loads from impervious areas and that activities involving soil disturbance and vegetation removal be carried out in conjunction with construction phase erosion control and polluted runoff control plans. Implementing these policies will serve to minimize impacts from erosion and sedimentation from disturbed soils or areas void of vegetation, and will prevent alteration of natural drainage patterns.

In addition, the water quality of Ramirez Canyon Creek may also potentially be affected by existing septic systems on the property associated with the former residential uses of the site. Because these uses were served by private onsite septic systems constructed by previous property owners prior to the Coastal Act, a number of the septic systems were not installed consistent with current setback requirements from the stream corridor, which are typically imposed to ensure that effluent from septic systems does not leach into waterways. To address concerns relating to water quality, the Conservancy proposed to install an on-site wastewater treatment and recycled water reuse system that was permitted and installed pursuant to CDP 4-98-334. Installation of the alternative system allowed for the abandonment of the previously existing, non-conforming septic systems and leachfields. The Plan therefore provides that issues associated with potential water quality impacts from any remaining existing septic system on site, and functioning of the alternative wastewater treatment and recycled water reuse system, be addressed by a water quality monitoring program for Ramirez Canyon Creek.

3.2.3 Visual Resources

Visual Resources Policy 1: All new public access and recreation improvements shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 6 of the Malibu Local Implementation Plan.

Visual Resources Policy 2: New trail and park facilities and other necessary support facilities shall be located in areas that avoid or minimize, to the maximum extent feasible, the need for grading. Where grading is necessary for installation of trails on steep terrain, measures shall be implemented to minimize the appearance of landform alteration and vegetation removal, to the maximum extent feasible.

Visual Resources Policy 3: No permanent structures shall be permitted on steep hillside terrain, except for engineered trails and park restrooms, where determined necessary to establish critical trail linkages. Such improvements shall be constructed and designed to minimize grading, to not contribute to erosion, and to be visually compatible with the surrounding area.

Visual Resources Policy 4: Signs and fencing shall be located and designed to be subordinate to natural park areas and shall not substantially intrude into or obstruct public scenic viewing areas.

A. Park Facilities Siting and Design

Visual Resources Implementation Measure 1: New restroom facilities shall be located and designed such that they are not substantially visible from trails, public roads or other scenic viewing areas. Measures to minimize visibility of restroom facilities include:

- Locating the structures in level areas where vegetation exists or where topography naturally screens the areas from public views. Where necessary, native vegetation shall be planted to provide a buffer between restrooms, trail users and campers, and to screen restrooms facilities.
- Where the reviewing body determines it is necessary and feasible for purposes of protecting visual resources, and it is consistent with the resource protection policies of the Local Coastal Program, grading shall be allowed to "tuck" restroom facilities into hillside terrain and thereby blend with natural terrain. Restroom facilities shall be designed with colors that are compatible with the surrounding landscape and landscape screening shall be used to minimize visibility of the structures.

Visual Resources Implementation Measure 2: Campsite locations shall be located and designed such that they are not substantially visible from trails, public roads or other scenic viewing areas, whenever possible consistent with the other provisions of this Plan. Measures to minimize visibility of campsites include locating sites in level areas where vegetation exists or where topography naturally screens the areas from public views. Where necessary, native vegetation shall be planted to provide a buffer between campers and trail users and to screen camp facilities from adjacent trails.

Visual Resources Implementation Measure 3: Retaining walls shall be permitted only where required to support critical trail linkages or restroom construction on hillside terrain, or for critical support facilities on moderate terrain, where no other alternative location or method of support is available. The height of permitted retaining walls shall not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted. Retaining walls shall be designed with natural materials that blend with the surrounding earth materials and landscape.

Visual Resources Implementation Measure 4: Drainage devices for parking facilities shall be placed in locations of minimal visibility and shall be colored to match natural soils and screened with landscaping to minimize visibility.

The Plan area, in its entirety, represents a significant scenic area in that it provides views within the parklands and trail system to and along the ocean and coastline and the surrounding mountain terrain. Additionally, the open space and natural coastal landscape of parklands provide highly scenic views from Pacific Coast Highway and other public viewing areas in the Plan area. Therefore, in locating and designing the proposed Plan improvements, potential impacts on public views within the park areas and those views to the parklands from public viewing points must be considered and addressed.

The proposed Plan improvements do not involve development of significant vertical structures with the exception of temporary camp tents, or limited tent cabins at the Conservancy-owned Malibu Bluffs, minor

retaining walls, restrooms, and camp host improvements for trail and park improvements. Therefore, there is little potential for the proposed Plan to result in view obstruction to the ocean and surrounding natural areas from trail and park areas within the Plan area. The Plan provides for protection of scenic and visual resources by selective siting and design for new facilities to minimize the visibility of the facilities, minimize view impacts that could result from grading and significant landform alteration, and requiring that new facilities be designed to be visually compatible with surrounding areas. The Plan further provides that signs and fencing be located and designed to be subordinate to natural park areas and not to substantially intrude into or obstruct public scenic viewing areas.

3.2.4 Archaeological Resources

Archaeological Resources Policy 1: All new public access and recreation improvements shall be located and/or designed to protect and preserve areas, sites and structures of historic, cultural, archaeological and paleontological significance. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 11 of the Malibu Local Implementation Plan.

Archaeological Resources Policy 2: Where development of new park facilities may potentially adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Archaeological Resources Implementation Measure 1: For all project areas that will involve ground disturbance, a Phase I Inventory of cultural resources shall be conducted by a qualified archaeologist which includes the following:

- A records search through the regional historical resources information center.
- An archival search of historic records.
- A field survey.
- A written report which describes how the survey was conducted and the result of the survey.

Archaeological Resources Implementation Measure 2: Should the Phase I Inventory identify one or more significant cultural resources in any particular project area, an extended Phase I Inventory shall be conducted and shall include:

- An evaluation of limited shovel test pits to determine whether a subsurface deposit is present.
- Recommendations for a Phase II Evaluation.
- A provision to ensure that all extended Phase I Inventory activities that involve any excavation or test pit shall include monitoring to be conducted in consultation with a qualified Chumash Cultural Resources Monitor.

Archaeological Resources Implementation Measure 3: Should the results of the Phase I Inventory indicate that a project may have an adverse impact on cultural resources a Phase II Evaluation of cultural resources shall be required. The Phase II Evaluation shall be conducted by a qualified archaeologist in consultation with a qualified Chumash cultural resources monitor.

Archaeological Resources Implementation Measure 4: Where the result of the Phase II Evaluation finds that a project may adversely affect important cultural resources, a Phase III Mitigation Program shall be required. The Phase III Mitigation Program shall be conducted by a qualified archaeologist in consultation with a qualified Chumash cultural resource monitor. Measures to mitigate potential impacts may include, but shall not be limited to, the following:

- In-situ preservation of the important cultural resource site shall be the preferred mitigation measure where feasible.
- Avoidance of damage to cultural resource site by 1) locating new facilities and construction staging areas to avoid cultural resource sites, 2) "capping" cultural resource sites, where determined appropriate, with a layer of soil, 3) data recovery of an appropriate sample of the cultural resource(s) via surface collection and archaeological excavation, only when in-situ preservation is not feasible.
- Where cultural resources are discovered that may potentially be affected by development of any portion of the proposed Plan, all recommendations of the archaeological consultant shall be incorporated as mitigation into Plan development and shall be fully implemented in the field. All ground disturbing activities shall include monitoring to be conducted in consultation with a qualified Chumash Cultural Resources Monitor.

Archaeological Resources Implementation Measure 5: Park signs, maps, public information notices, and website information shall include notice to inform visitors that disturbance to archaeological sites cannot be reversed, that such resources are of great religious importance to contemporary Native Americans and destruction of archaeological sites on public property is illegal and a punishable offense.

Given its proximity to the ocean, it's generally undeveloped and natural state, and the presence of a number of water courses within the Plan area which tend to be areas of high sensitivity for cultural resources, the proposed Plan must consider potential impacts to cultural resources that could result from implementing the proposed physical improvements. The proposed Plan involves some grading improvements in undeveloped areas that could potentially impact sensitive cultural resources. As such, the Plan requires that development of new park facilities be designed to protect of historic, cultural, archaeological and paleontological resources, and that mitigation be implemented where impacts may occur.

Plan implementation includes a number of park-specific improvements for which the above policies and implementation measures addressing protection of cultural resources will be applied. A Phase I Inventory of cultural resources for the proposed site-specific improvements in the Plan area has been prepared. The Phase I Inventory includes a written report of the results of a records search through the regional historical resources information center, archival search of historic records, and a field survey of the physical improvements proposed by the Plan including trails, parking, camping facilities, creek restoration and all other new support facilities. Implementation of the above polices and implementation measures to all Plan improvements will ensure that archaeological resources within the Plan area will be protected.

3.3 HAZARDS

The Malibu LCP includes policies that facilitate new development which will minimize potential impacts associated with hazards inherent of the Malibu area and Santa Monica Mountains including geology, flood and fire. The LCP calls for siting, design and construction of development to avoid and minimize risks associated with geologic, flood and fire hazard, and requires geologic investigations where new development may be subject to geologic hazards (LUP Policies 4.2-4.5). The LCP provides for hillside management for slope development to minimize slope instability, requirements for drainage and erosion control and timely revegetation of disturbed areas, and implementation of mitigation measures for development in areas subject to flooding (LUP Policies 4.8-4.12). To minimize risks associated with wildfire hazard, the LCP requires siting and design to avoid hazardous areas and that fuel modification plans be prepared for all new development proposals (LUP Polices 4.47, 4.48). Finally, the LCP requires that adequate emergency access and water supply for new development comply with fire management programs (LUP Policies 4.52-4.54). While the LCP provides a variety of policies that address potential hazards in Malibu and the Santa Monica Mountains, the proposed park facility improvements require special treatment with specific development standards as required by the Malibu Parks Public Access Enhancement Plan Overlay.

The following Section provides policies and implementing measures that are intended to ensure that the proposed Plan improvements and programs are located, designed and implemented in ways that ensure safety. Safety issues addressed in this Section include potential hazards associated with geologic conditions, flooding and fire. Also related to safety, this Section addresses issues associated with emergency access and limitation on park use when extreme hazard conditions may occur.

Hazards Policy 1: All new public access and recreation improvements shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. Development of public access and recreation improvements shall be subject to the following development standards as well as any other applicable development standards of Chapter 9 of the Malibu Local Implementation Plan to minimize risks associated with high geologic, flood, and fire hazard.

Hazards Policy 2: Proposed park programs shall be developed and implemented in a manner that minimizes risks to life and property from geologic, flooding and fire hazard.

Hazards Policy 3: Proposed park improvements shall provide for emergency vehicle access and water supply, in accordance with applicable fire safety regulations.

Hazards Policy 4: A closure policy for public recreation areas shall be developed to restrict park access during periods of extreme flooding or fire hazard.

A. Geology and Flooding

Hazards Implementation Measure 1: A geologic/soils/geotechnical study identifying any geologic hazards affecting areas identified for new, structural park facility development shall be prepared and shall contain recommendations for mitigation measures, where applicable, and a statement as to whether the project

areas are suitable for the proposed improvements and that the improvements will be safe from geologic hazard.

Hazards Implementation Measure 2: Engineered structures such as retaining walls, footings for small structures (i.e. restrooms with footings, water service lines, engineered retaining walls, parking areas, etc., as applicable), and significant cut and fill grading will require the preparation of a geotechnical report, prepared by a qualified engineering geologist or a registered geotechnical engineer, to provide recommendations for the design of these structures and grading procedures.

Hazards Implementation Measure 3: Where applicable, new park improvements shall include adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff and erosion.

B. Fire Protection, Emergency Evacuation

Hazards Implementation Measure 4: A Fire Protection and Emergency Evacuation Plan shall be developed and submitted, for review and approval, to the reviewing body for any Coastal Act approval as well as to the appropriate Fire Agency as described below. The approved version shall be implemented for Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park and the Conservancy-owned Malibu Bluffs. The Fire Management and Emergency Evacuation Plan shall include the following provisions:

- All standard Parkland rules and regulations shall be enforced per existing policies of the MRCA/SMMC:
  - Except in designated camp areas, park properties shall be closed sunset to sunrise.
  - No smoking or fires.
  - No alcoholic beverages.
  - No littering or dumping.
  - No unauthorized vehicle use.
  - No defacing or destroying property.
  - Dogs must be on a leash and cleaned up after.
  - Possession of firearms, bow and arrow prohibited.
  - Violations subject to $500 fine and/or 6 months in County jail.
- An annual fuel modification plan for site vegetation management and tree trimming/limbing at each park property shall be developed and implemented prior to the annual fire season.
- Campsite locations shall be located within existing public use areas to ensure easy access for purposes of maintenance and patrol, and in case of emergency.
- No person shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this Plan. The only cooking apparatus permitted shall consist of self-contained propane stoves when permitted

consistent with the terms of the approved Fire Protection and Emergency Evacuation Plan. No kerosene or white gas lanterns shall be permitted.

- Campers shall be required to utilize designated cook surfaces stations provided at each approved campsite, which shall be designed of non-flammable materials and capable of being fully enclosed. Cold-camping apparatus such as flame-less cook-stoves and lanterns are preferred. Prospective campers shall be informed of the No Campfire/Cold Camp Policy upon reserving and/or registering for use of camp facilities and shall be put on notice that unauthorized use of fire-related camping and cooking apparatus specifically prohibited by the No Campfire/Cold Camp Policy will be cause for confiscation of such devices and/or expulsion of visitors from camp facilities. Signs shall be posted and camp areas will be routinely patrolled to enforce the No Campfire/Cold Camp Policy and notification provided that violation of the No Campfire/Cold Camp Policy may be punishable by fines up to $1,000.00.
- Fire protection apparatus shall be provided and maintained at all camp facilities and shall include, at a minimum:
  - Water storage tank or water delivery system designed, located, and maintained to provide a dependable water supply for fire protection at each proposed camp area at all times to ensure adequate water supply for fire protection of new camp facilities.
  - A portable and air-powered quick attack firefighting system to be provided at each camp facility for ready deployment by trained Camp Host, Ranger, or park personnel in the event of a fire.
  - Portable self-contained fire extinguisher units to be provided for each cluster or group of campsites.
- Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park, and Malibu Bluffs Park shall be closed to all recreational use during any Red Flag Day/period as declared for the Santa Monica Mountains area by the National Weather service, a division of the National Oceanic Atmospheric Administration (NOAA), Park properties shall be posted and patrolled to inform visitors of Red Flag Day closures and notification provided that violation of the Red Flag Day closure policy may be punishable by fines up to $6,000.00.
- Camping at all park properties will be prohibited and Ramirez Canyon Park shall be closed to events, tours, camping reservations or other special functions when any Flash Flood/Flood Warnings or Urban/Small Stream Advisory is issued. Signs will be posted and camp areas will be routinely patrolled to notify park users and to enforce restrictions on park use during all Flash Flood/Flood Warnings and Urban/Small Stream Advisories as determined by the National Weather Service, a division of the National Oceanic Atmospheric Administration (NOAA). Written warnings of the cancellation policy shall be provided to potential campers and prospective program and event sponsors prior to contracting for park use.
- A Camp Host, staff maintenance person, or Ranger, who is wildland fire-trained, shall be onsite at each park property during the times camping is permitted. This shall be accomplished by either providing for residency of a Camp Host, staff maintenance person or Ranger at existing park properties, or ensuring that support facilities and apparatus are provided to sustain continuous daily and nightly patrols to strictly enforce the No Campfire Policy and use restrictions relating to hazardous conditions. Park patrols shall be conducted daily at each park

property when campers are present. Adjustments to patrol procedures will be made as necessary to ensure park rule enforcement and compliance.

- An Evacuation Plan shall be prepared and shall include details relative to evacuation procedures and evacuation locations to be implemented for each park property during emergencies.
- Where it is infeasible to meet all applicable current Building and Fire Code requirements for fire protection due to site or resource constraints, modifications may be granted pursuant to an approved Fire Protection Plan, as provided by Section 702A of Chapter 7A of the 2007 California Building Code and Section 4702.1 of the 2007 California Fire Code, as may be amended. Such Fire Protection Plan will analyze the site fire risk at a fine scale and develop customized measure for mitigating the risk including design, construction, maintenance and operation requirements of the park improvements in compliance with applicable fire codes and, where necessary, fire protection enhancement requirements to provide "same practical effect" or functional equivalency for any non-code complying park improvement element.
- Emergency power generators and fuel supply at Ramirez Canyon Park necessary to maintain emergency lighting for at least twelve (12) hours shall be installed and maintained on site.

ii. A Wooden Bridge Reinforcement Plan, developed and implemented to provide for reinforcement of the wood bridge over Ramirez Canyon Creek next to Ramirez Canyon Park, shall be maintained to ensure that the bridge will safely support a 25-ton fire truck and thereby accommodate emergency access. The wood bridge shall be maintained in sound condition to ensure safe and adequate emergency access to the Park.

iii. An Emergency Access and Emergency On-Site Parking Plan for Ramirez Canyon Park, prepared by a licensed civil engineer and approved by the appropriate Fire Agency as compliant with applicable state and county fire and life safety regulations, shall be maintained for Ramirez Canyon Park. Special events held during the fire season shall retain all guest vans, shuttles, and drivers continuously on site during the event.

iv. Opportunities for additional emergency ingress/egress to and from Kanan Dume Road over Via Acero shall be explored, including the potential for feasibly obtaining easements from willing property owners or by eminent domain. Construction of an additional emergency ingress/egress at Ramirez Canyon may occur consistent with all applicable policies and provisions of the LCP. This policy is not intended to limit the use of, or access to, Ramirez Canyon Park via Ramirez Canyon Road.

v. The Conservancy/MRCA shall explore and pursue all options to remove any permitted or unpermitted private encroachments into the Ramirez Canyon Road 40 foot easement to achieve full access road width and clearance standards as required by the appropriate fire agency.

Hazards Implementation Measure 5: A Wooden Bridge Reinforcement Plan, developed and implemented to provide for reinforcement of the wood bridge over Ramirez Canyon Creek next to Ramirez Canyon Park, shall be maintained to ensure that the bridge will safely support a 25-ton fire truck and thereby accommodate emergency access. The wood bridge shall be maintained in sound condition to ensure safe and adequate emergency access to the Park.

Hazards Implementation Measure 6: An Emergency Access and Emergency On-Site Parking Plan for Ramirez Canyon Park, prepared by a licensed civil engineer and approved by the appropriate Fire Agency

as compliant with applicable state and county fire and life safety regulations, shall be maintained for Ramirez Canyon Park. Special events held during the fire season shall retain all guest vans, shuttles, and drivers continuously on site during the event.

Hazards Implementation Measure 7: Opportunities for additional emergency ingress/egress to and from Kanan Dume Road over Via Acero shall be explored, including the potential for feasibly obtaining easements from willing property owners or by eminent domain. Construction of an additional emergency ingress/egress at Ramirez Canyon may occur consistent with all applicable policies and provisions of the City of Malibu Local Coastal Program. This policy is not intended to limit the use of, or access to, Ramirez Canyon Park via Ramirez Canyon Road.

Hazards Implementation Measure 8: The Conservancy/MRCA shall explore and pursue all options to remove any permitted or unpermitted private encroachments into the Ramirez Canyon Road 40 foot easement to achieve full access road width and clearance standards as required by the appropriate fire agency.

The Plan area is located along the Malibu/Santa Monica Mountains coastline, an area that is subject to a number of natural hazards including landslides, erosion, flooding and fire. While the proposed Plan involves very little development of new, habitable, or flammable structures, planning for the proposed uses, programs, and public facility improvements must ensure that all development and uses provide for geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The Plan provides that the proposed Plan improvements be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard.

A Reconnaissance of Engineering Geologic Constraints has been prepared to identify geologic constraints of the parks areas. With careful site design and location, the proposed park improvements which are minor in nature (no habitable structures are proposed) and will not be subject to significant geologic hazards. In addition, a draft Fire Protection and Emergency Evacuation Plan has been prepared which provides a plan-of-action to minimize exposure of public park facilities, visitors, and adjacent communities to natural hazards, and to prepare and condition for potential emergency situations. Fire protection and evacuation measures have been defined for each park property, and specialized fire protection measures have been defined for Ramirez Canyon Park due to the built-out nature of the property and the unique access programs the Park supports. In addition, the provisions contained in the Wooden Bridge Reinforcement Plan and Emergency Access and On-Site Parking Plan for Ramirez Canyon Park, which have been previously implemented pursuant to CDP 4-98-334, will be maintained for Ramirez Canyon Park.

Plan implementation includes a number of park-specific improvements for which the above policies and implementation measures addressing potential hazards will be applied. The park-specific improvements are discussed in detail in Section 3.5.1 Project Specific Implementation and Phasing. In addition, The Plan includes preparation and implementation of a Fire Protection and Emergency Evacuation Plan that includes site specific risk assessments for each park property included in the Plan. The Fire Protection and Emergency Evacuation Plan utilizes a “systems approach” consisting of the components of fuel modification, structural protection, water supply, fire protection systems, access (ingress/egress) and emergency response.

3.4 LAND USE AND NEIGHBORHOOD COMPATIBILITY

With the exception of developing trail linkages within the County, National Park Service and State Parks lands, and limited parking improvements proposed along Kanan Dume Road, the proposed Plan improvements focus exclusively on lands in the City which are subject to the Malibu Parks Public Access Enhancement Plan Overlay (Overlay). The Overlay is a special land use and implementation plan overlay that includes a comprehensive set of policies and development standards for public access and recreation-oriented development in specific park properties and recreation areas within the City including Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and the Conservancy-owned Malibu Bluffs. The Overlay further identifies specific actions necessary to implement improvements intended to enhance public access and recreation opportunities throughout the area covered by the Overlay including: creation of an interconnected system of trails, parks, open space, and habitats; improvement of alternative methods of transportation between parklands in the area; and identification of recreational facility and program improvements for the park properties to better support existing recreational demand and to facilitate an increased level of accessibility for visitors with diverse backgrounds, interests, ages, and abilities. The Overlay provides the planning mechanism for implementing the specific public improvement projects proposed pursuant to the Plan within the City, guided by land use maps, land use policies and development standards that were incorporated into the certified Malibu LCP upon approval of a LCP amendment by the Commission. The Plan incorporates the Overlay policies and implementation measures throughout this Chapter to ensure consistency with the Malibu LCP.

The proposed Plan includes development of trail and park improvements dedicated to public access, recreation, education and the preservation of natural resources, including hiking trails, camping, recreational support facilities, and special public outreach programs. All of these Plan components are designed and intended to maximize public access, recreational and education opportunities within the Plan area consistent with the intent the uses specifically allowed in the Overlay. The Plan policies and implementation measures below further clarify allowable uses, activities, support facilities and public outreach programs, subject to all other applicable resource protection measures of the LCP and this Plan, permitted within the specific park properties. The Plan further includes provisions to minimize potential land use conflicts with adjacent residential neighborhoods. While the below policies and implementation measures address general development and program improvements to facilitate maximum public access and recreation to public parklands, these policies and implementation measures are applicable only to those specific parklands addressed in the Plan.

This Section evaluates land use and potential neighborhood compatibility issues that may be associated with the proposed Plan improvements and programs. The Conservancy and MRCA seek to cooperate with all interested parties in carrying out the proposed Plan. This includes cooperation with neighborhoods that are located adjacent to, and might be affected by, parkland programs and development. To that end, the Conservancy and MRCA have considered a number of program alternatives and improvement elements to ensure that the proposed uses and improvements are compatible with surrounding residential neighborhoods.

3.4.1 Land Use

Land Use Policy 1: Specific parkland, recreation, transportation, and trail improvement projects consistent with the Malibu Parks Public Access Enhancement Plan Overlay and this Plan can be approved and implemented, as via a public works projects plan and notice of impending development (NOID) or a coastal development permit to 1) develop public access and recreational facility improvements, including support facilities, needed to meet growing visitation and demands for recreational opportunities in the Santa Monica Mountains and Malibu area, 2) address potential impacts to coastal resources associated with recreational facility development, 3) provide alternative transportation opportunities to facilitate public access, 4) implement and maintain specialized public program uses intended to enhance and diversify access and recreation opportunities, and 5) balance the needs and concerns of private residents adjacent to public recreational lands with the need to promote and enhance public access and recreation opportunities in the Coastal Zone for all visitors

Land Use Policy 2: All new public access and recreation facilities shall be developed consistent with the established OS land use and zoning designation of the parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay, and according to applicable land use designations of Los Angeles County lands subject to the Malibu/Santa Monica Mountains Land Use Plan. Permitted park uses consist of recreation, research and education, nature observation, and a range of critical support facilities, developed and operated pursuant to this Plan. Existing and proposed support facilities are defined as those facilities deemed necessary to support the primary permitted land use, public access and recreation, research and education, and nature observation. The type of support facilities addressed at each park facility shall be based on the level and complexity of public uses and specialized programs offered at each park area. Ramirez Canyon Park, given its unique character, limited accessibility to the public and specialized programs, shall be permitted the administrative and support facilities necessary to maintain access programs, daily operations and maintenance of the various park and recreation programs addressed in the Malibu Parks Public Access Enhancement Plan Overlay and this Plan.

Land Use Policy 3: Development of public access and recreation improvements, and specialized public parkland programs, shall be subject to all implementation measures identified in the Malibu Parks Public Access Enhancement Plan Overlay and this Plan, as applicable. Public access and recreation improvements, and specialized public parkland programs, shall be developed and maintained to minimize potential land use conflicts with adjacent residential neighborhoods.

Land Use Policy 4: Park uses shall be consistent with the visitor carrying capacity of specific park areas taking into consideration available support facilities, opportunities to develop new support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility.

A. Land Use Compatibility

Land Use Implementation Measure 1: Trail and park improvements shall be located and designed to provide separation between public trails and use areas and private property where feasible. Measures to provide such separation may include but not be limited to:

- Signs which inform hikers and park visitors of parkland and private property boundaries and include~~s~~ provisions to restrict trespassing on private property, and to limit activities which may result in nuisance noise, odors, or other uses that may impact the quality of life in residential areas.
- Fencing which delineates trail corridors, park boundaries, permitted parking areas, and private property, where located, designed and installed consistent with all other implementation measures of this Plan.

B. Specialized Programs – Ramirez Canyon Park

Land Use Implementation Measure 2: All Ramirez Canyon Park uses, including administrative uses, public outreach, events, gatherings, tours, and workshops, etc. shall be limited in size, duration and occurrence to comply with the proposed maximum of 40 round trips/day on Ramirez Canyon Road.

Land Use Implementation Measure 3: Public outreach and education activities are priority uses and shall be accommodated first within the maximum allowed 40 round trips/day for Ramirez Canyon Park uses.

Land Use Implementation Measure 4: Events, tours, or other special functions permitted pursuant to this Section shall be cancelled when any red-flag warning for extreme weather, fire and/or flooding warning is issued. Written warnings of such policy shall be provided to prospective sponsors prior to contracting for park use.

Land Use Implementation Measure 5: Amplified music would only be provided in the areas located immediately in front of and behind the Barn facility and at no time shall amplified music be audible beyond the property boundaries adjacent to residential development. In addition, event monitors on duty during such events shall check sound levels hourly at the site boundaries nearest adjacent residential development and shall immediately ensure volume reduction to achieve this standard should it be exceeded. Amplified music shall not be allowed anywhere on the subject site after 8:00 p.m. Sunday through Thursday evenings or after 10:00 p.m. on Friday or Saturday evenings. Special event sponsors shall be provided written notice of these amplified music restrictions prior to entering into a contract for rental of the facility.

Land Use Implementation Measure 6: Special events held during the fire season would retain all guest vans, shuttles, and drivers continuously on site during the event.

Land Use Implementation Measure 7: Net proceeds or $1,000 per large event, whichever is greater, generated by special events held at Ramirez Canyon Park shall be used to establish and maintain a fund for purposes of funding access and recreational improvements and opportunities for visitors with diverse abilities, disadvantaged youth, or other underserved groups. The fund would specifically serve to implement a program designed for disadvantaged youth and dedicated to teaching first-time campers proper use of camping equipment, environmental awareness and outdoor leadership skills. The camp program would include all necessary transportation, food and equipment, with staffing provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education.

Land Use Implementation Measure 8: Specialized programs permitted at Ramirez Canyon Park and associated support facilities would consist of the following uses and be limited by the following restrictions:

- Administrative offices for the Conservancy and Mountains Recreation & Conservation Authority (MRCA).
- Ranger/maintenance supervisor residence utilized by MRCA staff charged with security, site management, and public safety duties.
- Public improvements for the riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by physically challenged visitors in compliance with Americans with Disabilities Act (ADA) requirements, including trails, picnic facilities, drinking fountains, restrooms, and parking areas.
- Use of the Peach House, Barn, and Art Deco facility for small group gatherings and tours for up to 40 participants each, and to greet guests or as a component of site tours provided the Conservancy/MRCA has secured all other necessary approvals under State law for such use of these facilities.
- Public Outreach, Events, Gatherings, Tours, And Workshops
  - Public Outreach Programs
    - Year-Round, Permitted 7 Days/Week
    - Max 40 Participants
    - 8:00 a.m. – Dusk
    - Minimum 10 Outreach Events Conducted Per Month at Ramirez Canyon Park, Escondido Canyon Park or Corral Canyon Park, 5 of which shall be conducted at Ramirez Canyon Park (except when precluded by public safety concerns)
  - Tours And/Or Small Gatherings
    - Year-Round, 12 Tours or Gatherings Permitted/Month
    - Max 40 Participants
    - 8:00 a.m. – Dusk
  - Special Events (gatherings of guests numbering more than 40)
    - March – October, 32 Events Permitted/Year, 1 Event Permitted/Week
    - Maximum 200 Participants (April 1 through July 31)
    - Maximum 150 Participants (March 1 through March 31 and August 1 through October 31)
    - 8:00 a.m. - 9:00 p.m. Sunday-Thursday, and 8:00 a.m. to 10:00 p.m. Friday and Saturday, One Additional Hour is Allotted for Personnel Clean-Up and Securing the Facility.
- Day-use picnic areas designed specifically to provide park amenities to accommodate disabled visitors and their families by reservation. The accessible day-use picnic areas shall be located in level, previously disturbed areas so as not to adversely impact sensitive habitat, but shall be located in proximity to natural areas to provide association with natural resources to the maximum extent feasible.

- ADA accessible camp facility designed specifically for use by disabled visitors and their families, available by reservation.
- Hike-in camp facility, available by reservation only.

Land Use Implementation Measure 9: A Transportation and Parking Management Plan shall be developed and maintained to manage traffic trips on Ramirez Canyon Road pursuant to Transportation Implementation Measure 2 of this Plan.

Land Use Implementation Measure 10: An Event Monitoring Program is proposed and includes monitoring reports to be submitted to the Executive Director of the Coastal Commission annually. The monitoring reports would include a summary of the number and kind of events, tours, small gatherings, and outreach programs conducted at Ramirez Canyon Park during the annual reporting period, distinguishing revenue-generating and non-revenue generating events, activities, tours, and outreach programs, and specifying the dates, vehicle trip counts, and event sponsor or beneficiary as applicable, for each.

Land Use Implementation Measure 11: Nothing herein, including trip limitations, shall operate to limit or restrict access to Ramirez Canyon Park as sovereign property of the State of California at any time and by any means whatsoever, by any of the following: The governor or any civil executive officer as provided in Government Code Sec. 1001; any member of the California National Guard or the State Militia; any firefighter of any public agency; any peace officer, any emergency medical technician or paramedic whether employed by a public agency or not, any member of the Legislature or staffs thereof, any member of the Bureau of State Audits, the Secretary for Resources or any employee thereof, any member of the California Coastal Commission or staff thereof, any person appointed pursuant to Public Resources Code Section 33200 or 33213, or person appointed pursuant to Section 5.0 of the Joint Powers Agreement between the Conejo Recreation and Parks District, the Rancho Simi Recreation and Parks District, and the Santa Monica Mountains Conservancy.

Existing and proposed support facilities included in the Plan are those facilities deemed necessary to support the primary permitted land use, in this case public access and recreation, research and education, and nature observation. The type of support facilities addressed at each park facility is based on the level and complexity of public uses and specialized programs offered at each park area. Ramirez Canyon Park, given its unique character, limited accessibility to the public, and specialized programs requires more administrative and support facilities to maintain access programs, daily operations and maintenance than do Escondido or Corral Canyon Parks that provide primarily passive recreation. Additionally, the developed nature of Ramirez Canyon Park provides facilities from which the Conservancy and MRCA can conduct the administrative responsibilities associated with operating specialized public outreach programs, conducting open space acquisitions, planning, research, and the management of conservation and recreation activities of parklands. The Plan establishes that the existing and proposed public trails, park uses, and necessary support facilities that are the subject of this Plan are primary permitted uses for the parklands subject to the Overlay, and that such uses shall have precedence over other general and non-priority uses, and requires that the proposed trail and park improvements minimize conflicts with adjacent residential uses, and preserve the character and integrity of the adjacent residential areas.

To minimize potential land use conflicts with adjacent residential neighborhoods, the Plan requires that trail and park improvements be located and designed to provide separation between public trails and use areas and private property where feasible by including measures such as signs and fencing which delineate trail corridors, park boundaries, permitted parking areas, and private property, and restricts activities which may result in nuisance noise, odors, or other uses that may impact the quality of life in residential areas.

3.5 PUBLIC WORKS PLAN SCOPE OF IMPROVEMENTS

3.5.1 Park Facility and Camping Improvements

The Plan includes several park facility and camping improvements to enhance public access and recreational opportunities in the Plan area. The specific parking, camping, and support facility improvements are summarized below and are discussed in detail for each particular park property.

Camp Sites and Parking

Proposed camp facilities consists of low impact campsites and associated support facilities including, where appropriate, day-use picnic areas and picnic tables, potable water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations. Campsites are fee-based (with drop boxes/iron rangers for collection of fees to be provided at most parks) and are "carry-in carry-out" campsites, which are accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains.

Proposed camping improvements at each park property include an accessible campsite component, designed in accordance with current accessibility guidelines and technical requirements. Design features for accessibility would be provided within the proposed camp pads (size and dimensions described further below) and would include the following: 3-4 inches (in) clear ground space, firm/stable surface with maximum 2-3% slope, edge protection, movable picnic tables, picnic tables designed to accommodate wheelchair seating spaces, and cooking surfaces (designed in accordance with the proposed Fire Protection and Emergency Evacuation Plan) placed at 15-34 in above ground with 4 x 4 in clear ground space. Some campsites may have elevated tent platforms/pads (which could be provided as stepped ground surface with retaining edge and transfer height at 17-19 in).

The Plan proposes development of three types of campsites; one large campsite type, and two small campsite types (Types 1 and 2). The large campsite would be approximately 27 feet (ft) by 25 ft and would provide a picnic table alongside a tent area within a 675 square foot (SF) site. The 20 ft by 20 ft small campsite (Type 1) would consist of 400 SF of area and would also provide a picnic table parallel to the tent area. The other small campsite (Type 2) would be rectangular in shape and would measure 30 ft by 10 ft, which would allow for a picnic table and a tent area on each end of a 300 SF site. Tent cabins proposed only on the west bluff of the Malibu Bluffs site would be 12 ft by 14 ft, with a height of 9 ft. Doors would be located on the 12 foot side and would face the trail to the east. Tent cabins would be constructed with wood, cotton, polyester-vinyl, and steel, and would be cream, brown, or green in color, whichever is determined to best blend in with the natural surroundings.

Public parking improvements are proposed along Kanan Dume Road (to support access to Ramirez Canyon Park), near the entrance in Ramirez Canyon Park (improvement to existing parking lot), at Escondido Canyon Park and the Latigo Trailhead property, Corral Canyon Park (improvement to existing parking lot), and Malibu Bluffs. Parking improvements generally consist of asphalt concrete parking lots (except parking improvements at Corral Canyon Park which would consist of decomposed granite) and include standard and accessible parking spaces and bike racks. Parking improvements are described in more detail for each park in the following sections. The proposed Plan would provide a total of 183 (existing

+ proposed) parking spaces within the five parks. There would be drop boxes/iron rangers for collection of fees at most parking lots.

Pedestrian and Vehicle Bridges

The proposed Plan includes construction of four potential pedestrian trail bridges; one at Ramirez Canyon Creek along the trail alignment from Kanan Dume to Ramirez Canyon Park, and three at Malibu Bluffs; final engineering design may allow for the construction of additional pedestrian bridges to minimize grading and/or creek encroachments. There is one vehicle bridge on Ramirez Canyon Road that would be replaced and upgraded to 20-ft. wide as part of the Ramirez Canyon Road widening plan component (discussed further below), and two new vehicle bridges would be constructed at Malibu Bluffs to provide access to and between Pacific Coast Highway and the proposed parking areas. There would be additional minor trail crossings that consist of stepping stones or other informal stream crossings where necessary to support access along the proposed trail system. Vehicle bridges are designed such that bridge abutments would be located above the top of bank of streams and/or drainages.

Fire Safety

Water Storage Tanks

The Plan proposes construction of water lines to provide water to the proposed campsites and park/ trail facilities, as well as for increased fire protection. New water lines, ranging from 2- to 6- in, would connect either to existing water lines and/or to proposed water tanks with a capacity of 10,000 gallons. The existing water tanks at Ramirez Canyon Park would remain in place would be utilized for proposed park improvements at that location. There are currently two proposed configurations for the 10,000 water tanks which would be installed at park properties not currently served with water tanks for increased fire protection. The two corrugated steel tank options would either be 1) approximately 12 ft. 4 in. in diameter, with a height of approximately 11 f.t 3 in., or 2) approximately 11 ft. 8 in. diameter with a height of 13 ft. For the purposes of this EIR, the largest dimensions for both diameter and height were utilized to model visual impacts in order to adequately address the use of either tank.

Selection of equipment used to construct the proposed water tanks would be dependent on the location and if the site has been previously disturbed. For more disturbed sites, a backhoe or Bobcat would be used to put the water tank in place. If the site is less disturbed, a Sweco tractor and Bobcat might be used to maneuver the tank along sections of trail and ultimately, seat the tank on to the pad.

Fire Hydrants

All of the park properties will receive new fire hydrants for fire protection. The fire hydrants would consist of standard fire hydrants and wildland fire hydrants. Standard fire hydrants include both a 4-inch and 2 ½-inch outlets, while a wildland fire hydrant includes one 2 ½-inch outlet. Standard hydrants would be installed at Escondido Canyon Park and Latigo Trailhead and would have a maximum 4-in feed. Hydrants at Malibu Bluffs Conservancy Property would have a minimum 4-in feed from Pacific Coast Highway. All hydrants would have back flow prevention devices. A water tank would provide the water source at Corral Canyon Park, which would connect to two water lines-one to fill up the tank, one to drain it. Water tanks at the other parks would provide a secondary unpressurized water source for fire-fighting (in addition to the hydrants). Ramirez Canyon Park currently has a 4,500-gallon and 10,000-gallon water tanks, one central wharf head, and water lines.

Water lines would be installed underground to the camp areas to service hose bibs with drainage sumps. In addition to the hydrants described above, a wildland fire hydrant connected to this water line would be

located within 50 ft. of any campsite. The wharf head (i.e., wildland fire hydrant) would provide a 2½-in. hose connection for Fire Department use. In addition, a ball valve (to turn the water on and off) would connect to a hose reel with 100 ft. of 1-in. fire hose and a permanently attached nozzle, which the camp host or campers could use in case of emergency. The hose reel would be on a metal stand with a small shade roof, approximately less than 3 ft. in height and beige. It would then be placed on a concrete pad, which would be approximately 2 ft. by 3 ft., and 6 in. thick.

Fire Truck Sheds

Fire truck sheds are proposed at Corral Canyon Park and Malibu Bluffs. The fire truck sheds would consist of metal structures, approximately 40 ft. x 20-ft. and 18-ft. high, which would be assembled on location using bolts that would connect the metal sections. After assembly is complete, the door would be bolted to the structure. To prepare for construction of the fire truck shed, concrete would be used to form the floor and a two-foot deep perimeter around the building. A 6-in. slab with ½ in. of rebar would be applied to reinforce the floor and prevent cracking when heavier trucks utilize the shed. Electricity is then added to provide light.

Emergency Fire Shelters

In order to address fire safety concerns, each park location would be provided with one or more emergency fire shelter(s), as would select areas along the proposed trail system, which would allow for campers and park visitors to seek emergency shelter in the event of a wildfire. The fire resistant structures would be pre-fabricated, modular containers made of steel and/or concrete, and if necessary, would house park patrons temporarily. Each structure would have a window and a door, a carbon filter to filter noxious gases, and would contain a fire-rated one-hour insulation in the interior. Proposed shelters would range in size from 8 ft. by 12 ft. to a maximum of 12 ft. by 42 ft., with heights of approximately 10 ft. For the larger structures, 8 ft. by 25 ft. or 12 ft by 42 ft. would hold a similar number of people (there would be more sitting room in the 12 ft. by 42 ft. structure. The shelters would be painted with colors that are earth-toned, camouflage, or otherwise compatible with the existing landscape.

Emergency fire shelters would be delivered to the site on a large flat bed tow truck. To prepare the site where each fire safety shed would be located, a bobcat would be used to first level the building pad. An approximate ¾ in. gravel base would then be applied, which will provide a foundation for the self-leveling containers. In some locations, a crane may be necessary to place the containers into the site. No utilities would be hooked up to the fire safety shelters.

Emergency fire shelters are proposed at the following locations:

- Ramirez Canyon Park, Peach House parking lot
- West of Murphy Way Road, trail 2a6
- Escondido Canyon Park, parking lot
- Latigo Trailhead, parking lot
- Corral Canyon Park, east of Corral Canyon Road, trail 13b
- Corral Canyon Park, Camp Area 1
- Malibu Bluffs, Parking Lot 1 and 3

Shade Trees and Screening Vegetation

Shade trees and screening vegetation would be planted where appropriate throughout the Plan area. Shade trees may be planted at Corral Bluff Camp Area 1 to provide cover from the sun, and screening vegetation may be used to shield views of parking lots at Malibu Bluffs from Pacific Coast Highway, where such plantings would not substantially block bluewater views across the site, and sugarbrush may be planted between campsites to provide moderate shielding for campers.

Trees and vegetation would be hand-watered using new proposed water sources and would be selected from a list of locally native species. Shade trees planted may include Coast live oak, Sycamore, Sugarbush, Willow, Alder, and/or Walnut. Screening vegetation may consist of Coast live oak, Sycamore, Sugarbush, Willow, Alder, Walnut, Toyon, Lemonade berry, and/or Coffeeberry. All plant species listed above have been approved by the County of Los Angeles Fire Department for use in fuel modification zones, with the exception of Willow trees.

Sign Program

The proposed Plan includes development and implementation of a uniform sign program for new trail and park area improvements to assist visitors in locating and recognizing park areas and trail corridors, park support facilities, sensitive habitats, and adjacent land uses. Signs are proposed to be posted at park access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads, and would include safety signs, including, but not limited to, road crossing signs and yield/warning signs on multi-use trail segments.

The sign program includes posting regulatory signs at park entrance areas, staging areas or gathering points with the following information: 1) permitted/prohibited uses of the area or facility being posted, 2) general park regulations, 3) general regulations at jurisdiction boundaries, where applicable, 4) regulations required to promote safe use of an area (including limitations on fires) and resource protection, and 5) identification of private property boundaries. Trail signs posted for visitors beyond the trailhead would include information regarding distance to destination points, locations of services and/or support facilities, trail conditions, and trail accessibility that will help visitors determine the level of trail difficulty. In areas containing environmentally sensitive habitat or safety hazards, signs would be posted in English and in Spanish with a description of the sensitive habitat or safety hazard. In addition, educational/interpretive signs would be posted in public use areas adjacent to ESHA to identify natural resources and explain their special nature or role in the local ecosystem.

Ramirez Canyon Park

Kanan Dume Parking Improvements to Serve Ramirez Canyon Park

The proposed Plan includes development of a trail linkage from Kanan Dume Road to Ramirez Canyon Park. Details of the proposed trail linkage are discussed in the Trail section below (Kanan Dume Ramirez Canyon Connector Trail). A proposed parking facility accessed from Kanan Dume Road would provide a new public parking resource to accommodate 26 vehicles (including 6 accessible spaces). The parking facility has been located and designed as pocket parking immediately adjacent to Kanan Dume Road. Development of the proposed Kanan Dume parking area would require construction of retaining walls along the eastern flank of the proposed parking area. Informational and regulatory signage would be installed at the parking lot entrance.

Ramirez Canyon Park Parking & Day-Use Areas

Two accessible day-use areas, one accessible day-use/multi-purpose use area, and an adjacent parking area (existing) would be improved. These areas would be improved with picnic amenities and the periphery of the areas revegetated with native plants to enhance the visual quality and habitat of the currently degraded site areas. A new restroom facility meeting the specifications for accessibility would be provided, which would be connected to the Park's existing advanced wastewater treatment system. An existing parking lot located at the southern entrance to the park would be improved to provide 8 standard and 2 accessible spaces, for a total of 48 parking spaces available on-site.

The proposed accessible day use area, located east of the proposed parking lot at Area 1-A in Ramirez Canyon Park would be used for parking as needed and when not in conflict with other uses. Parking Area 1-B, under the proposed Plan, would continue to be used for parking; it would not conflict with the proposed accessible day use area/multi-purpose area located to the south.

In addition to the above improvements, a portion of Ramirez Canyon Creek adjacent to the proposed picnic areas is proposed for restoration/enhancement (see Ramirez Canyon Creek Restoration/Enhancement below for further discussion). The creek restoration/enhancement area would provide for educational displays associated with the creek restoration and enhancement efforts. The day-use areas would be used for outreach programs and would also be made available to visitors by reservation. The proposed day-use areas are located in proximity to Ramirez Canyon Creek.

Ramirez Canyon Park Camp Areas

Ramirez Canyon Park camp areas would include a total 5 campsites (including 2 accessible sites). The camp sites are located a short travel distance from the many existing support facilities in the Park, while maintaining adequate distance to experience the tranquil coastal canyon habitat. The sites, in addition, are relatively close to Pacific Coast Highway (approximately one mile), with its many costal access points to the beach. Overnight camping at Ramirez Canyon Park would be allowed by reservation only. The reservation and onsite registration systems would require campers to acknowledge and agree to all park rules including, but not limited to, the prohibition on campfires and the "cold camping" regulation.

A new camp area is proposed at the existing tennis court (100 ft. by 56 ft.) location, which is slated for demolition to allow for restoration/enhancement of a portion of Ramirez Canyon Creek adjacent to the area (see Ramirez Canyon Creek Restoration/Enhancement below for further discussion). The camp area is planned in a level, previously disturbed area of the Park. The area was chosen given the availability of vehicular access to each site and the sites location near existing, easily accessible support facilities. A new restroom facility meeting the technical specifications for accessibility would be provided, which would be connected to the Park's existing advanced wastewater treatment system.

Three additional campsites are proposed within the Meadow area a Ramirez Park. A new restroom facility would be provided, which would also be connected to the Park's existing advanced wastewater treatment system. The hike-in camp area at the Meadow would provide views across the Meadow to Ramirez Canyon Creek and would be easily accessed from the proposed Kanan Dume Ramirez Canyon Connector Trail connecting the Park to the proposed parking facility adjacent to Kanan Dume Road. Campers would also have ready access to the new proposed trail (segment of Coastal Slope Trail) from Ramirez Canyon Park eastward to Murphy Way and beyond.

Ramirez Creek Restoration/Enhancement

There are a number of existing streambed modifications in Ramirez Canyon Park, which were installed over the years (prior to MRCA/ Conservancy ownership) without the benefit of permits. The on-site channelization is part of a larger system of channelization in Ramirez Canyon where numerous neighboring properties contain similarly modified channels.

The Conservancy and MRCA have initiated a site-specific, comprehensive analysis of the modified stream channel at Ramirez Canyon Park to assess opportunities for streambed and riparian habitat restoration/enhancement and potential onsite and offsite flooding or erosional hazards that might result from removing or other modification of the channelization structures. Penfield & Smith have developed a conceptual creek enhancement plan to address these flooding or erosional hazards. The creek enhancement plan includes removing existing gabions and installing pervious boulder berms and/or log deflection structures throughout the creek to control stream degradation; creating areas of overbank enhancement in two areas (by the existing tennis court and at the southerly portion of the park) by removing artificial creek wall linings, grading back the slopes, constructing rock toe protection, installing retaining walls, and planting native plants; and planting of native plant species and removing non-native plants throughout the creek and implementing corresponding best management practices. The creek enhancement area would also provide for educational displays associated with restoration and enhancement efforts of the proposed creek restoration program.

Removal of the existing wall(s) and the grading would require the use of a backhoe and manual labor. The boulder berms in the stream would be done by hand placement of the rock with the aid of an excavator or other equipment to place the larger rock in conformance with Caltrans Method A, which states that dumping of rock is not permitted. Demolition debris will be hauled off in rubber tired trucks.

Ramirez Canyon Road and Delaplane Road Widening

The proposed Plan includes emergency ingress/egress road improvements for the Ramirez Canyon community. These improvements include widening of the existing access road and removal of encroachments in the road easements, as necessary, to provide 20-ft clearance for emergency ingress/egress in the canyon along Delaplane Road and Ramirez Canyon Road, per recommendations of the Los Angeles County Fire Department. These improvements will enhance overall vehicular access along Ramirez Canyon Road and will provide for improved emergency access to and from the Ramirez Canyon corridor.

Road widening improvements are proposed to achieve a 20-ft. wide roadway with minimum 50-ft. radius curves at Ramirez Canyon Road to meet fire department requirements. Portions of Ramirez Canyon Road currently meet the 20-ft. width roadway requirement, while other segments of the road would require application of additional asphalt concrete (AC) pavement along one or both sides of the road. To achieve a 20-ft. width along the entire length of Ramirez Canyon Road from its intersection with Delaplane Road, 2,280 lineal ft of Ramirez Canyon Road (combined west and east side pavement additions) would require AC paving improvements. Area of improvements along the west portion of Ramirez Canyon Road would total 820 SF and improvements along the east portion of the road would total 5,320 SF. Similar to Ramirez Canyon Road, some portions of Delaplane Road do not currently meet the 20-ft width requirement. As such, 670 lineal ft. of Delaplane Road would require AC paving improvements (combined west and east side pavement additions); with a total of 125 SF along the west and 1,220 SF along the east road portions. To comply with fire department requirements and obtain the desired uninterrupted roadway width of 20-ft, roadway improvements of both Ramirez Canyon Road and Delaplane Road are required along approximately 52% of the combined roadways. Road widening improvements also include replacement of a wooden bridge on Ramirez Canyon Road, located just south of the intersection with Via Acero, with a 20-

ft. clear width and 34-ft. long, prefabricated steel bridge. The bridge design would withstand fire truck weight and better accommodate two-way vehicular traffic, and is proposed to span the creek bank and be located above the 100-year flood elevation. Also, to achieve this 20-ft.-width, the existing vehicle gate and pilasters along Delaplane (which do not allow 20 feet of clearance) would be removed and a new gate with 20-ft.-wide opening would be constructed.

The widening of Ramirez Canyon Road and the extension of Via Acero as secondary access to Ramirez Canyon (discussed in detail below) would significantly improve emergency access and evacuation. Widening Ramirez Canyon Road will ensure that emergency vehicles can enter the canyon during periods when evacuations are occurring, and would provide additional capacity for evacuation flows. Providing the secondary emergency access route into Ramirez Canyon will allow emergency vehicles to enter the canyon from two points and will provide a new route for evacuation. This route would be used for evacuating Ramirez Canyon Park in the event of an emergency, thus no vehicles would be added to Ramirez Canyon Road south of the park site.

Via Acero Secondary Emergency Access Improvements

Pursuant to recommendations of the Los Angeles County Fire Department, the Plan also includes improvements to Via Acero to provide secondary emergency vehicular ingress/egress for Ramirez Canyon, as identified on the Penfield & Smith project plans. The secondary emergency access improvements include extending the paved portion of Via Acero within an existing dirt road for approximately 1,400-ft to intersect with Kanan Dume, and widening of Via Acero to 20-ft over its entire length between Kanan Dume and Ramirez Canyon Road (approximately 2,938-ft). The amount of new pavement required to extend and widen the road would be approximately 29,500 and 4,440 SF, respectively (a total of 40,728 SF with a 20% contingency). Grading for the Via Acero road improvements would consist of approximately 1,033 cy cut and 1,086 cy fill.

Escondido Canyon Park

Escondido Canyon Park Camp Areas

The Plan includes 3 camp areas in Escondido Canyon Park that would include a camp host site and a total of 13 campsites. One camp area is planned adjacent and west of the proposed parking area and would include three small Type 2 campsites, and a self-contained restroom. A second camp area is planned just north and down slope of the proposed parking area, closer to Escondido Creek, and would include two small Type 1 campsites. A third camp area is proposed just east of the Park entrance at the termini of Winding Way, where the camp area would be easily accessed via an existing service road. This third camp area includes 1 large campsite, and 7 small campsites (3 small Type 1 and 4 small Type 2), and a self-contained restroom meeting the specifications for accessibility, all of which are proposed along and adjacent to the primary trail alignment in this portion of the Park. Overnight camping at Escondido Canyon Park would be allowed by reservation and/or by onsite registration (e.g., by an onsite drop-box or by onsite Park staff). A board or kiosk would be placed at the Escondido Canyon Park parking lot to designate which campsites have been reserved; if feasible, another board or kiosk would be placed at the parking area on Winding Way (near Pacific Coast Highway) to reduce unnecessary additional trips to the park. The reservation and onsite registration systems would require campers to acknowledge and agree to all park rules including, but not limited to, the prohibition on campfires and the “cold camping” regulation. At the existing parking area on Winding Way (near Pacific Coast Highway), a parking monitoring sign would be installed, which indicates parking availability at the new proposed parking area in Escondido Canyon Park.

An accessible trail is proposed from the proposed parking area to the creek (trail alignment 4d). A 10,000 gallon water tank would be constructed adjacent to the western portion of the parking area, where a restroom and camp host is proposed. A fire hydrant outfitted with a BFPD would be installed just east of the water tank, and would connect to an existing water line under Winding Way via a 4-in PVC water line. A wildland hydrant with 100 ft of fire hose with reel would be installed in Camp Area 2 near the two proposed campsites and would also connect to Winding Way through a 4-in water line. Waterline placement would generally be located in existing/ proposed trail corridors.

Latigo Trailhead and Camp Area

Latigo Camp Areas

The Plan includes one camp area at the Latigo trailhead that would include a camp host site and a total of 5 campsites, one of which would be designed as an accessible site, and a picnic area. The camp area is planned adjacent to, and would be readily accessed from, the proposed parking area. A 10,000 gallon water tank would be constructed west of the campsites and parking area, which would intersect with the west side of the parking lot via a 4-in. diameter, approximately 80 ft. long firewater line, providing water availability for fire protection. A 6-in. water line would connect to the existing water line approximately 400 ft. east from the parking lot access point.

Corral Canyon Park

Corral Canyon Park Accessible Walkway and Drop-Off Area

A number of existing support facilities exist at the Corral Canyon Park trailhead that currently facilitate public use of the park including a public parking lot, self-contained restroom, drinking fountain, and an accessible picnic area. However, access options for visitors with special needs beyond the trailhead are limited in that the trail immediately requires visitors to cross the creek to continue along the trail.

The proposed Plan includes an accessible drop-off point opposite the existing parking lot and trailhead where an existing administrative road currently takes access from Pacific Coast Highway. The existing maintenance road would be upgraded to provide for one drop-off point from which visitors with special needs can gain access to the rest of the park. Given the proximity of this area to the creek, the improvements will consist only of leveling the already disturbed area and providing adequate dimensions for vehicle turnaround. In addition, the proposed Plan includes improvements to an existing trail and walkway to provide access for people with disabilities from the Corral Canyon Park parking lot to the proposed accessible drop-off point. Park staff with an All-Terrain-Vehicle (i.e., mechanized mule) would be available for pre-arranged drop-offs to Camp Area 1, when necessary.

Corral Canyon Park Camp Areas

The Plan includes a camp host location at the Corral Canyon trailhead, located north of the existing restaurant fronting on Pacific Coast Highway, and two camps areas in Corral Canyon Park that would include a total of 16 campsites, 2 of which would be designed as large sites. Camp Area 1 is planned on an elevated terrace above Pacific Coast Highway and would include 2 large campsites and 9 standard, small type 1, campsites, and a self-contained restroom meeting the technical specifications for accessibility; the trail from the existing parking area to this camp area would be improved for accessibility. Camp Area 2 would be located along and adjacent to the existing primary trail alignment in this portion of the Park. The

northern camp area would include 5 small type 1, campsites and a self-contained restroom, and is also proposed along the primary trail alignment, just up-canyon of the trailhead. Overnight camping at Corral Canyon Park would be allowed by reservation and/or by onsite registration (e.g., by an onsite drop-box or by onsite Park staff). A board or kiosk at the parking area would designate which campsites have been reserved. The reservation and onsite registration systems would require campers to acknowledge and agree to all park rules including, but not limited to, the prohibition on campfires and the "cold camping" regulation.

Malibu Bluffs Conservancy Property

Malibu Bluffs Parking Improvements

The proposed parking improvements on Malibu Bluffs Conservancy Property are intended to increase accessibility, public access and recreational opportunities to the open space area owned by the Conservancy, as well as to the adjacent shoreline across Malibu Road from the Bluffs. The Plan includes development of 4 new parking areas on the Bluffs property, 3 of which are accessed from, and adjacent to, Pacific Coast Highway, and one that would be accessed from and adjacent to Malibu Road. The first parking area (Parking Lot 1) is proposed on the west bluff portion of property and would accommodate 16 vehicle spaces, including 3 accessible spaces. A camp host site and restroom are proposed south/west of and immediately adjacent to Parking Lot 1. An informal overflow parking area is also proposed at the westernmost portion of the Bluffs property, adjacent to Parking Lot 1. In addition, a 10,000 gallon water tank is proposed adjacent to the northwest border of Parking Lot 1. The second parking area (Parking Lot 2) is also proposed on the west bluff (westernmost portion of the property) and would accommodate 17 vehicle spaces, including 2 accessible spaces, and would measure approximately 5,200 SF. A camp host site and restroom are proposed south of and immediately adjacent to Parking Lot 2. The third proposed parking area (Parking Lot 3) would be located on the east bluff portion of the property. The lot would be approximately 5,625SF and would include 16 vehicle spaces, including 4 accessible spaces. A camp host, restroom, and a second 10,000 gallon water tank are proposed just south of Parking Lot 3. The fourth parking area (Parking Lot 4) would be 1,615 SF and consist of 3 parking spaces on the lower, west bluff portion of the property adjacent to Malibu Road.

Malibu Bluffs Day-Use Area

A new day-use area is proposed on Malibu Bluffs. The new day-use area would be located on the lower portion of the east bluff. The proposed day-use area would be improved with picnic amenities and would be accessed from Malibu Road or the upper east bluff via an existing trail.

Malibu Bluffs Camp Areas

The Plan includes 5 camps areas for the Malibu Bluffs area that would include a total of 32 campsites, four of which would be designed as large campsites, and four that would be designed as tent cabins. Camp Area 1 would consist of 3, small type 1 campsites and four tent cabins located near the proposed Lot 1 parking area on the west bluff portion of the property. A restroom meeting the technical specifications for accessibility would be located by Camp Area 1. Camp Area 2 would include 6 small type 1 campsites located on the west bluff (westernmost portion of the property) near the proposed Lot 2 parking area. Camp Area 3 is proposed on the northeast bluff portion of the property and would include 4 large campsites, plus a restroom meeting the technical specifications for accessibility. Camp Area 4 is proposed on the southeast bluff portion of the property and would include 12 small type1, campsites, plus a restroom

meeting the technical specifications for accessibility. Finally, Camp Area 5 is proposed on the southern-most portion of the east bluff and would include 3 small type 1 campsites. Overnight camping at Malibu Bluffs would be allowed by reservation and/or by onsite registration (e.g., by an onsite drop-box or by onsite Park staff). A board or kiosk at the parking area would designate which campsites have been reserved. The reservation and onsite registration systems would require campers to acknowledge and agree to all park rules including, but not limited to, the prohibition on campfires and the "cold camping" regulation.

A pedestrian bridge would cross an unnamed drainage approximately 50 ft north of Malibu Road; the bridge would span the drainage and no improvements within the drainage are anticipated. A pedestrian bridge would also be constructed between Camp Area 2 and Camp area 3, as well as one east of Parking Area 4.

3.5.2 Trail Improvements

The proposed Plan would construct major components of an expansive trail system planned for the Malibu coastal area and the larger Santa Monica Mountains National Recreation Area, thus connecting a number of federal and state-owned parklands in the Plan area including Ramirez Canyon Park, Escondido Canyon Park, Latigo Trailhead, Solstice Canyon Park, Corral Canyon Park and Malibu Creek State Park.

The Plan includes a program for accepting and implementing recorded trail Offers To Dedicate (OTD) in the Plan area to fill a number of "missing links" in the surrounding trail network. In an effort to keep up with existing and increasing demand for recreational resources in Malibu and the Santa Monica Mountains coastal area, the California Coastal Commission has for decades implemented the Coastal Access Program OTD program in the Plan area. The OTD program has resulted in a number of trail easements located along local roadway shoulders that would provide trail linkages from the surrounding street network and the community to the regionally significant Coastal Slope Trail and, ultimately, to the Beach to Backbone Trail. However, the OTDs must be "accepted", and improved as necessary, by a managing agency to ensure that the intended public benefits are effectuated.

The MRCA has accepted many of these trail OTDs within the Plan area; however, because there remain substantial gaps between the accepted OTDs along the planned trail alignments, improvement and use of these OTDs are not included in the environmental analysis for the proposed project. The current, incomplete condition of the trail alignment OTDs renders detailed analysis of anticipated trail improvements (e.g., engineering and natural resource constraints) speculative at this time as it is not known exactly where potential future trail OTDs would be located on adjacent and nearby properties in the future. The MRCA will continue to accept new and future trail OTDs in the Plan area as they become available, and will improve and implement them when possible and appropriate as OTDs are secured and accepted for complete, continuous trail alignments, an equivalent self-contained segment, or if public need arises for implementation of a particular trail segment. The detailed planning and implementation of these OTDs would be undertaken with applicable environmental review conducted at that time.

In addition, the Plan includes planning and implementation efforts to connect several federal and State-owned park properties via the proposed trail system; Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Solstice Canyon Park, Corral Canyon Park, and Malibu Creek State Park. The majority of planned trail connections to and between the parks are included in the proposed project. However, a single trail segment planned between Kanan Dume Road and Zuma/Trancas Canyons in the Santa Monica Mountains National Recreation Area is located on NPS land, and the Conservancy/MRCA do not currently have land tenure or agency agreement to plan and implement trail improvements in this

location. As with the trail alignments that would ultimately be established through the OTD program discussed above, detailed planning and implementation of the planned trail segment to connect Kanan Dume Road and Zuma/Trancas Canyons would be undertaken with applicable environmental review conducted at that time.

The proposed trail improvements would complete trail connections for the Coastal Slope Trail and its ultimate connection to the Beach to Backbone Trail (in Corral Canyon), which will provide access to and between adjacent urban areas of Los Angeles and Ventura Counties, the larger Santa Monica Mountains National Recreation Area, and to the shoreline within the City of Malibu, as illustrated in Figure 6, Existing and Planned Trail Resources and Figure 7, Proposed Trail Resources. Additional parkland and shoreline access would be provided with the Beach to Bluffs trail improvements proposed at the Conservancy-owned Malibu Bluffs.

Some of the trail alignments identified in the Plan area are critical connections for completing the Coastal Slope Trail and would require either new land acquisitions from private and public property owners or new OTDs for formal public access trail easements (e.g., Trails 1a, 9a/b, 10b, and 11a). For these trail alignments, additional properties and/or trail easements and/or agency agreements would need to be secured by the Conservancy/MRCA before the trails could to be constructed. Once the land is acquired, or the trail easements accepted, all policies and implementation measures of the Plan and construction techniques described herein would be applied to implementation of proposed trail improvements.

Standard trail construction techniques would be incorporated where retaining structures are required for trail construction. For low walls (i.e., 2-ft tall walls), materials such as trees, logs, or rocks would be placed to support the soil. Walls up to 3-ft would be constructed from steel posts driven into the ground with boards adjacent to the posts to retain soil; to ensure free drainage from behind the wall, filter fabric and gravel would be applied. Support for taller slopes would require CMU on top of a concrete foundation. To ensure slope and site stability, final design and grading of trails, as well as the retaining structures, would be in conformance the findings of a geotechnical report's recommendations. The Plan includes trails proposed in accordance with current accessibility guidelines and technical requirements. Proposed accessible trails connect with other proposed accessible facilities, including campsites, restrooms, and parking areas.

Many of the proposed trail alignments (Coastal Slope Trail and feeder trails) generally follow the alignments in other planning documents, including City of Malibu-Malibu Trails system (2004), City of Malibu Local Coastal Program, and the Draft Santa Monica Mountains National Recreation Area (SMMNRA) Interagency Trail Management Plan. The majority of the new trails are proposed to be 5-ft wide, in some cases they are proposed to be 4-ft wide, and they would include periodic passing areas. Along many of the proposed trail segments, bridges across drainages would be provided. In addition, signage would be installed, including regulatory, directional, and educational signage.

Coastal Slope Trail and Beach to Backbone Trail

The proposed Coastal Slope Trail is a regionally significant trail that is identified along the length of the Santa Monica Mountains from Point Mugu State Park in the west to Topanga State Park in the east, and consists of existing and proposed segments along then various stretches of the trail system. The Draft SMMNRA Interagency Trail Management Plan identifies an alignment of the Coastal Slope Trail. Specific alignments that would be implemented along its length may vary slightly from planned alignments due to

site-specific considerations (including topographic or environmental constraints, new trail easements from private landowners, etc.). The Plan covers a segment of the Coastal Slope Trail from Kanan Dume Road at the west to Corral Canyon to the east, portions of which are existing and portions of which are proposed. The Plan also includes a proposed north-south Beach to Backbone Trail in Corral Canyon. The Beach to Backbone Trail would connect Dan Blocker County Beach to a portion of the Coastal Slope Trail in Corral Canyon Park, then traverse northward to the Backbone Trail in Malibu Creek State Park. The following section provides more detailed descriptions of the various trail segments included in the Plan from west to east along the Coastal Slope Trail, and the north-south Beach to Backbone Trail within the Plan area.

Kanan Dume Ramirez Canyon Connector Trail (Ramirez Canyon Park)

This trail link (1a) would extend from the proposed parking facilities off Kanan Dume Road south and east through a Los Angeles County-owned parcel (to be acquired by MRCA), and through National Park Service land to Ramirez Canyon Park. The trail would ultimately connect west of Kanan Dume Road to Zuma/Trancas Canyons in the SMMNRA (not part of the proposed project). This stretch of trail east of Kanan Dume Road would be developed on relatively steep canyon terrain containing significant coastal sage scrub habitat. Several switchbacks would be required and one or more bridges may be required to accommodate the trail crossings across drainages. A bridge is proposed across Ramirez Creek in Ramirez Canyon Park. A Kanan-Dume Parking Spur is proposed from Parking Area 3 adjacent to Kanan Dume Road to connect to trail alignment 1a.

An additional trail alignment (1b) would extend from Kanan Dume Road to Ramirez Canyon Road along and within the Via Acero road widening and extension project component. Any grading associated with trail 1b is included in grading required for widening and extending Via Acero from Ramirez Canyon Road to Kanan Dume.

Ramirez Canyon Road and Ramirez Canyon Park Trail

Trail alignment 1b along Via Acero would connect to trail alignment 5a, traveling northward to the Ramirez Canyon Park entry gate. Once inside Ramirez Canyon Park, this trail alignment travels northward through developed areas in the park until it connects to the Coastal Slope Trail (at the intersection of trail alignments 1a and 2a3).

Ramirez Canyon Murphy Way Connector Trail (Ramirez Canyon Park)

Several trail alignments were evaluated to connect Ramirez Canyon Park to Murphy Way (formerly De Butts Terrace) pending successful negotiations with adjacent property owners to offer trail easements, acceptance of trail OTDs resulting from future coastal development projects, or adjacent property purchases. The proposed trail alignment (2a3 and 2a6) is accessed directly from Ramirez Canyon Park and traverses land and/or easement recently acquired for purposes of completing the trail connection.

Murphy Way Escondido Canyon Connector Trail (Escondido Canyon Park)

Three alternative trail alignments were evaluated along the descending slope from Murphy Way (formerly De Butts Terrace) into Escondido Canyon Park, each of which would connect to the existing Escondido Falls trail within the park pending successful negotiations with adjacent property owners to offer trail easements, acceptance of trail OTDs resulting from future coastal development projects, or adjacent property purchases. A fourth alignment south of the trail alignments evaluated (not included in this plan) is identified on the trails maps of the Interagency TMP and the City of Malibu Trail Plan ("Water Tank Trail"). However, there is currently no known formal public access available along this trail alignment via any dedicated trail easement or OTD that specifically provides for trail improvements. The proposed trail

alignment (4b) provides access to Escondido Canyon Park on land recently acquired for purposes of completing the trail connection, and would avoid developed neighborhoods to the south. Trail 4 then traverses through Escondido Canyon Park and connects to the existing trails. (In addition, trail alignment 4d would be an accessible trail connecting the proposed parking lot in Escondido Canyon Park to the creek.)

Escondido Canyon Park to Solstice Canyon Park Connector Trail

A large segment of the Coastal Slope Trail from Escondido Canyon Park to Latigo Canyon Road and east of Latigo Canyon Road is included in the Plan. The trail alignment (9/9a/9b) takes access from the existing trail in Escondido Canyon Park along the former Winding Way road right-of-way that traverses along the north-east boundary of Escondido Canyon Park, crossing Latigo Canyon Road, and following the Wilmont Lane road alignment into Solstice Canyon Park. Given that the majority of this trail alignment would remain within the corridor of a remnant road bed associated with the former Winding Way right-of-way on the west side of Latigo Canyon Road, very little grading would be required to implement this trail section, except to re-establish the trail where washout and failures have occurred. The proposed Plan includes two short alignments, 9a and 9b, west of Latigo Canyon Road that would connect Escondido Canyon Park to the new trailhead and camp area proposed at the Latigo property. Alignment 9a would pass on the southerly border of MRCA-owned property (Latigo Canyon Trailhead) just west of Latigo Canyon Road, whereas alignment 9b would pass along the existing dirt road bed/trail on private property to the south.

East of Latigo Canyon Road, the trail alignment (9) would be located north of the existing Wilmont Lane dirt road, and would consist of grading in steep, rocky terrain until the trail would depart northeasterly from the Wilmont Lane dirt road. The trail is proposed in this location north of the Wilmont Lane dirt road in order to separate vehicle and trail traffic. The trail would then be located on the old road bed of the former Roosevelt Highway. Circumstances may dictate that this first portion of the trail east of Latigo Canyon Road be moved south of (underneath) the Wilmont Lane road alignment. In this case, the trail would also still connect to the old road bed of the former Roosevelt Highway.

Dry Canyon Connector Trail/Solstice Canyon Trail and Portion of Corral Canyon East Trail

National Park Service's Solstice Canyon Park currently has a well established system of public trails and support facilities. From Solstice Canyon Park, the proposed Plan provides for a trail alignment taking access to the east from the existing Dry Canyon Trail and traversing property owned by the City of Los Angeles Department of Water and Power (DWP) to Corral Canyon Road and into Corral Canyon Park.

Implementation of the proposed trail corridor 10b would include trail improvements to an old road bed and disturbed habitat areas on the DWP property starting from Dry Canyon Trail in NPS-owned Solstice Canyon Park. Much of the proposed trail would then utilize an existing north-south trending moderately-sloped unofficial trail on a small ridge in disturbed habitat. The trail would then pass south and east towards Corral Canyon Road (11a).

The trail would then continue east of Corral Canyon Road. This proposed trail alignment (11a) descends into Corral Canyon to where a natural, informal stream crossing exists and provides access across the creek to a burn-out site (proposed for campsite improvements, discussed above). This section of the trail connection would require trail improvements within the riparian corridor of the stream. From this point, the public gains access to the existing Corral Canyon loop trail (Trail Segment 11e, discussed below; a portion of which is considered part of the Coastal Slope Trail), the Park's trailhead and parking facilities, and seasonal beach access to Dan Blocker County Beach.

Another trail alignment (11d) would course parallel to Corral Canyon Road on the east side of the paved road, within the road right-of-way and existing disturbed dirt road. This would connect trail alignment 11a with 11c (see discussion of 11c below). As described below, a crosswalk is proposed along Corral Canyon Road where trail alignment 11d and 11c connect.

Beach to Backbone Trail: Corral East Trail (portion), Corral Easement Trail, Corral North Link 1, and Corral North Trail (Corral Canyon Park)

The Beach to Backbone Trail would connect Dan Blocker County Beach to the Coastal Slope Trail in Corral Canyon Park, and then traverse northward to the Backbone Trail in Malibu Creek State Park.

From the beach, people currently cross Pacific Coast Highway (PCH) at grade, or they utilize the existing undercrossing at PCH to reach the existing Corral Canyon loop trail in Corral Canyon Park. A traffic light is also located at the intersection of Corral Canyon Road and Pacific Coast Highway. The existing Corral Canyon Loop Trail is further divided into the Corral Camp Trail and the Corral Camp North Trail (portion of the Coastal Slope Trail). These existing trails in Corral Canyon Park would lead to new proposed campsites (two separate camp areas). A portion of the Corral Camp Trail would be improved to make it accessible for persons with disabilities and would lead to one of the Camp Area 1.

From the existing Corral Canyon loop trail, along the eastern edge of Corral Canyon Park, the Beach to Backbone Trail would primarily utilize the existing dirt road coursing in a northerly direction at the eastern edge of the Corral Canyon Park (trail alignment 14; "Corral East Trail"), without crossing onto private property. The trail would turn west and continue to utilize the existing old ranch road that passes in an east-west direction ("Corral East Trail"), and would cross Corral Canyon Creek.

Trail alignments 13a (Corral Easement Trail) and 13b (Corral North Link 1) provide a connection between the Corral East Trail segment of the Beach to Backbone Trail and Corral Canyon Road.

Trail alignment 15 (Corral North Trail) of the Beach to Backbone Trail would follow an old dirt road bed in a northerly direction for the first (southerly) portion. The trail would then traverse over property owned by MRCA, National Park Service, and California State Parks, until it met the Backbone Trail in Malibu Creek State Park.

Trail alignments 12 and 11c provide another connection along the western edge of Corral Canyon Park from the Corral East Trail portion of the Beach to Backbone Trail to the Coastal Slope Trail on the City of Los Angeles DWP property.

Much of the area where the Beach to Backbone Trail would be constructed in located in the upper Corral Canyon. Construction of the Beach to Backbone Trail would necessitate bridges or at-grade crossings where the trail crosses drainages and some segments may require retaining walls, where necessary.

Beach to Bluffs Trails

Several new camping areas, associated facilities, parking, and trails are proposed in the Conservancy-owned Malibu Bluffs (camping and facility improvements are described in detail above). The City owns Malibu Bluffs Park (including the ballfields and Michael Landon Community Center) adjacent to, and east of, the Conservancy's land. No trails or other improvements are proposed as part of the Plan on the City's land. However, due to the adjacency of the properties and the trails on both properties, it is anticipated that trail and recreational users of the Conservancy land would use the City's land and vice versa.

There is an existing network of trails on Malibu Bluffs. This EIR describes proposed new trails and does not number or call out separately the existing trails. Trails proposed on Malibu Bluffs include trails within the property (e.g., to connect one portion of the park to another, or to access new campsites), as well as trails to Malibu Road, which in turn connect to various existing vertical access easements in between the existing ocean-front homes, to the wet sand. Some of these vertical access easements also connect to lateral access easements on dry sand.

The City's Malibu Trails System maps (2004) identify several trail alignments connecting Malibu Bluffs to Corral Canyon Park. However, these trail connections are not considered part of the Plan.

Trail alignment 16 would connect the proposed camp areas at the west bluff down to a proposed parking area on Conservancy land adjacent to Malibu Road. This alignment includes a proposed bridge to cross the drainage to connect to the existing trail on the east side of the drainage.

Trail alignment 17 would connect the proposed clusters of campsites on the west bluff to those campsites proposed on the east bluff (or main portion of Malibu Bluffs). A bridge is proposed at the bottom of the ravine. On the east side of the ravine, an existing trail (presumably an old road bed) would be improved, and would connect to the existing trails on the east bluff.

Trail alignment 18 would be an accessible trail to connect the proposed parking lot 3 on the east bluffs to the proposed campsites in Camp Area 3.

Trail alignment 19 is a short stretch to connect an existing trail in the southeast portion of the property to Malibu Road. Also, a short stretch of the trail would be routed, and protective fencing would be installed. Other short trail segments are also proposed on Malibu Bluffs to connect to proposed camp areas, and are not numbered or called out separately in the project plans and figures.

3.5.3 Fire Protection and Emergency Evacuation Plan

The Proposed Plan includes the preparation and implementation of a Fire Protection and Emergency Evacuation Plan that includes site specific risk assessments for each park property included in the Plan and, at a minimum, the following fire protection and emergency evacuation measures:

- Notification and enforcement of all standard park rules and regulations per existing policies of the Conservancy/MRCA including:
  - Except in designated camp areas, park properties shall be closed sunset to sunrise.
  - No smoking or fires.
  - No alcoholic beverages.
  - No littering or dumping.
  - No unauthorized vehicle use.
  - No defacing or destroying property.
  - Dogs must be on a leash and cleaned up after.
  - Possession of firearms, bow and arrow prohibited.
  - Violations subject to $500 fine and/or 6 months in County jail.

- An annual fuel modification plan for site vegetation management and tree trimming/ limbing at each park property shall be developed and implemented prior to the annual fire season.
- Campsite locations shall be located within existing public use areas to ensure easy access for purposes of maintenance and patrol, and in case of emergency.
- No person shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this Plan. The only cooking apparatus permitted shall consist of self-contained propane stoves when permitted consistent with the terms of the approved Fire Protection and Emergency Evacuation Plan. No kerosene or white gas lanterns shall be permitted.
- Campers shall be required to utilize designated cook stations (hospitality stations) provided at each approved campsite, which shall be designed of nonflammable materials and capable of being fully enclosed. Cold-camping apparatus such as flame-less cook-stoves and lanterns are preferred. Prospective campers shall be informed of the No Campfire/Cold Camp Policy upon reserving and/or registering for use of camp facilities and shall be put on notice that unauthorized use of fire-related camping and cooking apparatus specifically prohibited by the No Campfire/Cold Camp Policy will be cause for confiscation of such devices and/or expulsion of visitors from camp facilities. Signs shall be posted and camp areas will be routinely patrolled to enforce the No Campfire/Cold Camp Policy and notification provided that violation of the No Campfire/Cold Camp Policy may be punishable by fines up to $1,000.00.
- Fire protection apparatus shall be provided and maintained at all camp facilities and shall include, at a minimum:
  - Water storage tank or water delivery system designed, located, and maintained to provide a dependable water supply for fire protection at each proposed camp area at all times to ensure adequate water supply for fire protection of new camp facilities.
  - A portable and air-powered quick attack firefighting system to be provided at each camp facility for ready deployment by trained Camp Host, Ranger, or park personnel in the event of a fire.
  - Portable self-contained fire extinguisher units to be provided for each cluster or group of campsites.
- Ramirez Canyon Park, Escondido Canyon Park, Latigo Trailhead and Camp Area, Corral Canyon Park and Malibu Bluffs shall be closed to all recreational use during any Red Flag Day/period as declared for the Santa Monica Mountains area by the National Weather Service, a division of the National Oceanic Atmospheric Administration (NOAA). Park properties shall be posted and patrolled to inform visitors of Red Flag Day closures and notification provided that violation of the Red Flag Day closure policy may be punishable by fines up to $6,000.00.
- Camping at all park properties will be prohibited and Ramirez Canyon Park shall be closed to events, tours, camping reservations or other special functions when any Flash Flood/Flood Warnings or Urban/Small Stream Advisory is issued. Signs will be posted and camp areas will be routinely patrolled to notify park users and to enforce restrictions on park use during all Flash Flood/Flood Warnings and Urban/Small Stream Advisories as determined by the National Weather Service, a division of the National Oceanic Atmospheric Administration (NOAA). Written warnings of the cancellation policy shall be provided to potential campers and prospective program and event sponsors prior to contracting for park use.

- A Camp Host, staff maintenance person, or Ranger, who is wildland fire-trained, shall be onsite at each park property during the times camping is permitted. This shall be accomplished by either providing for residency of a Camp Host, staff maintenance person or Ranger at existing park properties, or ensuring that support facilities and apparatus are provided to sustain continuous daily and nightly patrols to strictly enforce the No Campfire Policy and use restrictions relating to hazardous conditions. Park patrols shall be conducted daily at each park property when campers are present. Adjustments to patrol procedures will be made as necessary to ensure park rule enforcement and compliance.
- An Evacuation Plan shall be prepared and shall include details relative to evacuation procedures and evacuation locations to be implemented for each park property during emergencies.
- Where it is infeasible to meet all applicable current Building and Fire Code requirements for fire protection due to site or resource constraints, modifications may be granted pursuant to an approved Fire Protection Plan, as provided by Section 702A of Chapter 7A of the 2007 California Building Code and Section 4702.1 of the 2007 California Fire Code, as may be amended. Such Fire Protection Plan will analyze the site fire risk at a fine scale and develop customized measures for mitigating the risk including design, construction, maintenance and operation requirements of the park improvements in compliance with applicable fire codes and, where necessary, fire protection enhancement requirements to provide "same practical effect" or functional equivalency for any non-code complying park improvement element.
- Emergency power generators and fuel supply at Ramirez Canyon Park necessary to maintain emergency lighting for at least twelve (12) hours shall be installed and maintained on site.
- A Wooden Bridge Reinforcement Plan, developed and implemented to provide for reinforcement of the wood bridge over Ramirez Canyon Creek next to Ramirez Canyon Park, shall be maintained to ensure that the bridge will safely support a 25-ton fire truck and thereby accommodate emergency access. The wood bridge shall be maintained in sound condition to ensure safe and adequate emergency access to the Park.
- An Emergency Access and Emergency On-Site Parking Plan for Ramirez Canyon Park, prepared by a licensed civil engineer and approved by the appropriate Fire Agency as compliant with applicable state and county fire and life safety regulations, shall be maintained for Ramirez Canyon Park. Special events held during the fire season shall retain all guest vans, shuttles, and drivers continuously on site during the event.
- Opportunities for additional emergency ingress/egress to and from Kanan Dume Road over Via Acero shall be explored, including the potential for feasibly obtaining easements from willing property owners or by eminent domain. Construction of an additional emergency ingress/egress at Ramirez Canyon may occur consistent with all applicable policies and provisions of the LCP. This policy is not intended to limit the use of, or access to, Ramirez Canyon Park via Ramirez Canyon Road.
- The Conservancy/MRCA shall explore and pursue all options to remove any permitted or unpermitted private encroachments into the Ramirez Canyon Road 40 foot easement to achieve full access road width and clearance standards as required by the appropriate fire agency.

A Fire Protection and Emergency Evacuation Plan has been prepared for the Plan. The proposed Fire Protection and Emergency Evacuation Plan utilizes a "systems approach" consisting of the components of fuel modification, structural protection, water supply, fire protection systems, access (ingress/egress) and

emergency response, the details of which will be informed by and completed during the environmental review process. All of the measures identified in the Fire Protection and Emergency Evacuation Plan as required and/or recommended project elements intended to minimize risks associated with fire hazard (fuel modification plans, water conveyance systems, fire truck sheds, emergency fire shelters, etc,) have been incorporated into the proposed project and, accordingly, are also being analyzed for potential environmental impacts.

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CHAPTER 4 POLICY CONSISTENCY ANALYSIS

4.0 STANDARD OF REVIEW

The proposed Malibu Parks Public Access Enhancement Plan-Public Works Plan (the Plan) involves public access and recreation improvements on land located within the City of Malibu and unincorporated Los Angeles County, and land owned by the National Park Service and California Department of Parks and Recreation (State Parks).

As described in Chapter 2, Section 2.5.1, Standard of Review and Permitting Process, the standard of review for all projects requiring a coastal development permit in the City is the City's certified Local Coastal Program (LCP). This includes the Malibu Parks Public Access Enhancement Plan Overlay (Overlay), a special land use and implementation plan overlay that was certified by the Commission and incorporated into the City's LCP in June 2009. The Overlay provides a specific framework and standard of review for implementing the public improvement projects proposed pursuant to the Plan within the City, guided by land use maps, land use policies and development standards that were incorporated into the certified Malibu LCP upon approval of the LCP amendment by the Commission. Projects located between the first public road and the sea also are reviewed for consistency with the public access and recreation policies of Chapter 3 of the Coastal Act. Finally, for the Plan area improvements located in the Santa Monica Mountains area in unincorporated Los Angeles County, although the County has a certified Coastal Land Use Plan (LUP), the Coastal Local Implementation Plan (LIP) for the LUP was never completed and certified. Therefore, projects requiring a coastal development permit in the Santa Monica Mountains area are thus subject to review for consistency with the Chapter 3 policies of the Coastal Act, with the County's LUP providing guidance for such review.

As detailed in the policy analysis below, the proposed Plan and associated trail, park improvements and recreational programs, have been planned and designed with consideration of all coastal resources that exist within the Plan area. The proposed Plan and associated park-specific improvements and programs will protect and enhance coastal-priority uses including public access and recreation, and will avoid or minimize potential adverse impacts to all sensitive resources in the Plan area, including coastal streams and drainages; riparian, coastal bluff, native grassland and coastal sage scrub habitat; significant coastal viewsheds, and areas of archaeological sensitivity. The proposed Plan improvements and programs will serve to implement many of the City and County's public access and recreation policies, consistent with the need to ensure public safety, to protect and respect private property rights and ensure compatibility with adjacent residential neighborhoods. In addition, the proposed Plan and associated improvements and programs are designed to be consistent with the most protective coastal resource protection policies and, where applicable, the public access and recreation policies of the Coastal Act, the City's LCP and the County's Coastal LUP.

4.1 COASTAL ACCESS AND RECREATION

The Coastal Act, City of Malibu LCP and Los Angeles County Coastal LUP contain policies that protect public access and recreation in the Coastal Zone and encourage development of lower cost visitor serving recreation opportunities and overnight accommodations:

California Coastal Act Public Access and Recreation Policies

Coastal Act § 30210

In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act § 30212.5

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Coastal Act § 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Neither the Commission nor any regional commission shall either (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Coastal Act § 30214: (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic value of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Coastal Act Section 30210 mandates that maximum public access and recreational opportunities be provided for all people, consistent with the need to protect public safety, private property and natural resources. Coastal Act Sections 30212.5 and 30213 state that public facilities are to be provided throughout an area so as to mitigate impacts of overcrowding or overuse by the public of any single area, and that lower-cost visitor and recreational facilities be protected, encouraged, and where feasible, provided.

Consistent with Coastal Act Sections 30210 and 30213, the proposed Plan will enhance low-cost public access and recreational resources within the Plan area by creating an interconnected system of trails and public parklands and constructing park-specific improvements to maximize access and recreation opportunities. The proposed Plan provides for improvement of existing trail corridors and development of a number of new coastal trails and support facilities which would substantially enhance public access and recreational opportunities within the Plan area. The Plan includes access, recreational facility, and program improvements for Ramirez Canyon Park, Escondido Canyon Park, the new Latigo Trailhead and Camp Area, Corral Canyon Park and the Conservancy's Malibu Bluffs, which will serve to maximize public access opportunities for visitors with diverse backgrounds, interests, ages, and abilities. The proposed park improvements include public parking, low-impact camp areas within park boundaries, and trail improvements to support existing recreational demand.

Consistent with Coastal Act Section 30210, to provide recreational opportunities for all people, all of the proposed improvements are designed to increase the level of accessibility to the parklands, as much as feasible, for visitors with disabilities, including the unique opportunity for fully accessible overnight camping. This is achieved by incorporating guidelines for the universal design of trails and park facilities where feasible and consistent with resource protection and safety requirements. The Plan further includes Ramirez Canyon Park program and operational elements that support special public outreach and educational opportunities, as well as the administrative infrastructure necessary to operate specialized public outreach programs and to ensure that maximum public access and recreational opportunities are provided for visitors with varying degrees of special needs. Additional organized, public programs would be provided at Corral Canyon Park and Malibu Bluffs. The proposed programs will expand recreational opportunities at existing park facilities to serve a variety of visitors, whenever feasible and consistent with safety needs and constraints of the parklands. The Conservancy and MRCA recognize that, in some cases, natural constraints of parklands inherently limit access and recreation opportunities for visitors with special needs. As such, the Conservancy and MRCA have therefore emphasized the need to provide facilities and outreach programs intended to reach visitors with diverse abilities, disadvantaged youth, or other underserved groups.

Consistent with Section 30212.5, the Plan includes development of a number of support facilities throughout the Plan area to support access to and use of parklands, where limited support facilities are currently available, including public parking, trailhead improvements, trash receptacles, restrooms, potable water, picnic areas, and structures at Ramirez Canyon Park to support park operations and maintenance personnel necessary to maintain parklands and recreational areas.

The Plan improvements have been designed in consideration of topographic, geologic and natural resource constraints, as well as minimizing conflicts with adjacent residential development. Proposed trail and park improvements include primarily low-intensity uses consisting of access trails and low-impact camp areas which are sited and designed to be noninvasive on the natural topography and to minimize impacts to sensitive habitat areas. The low-impact camp facilities are planned exclusively within park boundaries which will provide rare and unique resources for low-cost overnight recreation in the Plan area, which are limited in size and location in consideration of geologic and natural resource constraints of each park property. In addition, as illustrated on the Proposed Trail Map and site-specific project plans, the proposed Plan incorporates a number of existing trail corridors, trail corridors previously evaluated for the Draft Santa Monica Mountains National Recreation Area Interagency Trail Management Plan, the City of Malibu LCP and the City of Malibu Trail Master Plan, and analyzed alternative trail alignments to minimize potential conflicts with adjacent neighborhoods and steep terrain.

Consistent with Coastal Act Section 30210, 30212.5, and 30214 to protect natural resources, ensure public safety, and to protect the rights of private property owners, the proposed Plan includes the following improvements and design measures:

1) Although trails are a resource-dependent use and are permitted in environmentally sensitive habitat areas (ESHA), proposed trails have been located and designed to avoid or minimize impacts to ESHA by utilizing established trail corridors, following natural contours, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. As illustrated on the Proposed Trail Map and site-specific conceptual project plans, the proposed Plan incorporates a number of existing trail corridors, trail corridors previously evaluated for the Draft Santa Monica Mountains National Recreation Area Interagency Trail Management Plan, the City of Malibu LCP and the City of Malibu Trail Master Plan, and analyzes alternative trail alignments to minimize potential conflicts with sensitive habitat, adjacent neighborhoods and/or steep terrain. As discussed under the Environmentally Sensitive Habitat analysis below, where trail construction will result in unavoidable impacts to ESHA, mitigation measures have been identified in the Draft Environmental Impact Report (DEIR) to fully mitigate all impacts to less than significant levels.

2) The Plan includes development of low-impact campsites, as defined by the City LCP, and are therefore resource-dependent uses and permitted in ESHA. Nevertheless, the majority of proposed campsites would be located in existing public use areas and in previously disturbed or non-sensitive areas. The proposed park-specific project plans demonstrate that campsites are appropriately setback from the top of bank from all streams, or outer edge of the riparian canopy, whichever is greater, and in areas of level terrain, where feasible, to avoid the need for excessive grading and to minimize associated impacts to sensitive habitat areas and water quality. As discussed under the Environmentally Sensitive Habitat analysis below, where construction of camp facilities will result in unavoidable impacts to ESHA, mitigation measures have been identified in the DEIR to fully mitigate all impacts to less than significant levels.

3) All proposed park improvement locations have been evaluated by a qualified biologist/s to ensure that park improvements have been appropriately located, to the extent feasible, in previously disturbed areas, and are appropriately setback from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater. Proposed park improvements and uses have been evaluated for potential impacts to habitat areas and mitigation measures identified to ensure resources impacts are avoided and minimized to the maximum extent feasible.

4) The proposed Plan includes park program limitations and restrictions on park use to address

hazardous conditions (red-flag days and flash flood warnings) and includes a detailed and site-specific Fire Protection and Emergency Evacuation Plan, hydrology, and geologic constraints analyses, which have evaluated potential hazards associated with the proposed development and use of the parklands to ensure that maximum public access and recreational use of the parklands can be achieved consistent with public safety needs. As discussed under the Hazards analysis below, where construction of proposed park improvements and uses will potentially result in impacts associated with site hazards, mitigation measures have been identified in the DEIR to mitigate majority of impacts associated with hazards to less than significant levels. One exception is where site specific environmental analysis has found that proposed park facility improvements at the Latigo Trailhead property present a potentially significant and unavoidable impact associated with geologic hazard due to landslide issues.

5) The proposed Plan includes several measures to ensure that public park areas subject to degradation resulting from intense and/or unrestricted use are addressed and fully mitigated. These measures include: 1) revegetation of degraded areas with native plants, 2) trail consolidation and improvement, 3) provision of support facilities such as defined parking areas and trail corridors, trash and recycling receptacles, self-contained restrooms, picnic areas, and 4) provision of support facilities necessary for operations and maintenance personnel and associated maintenance equipment. The Plan includes a comprehensive Coastal Campgrounds and Trails Maintenance Plan for proposed trail and park improvements, and the existing structures of Ramirez Canyon Park have and will continue to provide a center within the Plan area for maintenance personnel and associated equipment storage necessary to sustain maintenance operations for the subject park areas. The Plan's support facilities will ensure that adequate facilities are provided and maintained to manage public parking, trailhead, day-use and camp areas, to accommodate potential trash and waste generation at park areas, and to ensure that support necessary to support personnel and store equipment to maintain the park properties are provided. These measures will ensure that public use of the parklands is maximized in a way that maintains park areas and sensitive resources such that they remain desirable destination areas for visitors.

6) New support facilities are proposed at park entrances, along existing primary trail routes and within previously disturbed areas, are adequately setback from the top of bank of adjacent streams, or outer edge of the riparian canopy, whichever is greater, and are sited on level terrain to the maximum extent feasible to minimize the need for grading and impacts to sensitive habitat areas. The park-specific project plans illustrate that new support facilities may be designed and constructed consistent with applicable resource protection measures. Exceptions to typical 100 foot stream setback provisions for support facilities occur only at Ramirez Canyon Park, Latigo Trailhead and Corral Canyon Park where the Malibu LCP specifically allows for reduced setbacks. The proposed parking area off Kanan Dume Road is located along the road shoulder in an area entirely level and void of vegetation and will require minimal grading. The proposed parking area at Escondido Canyon Park has been located in the most level portion of the park in a previously disturbed area and entirely outside of the sensitive riparian corridor that encompasses the canyon bottom. Support facility locations have been evaluated by a qualified biologist/s to ensure that 1) facilities are appropriately located in previously disturbed areas, 2) facilities are appropriately setback from the top of bank and any adjacent stream, or outer edge of the riparian canopy, whichever is greater, 3) to assess potential impacts to habitat areas that may result from development of new facilities, and 4) to provide recommendations for mitigation to avoid or minimize impacts to coastal resources. As discussed under the Environmentally Sensitive Habitat analysis below, mitigation measures have been identified in the DEIR to fully mitigate all impacts from

support facility construction to less than significant levels.

7) The proposed Plan includes development and implementation of a uniform sign program for new trail and park area improvements to assist visitors in locating and recognizing park areas and trail corridors, park support facilities, sensitive habitats, and adjacent land uses. Signs are proposed to be posted at park access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads, and would include safety signs, including, but not limited to, road crossing signs and yield/warning signs on multi-use trail segments.

The sign program includes posting regulatory signs at park entrance areas, staging areas or gathering points with the following information: 1) permitted/prohibited uses of the area or facility being posted, 2) general park regulations, 3) general regulations at jurisdiction boundaries, where applicable, 4) regulations required to promote safe use of an area (including limitations on fires) and resource protection, and 5) identification of private property boundaries. Trail signs posted for visitors beyond the trailhead would include information regarding distance to destination points, locations of services and/or support facilities, trail conditions, and trail accessibility that will help visitors determine the level of trail difficulty. In areas containing environmentally sensitive habitat or safety hazards, signs would be posted in English and in Spanish with a description of the sensitive habitat or safety hazard. In addition, educational/interpretive signs would be posted in public use areas adjacent to ESHA to identify natural resources and explain their special nature or role in the local ecosystem.

8) The proposed Plan includes a detailed program for administrative uses, public programs and events for Ramirez Canyon Park with strict limitations and restrictions intended to ensure compatibility with adjacent residential development in Ramirez Canyon. The program's proposed limitations and restrictions minimize traffic and noise impacts associated with operation of the park, and control the allowable population at the park to address safety issues.

The proposed Plan would have a beneficial impact on coastal public access and recreational opportunities for all people and will provide new low-cost recreational improvements, including low-impact camp facilities, day use picnic areas, and public outreach programs, in the Plan area. The Plan also includes a number of support facilities throughout the Plan area which will support public use and enjoyment of the parklands and serve to mitigate potential impacts of overcrowding or overuse of the parks. As detailed in this policy consistency analysis, the proposed Plan's park and trail improvements, uses and programs have been designed to protect natural resources, to ensure public safety, to protect the rights of private property owners, and to minimize conflicts with and preserve the character and integrity of adjacent residential areas. Therefore, the proposed Plan is consistent with Sections 30210, 30212.5, 30213 and 30214 of the Coastal Act.

Coastal Act § 30223: Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

The Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority work with Federal, State, and other local government partners to acquire parkland and participate in planning efforts to complete and manage park improvements for the benefit of coastal recreational uses. The Plan includes a number of public access and recreational opportunities throughout the Plan area, primarily in upland areas of the Coastal Zone, including new and improved trail linkages, limited overnight camping areas, and support facilities deemed necessary to support public access and recreational uses. The Plan

identifies new public access, recreational facility, and program improvements for Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park, and Malibu Bluffs, generally consisting of public parking, camp areas within park boundaries, and trail improvements to support existing recreational demand and to facilitate an increased level of accessibility for visitors with disabilities. The park areas addressed in the Plan and associated improvements would be available for and maintained for public access and recreational use. The proposed Plan reserves, connects, and improves considerable upland areas for recreational use and proposes to implement the Commission's inland trail program, consistent with Coastal Act Section 30223.

Local Coastal Program Public Access and Recreation Policies

City of Malibu Land Use Plan 2.1

The shoreline, parklands, beaches and trails located within the City provide a wide range of recreational opportunities in natural settings which include hiking, equestrian activities, bicycling, camping, educational study, picnicking, and coastal access. These recreational opportunities shall be protected, and where feasible, expanded or enhanced as a resource of regional, state and national importance.

City of Malibu Land Use Plan 5.66 (Malibu Parks Public Access Enhancement Plan Overlay)

Specific parkland, recreation, transportation, and trail improvement projects consistent with the Malibu Parks Public Access Enhancement Plan Overlay can be approved and implemented, via a public works plan and notice of impending development (NOID) or a coastal development permit to 1) develop public access and recreational facility improvements, including support facilities, needed to meet growing visitation and demands for recreational opportunities in the Santa Monica Mountains and Malibu area, 2) address potential impacts to coastal resources associated with recreational facility development, 3) provide alternative transportation opportunities to facilitate public access, 4) implement and maintain specialized public program uses intended to enhance and diversify access and recreation opportunities, and 5) balance the needs and concerns of private residents adjacent to public recreational lands with the need to promote and enhance public access and recreation opportunities in the Coastal Zone for all visitors

City of Malibu Land Use Plan 5.67 (Malibu Parks Public Access Enhancement Plan Overlay)

The Malibu Parks Public Access Enhancement Plan Overlay provides for policies and implementing measures that expand on the public access and recreation policies of the Malibu LCP which, when implemented, will enhance public access and recreation opportunities to and within existing parklands and recreation areas subject to the overlay for use by local and non-local visitors, and for visitors with diverse backgrounds, interests, ages, and abilities.

City of Malibu Land Implementation Plan 3.4.2A.2 (Malibu Parks Public Access Enhancement Plan Overlay)

To better implement the goals, objectives, and policies of Chapter 3 of the Coastal Act, and Chapter 2 of the Malibu Local Coastal Program Land Use Plan, this Overlay provides site specific development standards and other implementation measures to 1) complete trail connections for the Coastal Slope Trail, between the beach and the Backbone Trail, and other connector trails and to ensure adjacent lands are protected as natural and scenic areas to enhance the recreational experience of trail corridors, and 2) identify site specific public access, recreational facility, and program improvements for

Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park and Malibu Bluffs Park to provide camp areas, critical support facilities, improved public transit, and improved trail and park accessibility to facilitate an increased level of accessibility for visitors with disabilities. The Malibu Parks Public Access Enhancement Plan Overlay further specifies the uses and facilities to be accommodated by park-specific projects, and provisions to ensure project implementation is carried out consistent with all applicable coastal resource protection policies of the Coastal Act and the certified Malibu Local Coastal Program.

County of Los Angeles Land Use Plan P1

Provide recreational opportunities to meet the variety of recreation demands.

County of Los Angeles Land Use Plan P2

Provide for passive and educational, as well as active, recreational opportunities.

The Plan is consistent with City and County LUP policies that require protection and expansion of a variety of recreational opportunities in the Coastal Zone. The Overlay further specifies that public access and recreational opportunities should be achieved by implementing specific parkland, recreation, transportation, and trail improvement projects. The proposed Plan includes construction of trail connections for the Coastal Slope Trail and the Beach to Backbone Trail, and specific public access, recreational facility, and program improvements for Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and Malibu Bluffs to provide camp areas, critical support facilities, improved public transit, and improved trail and park accessibility to facilitate an increased level of accessibility for visitors with disabilities. The Plan will serve to protect and enhance a variety of recreational opportunities including hiking, equestrian activities, bicycling, camping, educational study, picnicking, and accessibility to natural areas throughout the Plan area with development of new and improved multi-use trail linkages, low-impact camping areas, special outreach programs and support facilities, all intended to support and expand public access and recreational uses.

City of Malibu Land Use Plan 2.4

Public accessways and trails shall be an allowed use in Environmentally Sensitive Habitat Areas. Where determined to be desirable (by consideration of supporting evidence), limited or controlled methods of access and/or mitigation designed to eliminate or minimize impacts to ESHA may be utilized. Accessways to and along the shoreline shall be sited, designed, and managed to avoid and/or protect marine mammal hauling grounds, seabird nesting and roosting sites, sensitive rocky points and intertidal areas, and coastal dunes.

City of Malibu Land Use Plan 2.7

Public accessways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer-to- Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities e.g. parking, construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.

City of Malibu Land Use Plan 2.8

Public recreational facilities throughout the City, including parking areas or facilities, shall be distributed, as feasible, to prevent overcrowding and to protect environmentally sensitive habitat areas.

City of Malibu Land Use Plan 5.69 (Malibu Parks Public Access Enhancement Plan Overlay)

Overnight campsites, including "low-impact" campsites, are permitted uses in parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay and should be developed within park boundaries for public use to provide a wider range of recreational opportunities and low-cost visitor serving opportunities for visitors of diverse abilities, where impacts to coastal resources are minimized and where such sites can be designed within site constraints and to adequately address public safety issues. For purposes of this Overlay, low impact campsites (and associated support facilities including, where appropriate, picnic tables, potable water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations) are "carry-in carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains. Low impact campsites, as defined, constitute a resource dependent use. Access to low impact campsites shall be supported by parking areas and designated ADA drop-offs located in non-ESHA areas.

City of Malibu Land Use Plan 5.71 (Malibu Parks Public Access Enhancement Plan Overlay)

Trails to and within public parklands, camp facilities, public outreach and educational programs and/or related support facilities (e.g. parking, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, nature centers, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs), and special programs and events conducted at Ramirez Canyon Park, are permitted uses in the Malibu Parks Public Access Enhancement Plan Overlay and shall be permitted to be constructed, opened and operated for intended public use or benefit where it is determined feasible to locate, design, and maintain such facilities and uses so as to avoid, or minimize and fully mitigate, potential impacts.

County of Los Angeles Land Use Plan P37

Design and locate trails and/or adjacent development so that neither intrudes unnecessarily on the environment of the other.

In addition, County of Los Angeles Land Use Plan Table 1, Permitted Uses and Development Standards, indicates that passive recreation including hiking and horseback riding are permitted in ESHA.

City LUP Policy 2.7 provides that trails and parklands are permitted uses in all land use zoning designations and that related support facilities shall be permitted to be constructed, opened and operated for its intended public use. Policy 5.71 of the Overlay provides that trails, camp facilities, public outreach and educational programs and/or related support facilities (e.g. parking, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, nature centers, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs), and special programs and events conducted at Ramirez Canyon Park, are permitted uses in the Malibu Parks Public Access Enhancement Plan Overlay and shall be permitted to be constructed, opened and operated for intended public use or benefit where it is determined feasible to locate, design, and maintain such facilities and uses so as to avoid, or minimize and fully mitigate, potential impacts.

In addition, City LUP policies 2.4 and 5.69 provide that trails and low-impact campsites constitute resource

dependent uses and are therefore allowed to occur in ESHA, and that low-impact campsites are permitted uses in parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay, which includes Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property, Corral Canyon Park and Malibu Bluffs. County of Los Angeles Land Use Plan Table 1, Permitted Uses and Development Standards, also indicates that passive recreation uses including hiking and horseback riding are permitted in ESHA. As such, the proposed trails and low-impact campsites, which are located primarily on lands designated as Public Open Space but also on lands subject to a variety of land use designations, are consistent with applicable City and County LUP policies. Where it is not feasible to avoid impacts to ESHA, proposed trail and camp improvements have been located within ESHA but have been designed to minimize impacts to ESHA, as permitted and required by these policies.

While trails and low-impact camp facilities are permitted to occur in ESHA, City and County LUP policies require that recreational facilities be distributed to prevent overcrowding and to protect sensitive resources, and that design, location and controls be utilized, where necessary, to eliminate or minimize impacts to ESHA.

The Plan includes a number of recreational facility improvements including new and expanded trail connections, camping areas, and critical support facilities such as public parking, self-contained restrooms, trailhead improvements, and the use of existing structures at Ramirez Canyon Park to support park operations and maintenance personnel necessary to maintain parklands and recreational areas within the Plan area. These proposed improvements are distributed throughout the Plan area along the trail corridors and within the park properties addressed by the Plan and will serve to ensure that new and enhanced public access and recreation opportunities are provided to reduce the potential of overburdening limited existing public facilities concentrated in specific areas, and to ensure proposed improvements are appropriately sited, designed and maintained to protect environmentally sensitive habitat areas.

The Plan includes trails, camp areas and support facilities that would be located, designed, and which will be maintained to minimize impacts to ESHA. The Plan utilizes established trail corridors, level and disturbed terrain, following natural contours to minimize grading and avoiding naturally vegetated areas with significant and/or sensitive native plant species, to avoid or minimize impacts to ESHA. Plan improvements resulting in unavoidable impacts to ESHA will be carried out with all applicable resource protection policies, and are subject to mitigation measures that have been identified in the DEIR to fully mitigate all impacts to less than significant levels.

The Plan also includes restoration of areas that have been severely degraded as the result of overuse or lack of maintenance utilizing techniques such as revegetation with native plants, trail consolidation and improvement, and provision of support facilities such as parking, defined trail systems, trash receptacles, restrooms, and picnic areas. Appropriate fencing and signs will be installed around restoration areas for purposes of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts. Where severely degraded areas may develop, the Plan includes provisions for controlled and limited public access during the recovery period and in consultation with appropriate public agencies and/or resource specialists. Public use will be evaluated periodically to determine the need for use restrictions and any implemented limitations on public access will be removed at the termination of the recovery period. The Plan further provides that the Conservancy/MRCA conduct periodic assessments of park visitation numbers and patterns of use and monitor the quality of visitor experience to make the appropriate management changes to prevent potential degradation of natural resources from overuse. This provision will be carried through with MRCA's comprehensive Coastal Campgrounds and Trails Maintenance Plan for proposed trail and park improvements.

City of Malibu Land Use Plan 2.9

Public access and recreational planning efforts shall be coordinated, as feasible, with the National Park Service, the State Department of Parks and Recreation, the State Coastal Conservancy, Los Angeles County, Los Angeles County Department of Beaches and Harbors, the Santa Monica Mountains Conservancy, and the Santa Monica Mountains Trails Council.

City of Malibu Land Use Plan 2.90 (Malibu Parks Public Access Enhancement Plan Overlay)

The City, Santa Monica Mountains Conservancy, and Mountains Recreation and Conservation Authority, shall coordinate and consult with the National Park Service and the County of Los Angeles, and other appropriate public and private entities and interested parties in designing, locating, funding, acquiring, and implementing the public access and recreational facility improvements identified in the Malibu Parks Public Access Enhancement Plan Overlay.

County of Los Angeles Land Use Plan P3

Cooperate in the efforts of local, state and federal agencies in providing recreation programs.

In addition to the Conservancy/MRCA-owned park properties, the Plan area includes portions of Federal and State-owned parklands (NPS Ramirez Canyon parkland and Solstice Canyon Park, and State Park's Malibu Creek State Park) containing expansive natural open space areas and established trails systems which are critical components of an integrated system of parks, trails, and open space intended for public use in the Plan area. Consistent with City LUP Policies 2.9 and 2.90 and County LUP Policy P3, the Plan provides for coordination with the National Park Service to ensure trail connectivity and sharing of visitor support facilities, and requires that all plans for location, design and development of park improvements located on, or potentially affecting, adjacent Federal parkland are to be submitted to the Outdoor Recreation Planner of the National Park Service to ensure continued interagency coordination and planning efforts for providing an accessible, safe and enjoyable trail system throughout the Plan area.

On April 17, 2006, staff from the Conservancy, MRCA, and National Park Service participated in an all day site visit to evaluate and define the Plan area, review updated trail data and potential opportunities for connections, and to identify and discuss prioritization of park facility improvements. The National Park Service has been instrumental in the development of the proposed Plan with its focus on enhancing public access and recreation opportunities to the adjacent Federal parklands, as well as sharing guidelines for development of trail improvements and camping facilities to incorporate the recommendations of the Draft Interagency Regional Trail Management Plan (TMP). The National Park Service provided a letter of support for a conceptual trail alignment through the Federal parkland that would allow for a trail linkage between Ramirez Canyon Park to Zuma/Trancas Canyon Park via the County-owned parcels presently subject to acquisition negotiations, pending a determination of final trail alignment and completion of required compliance documents. In addition, proposed trail plans have been coordinated with NPS staff. Consistent with LCP Policy 2.9, these coordinating efforts between the Conservancy, MRCA, and the National Park Service will ensure continued success of interagency coordination for the benefit of public resource protection, and increasing public access and recreational opportunities in the Santa Monica Mountains National Recreation Area.

City of Malibu Land Use Plan 2.11

Public land, including rights of way, easements, dedications, shall be utilized for public recreation or access purposes, where appropriate and consistent with public safety and the protection of environmentally sensitive habitat areas.

City of Malibu Land Use Plan 2.13

Open space easements and dedications shall be utilized, where required, to facilitate the objectives of the City's recreational and/or public access program.

City of Malibu Land Use Plan 2.15

The City should coordinate with County, federal and state park agencies and nonprofit land trusts or organizations to insure that private land donations and/or public access dedications are accepted and managed for their intended use.

The proposed Plan is a collaborative effort between the Conservancy/MRCA, National Park Service, and State Parks, and includes specific provisions to ensure that existing parklands, or lands which are purchased from willing sellers, dedicated or donated for the purpose of public use, resource protection and recreation, are accepted and maintained for public access, resource protection and recreation.

The Plan includes public access and recreation for public parklands, and all identified and documented public rights-of-way in the Plan area intended for trail access. The Plan sign program will provide information on regulations required to promote safe use of the area and resource protection. Appropriate signs and visual cues will also serve to clearly identify the designated public parking areas and public trails throughout the Plan area to avoid conflicts with private property and sensitive habitat areas. The Plan includes trails that are located, designed, and which will be maintained to minimize impacts to ESHA by utilizing established trail corridors, following natural contours to minimize grading and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible.

City of Malibu Land Use Plan 2.16

Entrance roads, parking facilities, and other necessary support facilities for parks, beaches and other shoreline recreation areas shall be sited and designed to minimize adverse impacts to environmentally sensitive habitat areas and other sensitive environmental and visual resources.

County of Los Angeles Land Use Plan P14

Program recreational use to minimize the adverse impact on natural elements.

County of Los Angeles Land Use Plan P16

Require that entrance roads, parking facilities, and other necessary developments in recreation areas be designed to maintain environmental and visual compatibility with the surrounding area.

Consistent with City Policy 2.16 and County LUP Policies P14 and P16, the Plan includes development of a number of support facilities, where none currently exist in some of the subject parklands, including new public parking and trailhead resources adjacent to Kanan Dume Road, at the terminus of Winding Way within Escondido Canyon Park, at the Latigo Trailhead property, and at Malibu Bluffs. In addition, the Plan

includes expansion of public parking resources at Corral Canyon Park. The Plan also includes trail use support facilities including self-contained public restrooms and water sources at trailheads for all of the park properties. These support facilities would be located at park entrances, along existing primary trail routes and within previously disturbed areas, would be appropriately setback from the top of bank from any adjacent streams, or outer edge of the riparian canopy, whichever is greater, and on level terrain to the maximum extent feasible to minimize the need for grading and impacts to sensitive habitat areas. Where impacts to sensitive resources are unavoidable, mitigation measures have been identified in the DEIR to fully mitigate all impacts to less than significant levels.

City of Malibu Land Use Plan 2.17

Recreation and access opportunities at existing public beaches and parks shall be protected, and where feasible, enhanced as an important coastal resource. Public beaches and parks shall maintain lower-cost user fees and parking fees, and maximize hours of use to the extent feasible, in order to maximize public access and recreation opportunities. Limitations on time of use or increases in use fees or parking fees, which effect the intensity of use, shall be subject to a coastal development permit.

City of Malibu Land Use Plan 2.34

Existing, lower cost visitor-serving and recreation facilities, including overnight accommodations, shall be protected to the maximum feasible extent. New lower cost visitor and recreation facilities, including overnight accommodations, shall be encouraged and provided, where designated on the LUP Map. Priority shall be given to developments that include public recreational opportunities. New or expanded facilities shall be sited and designed to minimize impacts to environmentally sensitive habitat areas and visual resources.

City of Malibu Land Use Plan 2.36

Coastal recreational and visitor serving uses and opportunities, especially lower cost opportunities, shall be protected, encouraged, and where feasible, provided by both public and private means. Removal or conversion of existing lower cost opportunities shall be prohibited unless the use will be replaced with another offering comparable visitor serving or recreational opportunities.

City of Malibu Land Use Plan 2.37

Priority shall be given to the development of visitor-serving commercial and/or recreational uses that complement public recreation areas or supply recreational opportunities not currently available in public parks or beaches. Visitor-serving commercial and/or recreational uses may be located near public park and recreation areas only if the scale and intensity of the visitor-serving commercial recreational uses is compatible with the character of the nearby parkland and all applicable provisions of the LCP.

City of Malibu Land Use Plan 2.48

Development of public or private trail campsites along primary trail routes shall be a conditionally permitted use, where impacts to environmentally sensitive habitat areas and visual resources are minimized and where designed to meet fire safety standards.

City of Malibu Land Use Plan 5.70 (Malibu Parks Public Access Enhancement Plan Overlay)

In selected areas where physical constraints of natural park areas limit access opportunities for people with disabilities, park support facilities and amenities shall be developed and maintained, where

consistent with public safety needs and resource protection policies, to provide access opportunities for people with disabilities, and thematically link nature study, education and recreation via specialized public programs and events.

City of Malibu Land Use Plan 5.71 (Malibu Parks Public Access Enhancement Plan Overlay)

Trails to and within public parklands, camp facilities, public outreach and educational programs and/or related support facilities (e.g. parking, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, nature centers, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs), and special programs and events conducted at Ramirez Canyon Park, are permitted uses in the Malibu Parks Public Access Enhancement Plan Overlay and shall be permitted to be constructed, opened and operated for intended public use or benefit where it is determined feasible to locate, design, and maintain such facilities and uses so as to avoid, or minimize and fully mitigate, potential impacts to ESHA.

City of Malibu Land Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

2. Limited Overnight Campsites

Public access and recreation opportunities on lands subject to this Overlay shall be provided by developing low-cost visitor-serving camp facilities, including low-impact campsites, in the general locations indicated on the Trail Resources Map designated as Local Coastal Program - City of Malibu Park Lands Map 6, subject to the resource protection policies in this LCP and the following implementation measures. For purposes of this Overlay, low impact campsites (and associated support facilities including, where appropriate, picnic tables, potable water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations) are "carry-in carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains. Low impact campsites, as defined, constitute a resource dependent use. Access to low impact campsites shall be supported by parking areas and designated ADA drop-offs located in non-ESHA areas.

a. Overnight Camps Location, Development, Design and Operations

i. To maximize access to parklands, trails and recreational opportunities, new campsite facilities shall be provided within park boundaries at Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park and Malibu Bluffs Park.

ii. Campsites proposed and developed pursuant to the Malibu Parks Public Access Enhancement Plan Overlay shall consist of designated and improved camps areas located within park boundaries in the general locations indicated on the Trail Resources Map designated as Local Coastal Program - City of Malibu Park Lands Map 6. Consistent with Table B, Permitted Uses, of the City of Malibu Local Implementation Plan, these campsites are permitted uses in the Public Open Space (OS) Zone and are therefore not subject to conditional and/or special use permit requirements.

iii. To the extent supported by funds available in the fund operated and maintained pursuant to Section D.12.b.vi of this Overlay, programs that provide camping opportunities for disadvantaged youth will be provided by the Conservancy/MRCA at Ramirez Canyon Park, Escondido Canyon Park, and Corral Canyon Park at no cost to participants. The Fund shall specifically serve to implement a program designed for disadvantaged youth and dedicated to teaching first-time

campers proper use of camping equipment, environmental awareness and outdoor leadership skills. The program shall include all necessary transportation, food and equipment, with staffing provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education.

iv. Campsites shall be located to take advantage of the unique and diverse resources of Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park, and Malibu Bluffs Park, and to facilitate disabled access where possible. To the maximum extent feasible, campsites shall be located in previously disturbed areas (except those described in Policy 3.6 of the LUP) to minimize impacts to ESHA and other coastal resources.

v. Campsites shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective. If it is determined, by a qualified biologist or environmental resource specialist, to the satisfaction of the reviewing body, that potential impacts to riparian corridors will be avoided or appropriately mitigated and there is no alternative site design to meet these setback requirements given other environmental constraints such as sensitive habitat, archaeological resources or topography, reduced stream corridor setbacks may be permitted for low-impact campsites.

vi. Campsites shall be located in areas of level terrain, as much as feasible, to avoid the need for grading and the need for excessive maintenance requirements that may be necessary for substantially altered sites. Exceptions to this specific requirement shall be provided for campsites specifically designed to facilitate disabled access, in which case grading shall be minimized to the maximum extent feasible, and the development will still need to satisfy other resource protection requirements.

vii. To the extent possible consistent with other resource protection policies, campsites shall be located in proximity to maintenance and/or administrative access points to provide for easy access and to minimize potential impacts to sensitive habitat areas associated with maintenance requirements.

viii. Campsites shall be located to avoid the need for new construction in undisturbed and remote habitat areas and impacts associated with grading and vegetation removal to the maximum extent feasible; however, where feasible, campsites should be located in areas where vegetation provides a natural buffer between campsites and trail corridors. Where necessary, native vegetation, of local genetic stock, shall be planted to provide a buffer between campers and trail users~~,~~ and to screen camp facilities from adjacent trails, parking areas, and day use facilities.

ix. Campsites shall be provided with limited, necessary support facilities to support overnight use of the sites including, where appropriate, picnic tables, water, self-contained chemical/composting restrooms, and shade trees. However, the maximum area of ground disturbance required to accommodate facilities for any single campsite, excluding shared parking, fuel modification and restroom facilities, and campsites specifically designed to facilitate disabled access, shall be limited to the least environmental damaging alternative meeting project objectives.

x. Proposed campsite locations shall be evaluated by a qualified biologist or environmental resource specialist to ensure that, to the maximum extent feasible, 1) campsites are appropriately located in previously disturbed areas (except those described in Policy 3.6 of the LUP), 2) campsites are appropriately set back from the top of bank of any adjacent stream, and 3) to assess potential impacts to adjacent habitat areas and provide recommendations for mitigation, as

applicable.

xi. No person shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this Overlay. Development, use restrictions, and brush maintenance for all campsites shall be carried out in accordance with the Fire Protection and Emergency Evacuation Plan approved pursuant to Section D.11.b.i of this Overlay.

xii. Overnight camping at Ramirez Canyon Park shall be allowed by reservation only. Overnight camping at Escondido Canyon Park, Corral Canyon Park and Malibu Bluffs Park shall be allowed by reservation and/or by onsite registration (e.g., by an onsite drop-box or by onsite Park staff). A board or kiosk at the Corral Canyon Park and Malibu Bluffs Park parking areas shall designate which campsites have been reserved. At Escondido Canyon Park, if feasible, a board or kiosk shall be placed at the parking area on Winding Way (near Pacific Coast Highway) that designates which campsites have been reserved (to reduce unnecessary additional trips to the park). In addition, a board or kiosk shall be placed at the Escondido Canyon Park parking lot to designate which campsites have been reserved. The reservation and onsite registration systems shall require campers to acknowledge and agree to all park rules including, but not limited to, the prohibition on campfires and the "cold camping" regulation.

xiii. Consistent with all public safety provisions and the resource protection policies of this Overlay, the City of Malibu Local Coastal Program and the Coastal Act, campsites should be designed in accordance with current accessibility guidelines and technical requirements. Where full compliance with accessibility guidelines is determined to be infeasible, campsites shall incorporate those accessible features that can be reasonably accommodated.

4. Public Outreach and Education

Public access to parklands subject to this Overlay shall be maximized by improving accessibility of parklands for visitors of diverse backgrounds, interests and abilities. This section specifically recognizes Ramirez Canyon Park as an existing parkland with well established amenities available to support various public use programs including picnic areas, restrooms, educational displays, sitting benches, gardens, easily accessible terrain, and a riparian area interpretive trail. This Section provides for a number of park-specific improvements and plan specifications designed to accommodate visitors with various disabilities (e.g., mentally and physically challenged). This Section further provides detailed program and operational requirements of public outreach and educational opportunities necessary to ensure that public programs are implemented to the maximum extent feasible within the site constraints of Ramirez Canyon Park.

a. Ramirez Canyon Park Public Outreach, Recreation and Education Programs

i. Outreach programs designed to provide access and recreation opportunities primarily for disadvantaged youths, physically and mentally challenged visitors, clients from various shelters, Los Angeles Mission representatives, veterans, and seniors may be permitted year round at Ramirez Canyon Park, seven days per week from 8:00 a.m. to dusk. The programs shall be provided at no cost to the participants, and free or low-cost transportation utilizing vans or small transit buses shall be provided.

ii. Public improvements for a riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by visitors with mobility disabilities in compliance with Americans with Disabilities Act (ADA), including trails, picnic

facilities, drinking fountains, restrooms, and parking areas, may be permitted for public use.

iii. Three day-use picnic areas and two overnight camp areas may be developed at Ramirez Canyon Park, which shall be designed specifically to provide park amenities to accommodate disabled visitors and their families. The accessible day-use picnic areas shall be located in level, previously disturbed areas so as not to adversely impact sensitive habitat, but shall be located in proximity to natural areas to provide association with natural resources to the maximum extent feasible.

iv. All public outreach, recreation and education programs operated at Ramirez Canyon Park shall comply with the requirements of Section D.3.b.i of this Overlay, Transportation and Parking Management, which includes use of shuttles and van pools to support public visitation, and limitations on daily vehicle trips. The Conservancy/MRCA shall give priority to public outreach, recreation and education programs at Ramirez Canyon Park over private events and/or small group gathering uses, specifically as it relates to implementing Section D.3.b.i of this Overlay, Transportation and Parking Management.

b. Accessibility Design Guidelines

i. To ensure that access and recreational opportunities for visitors with diverse abilities are maximized, the Conservancy/MRCA may continue all public outreach programs at Ramirez Canyon Park, may provide additional day-use picnic facilities, and may implement park improvements to provide for limited overnight camping opportunities at Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park and Malibu Bluffs Park in compliance with Americans with Disabilities Act (ADA) and consistent with the policies of this Overlay, the City of Malibu Local Coastal Program and the Coastal Act.

ii. Access and recreational opportunities for visitors with diverse abilities shall be accommodated, where feasible and consistent with public safety needs and resource protection policies, by trail design and improvements intended to meet current accessibility standards and technical requirements. Where such improvements would potentially result in adverse impacts to cultural, historic, religious, or significant natural features or characteristics; where such improvements would substantially alter the nature of the setting or the purpose of the trail or would require construction methods or materials that are prohibited by law; or where compliance would not be feasible due to terrain or prevailing construction practices, specialized programs shall be developed and implemented to provide feasible alternatives for compliance and/or universal design when appropriate.

iii. The Conservancy/MRCA will assess all contributing structures and landscape features for their role in developing programs that meet current accessibility guidelines and technical requirements at the parks areas owned and maintained by the Conservancy/MRCA. Where programmatic needs cannot be met within existing park facilities, the Conservancy/MRCA shall consider the following: 1) appropriate new construction, 2) modifying programs or providing new specialized programs able to be accommodated at existing facilities and landscapes, or 3) not implementing the program element.

County of Los Angeles Land Use Plan P18b

Protect, expand, and, where feasible, provide new lower cost recreation and visitor-serving facilities, especially public recreational facilities…Encourage any new or expanded facilities to utilize sensitive design that is well integrated with the surrounding environment and public access.

The City of Malibu and County LUP collectively include several policies that require protection, expansion, and where feasible, provision of new low cost recreation facilities. The Malibu LUP encourages development of trail camps in the City and prioritizes development of recreational uses that complement public recreation areas or supply recreational opportunities not currently available in public parks. The Overlay policies supplement these policies by providing specific development standards for development of limited overnight campsites and for conducting special public outreach programs at Ramirez Canyon Park, which will serve to enhance low cost recreational opportunities in the Plan area, prioritize recreational uses that complement public recreation areas, and to provide recreational opportunities not currently available in public parks.

Consistent with the above policies, the proposed Plan improvements consists almost entirely of low-cost access and recreational opportunities. The Plan includes developing unique, low-cost and low-impact camp facilities within existing park boundaries in the Plan area consistent with public safety needs, site constraints, and resource protection policies. The proposed campsites are walk-in campsites and include, where appropriate, necessary support facilities such as picnic tables, fire-proof cooking stations, self-contained restrooms, and shade trees, etc., and also include and educational/interpretive component including signage related to the natural resources of the Santa Monica Mountains. The Plan also includes design criteria for the camp facilities proposed in each park area to facilitate maximum accessibility, consistent with site constraints and safety requirements.

The Conservancy and MRCA recognize that, in some cases, natural constraints and oftentimes the remote location of parklands inherently limit access and recreation opportunities for visitors with special needs. As such, the Plan's public parks programs emphasize the need to provide facilities and outreach programs intended to reach visitors with diverse abilities, disadvantaged youth, or other underserved groups. Ramirez Canyon Park contains a number of unique support facilities which are not readily and widely available at many parks in the Plan area. The Plan includes Ramirez Canyon Park program and operational elements that support special public outreach and educational opportunities, as well as the administrative infrastructure necessary to operate specialized public outreach programs and to ensure that maximum public access and recreational opportunities are provided for visitors with varying degrees of special needs. Additional organized, public programs would be provided at Corral Canyon Park and Malibu Bluffs. The proposed programs will expand recreational opportunities at existing park facilities to serve a variety of visitors that are not readily available at other parklands, whenever feasible and consistent with safety needs and constraints of the parklands.

The City of Malibu LUP further specifies that parks shall maintain lower-cost user fees and parking fees, and maximize hours of use to the extent feasible, in order to maximize public access and recreation opportunities. Parking and camping user fees for proposed park facility improvements will be consistent with fees for such uses typical of the State Parks system. Limitations on time of use will only consist of time restrictions required to ensure public safety (standard hours of operation and use restrictions associated with adverse environmental conditions, i.e. flood and fire conditions). Further, the Plan includes establishment of a fund, supported by net proceeds of special event uses at Ramirez Canyon Park, to fund a camping program designed to provide urban, disadvantaged youth with their first overnight camping experience. It is anticipated that each special event at Ramirez Canyon Park would yield approximately $1,000 of net proceeds, and could therefore fund approximately 20 participants in one overnight program event. The MRCA will provide all necessary transportation, meals and equipment, and will deliver a program dedicated to teaching novice and first-time campers proper use of camping equipment,

environmental awareness and outdoor leadership skills. Staffing will be provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education. As such, the proposed Plan will provide a new, low cost recreational experience and accommodation not presently available for most visitors to the Malibu coastal area and will thus further the goals of City and County LUP policies to provide and enhance low cost recreation opportunities not currently available in the Plan area.

The City and County LUP also require that recreational uses located near public park and recreation areas be allowed only if the scale and intensity of the recreational uses are compatible with the character of the nearby parkland, where impacts to environmentally sensitive habitat areas and visual resources are minimized, and where designed to meet fire safety standards. The majority of proposed campsites would be located in existing public use areas, in proximity to park access points, and in previously disturbed or non-sensitive areas. The proposed park-specific project plans demonstrate that campsites are appropriately setback from the top of bank from all streams, or outer edge of the riparian canopy, whichever is greater, and in areas of level terrain, where feasible, to avoid the need for excessive grading and to minimize associated impacts to sensitive habitat areas and water quality. Proposed camp area locations have been evaluated by a qualified biologist/s to ensure that they have been appropriately located, to the extent feasible, in previously disturbed areas, and are appropriately setback from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater.

The proposed Plan includes park program limitations and restrictions on park use to address potential fire hazard and includes a detailed and site-specific Fire Protection and Emergency Evacuation Plan, which have evaluated potential hazards associated with the proposed development and use of the parklands to ensure that maximum public access and recreational use of the parklands can be achieved consistent with public safety needs

Consistent with the City and County LUP, the Plan will serve to protect and provide lower cost visitor-serving and coastal recreation facilities, and to ensure that the new and expanded access and recreational facilities are sited and designed to minimize impacts to environmentally sensitive habitat areas and visual resources. The Plan provides for development of visitor-serving and recreational uses that complement public recreation areas and supply recreational opportunities not currently available within the Plan area.

City of Malibu Land Use Plan 2.18

The City should coordinate with the National Park Service, the California Department of Parks and Recreation, the State Coastal Conservancy, Caltrans, the County Department of Beaches and Harbors and the Santa Monica Mountains Conservancy to provide a comprehensive signage program to identify public parks, trails and accessways. Said signage program should be designed to minimize conflicts between public and private property uses.

City of Malibu Land Use Plan 2.51

A uniform signage program shall be developed and utilized to assist the public in locating and recognizing trail access points. In areas containing environmentally sensitive habitat or safety hazards, signs shall be posted in English and in Spanish with a description of the sensitive habitat or safety hazard once the trail is opened by a public agency or private association.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

6. Signs

A uniform and comprehensive park and trail sign program, which is essential for identifying park areas, permitted uses, support facilities, sensitive habitats, and adjacent land uses shall be applied to all new trail and park area improvements as appropriate and shall be subject to the following implementation measures.

a. Signs Location, Content and Design

i. Signs shall be provided at all park locations, as determined necessary and appropriate by the Conservancy/MRCA, to provide information relative to, among other things, trails, regulations, natural resources, and services.

- *Trail signs shall be provided for visitors beyond the trailhead and shall include distance to destination points and information about trail conditions and accessibility that will help visitors determine the level of trail difficulty.*
- *Regulatory signs shall be provided at park entrance areas, staging areas or gathering points and may include, but need not be limited to, the following information: 1) permitted use of the area or facility being posted, 2) general regulations at trail-heads, 3) general regulations at jurisdiction boundaries, 4) regulations required to promote safe use of an area (including limitations on fires) and resource protection, and 5) identification of private property boundaries.*
- *Services signs identifying services and/or support facilities for the park visitor shall be provided in locations as determined appropriate by the managing agency.*
- *Educational/interpretive signs shall be provided in public use areas in or adjacent to ESHA that identify natural resources and explain their special nature or role in the local ecosystem.*

ii. Sign appearance shall be standardized for easy recognition by visitors including face, font, capitalization, colors, icons, materials, and dimensions, except where unique signage is used to identify architecturally significant structures in Ramirez Canyon Park.

iii. Trail improvements must provide adequate signs at all access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads, and must provide adequate safety signs, including, but not limited to, road crossing signs and yield/warning signs on multi-use trail segments.

iv. Final plans for location and content of proposed trail and park signs shall be submitted for review and comment to the Outdoor Recreation Planner of the National Park Service to ensure continuity of signs between the park properties in the Plan area.

v. The Conservancy/MRCA shall retain the services of a bilingual consultant who will assist in determining which of those regulatory, informational, and directional signs should be posted in both English and Spanish.

The proposed Plan includes development and implementation of a uniform sign program for new trail and park area improvements to assist visitors in locating and recognizing park areas and trail corridors, park support facilities, sensitive habitats, and adjacent land uses. Signs are proposed to be posted at park access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads, and would include safety signs, including, but not limited to, road crossing signs and yield/warning signs on multi-use trail segments.

The sign program includes posting regulatory signs at park entrance areas, staging areas or gathering points with the following information: 1) permitted/prohibited uses of the area or facility being posted, 2) general park regulations, 3) general regulations at jurisdiction boundaries, where applicable, 4) regulations required to promote safe use of an area (including limitations on fires) and resource protection, and 5) identification of private property boundaries. Trail signs posted for visitors beyond the trailhead would include information regarding distance to destination points, locations of services and/or support facilities, trail conditions, and trail accessibility that will help visitors determine the level of trail difficulty. In areas containing environmentally sensitive habitat or safety hazards, signs would be posted in English and in Spanish with a description of the sensitive habitat or safety hazard. In addition, educational/interpretive signs would be posted in public use areas adjacent to ESHA to identify natural resources and explain their special nature or role in the local ecosystem. The Plan further requires that final plans for location and content of proposed trail and park signs be submitted for review and comment to the Outdoor Recreation Planner of National Park Service to ensure continuity of signs between the park properties in the Plan area.

City of Malibu Land Use Plan 2.24 – 2.26

2.24 The extension of public transit facilities and services, including shuttle programs, to maximize public access and recreation opportunities shall be encouraged, where feasible.

2.25 New development shall provide off-street parking sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation.

2.26 Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

City of Malibu Land Use Plan 2.44

Proposals to install bike racks, lockers, or other devices for securing bicycles in convenient locations at beach and mountain parks, parking lots throughout the City, trailheads and other staging areas shall be permitted. Funding should be supported and provided where available.

City of Malibu Implementation Plan 3.4.2D (Malibu Parks Public Access Enhancement Plan Overlay)

3. Public Transit

Public access opportunities to parklands and recreation areas subject to this Overlay shall be maximized by encouraging and expanding transportation options supported by adequate support facilities pursuant to development of the following site-specific transit and facility improvements, subject to the following implementation measures.

a. Public Transit Improvements

i. The Conservancy/MRCA shall coordinate with the Metropolitan Transportation Authority (MTA) to include a stop in the existing service route to the Winding Way Trailhead parking lot, typically used to access Escondido Canyon Park. The Conservancy/MRCA shall provide MTA service information to the public via public notices, trailhead signs and website posting.

b. Transportation and Parking Management

i. The Conservancy shall implement a Transportation and Parking Management Plan for Ramirez

Canyon Park including the following provisions:

- *Agreements shall be secured and maintained between the Conservancy/MRCA and willing providers of offsite parking resources to accommodate the maximum parking demand associated with the authorized uses of the park for groups of up to 200 people without displacing the current parking needs of the provider.*
- *No off-site public coastal access parking, including the Winding Way Trailhead parking lot and the proposed parking facilities at Escondido Canyon Park, shall be utilized to satisfy the off-site parking requirements associated with Ramirez Canyon Park use.*
- *Daily vehicle trips associated with all authorized uses of Ramirez Canyon Park are restricted to a maximum of 80 trips per day (40 round trips).*
- *Signs shall be provided and maintained at the entrance gate to Ramirez Canyon Park forbidding horn honking except in case of emergency.*
- *Vans and shuttles shall minimize traffic trips on Ramirez Canyon Road by traveling with maximum passenger capability and in convoys, whenever feasible.*

ii. Bicycle parking facilities shall be included on all plans to construct new parking or trailhead facilities.

iii. Hike-in and walk-in public access opportunities shall be developed for Ramirez Canyon Park due to existing limitations on vehicular transportation to the Park. Hike-in opportunities shall be developed from the proposed parking areas along Kanan Dume Road and from dedicated, donated, and purchased easements along De Butts Terrace, Winding Way, Delaplane, and Ramirez Canyon Road, and from Pacific Coast Highway, where feasible.

iv. Parking areas may be developed at Escondido Canyon Park and Malibu Bluffs Park and a parking area/trailhead may be developed on Latigo Canyon Road for hike-in access to Escondido Canyon Park if feasible.

City of Malibu Land Implementation Plan 3.4.2D (Malibu Parks Public Access Enhancement Plan Overlay)

5. Support Facilities

Public access and recreation opportunities shall be maximized by development of critical public support facilities (e.g. parking, trailhead facilities, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs) subject to the following implementation measures.

a. Support Facilities Location, Development and Design

i. To maximize access to parklands and trails consistent with the other provisions of this Overlay, new, limited parking and trailhead facilities may be provided at Ramirez Canyon Park, Malibu Bluffs Park, and Escondido Canyon Park, including the Latigo Canyon Road Trailhead to Escondido Canyon, provided they are consistent with the resource protection policies of this LCP.

ii. New support facilities shall be located at park entrances and along existing primary trail routes, provided they can be so located consistent with the resource protection policies of this LCP. They will be located within previously disturbed areas where feasible, to minimize impacts to sensitive habitat areas to the maximum extent feasible.

iii. New support facilities (not associated with low-impact campsites) shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective (excepting support facilities within Ramirez Canyon Park, a limited [no more than 10 space] Latigo trailhead parking and picnic area for Escondido Canyon Park, and an Americans with Disabilities Act (ADA) compliant drop-off area at Corral Canyon Park, all of which may be located closer to the stream bank provided they are still no less than 25 feet from top of stream bank).

iv. New support facilities shall be located in areas of level terrain to minimize the need for grading as much as feasible.

v. New support facilities shall be strategically located in disturbed areas (except those described in Policy 3.6 of the LUP) and outside of any ESHA but shall also be located adjacent to vegetated areas whenever feasible where existing vegetation may provide a natural buffer between support facilities, trail corridors and/or public viewing areas. Where necessary, native vegetation may be planted to provide a buffer and to screen support facilities.

vi. Proposed support facility locations shall be evaluated by a qualified biologist to ensure that, to the maximum extent feasible, 1) facilities are appropriately located in previously disturbed areas, 2) facilities are appropriately setback from the top of bank of any adjacent stream, and 3) to assess potential impacts to habitat areas that may result from development of new facilities and to provide recommendations for mitigation, as applicable. These analyses and recommendations must be submitted to the body reviewing any application for development for review and approval.

County of Los Angeles Land Use Plan P31

Initiate a program to provide bike racks, lockers, or other devices for securing bicycles in convenient locations at beach and mountain parks and staging areas.

County of Los Angeles Land Use Plan P189

Develop parking facilities for bicycles, motorcycles, and public transit at recreation areas to encourage the use of these modes of transportation.

County of Los Angeles Land Use Plan P192

Encourage public transit modes and staging areas from metropolitan Los Angeles to the area's parks and beaches.

City and County LUP policies encourage the use and extension of public transit and shuttle programs to access parklands (particularly from metropolitan Los Angeles) and to maximize public access and recreation opportunities. The policies also require that adequate parking be provided to serve coastal access and recreational uses, and that facilities be provided for bicycles. Overlay policies supplement these policies by providing specific measures and development standards to implement transit improvements and shuttle programs for the Plan area, and for the development of support facilities including parking at trailheads and park staging areas.

The Plan includes development of a recreational facilities and uses at park properties that are easily accessible to backpackers hiking along the proposed Coastal Slope Trail, bicyclists traversing along Pacific Coast Highway, riders of the public bus system (Metropolitan Transportation Authority, MTA), and other visitors traveling in their own automobiles. The proposed camping program is designed to be transit

accessible, so that visitors can utilize the MTA bus service to backpack from the camp areas at Malibu Bluffs and Corral Canyon Park to travel further west to the Latigo Trailhead property, Escondido Canyon Park and Ramirez Canyon Park via the Coastal Slope Trail.

MTA bus service is available for transit from inner-city Los Angeles and other areas outside of Malibu to Corral Canyon Park and Malibu Bluffs. To maximize public access in the Plan area, the Plan includes measures for the Conservancy/MRCA to coordinate with the MTA to include a stop in the existing service route to the Winding Way Trailhead parking lot along the primary transportation corridor (Pacific Coast Highway), and to provide service information to the public via public notices, trailhead signs and website posting.

The MTA offers low-cost transportation for people who otherwise would not have access to parklands and beaches and serves as an alternative means for gaining access to parklands. These transportation services are particularly vital in the Plan area given the limited amount of existing and proposed parking resources for visitors to travel to and from parks at trailheads.

The Plan also includes new public parking resources at existing parklands to alleviate parking demand for public use and recreation where current parking restrictions on adjacent roadways limit public access opportunities. Public parking improvements are proposed along Kanan Dume Road (to support access to Ramirez Canyon Park), near the entrance in Ramirez Canyon Park (improvement to existing parking lot), at Escondido Canyon Park and the Latigo Trailhead property, Corral Canyon Park (improvement to existing parking lot), and Malibu Bluffs. The Plan includes bike racks at new parking facilities, which will serve to facilitate alternative means of transportation to and between park areas. In addition, the proposed Plan will provide an alternative method of accessing park areas by providing pedestrian connections between parklands, further supported by development of new facilities intended to accommodate and encourage biking. Finally, the Plan includes use of shuttles and van pools, and development of new hike-in opportunities, to facilitate public use of Ramirez Canyon Park where public access opportunities to the park are presently limited.

All proposed parking improvement locations have been evaluated by a qualified biologist/s to ensure that park improvements have been appropriately located, to the extent feasible, in previously disturbed areas, and are appropriately setback from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater. All proposed park improvement locations and uses have been evaluated for potential impacts to habitat areas and mitigation measures identified to ensure resources impacts are avoided and minimized to the maximum extent feasible.

The proposed Plan is consistent with City and County LUP policies relative to providing transit, alternative means of transportation and support facilities to support access and recreation. The Plan will develop new public parking resources to support public access and recreational uses, in some instances where none currently exist, and thereby will serve to meet the existing demand for parking resources necessary to support maximum access and recreational opportunities. The parking and trailhead support facilities will ensure there is sufficient infrastructure to support public access and recreation and will serve to maintain and enhance public access by facilitating extension of transit service and non-automobile circulation within the Plan area.

City of Malibu Land Use Plan 2.27

The implementation of restrictions on public parking, which would impede or restrict public access to beaches, trails or parklands, (including, but not limited to, the posting of "no parking" signs, red curbing,

physical barriers, imposition of maximum parking time periods, and preferential parking programs) shall be prohibited except where such restrictions are needed to protect public safety and where no other feasible alternative exists to provide public safety. Where feasible, an equivalent number of public parking spaces shall be provided nearby as mitigation for impacts to coastal access and recreation.

City of Malibu Land Use Plan 2.28

Gates, guardhouses, barriers or other structures designed to regulate or restrict access shall not be permitted within private street easements where they have the potential to limit, deter, or prevent public access to the shoreline, inland trails, or parklands where there is substantial evidence that prescriptive rights exist.

The Plan includes provisions for new and improved trails and public parking areas intended to support public access and recreation to parklands, and does not involve restrictions or limitations on any existing or proposed parking areas or adjacent roadways, with the exception of limitations on time of use required to ensure public safety (standard hours of operation and use restrictions associated with adverse environmental conditions, i.e. flood and fire conditions). As such, the Plan is consistent with LCP Policies 2.27 and 2.28.

City of Malibu Land Use Plan 2.45

An extensive public trail system has been developed across the Santa Monica Mountains that provides public coastal access and recreation opportunities. This system includes trails located within state and national parklands as well as those which cross private property in the City and County. The City's existing and proposed trails are shown on the LUP Park Lands Map. A safe trail system shall be provided throughout the mountains and along the shoreline that achieves the following:

- *Connects parks and major recreational facilities;*
- *Links with trail systems of adjacent jurisdictions;*
- *Provides recreational corridors between the mountains and the coast;*
- *Allows for flexible, site-specific design and routing to minimize impacts on adjacent development, and fragile habitats. In particular, ensure that trails located within or adjacent to Environmentally Sensitive Habitat Areas are designed to protect fish and wildlife resources;*
- *Provides connections with populated areas;*
- *Includes trails designed to accommodate multiple use (hiking, biking and equestrian) where multiple use can be provided safely for all users and where impacts to coastal resources are minimized;*
- *Reserves certain trails for hiking only;*
- *Facilitates linkages to community trail systems;*
- *Provides diverse recreational and aesthetic experiences;*
- *Prohibits public use of motorized vehicles on any trail;*
- *Provides public parking at trail head areas;*

- *Ensures that trails are used for their intended purpose and that trail use does not violate private property rights;*

City of Malibu Land Use Plan 2.46

The appropriate agency or organization to accept and develop trail dedication offers resulting from City issued CDPs shall be determined through coordination, where applicable, with the National Park Service, the State Department of Parks and Recreation, the State Coastal Conservancy, Los Angeles County, the Santa Monica Mountains Coastal Conservancy, and the Santa Monica Mountains Trails Council, and nonprofit land trusts or associations.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

1. Trails

Public access and recreation opportunities on lands subject to this Overlay shall be provided and enhanced by developing trail resources pursuant to implementation of a number of site-specific trail improvements as conceptually illustrated on the Malibu Parks Public Access Enhancement Plan Proposed Trail Resources Map, and which shall be subject to the following implementation measures.

a. Trail Easement & Open Space Deed Restriction Land Acceptance Program

i. The Conservancy/MRCA shall work with the Public Access Division of the Coastal Commission and the City of Malibu Planning Division to accept all Offers To Dedicate property interests (OTDs) in real property identified as prospective trail corridors or open space areas in areas subject to Malibu Parks Public Access Enhancement Plan Overlay beginning July 2006.

ii. As data becomes available, the Conservancy/MRCA shall work with the Coastal Commission and City of Malibu to identify and accept, as applicable, all trail and open space OTDs identified in areas subject to Malibu Parks Public Access Enhancement Plan Overlay and evaluate/process the legal documentation necessary to ensure allowance of trail use on properties subject to OTDs, where appropriate, or to ensure such properties are protected as natural and scenic areas to enhance the recreational experience of trail corridors.

iii. The Conservancy/MRCA should monitor the review and approval process for coastal development permits in the areas subject to Malibu Parks Public Access Enhancement Plan Overlay, subject to City or Coastal Commission action, for potential future OTD requirements and act to accept OTDs that may become available.

iv. The Conservancy/MRCA should study opportunities for and evaluate potential land acquisitions based on proximity to existing trail alignments and existing OTDs to facilitate development of the Coastal Slope Trail, and associated connector trails, where private property presents a significant obstacle to trail implementation.

b. Park Agency Coordination

i. All plans for location, design and development of ~~park~~ trail improvements located on, or potentially affecting, adjacent Federal parklands and/or County lands shall be submitted to the Outdoor Recreation Planner of the National Park Service and/or the Los Angeles County Department of Parks and Recreation to ensure continued interagency coordination and successful planning efforts for providing an accessible, safe and enjoyable trail system throughout the Malibu Parks Public Access Enhancement Plan Overlay area.

c. Trail Location, Development and Design

i. The Conservancy/MRCA should develop plans to construct, improve and maintain trails for public use once they have accepted ~~as~~ an OTD a property interest in the land proposed for trail use, or once fee title to such property is acquired through land purchase or donation, consistent with the resource protection policies of this Overlay.

ii. To the maximum extent feasible, and where consistent with all public safety provisions and the resource protection policies of this Overlay, the City of Malibu Local Coastal Program and the Coastal Act, trails should be designed in accordance with current accessibility guidelines and technical requirements. Where full compliance with accessibility guidelines is determined to be infeasible, trails and trail facilities will incorporate those accessible features that can be reasonably accommodated.

iii. Trails shall be located, designed, and maintained to avoid or minimize impacts to ESHA and other coastal resources by utilizing established trail corridors, following natural contours, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. Trail construction resulting in unavoidable impacts to ESHA may be permitted if found consistent with all applicable resource protection policies of this Overlay, the City of Malibu Local Coastal Program and the Coastal Act.

iv. Trail development and maintenance shall be designed to accommodate multiple uses including hiking, mountain biking and equestrian uses wherever feasible. Where multi-use trails occur along existing roadways, wood bollards shall be installed between trails and roadways, and pedestrian crossing signs and/or signals shall be installed at all major road crossings, to clearly delineate trail alignments, and to provide separation and ensure safety for trails adjacent to roadways.

County of Los Angeles Land Use Plan P32

Provide a safe trail system throughout the mountain and seashore that can achieve the following:

- *Link major recreational facilities*
- *Link with trail systems of adjacent jurisdictions*
- *Provide recreational corridors between the mountains and the coast*
- *Provide for flexible, site specific design and routing to minimize impact on adjacent property, communities, and fragile habitats. In particular, ensure that trails located in Environmentally Sensitive Habitat Areas are designed to protect fish and wildlife values*
- *Provide connections with populated areas*
- *Provide for and be designed to accommodate multiple use (walking, hiking and equestrian) wherever appropriate*
- *Facilitate linkages to community trail systems*
- *Provide for diversity of recreational and aesthetic experiences*
- *Reserve certain trails for walking and hiking only*
- *Prohibit public use of motorized vehicles on hiking/equestrian trails*

The Plan area includes a major component of an expansive trail system with existing and planned trail corridors for the larger Santa Monica Mountains National Recreation Area. This trail system includes the Backbone Trail, a primary trail corridor traversing a variety of public parklands along the coast north of the City from urban areas of Los Angeles County area to the east, past Topanga State Park and on to Point Mugu State Park in Ventura County to the west. Various inland connector trails link urban areas (such as Santa Monica, the San Fernando Valley and Simi Valley) with the trail corridors and parklands of the Santa Monica Mountains National Recreation Area from which one could ultimately gain access south to the shoreline. Implementation of the trail segments proposed by the Plan and support facility improvements is critical to completing and supporting access to the Coastal Slope Trail within the City of Malibu, and its ultimate connection to the Backbone Trail that will provide access to and between adjacent urban areas of Los Angeles County and Ventura County, the larger Santa Monica Mountains National Recreation Area, and the shoreline within the City of Malibu.

There are currently a number of existing trail planning resources from which the proposed Plan has drawn from in an effort to implement a comprehensive trail system within the Plan area. Such resources include the Santa Monica Mountains National Recreation Area Interagency Trail Management Plan (TMP), City of Malibu Local Coastal Program Trail Map, and the City of Malibu Trail Master Plan. The existing and proposed trail alignments from these resources have been implemented wherever feasible, and in many instances, as illustrated on the Proposed Trail Resources Map, the proposed Plan will achieve many segments of these trail plans. However, where there is presently insufficient access opportunities via public easements (existing or proposed) and/or where there may be potential conflicts with adjacent neighborhoods or steep terrain that may be avoided, alternative trail alignments have been evaluated and incorporated into the Plan to ensure trail implementation, connectivity, and to reduce potential land use conflicts and resource impacts. The Plan's trail system utilizes alternative trail alignments on public land, within existing public trail easements, and within potential future public land purchases or easement dedications wherever feasible to avoid potential conflicts with private property and adjacent neighborhoods.

Consistent with the provisions of City and County LUP, the Plan will serve to create an interlinking network of parks, trails, and open space areas over multiple jurisdictions for diverse public use. The Plan includes trail alignments that minimize impacts on adjacent development, steep terrain, and fragile habitats. The Plan includes multi-use trail construction, wherever feasible and found consistent with applicable resource protection measures and provide connection opportunities to community trail systems within the City of Malibu and the Santa Monica Mountains National Recreation Area as identified on the Proposed Trail Map. The Plan's trail system is designed to provide diverse recreational and aesthetic experiences for various physical levels of users given the diversity of environments, terrain, habitat types included in the Plan area. In addition, the Plan will enhance a diversity of public access and recreation opportunities with necessary support facilities and accessible design features, including crucial public parking components for Ramirez Canyon Park, Escondido Canyon Park, the Latigo Trailhead property and Malibu Bluffs.

In addition, the proposed trail plan will serve to meet a primary goal articulated in Completing the California Coastal Trail (Coastal Conservancy 2003) which is to "Create linkages to other trail systems and to units of the State Park system, and use the Coastal Trail system to increase accessibility to coastal resources from urban population centers." Implementation of the proposed trail plan will provide and connect several threads within the coastal trail system in the Malibu and Santa Monica Mountains area. Some trail segments will traverse inland and parallel to the shoreline linking parklands and providing expansive and spectacular views of the coast, while others will connect parkland and upland areas to the shoreline such as at Corral Canyon Park. Additional parkland and shoreline access would be provided with the Beach to Bluffs trail improvements proposed at the Conservancy-owned Malibu Bluffs.

Although trails are a resource-dependent use and are permitted in environmentally sensitive habitat areas (ESHA), proposed trails have been located and designed to avoid or minimize impacts to ESHA by utilizing established trail corridors, following natural contours, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. As discussed under the Environmentally Sensitive Habitat analysis below, where trail construction will result in unavoidable impacts to ESHA, mitigation measures have been identified in the Draft Environmental Impact Report (DEIR) to fully mitigate all impacts to less than significant levels.

City of Malibu Land Use Plan 2.52

Trail areas that have been degraded through overuse or lack of maintenance should be restored by such techniques as revegetation with native plants, and through the provision of support facilities such as parking, trash receptacles, restrooms, picnic areas etc. In environmentally sensitive habitat areas a limited recovery period during which public access should be controlled may be necessary. Any limitation on access shall be for the minimum period necessary, shall be evaluated periodically to determine the need for continued limited use and shall require a Coastal Development Permit.

City of Malibu Land Use Plan 5.68 (Malibu Parks Public Access Enhancement Plan Overlay)

Park uses shall be consistent with the visitor carrying capacity of specific park areas taking into consideration available support facilities, opportunities to develop new support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility.

County of Los Angeles Land Use Plan P36

Assure that trail areas are maintained in good condition and free of litter and debris.

City and County LUP policies require that trails be maintained in good condition, and that trail areas that have been degraded through overuse or lack of maintenance should be restored by such techniques as revegetation with native plants, and through the provision of support facilities. These policies also require that park uses be consistent with the visitor carrying capacity of parklands, where availability of support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility may be limiting factor on visitor carrying capacity.

The proposed plan includes trails and low-impact camp areas, which are a resource-dependent uses and are permitted in environmentally sensitive habitat areas (ESHA), and that have been located and designed to avoid or minimize impacts to ESHA. The proposed park-specific project plans demonstrate that trails and campsites have primarily been located in disturbed areas, are appropriately setback from the top of bank from all streams, or outer edge of the riparian canopy, whichever is greater, and are located in areas of level terrain, where feasible, to avoid the need for excessive grading and to minimize associated impacts to sensitive habitat areas and water quality. All proposed park improvement locations have been evaluated by a qualified biologist/s to ensure that park improvements have been appropriately located, to the extent feasible, in previously disturbed areas, and are appropriately setback from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater. As discussed under the Environmentally Sensitive Habitat Visual Resources analysis below, mitigation measures have been identified in the DEIR to fully mitigate all ESHA and visual resources impacts to less than significant levels.

The Plan also includes a number of recreational facility improvements including new and expanded trail connections, camping areas, and critical support facilities such as public parking, self-contained restrooms,

trailhead improvements, trash receptacles, etc. and the use of existing structures at Ramirez Canyon Park to support park operations and maintenance personnel necessary to maintain parklands and recreational areas within the Plan area. These proposed improvements are distributed throughout the Plan area along the trail corridors and within the park properties addressed by the Plan and will serve to ensure that new and enhanced public access and recreation opportunities are provided to reduce the potential of overburdening limited existing public facilities concentrated in specific areas, and to ensure proposed improvements are appropriately sited, designed and maintained to protect environmentally sensitive habitat areas.

The proposed Plan includes several additional measures to ensure that public park areas subject to degradation resulting from intense and/or unrestricted use are addressed and fully mitigated. These measures include: 1) revegetation of degraded areas with native plants, 2) trail consolidation and improvement, 3) provision of support facilities such as defined parking areas and trail corridors, trash and recycling receptacles, self-contained restrooms, picnic areas, and 4) provision of support facilities necessary for operations and maintenance personnel and associated maintenance equipment. The Plan includes a comprehensive Coastal Campgrounds and Trails Maintenance Plan for proposed trail and park improvements, and the existing structures of Ramirez Canyon Park have and will continue to provide a center within the Plan area for maintenance personnel and associated equipment storage necessary to sustain maintenance operations for the subject park areas. The Plan's support facilities will ensure that adequate facilities are provided and maintained to manage public parking, trailhead, day-use and camp areas, to accommodate potential trash and waste generation at park areas, and to ensure that support necessary to support personnel and store equipment to maintain the park properties are provided. These measures will ensure that public use of the parklands is maximized in a way that maintains park areas and sensitive resources such that they remain desirable destination areas for visitors.

The proposed Plan includes park program limitations and restrictions on park use to address hazardous conditions (red-flag days and flash flood warnings) and includes a detailed and site-specific Fire Protection and Emergency Evacuation Plan, hydrology, and geologic constraints analyses, which have evaluated potential hazards associated with the proposed development and use of the parklands to ensure that maximum public access and recreational use of the parklands can be achieved consistent with public safety needs. As discussed under the Hazards analysis below, where construction of proposed park improvements and uses will potentially result in impacts associated with site hazards, mitigation measures have been identified in the DEIR to mitigate majority of impacts associated with hazards to less than significant levels. One exception is where site specific environmental analysis has found that proposed park facility improvements at the Latigo Trailhead property present a potentially significant and unavoidable impact associated with geologic hazard due to landslide issues.

4.2 RESOURCE PROTECTION

4.2.1 Environmentally Sensitive Habitat Area (ESHA)

California Coastal Act Environmentally Sensitive Habitat Areas (ESHA) Policies

Coastal Act § 30240:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Local Coastal Program ESHA Protection Policies

City of Malibu Land Use Plan 3.1 (ESHA Designation)

Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments are Environmentally Sensitive Habitat Areas (ESHAs) and are generally shown on the LUP ESHA Map. The ESHAs in the City of Malibu are riparian areas, streams, native woodlands, native grasslands/savannas, chaparral, coastal sage scrub, dunes, bluffs, and wetlands, unless there is site-specific evidence that establishes that a habitat area is not especially valuable because of its special nature or role in the ecosystem. Regardless of whether streams and wetlands are designated as ESHA, the policies and standards in the LCP applicable to streams and wetlands shall apply. Existing, legally established agricultural uses, confined animal facilities, and fuel modification areas required by the Los Angeles County Fire Department for existing, legal structures do not meet the definition of ESHA.

City of Malibu Land Use Plan 3.8

Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

City of Malibu Land Use Plan 3.9

Public accessways and trails are considered resource dependent uses. Accessways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures, including but not limited to, signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

City of Malibu Land Use Plan 5.69 (Malibu Parks Public Access Enhancement Plan Overlay)

Overnight campsites, including "low-impact" campsites, are permitted uses in parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay and should be developed within park boundaries for public use to provide a wider range of recreational opportunities and low-cost visitor serving opportunities for visitors of diverse abilities, where impacts to coastal resources are minimized and where such sites can be designed within site constraints and to adequately address public safety issues. For purposes of this Overlay, low impact campsites (and associated support facilities including, where appropriate, picnic tables, potable water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations) are "carry-in carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains. Low impact campsites, as defined, constitute a resource dependent use. Access to low impact campsites shall be supported by parking areas and designated ADA drop-offs located in non-ESHA areas.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

7. Environmentally Sensitive Habitat Areas (ESHA)

Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values and all areas subject to proposed access and recreation improvements found to constitute ESHA pursuant to the provisions of Chapter 4 of the Malibu Local Implementation Plan shall be subject to the following implementation measures, as well as other, generally-applicable resource protection provisions of this LCP.

a. Permitted Parkland Uses, Development and Design

i. Trails, camp facilities, park uses as described in this Overlay, and necessary support facilities shall be considered permitted uses for those parkland areas subject to the Malibu Parks Public Access Enhancement Plan Overlay and as identified on the Public Parkland Map and Proposed Trail Resources Map. Trails and other resource dependent park uses, and necessary support facilities associated with resource dependent uses, located within or adjacent to areas mapped as ESHA shall be sited and designed to avoid significant disruptions of habitat values within the ESHA and avoid significantly degrading such areas. Minor disruptions to ESHA resulting from resource dependent uses shall be mitigated pursuant to LIP provision 3.4.2(D)(7)(a)(viii). Such uses shall also minimize impacts to other coastal resources through, among other things, mitigation measures, including, but not limited to, siting for new permitted park improvements in previously disturbed areas, signs, and limited fencing shall be implemented as necessary to protect ESHA.

County of Los Angeles Land Use Plan P57

Designate the following areas as Environmentally Sensitive Habitat Areas (ESHAs): (a) those shown on the Sensitive Environmental Resources Map (Figure 6), and (b) any undesignated areas which meet the criteria and which are identified through the biotic review process or other means, including those oak woodlands and other areas identified by the Department of Fish and Game as being appropriate for ESHA designation.

County of Los Angeles Land Use Plan P58

Riparian woodlands, streams, oak woodlands, and savannahs which are located in areas of existing development and can no longer support a significant number of species normally associated with healthy habitat shall be designated as "Disturbed Sensitive resources" (DSRs). These are depicted on Figure 6.

County of Los Angeles Land Use Plan P59

Relatively undisturbed watershed areas containing exceptional undisturbed riparian and oak woodlands (or savannahs) are recognized as important in contributing to the integrity of these woodlands shall be designated as Significant Watersheds. These are depicted on the Sensitive Environmental Resources Map, Figure 6, and include:

- *Arroyo Sequit*
- *Zuma Canyon*
- *Solstice canyon*
- *Corral Canyon*
- *Malibu Canyon*
- *Cold Creek Canyon*

- *Tuna Canyon*

Trancas Canyon and other areas identified by the Department of Fish and Game shall be added to the list of Significant Watersheds.

County of Los Angeles Land Use Plan P60

Oak woodlands (non-riparian) or savannahs located outside Significant Watershed shall be considered as significant resources and are depicted on Figure 6.

County of Los Angeles Land Use Plan P63

Uses shall be permitted in ESHAs, DSRs, Significant Watersheds, and Significant Oak Woodlands, and Wildlife Corridors in accordance with Table I and all other policies of this LCP.

Per Policy 63 and Table 1 of the County LUP, resource-dependant uses such as nature observation, research/education, and passive recreation including hiking and horseback riding are permitted in Significant Watershed areas.

County of Los Angeles Land Use Plan P68

Environmentally sensitive habitat areas (ESHAs) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Residential use shall not be considered a resource dependent use.

Section 30240 of the Coastal Act states that environmentally sensitive habitat areas (ESHAs) must be protected against disruption of habitat values, and that proposed development adjacent to ESHA and parks shall be designed to prevent adverse impacts to those areas and be compatible with their continuance. Section 30240 of the Coastal Act, and City and County LUP policies state that only resource dependent uses are permitted to occur in ESHA. City and County LUP policies, including the Overlay, define resource dependent uses as including trails and low-impact campsites. In addition, the proposed Ramirez Creek Habitat Enhancement/Restoration Plan, prepared by Penfield & Smith, includes a detailed analysis of stream restoration opportunities for Ramirez Canyon Creek, which was channelized by a previous property owner. The creek restoration project would significantly improve the water quality and habitat value of Ramirez Canyon Creek, and is also considered a resource dependent use pursuant to the Coastal Act, and the City and County LUP.

The majority of the Plan's park-specific improvements are located within existing parklands which clearly contain a variety of sensitive habitat areas that are subject to the ESHA designation of the City and County LUP. The Plan includes new park facility development that has been sited primarily in disturbed areas, to the maximum extent feasible, and where only minimal grading and removal of natural vegetation are required to ensure that potential impacts to ESHA are avoided or minimized.

Where it is not feasible to avoid impacts to ESHA, some of the proposed trail and camp improvements are located within sensitive habitat areas but have been designed to minimize impacts to ESHA, as permitted and required by these policies. While trails and low-impact camp facilities are permitted to occur in ESHA, City and County LUP policies further require that recreational facilities be distributed to prevent overcrowding, and that resource dependent uses located within or adjacent to areas mapped as ESHA be sited and designed to avoid significant disruption of habitat values.

All proposed park improvement locations have been evaluated by a qualified biologist/s to ensure that park

improvements have been appropriately located, to the extent feasible, in previously disturbed areas, and are appropriately setback from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater. Proposed park improvements and uses have been evaluated for potential impacts to habitat areas and special-status species, and mitigation measures identified to ensure resources impacts are avoided and minimized to the maximum extent feasible. Specific development controls and mitigation measures for the proposed Plan improvements and particular habitat types and associated sensitive species are included in the BTR and DEIR prepared for the proposed Plan.

The analysis is the Plan's DEIR is based on the *Biological Technical Report (BTR) for Malibu Parks Public Access Enhancement Plan*, January 2010, which includes to results of a general biological resources survey of the plan area and a general botanical and zoological survey of the Plan area conducted by Dudek biologists on May 22 and 29, 2006, October 11 and 12, 2006, February 27, 2007, March 15, 2007 and September 3 and 8, 2009. In addition, a Dudek ISA-Certified arborist performed a survey of the plan area and its trees on March 5 and 7, 2008 and September 3 and 8, 2009. *The Biological Technical Report (BTR) for Malibu Parks Public Access Enhancement Plan*, January 2010 consolidates and expands upon the above information. The biological area studied was approximately 390 acres of the entire Plan area, and focused on areas of potential impacts as a result of proposed improvements and/or facilities plus an additional 50-foot buffer.

Of the 390 acres studied in Plan area Plan, proposed project improvements including all trails, camp areas, parking facilities, trailhead improvements, day-use and multi-use areas, fire protection improvements, infrastructure and utilities would result in direct impacts to 21.03 acres of sensitive habitat areas, consisting of the following sensitive natural communities:

- 18.04 acres of sensitive scrub and chaparral communities (12.19 acres scrub and 5.85 acres chaparral, including disturbed forms)
- 0.93 acre of sensitive wetland and riparian communities
- 0.04 acre of native grassland habitat
- 2.02 acres of broad-leafed upland tree dominated

With minor exceptions, impacts to ESHA have been limited to the Plan's resource dependent uses (trails, low-impact camp areas, and Ramirez Canyon Creek enhancement/restoration) and, as detailed in the BTR and DEIR analysis, all impacts will be appropriately mitigated pursuant to the Malibu Parks Public Access Enhancement Plan – Habitat Mitigation Program, which provides for 3:1 mitigation (3 acres of mitigation for each acre of impact) for all ESHA impacts and will establish 57.03 acres of native habitat within the Malibu and Santa Monica Mountains area of the Coastal Zone (see additional discussion of mitigation in following discussions).

The BTR includes site specific mapping of proposed improvements and associated impacts which demonstrates that throughout the Plan area, site specific environmental analysis has found that proposed park facility improvements would result in minor, incremental unpermitted development impacts to sensitive habitats. These improvements and associated impacts generally consist of development encroachment and/or fuel modification requirements for support facilities that are not defined as resource-dependent uses per the Coastal Act or City Local Coastal Program and include: 1) encroachment of parking areas and associated fuel modification proposed on Kanan Dume Road and emergency access road improvements for Via Acero, 2) fuel modification requirements for the Murphy Way (De Butts Terrace) Emergency Fire Shelter, 3) encroachment of parking improvements and fuel modification requirements for the Emergency

Fire Shelter proposed at the Latigo Trailhead property, 4) fuel modification requirements for the Corral Canyon Park Emergency Fire Shelters, camp host and fire truck shed improvement area, 5) and encroachment of circulation improvements and fuel modification requirements for the parking/camp host/emergency fire shelter improvement area at Malibu Bluffs (Parking Area 3). Though minor, these facility and fuel modification requirements do not constitute resource-dependent uses (as defined by Section 30240 of the Coastal Act and City of Malibu Local Coastal Program Policies 3.8, 3.9, and 5.69) and would therefore result in impacts to environmentally sensitive habitat areas inconsistent with Section 30240 of the Coastal Act and City of Malibu Local Coastal Program Policies 3.8, 3.9, and 5.69. However, as detailed in the BTR and DEIR analysis, all impacts to sensitive habitats will be appropriately mitigated pursuant to the Malibu Parks Public Access Enhancement Plan – Habitat Mitigation Program.

City of Malibu Land Use Plan 3.12

No development shall be allowed in wetlands unless it is authorized under Policy 3.89. For all ESHA other than wetlands, the allowable development area (including the building pad and all graded slopes, if any, as well any permitted structures) on parcels where all feasible building sites are ESHA or ESHA buffer shall be 10,000 square feet or 25 percent of the parcel size, whichever is less. If it is demonstrated that it is not feasible from an engineering standpoint to include all graded slopes within the approved development area, then graded slope areas may be excluded from the approved development area. For parcels over 40 acres in size, the maximum development area may be increased by 500 sq. ft. for each additional acre in parcel size to a maximum of 43,560-sq. ft. (1-acre) in size. The development must be sited to avoid destruction of riparian habitat to the maximum extent feasible. These development areas shall be reduced, or no development shall be allowed, if necessary to avoid a nuisance, as defined in California Civil Code Section 3479. Mitigation of adverse impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be required.

The proposed Plan does not contemplate any improvements in wetlands; therefore, LCP Policy 3.12 is not applicable. In addition, the proposed improvements are limited in nature and occur within large parkland areas and therefore will not exceed the 10,000 sq. ft./parcel or 25% of total parcel size development area limitation.

City of Malibu Land Use Plan 3.14

New development shall be sited and designed to avoid impacts to ESHA. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective in the context of a Natural Community Conservation Plan that is certified by the Commission as an amendment to the LCP. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA.

City of Malibu Land Use Plan 3.15

Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting

and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the City annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. However, if after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

City of Malibu Land Use Plan 3.42

New development shall be sited and designed to minimize impacts to ESHA by:

- *Minimizing grading and landform alteration, consistent with Policy 6.8*
- *Minimizing the removal of natural vegetation, both that required for the building pad and road, as well as the required fuel modification around structures.*
- *Limiting the maximum number of structures to one main residence, one second residential structure, and accessory structures such as, stable, corral, pasture, workshop, gym, studio, pool cabana, office, or tennis court, provided that such accessory structures are located within the approved development area and structures are clustered to minimize required fuel modification.*
- *Minimizing the length of the access road or driveway, except where a longer roadway can be demonstrated to avoid or be more protective of resources.*
- *Grading for access roads and driveways should be minimized; the standard for new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the City Planning Commission, upon recommendation of the Environmental Review Board and the determination that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use to be processed consistent with the LIP provisions.*
- *Prohibiting earthmoving operations during the rainy season, consistent with Policy 3.47.*
- *Minimizing impacts to water quality, consistent with Policies 3.94-3.155*

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

7. Environmentally Sensitive Habitat Areas (ESHA)

a. Permitted Parkland Uses, Development and Design

ii. New park facilities shall be located along existing primary trail routes, in proximity to trail entrances and trailheads, and in previously disturbed areas, where feasible, to avoid and minimize impacts to sensitive habitat areas to the maximum extent feasible. Any new, non-resource dependent facilities must be located outside of ESHAs.

iii. New park facilities shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective, to the maximum extent feasible, excluding those special provisions for low-impact campsites and associated support facilities as provided for per implementation measures D.2.a.v and D.5.a.iii of this Overlay, respectively, and new park facilities at Ramirez Canyon Park, a limited (no more than 10 spaces)

Latigo trailhead parking and picnic area for Escondido Canyon Park, and an ADA compliant drop-off area at Corral Canyon Park which shall be located no less than 25 feet from top of stream bank. Riparian area buffers shall be planted with appropriate native species to provide canopy and vegetative structure to improve habitat function and value of buffer areas.

iv. Proposed park facility locations shall be evaluated by a qualified biologist (1) to ensure that, to the maximum extent feasible, (a) facilities are appropriately located in previously disturbed areas (except those described in Policy 3.6 of the LUP), and (b) facilities are appropriately setback from the top of bank of any adjacent stream, and (2) to assess potential impacts to habitat areas and provide recommendations for alternatives to avoid impacts, and if impacts are unavoidable, for mitigation measures, as applicable.

v. Proposed park facility locations shall be located in proximity to maintenance and/or administrative access points (trailheads) to provide for easy maintenance access and to minimize potential impacts to sensitive habitat areas associated with existing maintenance operations requiring motorized access by park personnel. Motorized vehicle access by park personnel within parklands shall avoid sensitive habitat areas and shall be limited to existing maintenance routes to the maximum extent feasible, and shall be for the purposes of conducting maintenance, providing emergency services, conducting patrols, implementing habitat restoration, assisting accessibility to camps with fully accessible campsites and facilities, and providing other park services.

vi. Proposed park facilities shall be developed with the smallest development envelope determined necessary to accommodate such facilities to minimize the area of disturbance and avoid potential impacts to ESHA.

vii. All new and improved park facility projects, including trails, campsites, parking, etc., where determined appropriate and feasible, shall be designed in accordance with current accessibility guidelines and technical requirements.

viii. Prior to improving and opening any trail or other resource dependent park facility for public use in an area of naturally vegetated habitat, a site-specific biological assessment shall be prepared by a qualified biologist or environmental resource specialist to evaluate the vegetation and habitat of the project area to determine potential impacts to ESHA that may occur. Should the biological assessment determine that unavoidable adverse impacts to ESHA may result from permitted development, the impacts must be mitigated to avoid any significant disruption or degradation of habitat values. The following additional mitigation measures shall also be implemented:

- *Mitigation measures for impacts to ESHA shall include habitat restoration and/or enhancement and shall be monitored for a period of no less than five years following completion. Mitigation ratios for permanent impacts to specific types of habitat shall be as follows:*

  Coastal sage scrub/chaparral 3 to 1

  Riparian vegetation areas 3 to 1

  Native trees 10 to 1 (oak, walnut, sycamore, alder, or toyon)

  Native grasslands 3 to 1

  To address temporary impacts to ESHA, all disturbed areas shall be re-vegetated consistent with Policy 3.4.2(D)(8)(a)(iv).

iv. Focused spring surveys for special status plant species shall occur within project footprint areas

where potential habitat occurs to assess potential direct and indirect impacts to special status species prior to implementation of new park facility improvement projects.

x. In addition to any applicable provisions of Section 4.4.2 of the Malibu Local Implementation Plan, should project construction occur during the migratory bird nesting season (typically February through August), a focused avian nesting survey shall be performed by a qualified wildlife biologist 72 hours prior to construction in accordance with the Migratory Bird Treaty Act (MBTA) (16 U.S.C. Sec. 703 et seq). If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with 300 foot buffer for all bird species except raptors which require a 500 foot buffer. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing.

County of Los Angeles Land Use Plan P74

New development shall be located as close as feasible to existing roadways, services, and existing development to minimize the effects on sensitive environmental resources.

County of Los Angeles Land Use Plan P82

Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.

City and County LUP policies require that new development shall be sited and designed to avoid impacts to ESHA and, if there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. These policies provide various site design methods to avoid or minimize impacts to ESHA and require that impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures may be allowed when it is not feasible to fully mitigate impacts on-site, and all on- and off-site mitigation efforts must be implemented and monitored pursuant to specific mitigation objectives and performance standards.

Consistent with City and County ESHA protection policies, the Plan includes public access and recreational facility improvements that have been sited and designed to protect and minimize impacts to ESHA. The Plan includes development of park improvements that include primarily low-intensity uses consisting of access trails that are sited and designed to be noninvasive on the natural topography of trail corridors and to minimize impacts to sensitive habitat areas. Limited, low-impact camping facilities would be located exclusively within park boundaries to provide rare and unique resources for low-cost overnight recreation in the Plan area. Camping facilities have been limited in size and location, and clustered in consideration of geologic and natural resource constraints of the park properties.

Proposed support facilities have been sited and designed to minimize adverse impacts to ESHA as the proposed improvements would be sited and designed to utilize existing facilities and/or disturbed areas. New support facilities are proposed at park entrances, at existing primary trailheads and within previously disturbed areas, are adequately setback from the top of bank of adjacent streams, or outer edge of the riparian canopy, whichever is greater, consistent with Overlay development standards, and are sited on level terrain to the maximum extent feasible to minimize the need for grading and impacts to sensitive habitat areas. The Plan includes provisions for very limited motorized vehicular access, signs and fencing, to support accessibility services, public safety, or to ensure habitat protection or restoration success. Fencing may also be provided on park property where found necessary to minimize potential conflicts with

adjacent neighborhoods.

All proposed park improvement locations have been evaluated by a qualified biologist/s to ensure that park improvements have been appropriately located, to the extent feasible, in previously disturbed areas, and are appropriately setback from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater. Proposed park improvements and uses have been evaluated for potential impacts to habitat areas and special-status species, and mitigation measures identified to ensure resources impacts are avoided and minimized. Specific development controls and mitigation measures for the proposed Plan improvements and particular habitat types and associated sensitive species are included in the BTR and DEIR prepared for the proposed Plan.

As detailed in the BTR and DEIR analysis, all impacts to sensitive habitats will be appropriately mitigated pursuant to the Malibu Parks Public Access Enhancement Plan – Habitat Mitigation Program, which provides for 3:1 mitigation (3 acres of mitigation for each acre of impact) for all ESHA impacts and will establish 57.03 acres of native habitat within the Malibu and Santa Monica Mountains area of the Coastal Zone. Habitat restoration will be conducted at the Plan area's Malibu Bluffs and Corral Canyon Park, and at off-site locations within the Coastal Zone at Tuna/Las Flores Canyon and King Gillette Ranch. These sites were assessed and evaluated by habitat restoration specialists for appropriateness for implementing the intended mitigation acreage and target habitat types. Selection criteria included soil type, hydrology, historic vegetation, non-native vegetation and native habitat adjacency, land use, site accessibility, and water source availability.

The Plan's Habitat Mitigation Program includes restoration of 23.11 acres of California sagebrush (CSB) at Malibu Bluffs as a fully functioning habitat with high native cover that is sufficient to resist future non-native invasion. 11.41 acres of CSB would also be restored at Corral Canyon Park as highly diverse habitat, however, the habitat would be dominated and/or have a significant representation of purple sage. Purple sage vegetation associations with coyotebush (Baccharis pilularis), California sagebrush, and ashy leaf buckwheat will provide the majority of native cover. In addition to restoring CSB vegetation at Corral Canyon Park, 0.12 acre of native purple needlegrass (Nassella pulchra) grasslands would be restored and enhanced on the site. The Tuna/Las Flores Canyon site restoration would create 17.55 acres of chaparral vegetation associations that are compatible with adjacent habitat without irrigation. In addition, there would be smaller areas of CSB habitat (2.05 acres) established on south-facing slopes that are compatible with existing vegetation distribution within the area. Mitigation at the Tuna/Las Flores Canyon site would knit together existing chaparral habitat to enhance habitat continuity, reduce non-native vegetation within the disturbed site, and stabilize soils to reduce erosion. Finally, 2.79 acres wetland/riparian habitat and native woodlands vegetation complex would be restored at King Gillette Ranch. Wetland/riparian habitat would be created along an existing creek through grading to widen the creek at an existing sharp bend. Self-sustaining southern willow scrub vegetation would be established enhanced along a selected adjacent existing creek section that does not presently support native wetlands habitat. Sycamore-Coast Live Oak woodlands would be established in a grove distribution adjacent to the creek restoration and enhancement areas. The intent of this arrangement is to create a complex of mutually supportive vegetation communities that result in long-term vegetation stability within this mitigation site with connections to adjacent oak woodlands.

The Plan's Habitat Mitigation Program would consolidate uplands and wetlands/riparian habitat mitigation types on the sites that present the best opportunity to successfully establish the target habitat types in perpetuity. This consolidation would result in larger, more focused mitigation projects with less edge effects that might otherwise compromise mitigation results on smaller sites. The ecological benefits of these larger sites would be greater than providing mitigation through smaller, geographically dispersed sites that have greater edge effects and therefore more uncertain success. The Habitat Mitigation Program includes a 5-year

maintenance and monitoring program for all mitigation sites to ensure successful implementation of the habitat mitigation program. Maintenance would consist of controlling weeds and other pests, irrigation system operation and repairs and/or hand watering (if used), trash removal, erosion control, access control, remedial planting and seeding, etc. Adaptive management would be implemented in the event of unforeseen or unpredictable circumstances and would include the utilization of regular qualitative assessments and rapid quantitative assessment data gathered in the field prior to and during the mitigation effort to assess the health and vigor of vegetation communities within the mitigation areas.

Additional mitigation measures required for the proposed Plan include measures that address potential short- and long-term impacts to sensitive vegetation communities, special-status plant and wildlife species, and wildlife corridors. These include, but are not limited to, implementing detailed habitat restoration plans subject to specific mitigation objectives and performance standards, timing restrictions on construction activities, pre-construction field surveys and construction monitoring, where applicable, habitat restoration monitoring and reporting to appropriate regulatory agencies, imposing habitat setback requirements for new development, implementation of BMPs, minor modification of site design (trail alignments) to avoid impacts to special-status plants, as necessary, requirements for lighting and noise restrictions and facility maintenance, and installation of signs and fencing where determined necessary and appropriate to protect ESHA and/or special status species.

Not withstanding the potential policy conflicts associated with minor, incremental unpermitted development impacts to sensitive habitats, the proposed Plan and associated BTR and DEIR include sensitive site design requirements and mitigation measures that will serve to avoid and minimize impacts to ESHA, and to fully mitigate all impacts to ESHA, pursuant to City LUP Policy 3.14, to less than significant levels consistent with these ESHA protection policies of the City/County LUP.

City of Malibu Land Use Plan 3.18

The use of insecticides, herbicides, or any toxic chemical substance which has the potential to significantly degrade Environmentally Sensitive Habitat Areas, shall be prohibited within and adjacent to ESHAs, where application of such substances would impact the ESHA, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application.

City of Malibu Land Use Plan 3.20

Mosquito abatement within or adjacent to ESHA shall be limited to the implementation of the minimum measures necessary to protect human health, and shall minimize adverse impacts to ESHA

Implementation of the Plan and associated improvements would involve limited use of herbicides where necessary and appropriate in campgrounds to protect, maintain or enhance surrounding habitat areas; no herbicides would be used for vegetation management on trails. The Plan indicates that only approved biodegradable cleaning materials, including soaps and cleansers, would be used to service park facility restrooms. In addition, the proposed Coastal Campgrounds and Trails Maintenance Plan includes preparing and maintaining a pesticide database to record all instances of deployment of weed control herbicides and other pesticide used for facility maintenance. The Plan does not involve use of any toxic chemical substance that would adversely impact ESHA. Therefore, the Plan is consistent with City LUP

Policy 3.18.

Mosquito abatement is not proposed as part of the Plan. Therefore, the Plan is consistent with City LUP Policy 3.20.

City of Malibu Land Use Plan 3.21

Wildfire burn areas shall be allowed to revegetate naturally, except where re-seeding is necessary to minimize risks to public health or safety. Where necessary, re-seeding shall utilize a mix of native plant seeds appropriate for the site and collected in a similar habitat within the same geographic region, where feasible. Wildfire burn areas that were previously subject to fuel modification or brush clearance for existing structures, pursuant to the requirements of the Los Angeles County Fire Department, may be revegetated to pre-fire conditions.

Wildfire burn areas will be allowed to revegetate naturally, except where re-seeding is necessary to minimize risks to public health or safety. These areas will be treated consistent with LCP Policy 3.21.

City of Malibu Land Use Plan 3.22

Interpretive signage may be used in ESHA accessible to the public to provide information about the value and need to protect sensitive resources.

Consistent with LCP Policy 3.22, the Plan includes signs for park development projects at existing facilities where determined appropriate for the purpose of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts. In addition, the Plan includes development of a uniform and comprehensive sign program, which will be posted in English and in Spanish, where applicable, to assist the public in identifying public parks, and locating and recognizing trail access points, public support facilities, sensitive habitats, potential natural hazards, and park rules.

City of Malibu Land Use Plan 3.32

Channelizations or other substantial alterations of streams shall be prohibited except for: 1) necessary water supply projects where no feasible alternative exists; 2) flood protection for existing development where there is no other feasible alternative, or 3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

7. Environmentally Sensitive Habitat Areas (ESHA)

b. Hydromodification

i. Existing streambed modifications in Ramirez Canyon Park are part of a larger system of channelization in Ramirez Canyon where numerous neighboring properties contain similarly modified channels. The Conservancy/MRCA shall initiate a site-specific, comprehensive analysis of the modified stream channel at Ramirez Canyon Park to assess opportunities for streambed and riparian habitat restoration and potential onsite and offsite flooding or erosional hazards that might result from removing or other modification of the channelization structures.

ii. If the analysis described in the previous paragraph reveals a need for additional streambed alterations, and such alterations are allowable under policies 3.32 and 3.33 of the certified Malibu Land Use Plan, bioengineering methods or "soft solutions" shall be developed as an alternative to constructing rock revetments, vertical retaining walls or other "hard structures" along Ramirez Canyon Creek wherever feasible. If bioengineering methods are demonstrated to be infeasible, then other alternatives may be considered. Any development that includes protective measures along Ramirez Canyon Creek shall demonstrate that existing development and/or public use areas in Ramirez Canyon Park are in danger from flood hazards, that the proposed protective device is the least environmentally damaging alternative, that it is sited and designed to avoid and minimize impacts to the habitat values of the riparian corridor along the creek and the recreational and public access use of the Park property along the creek, and that any unavoidable impacts have been mitigated to the maximum extent feasible.

iii. Where minor alteration of natural streams for the purpose of stream crossings (vehicular or pedestrian) are necessary to provide access to and within public recreation areas, the following development standards shall be applied:

- *Use of Arizona crossings shall be limited to repair and maintenance of existing, legal crossings consistent with the repair and maintenance provisions of Section 13.4.2 Repair and Maintenance Activities of the City of Malibu Local Coastal Program Local Implementation Plan.*
- *All new stream crossings shall consist of a span bridge design which minimizes placement of any new structures within the stream bed or channel and avoids removal of natural riparian vegetation to the maximum extent feasible.*
- *Construction activities shall be scheduled to occur during the dry season.*
- *Staging areas outside of the riparian canopy shall be identified and flagged for construction workers and to store materials.*
- *Monitoring of stream crossing construction activities shall be conducted by a qualified biologist or environmental resource specialist. The biologist/resource specialist shall be responsible for advising construction workers on potential resource damage avoidance prior to the commencement of any on site activities.*
- *These provisions shall not apply to existing or proposed pedestrian stream crossings along hiking trails where no alteration of the natural stream channel is required to accommodate access.*

City LUP Policy 3.32 requires that channelizations or other feasible substantial alterations of streams shall be prohibited except for the following uses where no other alternative exists: 1) necessary water supply projects; 2) flood protection for existing development, or 3) the improvement of fish and wildlife habitat. Any

permitted stream alteration is required to minimize impacts to coastal resources and bioengineering alternatives for such alteration are preferred for flood protection over "hard" solutions. The Overlay includes provisions to guide implementation of a restoration project for Ramirez Canyon Creek to correct the streambank disturbance and channelization performed by a previous property owner, and also provides specific development standards for minor alteration of natural streams for stream crossings intended to provide access to and within public recreation areas.

Consistent with these City policies, the Plan includes a stream enhancement/restoration project for Ramirez Canyon Creek, prepared by Penfield & Smith, to correct the streambank disturbance performed by a previous property owner resulting from substantial channelization of much of the creek corridor within the park, which will serve to improve the biological resources and water quality associated with the Ramirez Canyon Creek riparian corridor. The Conservancy and MRCA have initiated a site-specific analysis of the modified stream channel at Ramirez Canyon Park to assess opportunities for streambed and riparian habitat restoration/enhancement and potential onsite and offsite flooding or erosional hazards that might result from removing or other modification of the channelization structures. A variety of creek bank treatments have been evaluated for the stream restoration project including total naturalization of the creek bank and/or utilizing a combination and natural and hard structures to accomplish the restoration, which will be implemented consistent with flood protection requirements of the development onsite, to improve fish and wildlife habitat, and to ensure impacts to coastal resources are minimized.

The proposed stream enhancement/restoration project includes restoration of creek areas where bank protection is not required for flood protection of existing structures and where creek restoration will benefit the hydrology of the stream corridor and fish and wildlife habitat. Creek enhancement includes removing existing gabions and installing pervious boulder berms and/or log deflection structures throughout the creek to control stream degradation; creating areas of overbank enhancement in two areas (by the existing tennis court and at the southerly portion of the park) by removing artificial creek wall linings, grading back the slopes, constructing rock toe protection, installing retaining walls, and planting native plants; and planting of native plant species and removing non-native plants throughout the creek and implementing corresponding best management practices. The creek enhancement area would also provide for educational displays associated with restoration and enhancement efforts of the proposed creek restoration program.

The Plan includes construction of four pedestrian trail bridges; one at Ramirez Canyon Creek along the trail alignment from Kanan Dume to Ramirez Canyon Park, and three at Malibu Bluffs. A new vehicle bridge is proposed on Ramirez Canyon Road that would replace and upgrade an existing bridge to 20-ft wide as part of the Ramirez Canyon Road widening plan project. Two additional vehicle bridges would be constructed at Malibu Bluffs to provide access to and between Pacific Coast Highway and proposed parking areas. Pedestrian bridges would span the creeks and would not involve encroachment into the creek area; construction of the proposed vehicular bridges at Ramirez Canyon and Malibu Bluffs may involve limited encroachment into the creeks, which would be subject to review by and possible permits from ACOE, CDFG, and RWQCB. No permanent obstructions would be placed within the creeks, and all vehicular bridges would be located above the 100-year flood plain. The Plan includes stone creek crossings intended to allow for creek passage by hikers, which would vary based on each particular creek crossing. The stones would be wedged, anchored, or otherwise embedded into the creek material to prevent slippage and to be stable for walking, and so as not to significantly alter the course of any stream or creek.

City of Malibu Land Use Plan 3.43

New septic systems shall be sited and designed to ensure that impacts to ESHA are minimized, including those impacts from grading and site disturbance as well as the introduction of increased amounts of water. Adequate setbacks and/or buffers shall be required to protect ESHA and to prevent lateral seepage from the leachfield(s) or seepage pit(s) into stream waters or the ocean.

No new septic systems would be installed pursuant to the Plan and associated improvements. Pursuant to CDP 4-98-334, the Conservancy previously obtained approval to abandon nonconforming septic systems installed by a previous property owner at Ramirez Canyon Park and alternatively installed an advanced wastewater treatment and recycled water system which currently serves the park uses. The Plan includes connections to this existing system for all new restrooms at Ramirez Canyon Park. All other park facility restrooms would be self-contained and therefore would not result in new septic systems or wastewater discharge, and would be installed with a 200 foot setback from adjacent streams wherever feasible, with site-specific minimum setback requirements adjacent to streams imposed pursuant to the Overlay to ensure all potential impacts to water quality and ESHA from proposed restrooms are avoided.

City of Malibu Land Use Plan 3.45

All new development shall be sited and designed so as to minimize grading, alteration of physical features, and vegetation clearance in order to prevent soil erosion, stream siltation, reduced water percolation, increased runoff, and adverse impacts on plant and animal life and prevent net increases in baseline flows for any receiving waterbody.

City of Malibu Land Use Plan 3.47

Earthmoving during the rainy season (extending from November 1 to March 1) shall be prohibited for development that is 1) located within or adjacent to ESHA, or 2) that includes grading on slopes greater than 4:1. In such cases, approved grading shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 1, unless the City determines that completion of grading would be more protective of resources.

City of Malibu Land Use Plan 3.48

Where grading is permitted during the rainy season (extending from November 1 to March 1), erosion control measures such as sediment basins, silt fencing, sandbagging, installation of geofabrics, shall be implemented prior to and concurrent with grading operations. Such measures shall be maintained through final grading and until landscaping and permanent drainage is installed.

City of Malibu Land Use Plan 3.50

- *Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:*
- *Plantings shall be native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below.*
- *Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.*

- *Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.*
- *Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years.*
- *Any landscaping or revegetation shall be monitored for a period of at least five years following the completion of planting. Performance criteria shall be designed to measure the success of the plantings. Midcourse corrections shall be implemented if necessary. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met.*

Proposed Plan improvements have been sited and designed to minimize the need for grading and vegetation removal to the maximum extent feasible. Trail alignments are sited to utilize exiting trail corridors and to avoid steep, vegetated terrain wherever possible and new support facilities would be sited and designed in relatively level areas void of, or containing disturbed vegetation to minimize grading, landform alteration, drainage pattern disturbance and vegetation clearance, to prevent soil erosion, sedimentation, and alteration of natural water flows.

Project plans for the proposed improvements demonstrate that new development would be sited and designed to take advantage of the most feasible development locations on the most level portions of the park properties to minimize grading that would otherwise be necessary to create camp pads and/or parking and restroom locations. In addition, the site designs utilize existing access roads wherever feasible to minimize the amount of grading necessary to provide for new parking or to assist accessibility to new camp improvements. The park improvement designs conform to the natural terrain of the Plan area to the maximum extent feasible and would result in minimal alteration of the existing topography.

Consistent with City LUP Policies 3.47, 3.48 and 3.50, the Plan requires development and implementation of an Interim Erosion Control Plan for construction activities resulting in soil disturbance and vegetation removal to include the following standards: 1) the plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas, and natural areas on the site shall be clearly delineated on the project site with fencing or survey flags; and 2) should grading take place during the rainy season (November 1 – March 31) temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, geofabric covers or other appropriate cover, geotextiles or mats shall be installed on all cut or fill slopes as soon as possible. These erosion measures are required to be implemented on site prior to or concurrent with initial grading operations and must be maintained throughout the development process to minimize erosion and sediment from runoff waters during construction.

Further, the DEIR prepared for the Plan indicates that because the proposed project would disturb more than 1 acre of soil, a NPDES General Construction Permit would be required prior to commencement of construction activities. As part of the permit requirements, a SWPPP would be developed to incorporate BMPs that capture and treat polluted runoff on site before it enters adjacent stormwater conveyance structures. The DEIR includes mitigation measures that require implementation of BMPs identified in the

SWPPP, and monitoring to ensure that effects on water quality are minimized, and that the Conservancy/MRCA develop a Spill Prevention Control and Countermeasures Plan (SPCCP) to minimize the potential for and effects from spills of hazardous, toxic, or petroleum substances during construction activities.

Water Quality implementation measures of the Plan also require that an Interim Erosion Control Plan be developed and implemented for construction activities resulting in soil disturbance and vegetation removal with specific provisions should grading occur during the rainy season. In addition, Water Quality implementation measure require all graded and disturbed areas on the subject site to be planted and maintained for erosion control purposes within (60) days of completing construction activities resulting in soil disturbance or vegetation removal.

City of Malibu Land Use Plan 3.51

Disturbed areas ESHAs shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

City of Malibu Land Use Plan 3.53

Fencing or walls shall be prohibited within riparian, bluff, Point Dume canyon or dune ESHA, except where necessary for public safety or habitat protection or restoration. Fencing or walls that do not permit the free passage of wildlife shall be prohibited in any wildlife corridor.

City of Malibu Land Use Plan 3.55

Fencing adjacent to ESHA shall be sited and designed to be wildlife permeable, enabling wildlife to pass through.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

7. Environmentally Sensitive Habitat Areas (ESHA)

c. Parkland Habitat Preservation and Monitoring

i. Trail or park areas that have been severely degraded as the result of overuse or lack of maintenance shall be restored by such techniques as revegetation with native plants, trail consolidation and improvement, and through the provision of support facilities such as parking, defined trail systems, raised walkways, trash receptacles, restrooms, and picnic areas. Fencing and signs, designed and located consistent with other applicable provisions of this Overlay, shall be installed around restoration areas for purposes of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts. All park fencing shall be designed to allow for wildlife passage. In severely degraded areas, controlled and limited public access may be allowed during the recovery period and in consultation with appropriate public agencies and/or resource specialists. Any limitation of public use shall be evaluated periodically to determine the need for continued use restrictions and the limitation shall be removed at the termination of the recovery period.

ii. The Conservancy/MRCA shall conduct periodic assessments of park visitation numbers and patterns of use and shall monitor the quality of visitor experience and make the appropriate management changes to prevent potential degradation of natural resources from overuse.

Monitoring and visitor survey data shall be evaluated to identify needs, problems, and issues that require management action.

The proposed Plan includes several measures to ensure that public park areas subject to degradation resulting from intense and/or unrestricted use are addressed and fully mitigated. These measures include: 1) revegetation of degraded areas with native plants, 2) trail consolidation and improvement, 3) provision of support facilities such as defined parking areas and trail corridors, trash and recycling receptacles, self-contained restrooms, picnic areas, and 4) provision of support facilities necessary for operations and maintenance personnel and associated maintenance equipment. The Plan includes a comprehensive Coastal Campgrounds and Trails Maintenance Plan for proposed trail and park improvements, and the existing structures of Ramirez Canyon Park have and will continue to provide a center within the Plan area for maintenance personnel and associated equipment storage necessary to sustain maintenance operations for the subject park areas. The Plan's support facilities will ensure that adequate facilities are provided and maintained to manage public parking, trailhead, day-use and camp areas, to accommodate potential trash and waste generation at park areas, and to ensure that support necessary to support personnel and store equipment to maintain the park properties are provided. These measures will ensure that public use of the parklands is maximized in a way that maintains park areas and sensitive resources such that they remain desirable destination areas for visitors.

City of Malibu Land Use Plan 3.56

Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHA in order to minimize impacts on wildlife. High intensity perimeter lighting and lighting for sports courts or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA is prohibited.

City of Malibu Land Use Plan 3.59

All new development shall be sited and designed to minimize required fuel modification and brushing to the maximum extent feasible in order to minimize habitat disturbance or destruction, removal or modification of natural vegetation, and irrigation of natural areas, while providing for fire safety, as required by Policies 4.45 through 4.54. Development shall utilize fire resistant materials and incorporate alternative fuel modification measures, such as firewalls (except where this would have impacts on visual resources), and landscaping techniques, where feasible, to minimize the total area modified. All development shall be subject to applicable federal, state and county fire protection requirements.

City of Malibu Land Use Plan 3.60

As required by Policy 4.49, applications for new development shall include a fuel modification plan for the project site, approved by the County Fire Department. Additionally, applications shall include a site plan depicting the brush clearance, if any, that would be required on adjacent properties to provide fire safety for the proposed structures.

City of Malibu Land Use Plan 3.61

Applications for new development shall include a quantification of the acreage of natural vegetation that would be removed or made subject to thinning, irrigation, or other modification by the proposed project,

including building pad and road/driveway areas, as well as required fuel modification on the project site and brush clearance on adjacent properties.

City of Malibu Land Use Plan 3.62

All new development shall include mitigation for unavoidable impacts to ESHA from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance.

County of Los Angeles Land Use Plan P84

In disturbed areas, landscape plans shall balance long-term stability and minimization of fuel load. For instance, a combination of taller, deep-rooted plants and low-growing ground covers to reduce heat output may be used. Within ESHAs and Significant Watersheds, native plant species shall be used, consistent with fire safety requirements.

Other than Ramirez Canyon Park, there is currently no lighting at the park properties. Existing lighting at Ramirez Canyon Park is provided for safety purposes and consists primarily of lighting around buildings, lighting along the road in the Park, and lighting at foot-level along walkways. The proposed Plan includes additional, temporary lighting at Ramirez Canyon Park that would be limited to special event uses, and additional interior lighting at the other park properties that would be associated with camp host locations. Lighting would continue to be limited throughout the Plan, area and the DEIR prepared for the Plan provides mitigation that specifies that any approved lighting must comply with standards for shielded low sodium, low wattage lighting designed to cut glare and light scatter and to direct light away from sensitive biological resources.

A Fire Protection and Emergency Evacuation Plan is included in the proposed Plan that includes site-specific requirements and treatment methods for fuel modification around existing and proposed park facilities. The required fuel modification zones have been include in all analyses for potential impacts to ESHA and native trees, and the DEIR for the proposed Plan include mitigation for all impacts resulting from fuel modification activities.

City of Malibu Land Use Plan 3.63-3.65

3.63 New development shall be sited and designed to preserve oak, walnut, sycamore, alder, toyon, or other native trees that are not otherwise protected as ESHA. Removal of native trees shall be prohibited except where no other feasible alternative exists. Structures, including roads or driveways, shall be sited to prevent any encroachment into the root zone and to provide an adequate buffer outside of the root zone of individual native trees in order to allow for future growth.

3.64 New development on sites containing oak, walnut, sycamore, alder, toyon, or other native trees shall include a tree protection plan.

3.65 Where the removal of native trees cannot be avoided through the implementation of project alternatives or where development encroachments into the protected zone of native trees result in the loss or worsened health of the trees, mitigation measures shall include, at a minimum, the planting of replacement trees on-site, if suitable area exists on the project site, at a ratio of 10 replacement trees for every 1 tree removed. Where on-site mitigation is not feasible, off-site mitigation shall be provided through planting replacement trees or by providing an in-lieu fee based on the type, size and age of the

tree(s) removed.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

7. Environmentally Sensitive Habitat Areas (ESHA)

d. Native Trees

i. All development involving access and recreation improvements within areas containing one or more native oak (Quercus species), California Walnut (Juglans californica), Western Sycamore (Platanus racemosa), Alder (Alnus rhombifolia), or Toyon (Heteromeles arbutifolia) tree, that has at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter, measured at four and one-half feet above natural grade shall be subject to the provisions of Chapter 5 Native Tree Protection of the Malibu Local Coastal Program Local Implementation Plan.

A Native Tree Protection Plan, prepared by Dudek, January 2010, has been prepared to evaluate all proposed park improvement locations for potential impacts to native trees and to identify mitigation measures to ensure resource impacts are avoided and minimized to the maximum extent feasible. Specific development controls and mitigation measures for the proposed Plan improvements and potential impacts to native trees are included in the DEIR prepared for the proposed Plan.

The study area for the Native Tree Protection Plan (TPP) included the project footprint plus an approximate 50-foot-wide buffer for improvement areas and a 10-foot-wide buffer along both sides of proposed trail alignments. The TPP identified a total of 589 trees representing 37 species located on and adjacent to the proposed project survey area. A total of 187 native trees are located within the Plan area which would be directly affected as a result of the proposed improvements. Depending on the ultimate disturbance levels for each Park site as well as the Ramirez Canyon Road widening, it is expected that up to 10 of the 187 native trees within the limits of disturbance may require removal.

Measures to protect the remaining 177 native trees that would be maintained in and around proposed improvements are provided in TPP and DEIR and include, but are not limited too: 1) a 10-year mentoring period for trees potentially affected by development encroachment into the root zone, 2) 10:1 replacement ratio for any tree lost or that has suffered worsened health or vigor as a result of the proposed development, 3) Protective fencing shall be used around the outermost limits of the protected zones of the native trees within or adjacent to the construction area that may be disturbed during construction, 4) use of hand-held tools or other methods that avoid damage to tree roots such as air spade excavation for grading or excavation that encroaches into the protected zone of a native tree, 5) specific methods for necessary root and/or crown pruning, and 6) and arborist monitoring for soil disturbing activities occurring directly under tree crowns, including demolition, excavation, and installation.

The proposed Plan and associated TPP and DEIR include sensitive site design and mitigation measures that will serve to avoid and minimize impacts to native trees resulting from the proposed trail and park improvements, and to fully mitigate all impacts to native trees to less than significant levels consistent with the native tree protection policies of the City LUP and Overlay.

4.2.2 Water Quality

California Coastal Act and LCP Water Quality Policies

Coastal Act § 30230:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act § 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

City of Malibu Land Use Plan 3.95 - 3.97

3.95 New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:

Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss.

- *Limiting increases of impervious surfaces.*
- *Limiting land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss.*
- *Limiting disturbance of natural drainage features and vegetation.*

3.96 New development shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams, or wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely impact groundwater, the ocean, coastal streams, or wetlands, consistent with the requirements of the Los Angeles Regional Quality Control Board's municipal stormwater permit and the California Ocean Plan.

3.97 Development must be designed to minimize, to the maximum extent feasible, the introduction of pollutants of concern that may result in significant impacts from site runoff from impervious areas. To meet the requirement to minimize "pollutants of concern," new development shall incorporate a Best Management Practice (BMP) or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.

City of Malibu Land Use Plan 3.99

Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate. Dry weather runoff from new development must not exceed the pre-development baseline flow rate to receiving waterbodies.

City of Malibu Land Use Plan 3.100

New development shall be sited and designed to minimize impacts to water quality from increased runoff volumes and nonpoint source pollution. All new development shall meet the requirements of the Los Angeles Regional Water Quality Control Board (RWQCB) in its the Standard Urban Storm Water Mitigation Plan For Los Angeles County And Cities In Los Angeles County (March 2000) (LA SUSMP) or subsequent versions of this plan.

City of Malibu Land Use Plan 3.102

Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor, i.e. 2 or greater) for flow-based BMPs. This standard shall be consistent with the most recent Los Angeles Regional Water Quality Control Board municipal stormwater permit for the Malibu region or the most recent California Coastal Commission Plan for Controlling Polluted Runoff, whichever is more stringent.

City of Malibu Land Use Plan 3.104

New roads, bridges, culverts, and outfalls shall not cause or contribute to streambank or hillside erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality including construction phase erosion control and polluted runoff control plans, and soil stabilization practices. Where space is available, dispersal of sheet flow from roads into vegetated areas or other on-site infiltration practices shall be incorporated into road and bridge design.

City of Malibu Land Use Plan 3.110

New development shall include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.

City of Malibu Land Use Plan 3.111

New development shall include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include the monitoring and maintenance plans for these BMPs.

City of Malibu Land Use Plan 3.114 - 3.120

3.114 Trash storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.

3.115 Permits for new development shall be conditioned to require ongoing maintenance where maintenance is necessary for effective operation of required BMPS. Verification of maintenance shall include the permittee's signed statement accepting responsibility for all structural and treatment control BMP maintenance until such time as the property is transferred and another party takes responsibility.

3.116 The City, property owners, or homeowners associations, as applicable, shall be required to maintain any drainage device to insure it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year. Owners of

these devices will be responsible for insuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season.

3.117 Public streets and parking lots shall be swept frequently to remove debris and contaminant residue. For private streets and parking lots, the property owner shall be responsible for frequent sweeping to remove debris and contaminant residue.

3.118 Some BMPs for reducing the impacts of non-point source pollution may not be appropriate for development on steep slopes, on sites with low permeability soil conditions, or areas where saturated soils can lead to geologic instability. New development in these areas should incorporate BMPs that do not increase the degree of geologic instability.

3.119 New development that requires a grading permit or Local SWPPP shall include landscaping and re-vegetation of graded or disturbed areas, consistent with Policy 3.50. Any landscaping that is required to control erosion shall use native or drought-tolerant non-invasive plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where irrigation is necessary, efficient irrigation practices shall be required.

3.120 New development shall protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems shall be restored, where feasible, except where there are geologic or public safety concerns.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

8. Water Quality

All new public access and recreation improvements shall be evaluated for potential adverse impacts to water quality and shall consider Site Design, Source Control and Treatment Control Best Management Practices (BMPs) to prevent polluted runoff and water quality impacts resulting from new development, and shall be designed to prevent the introduction of pollutants that may result in water quality impacts. Projects shall be designed to control post-development peak runoff rates and average volumes to maintain or reduce pre-development downstream erosion rates. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 17 of the Malibu Local Implementation Plan.

a. Parkland Facilities Development and Design

i. New park facility development shall, as applicable, include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control Best Management Practices (BMPs), that will be implemented to minimize post-construction polluted runoff, and shall include monitoring and maintenance provisions for identified BMPs and shall specifically address:

- *Designated areas within camp facilities to provide fresh water for camp uses including drinking water, hand washing and dish washing, and areas where overspill will drain. All overspill shall be contained onsite and treated with appropriate post-development BMPs measures.*
- *Methods to accommodate onsite percolation and to mitigate and treat any increase in runoff*

from impervious surfaces consistent with all applicable development standards of Section 17.5.1 BMP Requirements and Implementation of the Malibu Local Implementation Plan.

ii. An Interim Erosion Control Plan shall be developed and implemented for construction activities resulting in soil disturbance and vegetation removal and the following development standards shall be applied:

- *The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.*
- *Should grading take place during the rainy season (November 1 – March 31) temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, geofabric covers or other appropriate cover, geotextiles or mats shall be installed on all cut or fill slopes as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction.*

iii. All new park facilities shall be located in areas of level terrain, to the maximum extent feasible, to avoid the need for grading and to minimize landform alteration and alteration of natural drainage patterns. Campsites specifically designed to facilitate disabled access, parking resources to support trail access, and development of important trail linkages, shall be sited and designed to ensure grading is minimized to the maximum extent feasible.

iv. All graded and disturbed areas on development sites shall be planted and maintained for erosion control purposes within sixty (60) days of completing construction activities resulting in soil disturbance or vegetation removal. To minimize the need for irrigation all landscaping shall consist of native drought resistant plants. All native plant species shall be of local (Santa Monica Mountains) genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

County of Los Angeles Land Use Plan P81

To control runoff into coastal waters, wetlands and riparian areas, as required by Section 3023l of the Coastal Act, the maximum rate of storm water runoff into such areas from new development should not exceed the peak level that existed prior to development.

County of Los Angeles Land Use Plan P82

Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.

County of Los Angeles Land Use Plan P86

A drainage control system, including onsite retention or detention where appropriate, shall be incorporated into the site design of new developments to minimize the effects of runoff and erosion. Runoff control systems shall be designed to prevent any increase in site runoff over pre-existing peak

flows. Impacts on downstream sensitive riparian habitats must be mitigated.

The riparian corridors in the Plan area provide important habitat for a variety of sensitive plant and animal species. The value and quality of the sensitive habitat areas within these parks are directly related to the water quality of the coastal tributary that sustains them. Therefore, to ensure protection of ESHA and to minimize impacts to water quality, the proposed Plan improvements have been located and designed to minimize soil disturbance, removal of natural vegetation and landform alteration. In addition, to ensure protection of water resources, the park-specific project plans include site designs that are consistent with the Plan's Overlay requirements with respect to protection of all sensitive resources and minimum setback/buffer requirements from all coastal waterways.

Plan improvements include grading only for trails, limited park and recreational improvements, and emergency access improvements. Paving is proposed only to construct public parking areas to support public access and recreational uses and for emergency access improvements that include widening of Ramirez Canyon/Delaplane Roads and widening/extending Via Acero. Given that only new limited parking facility and emergency access road improvements would result in new impervious surfaces within the entire Plan area, increases in impervious surfaces and run-off volumes resulting from the Plan would be of a limited, incremental nature. According to the Penfield & Smith preliminary drainage analysis (Penfield & Smith, 2009), Plan implementation would not substantially alter the existing drainage pattern of proposed improvement areas, nor would Plan implementation substantially increase the rate or amount of surface runoff. Consistent with the water quality protection policies of the Coastal Act and City/County LUP, the Plan includes a number of sensitive site design measures and project features to address potential impacts of grading, drainage, stormwater runoff and water quality associated with the proposed improvements.

Trail construction would be designed consistent with the *Park and Trail Accessibility Design Guidelines* document prepared by Moore Iacofano Goltsman, Inc. for the Plan area. These guidelines provide specific trail design measures to ensure resource protection through appropriate drainage and control measures, and adherence to current design practices for mountain trail design including addressing drainage, erosion control and dissipation.

Proposed park facility improvement areas are located and designed to utilize existing access points and roads wherever feasible to minimize the amount of grading necessary to provide for new parking and/or to assist accessibility to new camp improvements. The park improvement designs conform to the natural terrain of the Plan area to the maximum extent feasible and would result in minimal alteration of the existing topography. Above-ground vegetated methods to collect and treat stormwater runoff for post-project conditions have been incorporated into plan improvements, which include passing unconcentrated flows over natural vegetation, vegetated filter strips or through bio-swales. Where necessary, rock rip-rap energy dissipaters have been incorporated into specific project features to collect stormwater runoff and to minimize erosion and scour at discharge points.

Parking areas would be improved with asphalt concrete; however, according to the Penfield & Smith preliminary drainage analysis (Penfield & Smith, 2009) the amount of runoff would be minimal from these facilities. Bioswales have been designed for parking areas, and parking areas would be contoured to direct all potential flow from impervious areas to pervious areas of the sites. Campsite areas throughout the plan area would be surrounded by a vegetated buffer (as detailed in the Plan's Fire Protection and Emergency Evacuation Plans) and gently graded such that any runoff would be directed to adjacent vegetation.

Additional water treatment components of the Plan include gravel or rock-filled drainage sumps provided for

potable water spigots. Infiltration best management practices such as biodetention and permeable surface materials (including decomposed granite) have been incorporated into the project design, or will be implemented during final design, where feasible. As such, the Plan will not result in the degradation of the water quality of groundwater basins or coastal surface waters and all improvements are designed to minimize, to the maximum extent feasible, the introduction of pollutants of concern that may result in significant impacts from site runoff from impervious areas.

In addition, the Plan requires development and implementation of an Interim Erosion Control Plan for construction activities resulting in soil disturbance and vegetation removal to include the following standards: 1) the plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas, and natural areas on the site shall be clearly delineated on the project site with fencing or survey flags; and 2) should grading take place during the rainy season (November 1 – March 31) temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, geofabric covers or other appropriate cover, geotextiles or mats shall be installed on all cut or fill slopes as soon as possible. These erosion measures are required to be implemented on site prior to or concurrent with initial grading operations and must be maintained throughout the development process to minimize erosion and sediment from runoff waters during construction.

Further, the DEIR prepared for the Plan indicates that because the proposed project would disturb more than 1 acre of soil, a NPDES General Construction Permit would be required prior to commencement of construction activities. As part of the permit requirements, a SWPPP would be developed to incorporate BMPs that capture and treat polluted runoff on site before it enters adjacent stormwater conveyance structures. The DEIR includes mitigation measures that require implementation of BMPs identified in the SWPPP, and monitoring to ensure that effects on water quality are minimized, and that the Conservancy/MRCA develop a Spill Prevention Control and Countermeasures Plan (SPCCP) to minimize the potential for and effects from spills of hazardous, toxic, or petroleum substances during construction activities.

To preserve water quality and protect sensitive habitats, discharge of harmful substances into or alongside coastal streams or wetlands are prohibited pursuant to park regulations. No development-related water discharge to coastal waters would result from implementation of the Plan improvements and, as described above, the Plan provides for improvements to retain and treat stormwater runoff. The Plan improvements will minimize stormwater runoff and interference with surface water flow, will treat all stormwater runoff and maintain natural vegetation buffer areas that protect riparian habitats, and thus will not result in discharge to coastal waters that would adversely affect water quality. Therefore, the Plan is consistent with Coastal Act Sections 30230 and 30231 and related water quality protection policies of the City and County LUP.

Coastal Act § 30236

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (l) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

City of Malibu Land Use Plan 3.121 – 3.123

3.121 Alterations or disturbance of streams or natural drainage courses or human-made or altered

drainage courses that have replaced natural streams or drainages and serve the same function, shall be prohibited, except where consistent with Policy 3.32. Any permitted stream alterations shall include BMPs for hydromodification activities.

3.122 Natural vegetation buffer areas that protect riparian habitats shall be maintained. Buffers shall function as transitional habitat and provide a separation from developed areas to minimize adverse impacts. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the riparian habitat, but in no case shall the buffer be less than 100 feet, except for development permitted pursuant to Policy 3.10.

3.123 Any channelization or dam proposals shall be evaluated as part of a watershed planning process, evaluating potential benefits and/or adverse impacts. Potential adverse impacts of such projects include effects on wildlife migration, downstream erosion, dam maintenance (to remove silt and trash) and interruption of sand supplies to beaches.

County of Los Angeles Land Use Plan P76

In accordance with Section 30236 of the Coastal Act, channelizations, dams, or other substantial alterations of stream courses shown as blue line streams on the latest available USGS map should incorporate the best mitigation measures feasible, and be limited to 1) necessary water supply projects, 2) flood control projects that are necessary to protect public safety or existing structures, and 3) developments where the primary purpose is the improvement of fish and wildlife habitat.

County of Los Angeles Land Use Plan P79

To maintain vegetation buffer areas that protect all sensitive riparian habitats as required by Section 30231 of the Coastal Act, all development other than driveways and walkways should be setback at least 50 feet from the outer limit of designated environmentally sensitive riparian vegetation.

Consistent with these City policies, proposed park improvement locations have been evaluated by a qualified biologist/s to ensure that park improvements have been appropriately located, to the extent feasible, in previously disturbed areas, and are setback from the top of bank of adjacent streams, or outer edge of the riparian canopy, whichever is greater, consistent with Overlay development standards to ensure that natural buffers are maintained to serve as transitional habitat and provide separation from developed areas and riparian habitat,

Further, the Plan includes a stream enhancement/restoration project for Ramirez Canyon Creek, prepared by Penfield & Smith, to correct the streambank disturbance performed by a previous property owner resulting from substantial channelization of much of the creek corridor within the park, which will serve to improve the biological resources and water quality associated with the Ramirez Canyon Creek riparian corridor. The Conservancy and MRCA initiated the site-specific analysis of the modified stream channel at Ramirez Canyon Park, prepared by Penfield & Smith, to assess opportunities for streambed and riparian habitat restoration/enhancement and potential onsite and offsite flooding or erosional hazards that might result from removing or other modification of the channelization structures. A variety of creek bank treatments have been evaluated for the stream restoration project including total naturalization of the creek bank and/or utilizing a combination and natural and hard structures to accomplish the restoration, which will be implemented consistent with flood protection requirements of the development onsite, to improve fish and wildlife habitat, and to ensure impacts to coastal resources are minimized.

The proposed stream enhancement/restoration project includes restoration of creek areas where bank

protection is not required for flood protection of existing structures and where creek restoration will benefit the hydrology of the stream corridor and fish and wildlife habitat. Creek enhancement includes removing existing gabions and installing pervious boulder berms and/or log deflection structures throughout the creek to control stream degradation; creating areas of overbank enhancement in two areas (by the existing tennis court and at the southerly portion of the park) by removing artificial creek wall linings, grading back the slopes, constructing rock toe protection, installing retaining walls, and planting native plants; and planting of native plant species and removing non-native plants throughout the creek and implementing corresponding best management practices. The creek enhancement area would also provide for educational displays associated with restoration and enhancement efforts of the proposed creek restoration program.

The Plan includes construction of four pedestrian trail bridges; one at Ramirez Canyon Creek along the trail alignment from Kanan Dume to Ramirez Canyon Park, and three at Malibu Bluffs. A new vehicle bridge is proposed on Ramirez Canyon Road that would replace and upgrade an existing bridge to 20-ft wide as part of the Ramirez Canyon Road widening plan project. Two additional vehicle bridges would be constructed at Malibu Bluffs to provide access to and between Pacific Coast Highway and proposed parking areas. Pedestrian bridges would span the creeks and would not involve encroachment into the creek area; construction of the proposed vehicular bridges at Ramirez Canyon and Malibu Bluffs may involve limited encroachment into the creeks, which would be subject to review by and possible permits from ACOE, CDFG, and RWQCB. No permanent obstructions would be placed within the creeks, and all vehicular bridges would be located above the 100-year flood plain. The Plan includes stone creek crossings intended to allow for creek passage by hikers, which would vary based on each particular creek crossing. The stones would be wedged, anchored, or otherwise embedded into the creek material to prevent slippage and to be stable for walking, and so as not to significantly alter the course of any stream or creek.

City of Malibu Land Use Plan 3.126 – 3.140 On-Site Treatment Systems

Policies 3.126 – 3.140 of the City's LCP address wastewater discharges associated with on-site treatment systems (OSTSs). The proposed Plan does not include the introduction of new OSTSs within the Plan area that would result in waste water discharge.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

8. Water Quality

b. Onsite Wastewater Disposal

i. All new public restroom facilities shall consist of self contained, chemical or composting restrooms, which shall be sited and designed to ensure that impacts to ESHA and water quality are avoided. Where feasible, self-contained restroom facilities shall be located a minimum of 200 feet from the top of bank of any adjacent stream, and in no case shall they be located less than 100 feet from the top of bank of any adjacent stream or the outer edge of riparian vegetation (except at Ramirez Canyon Park, and at a limited (no more than 10 spaces) Latigo trailhead parking and picnic area for Escondido Canyon Park where restroom facilities shall be located no less than 25 feet from top of stream bank), which ever is the most protective. Minimal grading to create minor berms around the facilities shall be allowed, provided it is not in violation of other LCP resource

protection policies, to ensure run-off is contained in the vicinity and/or is conveyed and filtered through bioswales. Self-contained restroom facilities shall be maintained pursuant to manufacturer specifications at all times.

ii. Development at Ramirez Canyon Park shall provide for 1) the permanent abandonment of the idle septic system and leachfields located beneath the tennis court, the leachfield serving Barwood, and of the leachfields and/or pits and septic tanks serving the Barn and Peach House Structures, 2) installation of an on site wastewater treatment system and recycled water reuse program, including a landscape/ orchard planting and management plan designed to maintain sufficient evapotranspiration capacity for the maximum effluent production of the site during all potential seasonal conditions, and 3) the installation and maintenance of on site emergency power generators and fuel supply necessary to maintain the wastewater treatment system for at least twelve (12) hours. These improvements shall be maintained and all new permanent restroom facilities shall be required to connect to the on-site wastewater treatment and recycled water reuse system.

iii. Development at Ramirez Canyon Park shall require use of restrooms connected to the wastewater treatment system for all visitors, tours, gatherings and events at Ramirez Canyon Park accommodating up to 200 people (the design capacity of the wastewater treatment system). Should any use, or combination of uses, at Ramirez Canyon Park result in a capacity of visitors exceeding 200 people at any one time, portable restrooms shall be provided to supplement the treatment capacity of the wastewater treatment system.

iv. A Water Quality Monitoring Program shall be implemented at Ramirez Canyon Park that includes provisions for quarterly analysis of water samples up- and down-stream of the subject site for a minimum of four quarters of available streamflow (streamflow in Ramirez Canyon Creek is intermittent), commencing with certification of this Overlay. The quarterly analysis of water samples shall determine fecal coliform concentration and, should the results of the one year analysis be adverse or inconclusive, additional water quality analysis shall be performed. If the results of the water quality monitoring fail to rule out existing septic systems as a potential source of elevated fecal coliform counts downstream of Ramirez Canyon Park, a complete permit application shall be made to the City of Malibu Health Department for abandonment of the remaining septic systems and further upgrade the new wastewater treatment system to accept and treat the effluent from the ranger/maintenance supervisor residence and/or the Art Deco building.

The Plan does not involve installation of new on-site treatment systems (OSTSs) and is designed to be consistent with Overlay policies that address onsite wastewater disposal for the proposed park improvements and uses. The proposed Plan provides that all new public restroom facilities consist of self-contained restrooms that are sited and designed to ensure that impacts to ESHA and water quality. Project plans demonstrate that, except where the Overlay specifically allows for a reduced stream setback, new restroom facilities would be located 200 feet from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater, wherever feasible, and in no case less than 100 feet from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater.

With respect to existing septic and sewer treatment systems at Ramirez Canyon Park, portions of the systems are located within the 50-year burned-and-bulked/ 100-year flood zone. Septic holding tanks, however, are air- and water-tight and, in the event of a flood event, the lids of these tanks are bolted shut,

which ensures that there would be absolutely no leakage whatsoever, such that adverse water quality impacts would be avoided. Nonetheless, the Plan provides for a Water Quality Monitoring Program to be implemented at Ramirez Canyon Park including provisions for quarterly analysis of water samples up- and down-stream of the subject site for a minimum of four quarters of available streamflow, commencing with implementation of the proposed Plan.

The Plan requires that the previously implemented advanced wastewater treatment and recycled water system be maintained onsite at Ramirez Canyon Park and that new permanent restroom facilities at the Park be connected to the system. This system is to be used for all visitors, tours, gatherings and events at Ramirez Canyon Park accommodating up to 200 people (the design capacity of the wastewater treatment system). The Plan provides that, should any use, or combination of uses, at Ramirez Canyon Park result in a capacity of visitors exceeding 200 people at any one time, portable restrooms are to be provided to supplement the treatment capacity of the wastewater treatment system. Therefore, the proposed Plan will not result in any new wastewater discharge within the Plan area.

At proposed camp areas, restrooms would be equipped with gravel filled drainage sumps to capture and treat any runoff associated with maintenance and cleaning activities, and camping areas would be provided with small gravel drainage sumps to capture and treat any water discharge from water faucets. To prevent overflow of self-contained restroom units and to maintain sanitary conditions, restrooms will be cleaned and stocked five to seven days per week, would be serviced (i.e., washed-out) approximately three times a month, and would be pumped monthly. Only approved biodegradable restroom cleaning materials, including soaps and cleansers, would be used.

4.3 VISUAL RESOURCES

California Coastal Act Visual Resource Policies

Coastal Act § 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline reservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and preserved. The proposed Plan appropriately addresses the entire Plan area as a significant scenic area providing views to and along the coastline and the naturally vegetated open space areas of the Santa Monica Mountains. In preparing the proposed Plan, the Conservancy and MRCA have considered potential impacts on views to and within the Plan area.

The Plan improvements will require minor grading for new trails and park facilities. Due to the secluded

nature of the proposed improvement areas, variations in natural topography and existing vegetation that will be retained on the site, the planned improvements and necessary grading will not be highly visible from the majority of viewsheds within the Plan area. The park-specific design layouts utilize the most level portions of the park areas to minimize grading and landform alteration, and specifically utilize park areas presently screened from public views by natural topography and/or existing vegetation, wherever feasible. Necessary grading is be designed to follow the natural contours of proposed improvement areas to minimize disturbed areas and timely vegetation restoration of disturbed areas with native plant species will minimize visual impacts associated with grading.

Camp area improvements, including restrooms, are designed to be clustered in specific locations that are not highly visible from primary public viewing areas. Additionally, camp facility improvements are sufficiently setback on the marine terrace at Corral Canyon Park and Malibu Bluffs and will not be visible from the beach below or Pacific Coast Highway. Furthermore, the Plan does not include or contemplate the addition of any structural improvements such as shoreline protective devices, drain pipes or discharge dissipaters on a bluff or beach. The Plan's improvements are minor in nature and will serve to provide additional public access and recreational opportunities to enjoy the substantial open spaces and visual resources protected by the existing parklands in the Plan area. Therefore, the proposed Plan and associated improvements will not impact public views to or from the ocean, and will not be substantially visible from public viewing areas within the Plan area, and are therefore consistent with Coastal Act Section 30251.

Local Coastal Program Visual Resource Policies

City of Malibu Land Use Plan 6.1

The Santa Monica Mountains, including the City, contain scenic areas of regional and national importance. The scenic and visual qualities of these areas shall be protected and, where feasible, enhanced.

City of Malibu Land Use Plan 6.2

Places on and along public roads, trails, parklands, and beaches that offer scenic vistas are considered public viewing areas. Existing public roads where there are views of the ocean and other scenic areas are considered Scenic Roads. Public parklands and riding and hiking trails which contain public viewing areas are shown on the LUP Park Map. The LUP Public Access Map shows public beach parks and other beach areas accessible to the public that serve as public viewing areas.

County of Los Angeles Land Use Plan P125

New development shall be sited and designed to protect public views from LCP-designated highways to and along the shoreline and to scenic coastal areas, including public parklands. Where physically and economically feasible, development on a sloped terrain should be set below road grade.

County of Los Angeles Land Use Plan P125

Provide public viewing locations as turnouts along major cross-mountain roads and Mulholland Highway.

City of Malibu Land Use Plan 6.3

Roadways traversing or providing views of areas of outstanding scenic quality, containing striking views of natural vegetation, geology, and other unique natural features, including the ocean shall be

considered Scenic Roads. The following roads within the City are considered Scenic Roads:

- *Pacific Coast Highway*
- *Decker Canyon Road*
- *Encinal Canyon Road*
- *Kanan Dume Road*
- *Latigo Canyon Road*
- *Corral Canyon Road*
- *Malibu Canyon Road*
- *Tuna Canyon Road*

The Plan appropriately addresses the entire Plan area as a significant scenic area providing views to and along the coastline and the naturally vegetated open space areas of the Santa Monica Mountains. Proposed improvements will potentially be visible from Kanan Dume Road, Latigo Canyon Road, Corral Canyon Road and Pacific Coast Highway which are designated scenic roads pursuant to City LUP Policy 6.3. However, due to the secluded nature of the proposed improvement areas, variations in natural topography and existing vegetation that will be retained on the site, the planned improvements and necessary grading will not be highly visible from the majority of viewsheds within the Plan area. The park-specific design layouts utilize the most level portions of the park areas to minimize grading and landform alteration, and specifically utilize park areas presently screened from public views by natural topography and/or existing vegetation, wherever feasible. The proposed improvements are minor in nature and, with project design features intended to minimize visual impacts, would not result in substantial impacts to visual resources from these designated roadways.

City of Malibu Land Use Plan 6.5

New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.

City of Malibu Land Use Plan 6.6

Avoidance of impacts to visual resources through site selection and design alternatives is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including resiting, or reducing the height or bulk of structures.

City of Malibu Land Use Plan 6.8 – 6.13

6.8 Prominent ridgelines and other intervening ridgelines that are visible from a public road, a beach,

public viewing areas, or public hiking trails, shall be protected by setting structures below the ridgeline to avoid intrusions into the skyline where feasible. Where there are no feasible alternative building sites below the ridgeline or where the only alternative building site would result in unavoidable adverse impacts to ESHA, structures shall be limited to one-story (18 feet maximum from existing or finished grade, whichever is lower) in height to minimize visual impacts.

6.9 All new development shall be sited and designed to minimize alteration of natural landforms by:

- *Conforming to the natural topography.*
- *Preventing substantial grading or reconfiguration of the project site.*
- *Eliminating flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.*
- *Requiring that man-made contours mimic the natural contours.*
- *Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.*
- *Minimizing grading permitted outside of the building footprint.*
- *Clustering structures to minimize site disturbance and to minimize development area.*
- *Minimizing height and length of cut and fill slopes.*
- *Minimizing the height and length of retaining walls.*
- *Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.*

6.10 New development, including a building pad, if provided, shall be sited on the flattest area of the project site, except where there is an alternative location that would be more protective of visual resources or ESHA.

6.11 The length of on-site roads or driveways shall be minimized, except where a longer road or driveway would allow for an alternative building site location that would be more protective of visual resources or ESHA. Driveway slopes shall be designed to follow the natural topography. Driveways that are visible from a scenic road, a beach, a public viewing area, or public hiking trail shall be a neutral color that blends with the surrounding landforms and vegetation.

6.12 All new structures shall be sited and designed to minimize impacts to visual resources by:

- *Ensuring visual compatibility with the character of surrounding areas.*
- *Avoiding large cantilevers or understories.*
- *Setting back higher elements of the structure toward the center or uphill portion of the building.*

6.13 New development in areas visible from scenic roads or public viewing areas, shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly reflective materials shall be prohibited.

City of Malibu Land Use Plan 6.16

Blufftop development shall incorporate a setback from the edge of the bluff that avoids and minimizes visual impacts from the beach and ocean below. The blufftop setback necessary to protect visual

resources may be in excess of the setback necessary to ensure that risk from geologic hazards are minimized for the life of the structure, as detailed in Policy 4.27.

City of Malibu Land Use Plan 6.17

Where parcels on the ocean side of and fronting Pacific Coast Highway, Malibu Road, Broad Beach Road, Birdview Avenue, or Cliffside Drive descend from the roadway, new development shall be sited and designed to preserve bluewater ocean views by:

a. Allowing structures to extend no higher than the road grade adjacent to the project site, where feasible.

b. Limiting structures to one story in height, if necessary, to ensure bluewater views are maintained over the entire site.

c. Setting fences away from the road edge and limiting the height of fences or walls to no higher than adjacent road grade, with the exception of fences that are composed of visually permeable design and materials.

d. Using native vegetation types with a maximum growth height and located such that landscaping will not extend above road grade.

City of Malibu Land Use Plan 6.18

For parcels on the ocean side of and fronting Pacific Coast Highway, Malibu Road, Broad Beach Road, Birdview Avenue, or Cliffside Drive where it is not feasible to design a structure located below road grade, new development shall provide a view corridor on the project site, that meets the following criteria:

a. Buildings shall occupy more than 80 percent maximum of the lineal frontage of the site.

b. The remaining 20 percent of lineal frontage shall be maintained as one contiguous view corridor, except on beachfront lots with a width of 50 feet or less. Lots with a lineal frontage of 50 feet or less shall provide 20% of the lot width as view corridor; however, the view corridor may be spilt to provide a contiguous view corridor of not less than 10% of the lot width on each side. On irregularly shaped lots, the Planning Manager shall determine which side yards shall constitute the view corridor in order to maximize public views.

c. No portion of any above ground structure shall extend into the view corridor.

d. Any fencing across the view corridor shall be visually permeable and any landscaping in this area shall include only low-growing species that will not obscure or block bluewater views.

e. In the case of development that is proposed to include two or more parcels, a structure may occupy up to 100 percent of the lineal frontage of any parcel(s) provided that the development does not occupy more than 80 percent maximum of the total lineal frontage of the overall project site and that the remaining 20 percent is maintained as one contiguous view corridor.

City of Malibu Land Use Plan 6.20

New development on properties visible from and inland of Pacific Coast Highway shall be sited and designed to protect public views of the ridgelines and natural features of the Santa Monica Mountains through measures including, but not limited to, restricting the building maximum size, reducing maximum height limits, clustering development, incorporating landscape elements, and, where appropriate, berming.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

9. Visual Resources

All new public access and recreation improvements shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 6 of the Malibu Local Implementation Plan.

a. Park Facilities Siting and Design

i. New restroom facilities shall be located and designed such that they are not substantially visible from trails, public roads or other scenic viewing areas. Measures to minimize visibility of restroom facilities include:

- *Locating the structures in level areas where vegetation exists or where topography naturally screens the areas from public views. Where necessary, native vegetation shall be planted to provide a buffer between restrooms, trail users and campers, and to screen restrooms facilities.*
- *Where the reviewing body determine~~s~~ it is necessary and feasible for purposes of protecting visual resources, and it is consistent with the resource protection policies of the LCP, grading shall be allowed to "tuck" restroom facilities into hillside terrain and thereby blend with natural terrain. Restroom facilities shall be designed with colors that are compatible with the surrounding landscape and landscape screening shall be used to minimize visibility of the structures.*

ii. Campsite locations shall be located and designed such that they are not substantially visible from trails, public roads or other scenic viewing areas, whenever possible consistent with the other provisions of this Overlay. Measures to minimize visibility of campsites include locating sites in level areas where vegetation exists or where topography naturally screens the areas from public views. Where necessary, native vegetation shall be planted to provide a buffer between campers and trail users and to screen camp facilities from adjacent trails.

iii. Retaining walls shall be permitted only where required to support critical trail linkages on hillside terrain, or to support restroom construction in hillside terrain, where no other alternative location or method of support is available. The height of permitted retaining walls shall not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted. Retaining walls shall be designed with natural materials that blend with the surrounding earth materials and landscape.

iv. Drainage devices for parking facilities shall be placed in locations of minimal visibility and shall be colored to match natural soils and screened with landscaping to minimize visibility.

County of Los Angeles Land Use Plan P16

Require that entrance roads, parking facilities, and other necessary developments in recreation areas be designed to maintain environmental and visual compatibility with the surrounding area.

County of Los Angeles Land Use Plan P91

All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.

County of Los Angeles Land Use Plan P129 – P131

P129 Structures should be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment.

P130 In highly scenic areas and along scenic highways, new development (including buildings, fences, paved areas, signs, and landscaping) shall:

- *Be sited and designed to protect views to and along the ocean and to and along other scenic features, as defined and identified in the Malibu LUP.*
- *Minimize the alteration of natural landforms*
- *Be landscaped to conceal raw cut slopes*
- *Be visually compatible with and subordinate to the character of its setting.*
- *Be sited so as to not significantly intrude into the skyline as seen from public viewing places.*

P131 Where feasible, prohibit placement of structures that will break the ridgeline views, as seen from public places

County of Los Angeles Land Use Plan P134

Structures shall be sited to conform to the natural topography, as feasible. Massive grading and reconfiguration of the site shall be discouraged.

County of Los Angeles Land Use Plan P142

New development along scenic roadways shall be set below the road grade on the down hill side wherever feasible, to protect designated scenic canyon and ocean views.

Consistent with these policies, the Plan and associated improvements will not impact public views to or from the ocean, and will not be substantially visible from public viewing or otherwise degrade the scenic character of the Plan area. The Plan includes development of low-impact camp sites, restroom facilities, temporary fire shelters, fire truck sheds (at Corral Canyon Park and Malibu Bluffs only), water tanks, trails, and parking/trailhead facilities. Proposed improvements are located in level areas to minimize grading and land form alteration, and within areas where existing vegetation and variations in terrain establish a natural buffer to minimize visibility of the improvements locations. Where necessary, planting efforts utilizing native vegetation will be implemented to provide additional buffer areas for new improvement areas to screen these areas from public views within park areas.

The camp area improvements, including restrooms, fire resistant shelters and fire truck storage sheds are designed to be clustered in specific locations that would not damage existing scenic resources and would not be highly visible from primary public viewing. Proposed camp areas are sufficiently setback from the marine terrace at Corral Canyon Park and the coastal bluff at Malibu Bluffs and would not be visible in the surrounding area from the beach below or Pacific Coast Highway. Proposed improvements at Malibu Bluffs are setback 60 to 100 feet from the edge of the bluff to avoid visual impacts from Malibu Road and the beach ocean below. In addition, the proposed improvements on the elevated terrace at Corral Canyon Park

are also set back from the bluff edge and behind a local ridge to avoid impact to views from Pacific Coast Highway and the beach below. Proposed improvements at Malibu Bluffs would be visible from some locations on Pacific Coast Highway, the improvements are designed to maintain existing bluewater views across the site.

In addition, the Plan includes design features to ensure compatibility of the proposed improvements with the surrounding landscape. These features include installing restrooms, temporary fire shelters, water tanks and fire truck sheds with colors that are earth-toned, camouflage, or otherwise compatible with the existing landscape, and screening of structures and retaining walls for trail construction. Proposed landscape screening consists of, where appropriate, Coast live oak, Sycamore, Sugarbush, Willow, Alder, and/or Walnut. Screening vegetation may consist of Coast live oak, Sycamore, Sugarbush, Willow, Alder, Walnut, Toyon, Lemonade berry, and/or Coffeeberry. Landscape screening would be used to screen views of parking lots at Malibu Bluffs from Pacific Coast Highway, where such plantings would not substantially block bluewater views across the site, and sugarbrush would be planted between campsites to provide moderate shielding for campers, where appropriate.

The Plan provides that retaining walls be allowed only where required to support critical trail linkages on hillside terrain and where no other alternative route or method for trail support is available. The Plan also requires that retaining walls not exceed six feet; stepped or terraced retaining walls (up to twelve feet in height), with planting in between. All retaining walls would be designed with natural materials or would incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. Drainage devices for parking facilities would be placed in locations of minimal visibility, would be colored to match natural soils, and would be screened with landscaping to minimize visibility.

The proposed Plan involves minor road improvements to provide access to Malibu Bluffs, all of which would be limited to directly adjacent to Pacific Coast Highway, and improvements to existing roads (Ramirez Canyon Road/Delaplane and Via Acero) for emergency access purposes. As such, road improvements would not result in significant landform alteration or substantial loss of scenic open space areas.

City of Malibu Land Use Plan 6.14

The height of permitted retaining walls shall not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted. Where feasible, long continuous walls shall be broken into sections or shall include undulations to provide visual relief. Where feasible, retaining walls supporting a structure should be incorporated into the foundation system in a stepped or split level design. Retaining walls visible from scenic highways, trails, parks, and beaches should incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape.

City of Malibu Land Use Plan 6.15

Fences, walls, and landscaping shall not block views of scenic areas from scenic roads, parks, beaches, and other public viewing areas.

City of Malibu Land Use Plan 6.23

Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity fixtures, shielded, and concealed to the maximum feasible extent so that no light source is directly visible from public viewing areas. Night lighting for sports courts or other private recreational facilities in scenic areas designated for residential use shall be prohibited.

City of Malibu Land Use Plan 6.27

New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site, consistent with Policy 3.60.

City of Malibu Land Use Plan 6.28:

All new development shall be sited and designed to minimize required fuel modification and brushing to the maximum extent feasible. Development shall incorporate alternative fuel modification measures, where feasible, in order to minimize the visual resource impacts of site disturbance, removal, and thinning of natural vegetation.

City of Malibu Land Use Plan 6.30

Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views.

City of Malibu Land Use Plan 6.31

Placement of signs other than traffic or public safety signs, utilities, or other accessory equipment that obstruct views to the ocean, beaches, parks, or other scenic areas, from public viewing areas and scenic roads shall be prohibited.

County of Los Angeles Land Use Plan P126

Prohibit placement of signs, utilities, and accessory equipment that obstruct views to the ocean and scenic elements wherever feasible.

Consistent with these policies, The Plan provides that retaining walls be allowed only where required to support critical trail linkages on hillside terrain and where no other alternative route or method for trail support is available. The Plan also requires that retaining walls not exceed six feet; stepped or terraced retaining walls (up to twelve feet in height), with planting in between. All retaining walls would be designed with natural materials or would incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. Drainage devices for parking facilities would be placed in locations of minimal visibility, would be colored to match natural soils, and would be screened with landscaping to minimize visibility.

The proposed plan does not include fences or walls that would block scenic views nor does the Plan include new, permanent exterior light that could impact nighttime visual resources. The Plan includes a site-specific Fire Protection Plan that prescribes fuel modification requirements such that trees and vegetation would be maintained around improvement areas in a manner that minimizes the visual resource impacts of site disturbance, removal, and thinning of natural vegetation. In addition, a Tree Protection Plan has been prepared which requires protection of native and non-native trees to the maximum extent feasible. Signs proposed as part of the plan would be developed and installed as part of a uniform sign program. Signs would provided for new trail and park area improvements to assist visitors in locating and recognizing park areas and trail corridors, park support facilities, sensitive habitats, and adjacent land uses. Signs are proposed to be posted at park access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads, as appropriate.

4.4 ARCHAEOLOGICAL RESOURCES

California Coastal Act Archaeological Resource Policies

Coastal Act § 30244: Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Local Coastal Program Archaeological Resource Policies

City of Malibu Land Use Plan 5.60 – 5.64

5.60 New development shall protect and preserve archaeological, historical and paleontological resources from destruction, and shall avoid and minimize impacts to such resources.

5.61 Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

5.62 The City should coordinate with appropriate agencies, such as the UCLA Archaeological Center, to identify archaeologically sensitive areas. Such information should be kept confidential to protect archaeological resources.

5.63 Coastal Development Permits for new development within archaeologically sensitive areas shall be conditioned upon the implementation of the appropriate mitigation measures.

5.64 New development on sites identified as archaeologically sensitive shall include onsite monitoring of all grading, excavation and site preparation that involve earth moving operations.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

10. Archaeological Resources

All new public access and recreation improvements shall be located and/or designed to protect and preserve areas, sites and structures of historic, cultural, archaeological and paleontological significance. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 11 of the Malibu Local Implementation Plan:

a. For all project areas that will involve ground disturbance, a Phase I Inventory of cultural resources shall be conducted by a qualified archaeologist which includes the following:

- *A records search through the regional historical resources information center.*
- *An archival search of historic records.*
- *A field survey.*
- *A written report which describes how the survey was conducted and the result of the survey.*

b. Park signs, maps, public information notices, and website information shall include notice to inform visitors that disturbance to archaeological sites cannot be reversed, that such resources are of great religious importance to contemporary Native Americans and destruction of archaeological sites on

public property is illegal and a punishable offense.

County of Los Angeles Land Use Plan P169

Site surveys performed by qualified technical personnel should be required for projects located in areas identified as archaeologically/paleontologically sensitive. Data derived from such surveys shall be used to formulate mitigation measures for the project.

County of Los Angeles Land Use Plan P175

Recreation and visitor-serving facilities siting should consider archaeological/paleontological resources in order to minimize loss through vandalism.

Coastal Act Section 30224 requires that reasonable mitigation measures be required where new development would adversely impact archeological or paleontological resources. In addition, City LUP Policies 5.60 – 5.64 and County LUP Policies P169 and P175 require that new development, protect, preserve, and minimize impacts to archaeological and paleontological resources and, where new development is proposed within archaeologically sensitive areas, that site surveys be performed and that appropriate mitigation measures be required and implemented where necessary. City LUP policies also require that new development within archaeologically sensitive sites include on-site monitoring by a qualified archaeologist for all grading, excavation, and site preparation. The Overlay and County LUP policy P175 speak directly to proposed public access and recreation improvements to ensure that such facilities are sited in consideration archaeological/paleontological resources. The Overlay further requires that a Phase I Inventory of cultural resources be conducted by a qualified archaeologist for proposed Plan improvements that involve ground disturbance.

Given the Plan area's proximity to the ocean and the generally undeveloped and natural state of the subject parklands in the Plan area, and the presence of a number of water courses which tend to be areas of high sensitivity for cultural resources, the proposed Plan has consider potential impacts to cultural resources that could result from implementing the proposed improvements.

A Phase 1 Archaeological Resources Report prepared for the proposed Plan by Stone Archaeological Consulting (2007), and subsequent Phase 1 archaeological surveys were conducted for the proposed Plan in October 2009 and January 2010 to assess the presence and potential impacts of the proposed Plan on Archaeological Resources. The Phase I Investigation includes a written report of the results of a records search through the South Central Coast Information Center at Cal State Fullerton and an intensive field survey of the lands in the Plan area subject to the proposed recreation improvements. These studies along with the additional results of the subsequent Phase 1 archaeological surveys are include in the DEIR for the proposed Plan.

The analysis contained in the DEIR concludes that there are no recorded prehistoric or historic-period archaeological resources recorded within proposed Plan improvements. Long-term use of the recreational facilities, however, would increase the number of individuals using trails and camping areas. In the unlikely event that unknown archaeological resources were to be exposed on the ground surface (for example, after a rainstorm and subsequent sheet flow), there is the remote potential for increased improper collection of archaeological artifacts. Archaeological Resources Implementation Measure 5 of the proposed Plan requires that park signs, maps, public information notices, and website information include notice to inform visitors that disturbance to archaeological sites cannot be reversed, that such resources are of great religious importance to contemporary Native Americans and destruction of archaeological sites on public property is illegal and a punishable offense. This implementation measure would serve to inform the public

that improper disturbance to archaeological artifacts is not allowed. The measure would reduce the unlikely potential for impacts on unknown cultural resources to less than significant.

Though no prehistoric or historic cultural remains were identified within proposed Plan site areas, the DEIR notes that potential cultural resources were previously identified adjacent to (i.e., within 100 feet of) the proposed ADA drop off along PCH in the Corral Canyon Park area and the proposed camping facility in the far western portion of the Malibu Bluffs. The DEIR notes that it is possible that ground disturbances within this vicinity could have a remote potential to identify unknown cultural resources. The DEIR further indicates that there is the remote potential that unknown sub-surface cultural material could exist within areas of low archaeological sensitivity on steep slopes and dense vegetation; or they could be buried in proposed improvement areas that were intensively surveyed.

To ensure that potential impacts to archaeological resources are minimized, the DEIR includes mitigation measures which require a pre-construction workshop with a qualified archaeologist and a local Native American representative to address the following: review the types of archaeological resources that may be uncovered; provide examples of common archaeological artifacts and other cultural materials to examine; describe a reasonable worst-case discovery scenario (i.e., disco very of intact human remains or a substantial midden deposit) and describe reporting requirements and responsibilities of the construction supervisor and crew. The DEIR also requires that all earth disturbances associated with the proposed "ADA drop off" along PCH in the Corral Canyon Park area and the proposed camping facility in the far western portion of the Malibu Bluffs be monitored by a qualified archaeologist and a local Native American representative, funded by the applicant, and requires that a Construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries associated with identified archaeological sites are adequately recorded, evaluated, and if significant, mitigated.

Implementation of Plan improvements that involve development within the sensitive archaeological sites discussed herein are subject to the specific Archaeological Resources Implementation Measures of the proposed Plan all applicable development standards of Chapter 11 of the Malibu Local Implementation Plan, as well as all mitigation measures identified in the DEIR. The Phase I includes a recommendation for visitor notification of the importance of archaeological resources which has been incorporated as and Implementation Measure of the Plan. The Plan's Archaeological Resources implementation measures require that park signs, maps, public information notices, and website information shall include notice to inform visitors that disturbance to archaeological sites cannot be reversed, that such resources are of great religious importance to contemporary Native Americans and destruction of archaeological sites on public property is illegal and a punishable offense.

Grading and excavations within the Plan site area associated with the Plan would result in maximum cuts approximately 4- to 8-feet deep into previously undisturbed soil. Excavation at the proposed bridge abutments in Ramirez Canyon Park and the Malibu Bluffs would be approximately 10- to 15-feet deep. The DEIR indicates that that shallow excavations in the uppermost layers of soils and younger Holocene alluvium in the Malibu area is unlikely to disturb significant vertebrate fossil remains. Implementation of the proposed Plan would, therefore, generally not result in excavations sufficiently deep to encroach within possible geological formations in which paleontological resources could be encountered. No potential impacts on paleontological resources would result. Deeper excavations for bridge abutments in Ramirez Canyon Park and the Malibu Bluffs would potentially encroach into Quaternary geologic age older dissected alluvial gravel, sand and clay that would have the potential to bear important vertebrate fossils. Nevertheless, DEIR mitigation measures that, in the event paleontological soils are uncovered during grading, a paleontological monitor shall be retained by the applicant to oversee ground disturbing activities, including but not limited to all grading,

excavation, and site preparation, and appropriate measures implemented to ensure appropriate recovery and preservation of any paleontological artifacts recovered.

Proposed Plan improvements have been site and designed to avoid potential impacts to archaeological and paleontological resources and, with implementation of the Plan's implementation measures and DEIR mitigation measures, archaeological and paleontological resources within the Plan area will be protected and preserved to the maximum extent feasible, consistent with Coastal Act Section 30224 and applicable City and County LUP policies.

4.5 HAZARDS

California Coastal Act and Local Coastal Program Hazards Policies

Coastal Act § 30253:

New development shall do all of the following:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

(4) Minimize energy consumption and vehicle miles traveled.

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

City of Malibu Land Use Plan 4.2

All new development shall be sized, designed and sited to minimize risks to life and property from geologic, flood, and fire hazard.

City of Malibu Land Use Plan 4.14

New development shall be prohibited on property or in areas where such development would present an extraordinary risk to life and property due to an existing or demonstrated potential public health and safety hazard.

City of Malibu Land Use Plan 4.4

On ancient landslides, unstable slopes and other geologic hazard areas, new development shall only be permitted where an adequate factor of safety can be provided, consistent with the applicable provisions of Chapter 9 of the certified Local Implementation Plan.

City of Malibu Land Use Plan 4.5

Applications for new development, where applicable, shall include a geologic/soils/ geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and

that the development will be safe from geologic hazard. Such reports shall be signed by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and subject to review and approval by the City Geologist.

City of Malibu Land Use Plan 4.8

Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 40 percent (2.5:1), except that driveways and/or utilities may be located on such slopes, where there is no less environmentally damaging feasible alternative means of providing access to a building site, provided that the building site is determined to be the preferred alternative and consistent with all other policies of the LCP.

City of Malibu Land Use Plan 4.10

New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.

City of Malibu Land Use Plan 4.11

New development involving a structure dependent on a wastewater disposal system shall utilize secondary treatment, at a minimum, and evapotranspiration waste disposal systems or other innovative measures, where feasible.

City of Malibu Land Use Plan 6.29

Cut and fill slopes and other areas disturbed by construction activities shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:

• Plantings shall be of native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below.

• Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.

• Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.

• Lawn shall not be located on any geologically sensitive area such as coastal blufftop.

• Landscaping or revegetation shall provide 90 percent coverage within five years. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

11. Hazards

All new public access and recreation improvements shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. Development of public access and recreation improvements shall be subject to the following development standards as well as any other applicable development standards of Chapter 9 of the Malibu Local Implementation Plan to minimize risks associated with high geologic, flood, and fire hazard.

a. Geology and Flooding

i. A geologic/soils/geotechnical study identifying any geologic hazards affecting areas identified for new, structural park facility development shall be prepared and shall contain recommendations for mitigation measures, where applicable, and a statement as to whether the project areas are suitable for the proposed improvements and that the improvements will be safe from geologic hazard.

ii. Engineered structures such as retaining walls, footings for small structures (i.e. restrooms with footings, water service lines, engineered retaining walls, parking areas, etc., as applicable), and significant cut and fill grading will require the preparation of a geotechnical report, prepared by a qualified engineering geologist or a registered geotechnical engineer, to provide recommendations for the design of these structures and grading procedures.

iii. Where applicable, new park improvements shall include adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff and erosion.

County of Los Angeles Land Use Plan P144

Continue to provide information concerning hazards and appropriate means of minimizing the harmful effects of natural disasters upon persons and property.

County of Los Angeles Land Use Plan P144

Continue to provide information concerning hazards and appropriate means of minimizing the harmful effects of natural disasters upon persons and property.

County of Los Angeles Land Use Plan P147

Continue to evaluate all new development for impact on, and from, geologic hazard.

County of Los Angeles Land Use Plan P148

Continue to limit development and road grading on unstable slopes to assure that development does not contribute to slope failure.

County of Los Angeles Land Use Plan P151

Continue to evaluate all new development for its impact on, and from, flood and mudflow hazard.

County of Los Angeles Land Use Plan P154

Continue to review development proposals to ensure that new development does not generate excessive runoff, debris, and/or chemical pollution that would have a significant negative impact on the natural hydrologic system.

Section 30253 of the Coastal Act and related City/County LUP policies and the Overlay require that new development be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. These policies require that new development provide a geologic/soils/ geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures. The policies further require that grading be limited on slopes, that disturbed areas be landscaped or revegetated at the completion of grading, and that adequate drainage and erosion control facilities be provided to convey site drainage in a non-erosive manner to minimize hazards resulting from increased runoff and erosion.

The Plan area is located along the Malibu/Santa Monica Mountains coastline, an area that is subject to a number of natural hazards including landslides, erosion, flooding and fire. The proposed Plan involves very little development of new, habitable structures; proposed structures include only new public restrooms, emergency fire shelters, and fire-truck storage sheds, each of which would be occupied on an intermittent, temporary basis. With the exception of new restrooms planned at Ramirez Canyon Park, proposed restroom structures would employ self-contained chemical toilet systems that require no connection to a septic disposal or sanitary sewer system. The proposed emergency fire shelter design is anticipated to incorporate a pre-fabricated steel or concrete structure, set on a gravel pad and self leveling, and the fire truck shed design is anticipated to incorporate a pre-fabricated steel structure erected over a reinforced concrete slab approximately six inches thick, with perimeter footing to support the structure walls. Where camping is proposed, a Camp Host space would be provided to accommodate a recreational vehicle (i.e., motor home or trailer), with the exception of Corral Canyon Park where a prefabricated camp host accommodation may be provided, along with a hose bib (for potable water connection) and electrical hook-up.

A *Reconnaissance of Engineering Geologic Constraints* study was prepared by Southwestern Engineering Geology to specifically identify geologic constraints within the park sites of the Plan area and to provide recommendations for minimizing potential impacts associated with geologic hazards. The *Engineering Geologic Constraints* study concluded that nearly all of the proposed Plan improvements have been designed to be located outside of fault traces, areas prone to liquefaction, and the mapped extent of historic landslide events. The only Plan components proposed within mapped areas of these potential hazards include hiking trails, the parking area for Escondido Canyon Park and various improvements at the Latigo Canyon Trailhead site. Based on information provided in the *Engineering Geologic Constraints* study, the Plan's DEIR evaluates and identified mitigation measures to address hazards issues associated with improvements proposed at Escondido Canyon Park and Latigo Canyon Trailhead property.

According to the DEIR analysis, parking, trailhead and camp facilities proposed adjacent to Winding Way at Escondido Canyon Park would be located within areas identified as having landslide potential and is underlain by clay-rich soils which exhibit a particular type of land-sliding known as soil creep. In addition, the restroom facility and one camp site in Camp Area 3 are currently proposed at locations over the fault trace for the Malibu Coast Fault. The *Engineering Geologic Constraints* study concludes that potential geologic hazards associated with parking, trailhead and camp facilities proposed adjacent to Winding Way can be addressed with final engineering design and incorporating the findings of detailed geologic and soil information from field borings and laboratory analysis. However, the study concludes that the northern-most campsite and restroom facility located over the fault trace for the Malibu Coast Fault at Camp Area 3 of Escondido Canyon must be removed from the Plan to fully minimize potential geologic hazards in that locations.

The DEIR analysis identifies the southwest edge of the proposed Latigo Trailhead parking lot as being within the limits of a recent landslide; the proposed emergency fire shelter and water storage tank are located essentially coincident with the northern limit of the same landslide; the self-contained restroom and Camp Host space are within 30-40 feet of the current landslide boundary. The proposed improvements within, or immediately adjacent to, the identified boundary of the historic landslide could be subject to damage or failure via further landslide activity. Given the probable cost associated with stabilizing the site, the DEIR indicates that potential impacts from landslide activity upon proposed structural improvements at Latigo Canyon would be significant and unavoidable.

For all other proposed park facilities, the DEIR indicates that the improvements are feasible and could be

located and designed to ensure stability and safety with appropriate mitigation that includes, but is not limited to, requiring site-specific geotechnical investigations including borings and laboratory analysis to analyze soil characteristics, to calculate ground acceleration values, and to identify site preparation techniques and/or engineering design specifications, as applicable, to address potential geologic hazards.

Regarding hiking trails, the *Engineering Geologic Constraints* study concludes that given the limited and short-term activities on trails, this use is considered low-risk and appropriate along the trail corridor areas as designed. The *Engineering Geologic Constraints* study recommended that design/construction techniques appropriate to trail substrate (including landslide) be incorporated into the final design and implementation of the trails system to minimize the need for ongoing maintenance and avoid trail conditions which could be a safety hazard for hikers. With respect to this recommendation, conceptual trail layout utilized the *Malibu Parks Public Access Enhancement Plan, Park and Trail Accessibility Design Guidelines* prepared by Moore Iacofano Goltsman, Inc. (MIG, June 2006). However, in order to ensure proper final trail design and implementation, a specific mitigation measure is included in the DEIR to ensure adherence to the Best Practices in the *Park and Trail Accessibility Guidelines*, including but not limited to, practices for Trails on Steep Cross Slopes; Trails on Flat Grades; Eroding and Hazardous Trail Edges; and Trails on Sandy Soils.

To minimize hazards resulting from increased runoff and erosion, Plan improvements have been designed such that proposed park facilities are located on relatively level terrain to avoid development and grading on slopes. As discussed in the consistency analysis with applicable water quality policies, the Plan provides adequate drainage and erosion control facilities to convey site drainage in a non-erosive manner. In addition, the DEIR indicates that the proposed Plan must comply with the Construction General Permit, which will ensure that erosion and loss of topsoil are avoided or minimized during construction. The Plan includes several policies and implementation measures that require all graded and disturbed areas to be planted and maintained for erosion control purposes within sixty (60) days of completing any construction activities that involve soil disturbance or vegetation removal. Restoration efforts for areas disturbed via construction would consist primarily of native/drought tolerant plants.

In addition to minimizing hazards resulting from increased runoff and erosion, proposed Plan improvements have been analyzed to ensure that the new development and uses would not be subject to flood hazard.
The project hydrology report (*Preliminary Hydrology/Bridge Crossing Report*, Penfield & Smith, October 27, 2009) calculated the clear-water watershed and burned-and-bulked watershed flow rates for the 2-year, 5-year, 10-year, 25-year, 50- year, and 100-year events for each of the sub-watersheds. For purposes of a reasonable worst-case analysis, the project hydrology report relies on to 50-year "burned-and-bulked" Capital Flood condition to evaluate potential flooding impacts.

The analysis and recommendations contained in the project preliminary hydrology report indicate that all of the Park's improvements including trails would require placement out of the 2-year clear water inundation limits of creeks and that all critical facilities such as restrooms would require placement out of the 50-year burned-and-bulked inundation limits in order to avoid potential flooding impacts. Accordingly, proposed Plans have located all proposed permanent or semi-permanent structures (such as, restrooms, fire shelters, fire sheds, etc) outside the 50-year burned-and-bulked inundation limits. According to the project preliminary hydrology report, 50-year storm events in the project area are short and infrequent events, and are typically forecast well ahead of time. Potential inundation of campsites and portions of trail areas adjacent to lower Escondido Canyon Park, Latigo Trailhead, and Corral Canyon Park could occur during a 50-year storm. Likewise, creek crossings at these campgrounds would be rendered temporarily inaccessible during a 50-year storm event. Human injury and loss of life, however, would not reasonably

occur as sufficient warning would occur to ensure all affected park facilities would be evacuated well in advance of the storm and the Plan requires that these park properties be closed when any Flash Flood/Flood Warnings and Urban/Small Stream Advisories is issued by the National Weather Service (NOAA). Although improvement damage could occur to these facilities during flooding, any minor proposed project improvements within creek areas would be easily restored to a pre-storm condition after an event.

Where bridges in the Plan area are not used for pedestrian creek crossings, the appropriately sized rocks would be placed diagonally across the creek to provide stepping stones. The diagonal placement would minimize the chance of blockage of the stones at any one particular location, as well as any potential rise in water surface elevation. Stones would be placed 18" to 30" apart for ease of stepping. Stones would be wedged, anchored or embedded into creek materials so as to provide a stable stepping platform and would not result in substantial alteration of stream channels.

The Plan includes construction of the proposed vehicular at Ramirez Canyon Creek (replacement and upgrade to existing bridge to emergency access improvements) and Malibu Bluffs, all of which would be located above the 100-year flood plain. The new Ramirez Canyon Creek bridge would replace an existing wooden vehicular bridge along Ramirez Canyon Road, located just south of the intersection with Via Acero, with a 20-ft clear width and 34-ft long, prefabricated steel bridge. The replacement bridge would accommodate a 50-year clear water flow, and be an improvement over the existing conditions.

Proposed creek enhancement/restoration efforts for Ramirez Canyon Creek would improve flood conditions. The creek enhancement/restoration plan includes removing select existing gabions and installing pervious boulder berms and/or log deflection structures throughout the creek to control stream degradation; creating areas of overbank enhancement in two areas (by the existing tennis court and at the southerly portion of the park) by removing artificial creek wall linings, grading back the slopes, constructing rock toe protection, installing retaining walls, and planting native plants; and planting of native plant species and removing non-native plants throughout the creek. Penfield & Smith's 2009 drainage analysis determined that the capacity of the creek would be increased at this location (restored to its original, natural state), and the improvement would not result in new flood concerns.

The Plan is generally consistent with Coastal Act Section 30253 and related City, County and Overlay policies as the proposed Plan improvements would be sized, designed and sited to minimize risks to life and property from geologic and flood hazard, and would also include measures to minimize grading and control runoff from the site thereby reducing potential site erosion, which might otherwise contribute to site instability. However, the policy consistency analysis proposed park facility improvements at the Latigo Trailhead property present a potentially significant and unavoidable impact associated with geologic/landslide hazards, inconsistent with Section 30253 of the Coastal Act, and City of Malibu Local Coastal Program Policies 4.2, 4.14, 4.4, and Section 3.4.2.D.11.a.

City of Malibu Land Use Plan 4.45

New development shall minimize risks to life and property from fire hazard through:

· Assessing site-specific characteristics such as topography, slope, vegetation type, wind patterns etc.;

· Siting and designing development to avoid hazardous locations;

· Incorporation of fuel modification and brush clearance techniques in accordance with applicable fire safety requirements and carried out in a manner which reduces impacts to environmentally sensitive habitat to the maximum feasible extent;

· Use of appropriate building materials and design features to insure the minimum amount of required fuel modification;

· Use of fire-retardant, native plant species in landscaping.

City of Malibu Land Use Plan 4.49 – 4.53

4.49 Applications for new development, which require fuel modification, shall include a fuel modification plan for the project, prepared by a landscape architect or resource specialist that incorporates measures to minimize removal of native vegetation and to minimize impacts to ESHA, while providing for fire safety, consistent with the requirements of the applicable fire safety regulations. Such plans shall be reviewed and approved by the Forestry Division.

4.50 New development shall provide for emergency vehicle access and fire-flow water supply in accordance with applicable fire safety regulations.

4.51 All new development shall demonstrate the availability of an adequate water supply for fire protection, as required by applicable fire safety regulations.

4.52 Where applicable, property owners shall comply with applicable fire safety regulations for management of combustible vegetative materials (controlled burns) in fire hazardous areas.

4.53 The City shall coordinate with County, State and National Park agencies to develop a closure policy for public recreation areas during periods of extreme fire hazard.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

11. Hazards

b. Fire Protection, Emergency Evacuation

i. A Fire Protection and Emergency Evacuation Plan shall be developed and submitted, for review and approval, to the reviewing body for any Coastal Act approval as well as to the appropriate Fire Agency as described below. The approved version shall be implemented for Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park, and Malibu Bluffs Park. The Fire Management and Emergency Evacuation Plan shall include the following provisions:

- *All standard Parkland rules and regulations shall be enforced per existing policies of the MRCA/SMMC:*
  - *Except in designated camp areas, park properties shall be closed sunset to sunrise.*
  - *No smoking or fires.*
  - *No alcoholic beverages.*
  - *No littering or dumping.*
  - *No unauthorized vehicle use.*
  - *No defacing or destroying property.*
  - *Dogs must be on a leash and cleaned up after.*
  - *Possession of firearms, bow and arrow prohibited.*

  - *Violations subject to $500 fine and/or 6 months in County jail.*

- *An annual fuel modification plan for site vegetation management and tree trimming/limbing at each park property shall be developed and implemented prior to the annual fire season.*
- *Campsite locations shall be located within existing public use areas to ensure easy access for purposes of maintenance and patrol, and in case of emergency.*
- *No person shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this Plan. The only cooking apparatus permitted shall consist of self-contained propane stoves when permitted consistent with the terms of the approved Fire Protection and Emergency Evacuation Plan. No kerosene or white gas lanterns shall be permitted.*
- *Campers shall be required to utilize designated cook surfaces stations provided at each approved campsite, which shall be designed of non-flammable materials and capable of being fully enclosed. Cold-camping apparatus such as flame-less cook-stoves and lanterns are preferred. Prospective campers shall be informed of the No Campfire/Cold Camp Policy upon reserving and/or registering for use of camp facilities and shall be put on notice that unauthorized use of fire-related camping and cooking apparatus specifically prohibited by the No Campfire/Cold Camp Policy will be cause for confiscation of such devices and/or expulsion of visitors from camp facilities. Signs shall be posted and camp areas will be routinely patrolled to enforce the No Campfire/Cold Camp Policy and notification provided that violation of the No Campfire/Cold Camp Policy may be punishable by fines up to $1,000.00.*
- *Fire protection apparatus shall be provided and maintained at all camp facilities and shall include, at a minimum:*
  - *Water storage tank or water delivery system designed, located, and maintained to provide a dependable water supply for fire protection at each proposed camp area at all times to ensure adequate water supply for fire protection of new camp facilities.*
  - *A portable and air-powered quick attack firefighting system to be provided at each camp facility for ready deployment by trained Camp Host, Ranger, or park personnel in the event of a fire.*
  - *Portable self-contained fire extinguisher units to be provided for each cluster or group of campsites.*
- *Ramirez Canyon Park, Escondido Canyon Park, Corral Canyon Park, and Malibu Bluffs Park shall be closed to all recreational use during any Red Flag Day/period as declared for the Santa Monica Mountains area by the National Weather service, a division of the National Oceanic Atmospheric Administration (NOAA), Park properties shall be posted and patrolled to inform visitors of Red Flag Day closures and notification provided that violation of the Red Flag Day closure policy may be punishable by fines up to $6,000.00.*
- *Camping at all park properties will be prohibited and Ramirez Canyon Park shall be closed to events, tours, camping reservations or other special functions when any Flash Flood/Flood Warnings or Urban/Small Stream Advisory is issued. Signs will be posted and camp areas will be routinely patrolled to notify park users and to enforce restrictions on park use during all Flash Flood/Flood Warnings and Urban/Small Stream Advisories as determined by the*

National Weather Service, a division of the National Oceanic Atmospheric Administration (NOAA). Written warnings of the cancellation policy shall be provided to potential campers and prospective program and event sponsors prior to contracting for park use.

- *A Camp Host, staff maintenance person, or Ranger, who is wildland fire-trained, shall be onsite at each park property during the times camping is permitted. This shall be accomplished by either providing for residency of a Camp Host, staff maintenance person or Ranger at existing park properties, or ensuring that support facilities and apparatus are provided to sustain continuous daily and nightly patrols to strictly enforce the No Campfire Policy and use restrictions relating to hazardous conditions. Park patrols shall be conducted daily at each park property when campers are present. Adjustments to patrol procedures will be made as necessary to ensure park rule enforcement and compliance.*
- *An Evacuation Plan shall be prepared and shall include details relative to evacuation procedures and evacuation locations to be implemented for each park property during emergencies.*
- *Where it is infeasible to meet all applicable current Building and Fire Code requirements for fire protection due to site or resource constraints, modifications may be granted pursuant to an approved Fire Protection Plan, as provided by Section 702A of Chapter 7A of the 2007 California Building Code and Section 4702.1 of the 2007 California Fire Code, as may be amended. Such Fire Protection Plan will analyze the site fire risk at a fine scale and develop customized measure for mitigating the risk including design, construction, maintenance and operation requirements of the park improvements in compliance with applicable fire codes and, where necessary, fire protection enhancement requirements to provide "same practical effect" or functional equivalency for any non-code complying park improvement element.*
- *Emergency power generators and fuel supply at Ramirez Canyon Park necessary to maintain emergency lighting for at least twelve (12) hours shall be installed and maintained on site.*

ii. A Wooden Bridge Reinforcement Plan, developed and implemented to provide for reinforcement of the wood bridge over Ramirez Canyon Creek next to Ramirez Canyon Park, shall be maintained to ensure that the bridge will safely support a 25-ton fire truck and thereby accommodate emergency access. The wood bridge shall be maintained in sound condition to ensure safe and adequate emergency access to the Park.

iii. An Emergency Access and Emergency On-Site Parking Plan for Ramirez Canyon Park, prepared by a licensed civil engineer and approved by the appropriate Fire Agency as compliant with applicable state and county fire and life safety regulations, shall be maintained for Ramirez Canyon Park. Special events held during the fire season shall retain all guest vans, shuttles, and drivers continuously on site during the event.

iv. Opportunities for additional emergency ingress/egress to and from Kanan Dume Road over Via Acero shall be explored, including the potential for feasibly obtaining easements from willing property owners or by eminent domain. Construction of an additional emergency ingress/egress at Ramirez Canyon may occur consistent with all applicable policies and provisions of the LCP. This policy is not intended to limit the use of, or access to, Ramirez Canyon Park via Ramirez Canyon Road.

v. The Conservancy/MRCA shall explore and pursue all options to remove any permitted or

unpermitted private encroachments into the Ramirez Canyon Road 40 foot easement to achieve full access road width and clearance standards as required by the appropriate fire agency.

County of Los Angeles Land Use Plan P156

Continue to evaluate all new development for impact on, and from, fire hazard.

County of Los Angeles Land Use Plan P144

Encourage the establishment of a closure policy for public recreation areas during periods of extreme fire hazard.

Consistent with Coastal Act Section 30253 and related City, County and Overlay policies which address potential fire hazards and require that new development minimize risks to life and property from fire hazard, the proposed Plan has been designed to reduce fire risks in the Plan area, and includes a number of provisions to ensure that improvements and land uses ensure fire safety at the subject parklands.

The proposed Plan includes a *Fire Protection Plan (FPP) for the Malibu Parks Public Access Enhancement Plan – Public Works Plan*, dated January 2010, which evaluates the potential impacts associated with exposure to wildfire hazards that could be encountered as part of implementation of the Plan. The FPP contains a Plan-wide fire protection plan and focused fire protection plans for each park property, which assess the fire risk associated with the proposed Plan and sets forth park-specific requirements for emergency response, water supply, access, building construction, fire protection systems, defensible space, and vegetation management.

The proposed FPP satisfies Overlay policy requirements by providing details regarding the site-specific policies and implementation measures that will govern development and use of park properties with regards to fire protection. The FPP outlines a "systems approach" to fire prevention, protection, suppression, and emergency relocation to ensure proposed park improvements and uses will reduce potential risks associated with fire hazard. The FPP provides measures for fire protection based on the proposed site uses, occupancies, and park area settings, and provides requirements that meet the 2007 California Building and Fire Codes, and where applicable the Los Angeles County Fire Code.

As part of the FPP, regional and site-specific fire behavior modeling was conducted to document the type and intensity of fire that would be expected in the Plan area and park sites, given characteristic features including topography, vegetation, slope data and weather scenarios. The FPP also provides detailed analysis of the proposed Plan area and each of the park areas, the Plan's potential risk for wildfire, and its impact on the fire response capabilities. The FPP provides a redundant layering of prevention, protection, suppression, infrastructure and pre-planning methods and measures that have been proven to reduce fire risk. The combined fire protection system designed for the proposed Plan includes fuel reduction/treatment, enhancement and maintenance of ingress/egress routes, park and trail access control, options for emergency relocation and contingency sheltering areas, restriction of open flames in all Park areas, and park facility upgrades/retrofits, where appropriate.

Because this project proposes primarily recreation improvements with minimal structural additions, the requirements for fire safety are customized for the various sites and are, in most cases, not covered under existing Fire or Building codes. Where possible, the codes are applied or used as guidance. Where the project does not strictly conform to the code, the FPP proposes modifications that are in conformance with the intent and purpose of the code, resulting in substantial conformance, consistent with City of Malibu Local Implementation Plan section 3.4.2.D11.b.i.of the Overlay. Where infeasible or not applicable, alternative

measures are provided that will reduce the likelihood of ignitions, such as prohibitions on camp fires, provision of non-flammable, enclosed cook areas at campsites, and Park closures on Red Flag days, amongst others. An important additional consideration, fuel modification zones, will be provided on all project sites and will be maintained on an on-going basis and inspected annually, maintaining the plants at very high levels of ignition resistance and removing all dead and dying materials and maintaining appropriate horizontal and vertical spacing. In addition to prescribed fuel modification, the Plan includes a number of infrastructure improvements specifically intended to improve fire protection capabilities at each of the park properties.

The Plan includes widening of Ramirez Canyon Road and the extension of Via Acero as secondary access to Ramirez Canyon, which would significantly improve emergency access and evacuation. Widening Ramirez Canyon Road will ensure that emergency vehicles can enter the canyon during periods when evacuations are occurring, and would provide additional capacity for evacuation flows. The Plan also includes construction of water lines to provide water to the proposed camp areas and park/ trail facilities, as well as for increased fire protection. New water lines would connect either to existing water lines and/or to proposed water tanks with a capacity of 10,000 gallons and all of the park properties will receive new fire hydrants for fire protection. In addition fire truck sheds are proposed at Corral Canyon Park and Malibu Bluffs and each park location would be provided with one or more temporary fire shelter, as would select areas along the proposed trail system, which would allow for campers and park visitors to seek emergency shelter in the event of a wildfire.

The SMMC/MRCA have been proactive with regard to the existing conditions at the subject Plan area properties by implementing a variety of appropriate fire prevention and protection measures, including an internal Fire Emergency Pre-Plan. The FPP complements and enhances the existing Pre-Plan by requiring a redundant system of improved infrastructure including water availability, capacity and delivery, park-specific fire fighting apparatus and personnel, improved fire department access, monitored defensible space, maintained fuel modification and landscaping, strict parkland use restrictions and monitoring, and contingency fire shelters. Implementation of the measures detailed in the FPP will reduce the risk of wildfire at these sites, will improve the ability to safely evacuate the area during wildfire events, and will improve the ability to fight fires on the properties and protect park property and neighboring resources irrespective of the cause or location of ignition. Implementation of the required enhanced construction features provided by the applicable codes and the mitigating fuel modification requirements provided in this FPP will reduce the site's vulnerability to wildfire. It will also help accomplish the goal of this FPP to assist firefighters in their efforts to defend existing structures and reduce the risk to Park visitors. As such, implementation of the proposed Fire Protection Plan will ensure consistency with all applicable Coastal Act, City, County and Overlay policies addressing potential fire hazards.

4.6 LAND USE

California Coastal Act New Development Policies

Coastal Act § 30250

(a) New residential, commercial, or industrial development shall be located in, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources…(c) Visitor-serving facilities

that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Coastal Act § 30252

The location and the amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means or serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development with local park acquisition and development plans with the provisions of onsite recreational facilities to serve the new development.

Local Coastal Program New Development Policies

The City of Malibu Local Coastal Program states:

The OS designation provides for publicly owned land which is dedicated to recreation or preservation of the City's natural resources, including public beaches, park lands and preserves. Allowable uses include passive recreation, research and education, nature observation, and recreational and support facilities.

In addition, Table 2 Permitted Uses, of the City of Malibu Local Coastal Program Implementation Plan (attached) indicates that the following uses are permitted uses in the OS Zone:

- *equestrian and hiking trails*
- *wildlife preserves*
- *camping*
- *parks, beaches and playgrounds*
- *public beach accessways*
- *recreation facilities (including swimming pools, sandboxes, slides, swings lawn bowling, volley ball courts, tennis courts and similar uses)*
- *educational (non-profit) activities are primary permitted uses in the OS Zone.*

City of Malibu Land Use Plan 2.7

Public accessways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer-to- Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities e.g. parking, construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.

City of Malibu Land Use Plan 2.8

Public recreational facilities throughout the City, including parking areas or facilities, shall be distributed, as feasible, to prevent overcrowding and to protect environmentally sensitive habitat areas.

City of Malibu Land Use Plan 5.68 (Malibu Parks Public Access Enhancement Plan Overlay)

Park uses shall be consistent with the visitor carrying capacity of specific park areas taking into consideration available support facilities, opportunities to develop new support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility.

City of Malibu Land Use Plan 5.71 (Malibu Parks Public Access Enhancement Plan Overlay)

Trails to and within public parklands, camp facilities, public outreach and educational programs and/or related support facilities (e.g. parking, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, nature centers, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs), and special programs and events conducted at Ramirez Canyon Park, are permitted uses in the Malibu Parks Public Access Enhancement Plan Overlay and shall be permitted to be constructed, opened and operated for intended public use or benefit where it is determined feasible to locate, design, and maintain such facilities and uses so as to avoid, or minimize and fully mitigate, potential impacts.

City of Malibu Implementation Plan 3.4.2.D (Malibu Parks Public Access Enhancement Plan Overlay)

a. Land Use Compatibility

i. Trail and park improvements shall be located and designed to provide separation between public trails and use areas and private property where feasible. Measures to provide such separation may include but not be limited to:

- *Signs which inform hikers and park visitors of parkland and private property boundaries and includes provisions to restrict trespassing on private property, and to limit activities which may result in nuisance noise, odors, or other uses that may impact the quality of life in residential areas.*
- *Fencing which delineates trail corridors, park boundaries, permitted parking areas, and private property, where located, designed and installed consistent with all other implementation measures of this Overlay.*

b. Specialized Programs – Ramirez Canyon Park

i. All Ramirez Canyon Park uses, including administrative uses, public outreach, events, gatherings, tours, and workshops, etc. shall be limited in size, duration and occurrence to comply with the proposed maximum of 40 round trips/day on Ramirez Canyon Road.

ii. Public outreach and education activities are priority uses and shall be accommodated first within the maximum allowed 40 round trips/day for Ramirez Canyon Park uses.

iii. Events, tours, or other special functions permitted pursuant to this section shall be cancelled when any red-flag warning for extreme weather, fire and/or flooding warning is issued. Written warnings of such policy shall be provided to prospective sponsors prior to contracting for park use.

iv. Amplified music shall only be provided in the areas located immediately in front of and behind the Barn facility and at no time shall amplified music be audible beyond the property boundaries adjacent to residential development. In addition, event monitors on duty during such events shall check sound levels hourly at the site boundaries nearest adjacent residential development and shall immediately ensure volume reduction to achieve this standard should it be exceeded. Amplified music shall not be allowed anywhere on the subject site after 8:00 p.m. Sunday through Thursday evenings or after 10:00 p.m. on Friday or Saturday evenings. Special event sponsors

shall be provided written notice of these amplified music restrictions prior to entering into a contract for rental of the facility.

v. Special events held during the fire season shall retain all guest vans, shuttles, and drivers continuously on site during the event.

vi. Net proceeds or $1,000 per large event, whichever is greater, generated by special events held at Ramirez Canyon Park shall be used to establish and maintain a fund for purposes of funding access and recreational improvements and opportunities for visitors with diverse abilities, disadvantaged youth, or other underserved groups. The fund shall specifically serve to implement a program designed for disadvantaged youth and dedicated to teaching first-time campers proper use of camping equipment, environmental awareness and outdoor leadership skills. The camp program shall include all necessary transportation, food and equipment, with staffing provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education.

vii. Specialized programs permitted at Ramirez Canyon Park and associated support facilities shall consist of the following uses and be limited by the following restrictions:

- *Administrative offices for the Conservancy and Mountains Recreation & Conservation Authority (MRCA).*
- *Ranger/maintenance supervisor residence utilized by MRCA staff charged with security, site management, and public safety duties.*
- *Public improvements for the riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by physically challenged visitors in compliance with Americans with Disabilities Act (ADA) requirements, including trails, picnic facilities, drinking fountains, restrooms, and parking areas.*
- *Use of the Peach House, Barn, and Art Deco facility for small group gatherings and tours for up to 40 participants each, and to greet guests or as a component of site tours provided the Conservancy/MRCA has secured all other necessary approvals under State law for such use of these facilities.*
- *Public Outreach, Events, Gatherings, Tours, And Workshops*
  - *Public Outreach Programs*
    - *Year-Round, Permitted 7 Days/Week*
    - *Max 40 Participants*
    - *8:00 a.m. – Dusk*
    - *Minimum 10 Outreach Events Conducted Per Month at Ramirez Canyon Park, Escondido Canyon Park or Corral Canyon Park, 5 of which shall be conducted at Ramirez Canyon Park (except when precluded by public safety concerns)*
  - *Tours And/Or Small Gatherings*
    - *Year-Round, 12 Tours or Gatherings Permitted/Month*
    - *Max 40 Participants*

    - *8:00 a.m. – Dusk*
  - *Special Events (gatherings of guests numbering more than 40)*
    - *March – October, 32 Events Permitted/Year, 1 Event Permitted/Week*
    - *Maximum 200 Participants (April 1 through July 31)*
    - *Maximum 150 Participants (March 1 through March 31 and August 1 through October 31)*
    - *8:00 a.m. - 9:00 p.m. Sunday-Thursday, and 8:00 a.m. to 10:00 p.m. Friday and Saturday, One Additional Hour is Allotted for Personnel Clean-Up and Securing the Facility.*

- *Day-use picnic areas designed specifically to provide park amenities to accommodate disabled visitors and their families by reservation. The accessible day-use picnic areas shall be located in level, previously disturbed areas so as not to adversely impact sensitive habitat, but shall be located in proximity to natural areas to provide association with natural resources to the maximum extent feasible.*
- *ADA accessible camp facility designed specifically for use by disabled visitors and their families, available by reservation.*
- *Hike-in camp facility, available by reservation only.*

viii. A Transportation and Parking Management Plan shall be developed and maintained to manage traffic trips on Ramirez Canyon Road pursuant to Section D.3.B.1 of this Overlay.

ix. An Event Monitoring Program shall be implemented and shall include annual monitoring reports to be submitted to the Executive Director of the Coastal Commission annually. The monitoring reports shall include a summary of the number and kind of events, tours, small gatherings, and outreach programs conducted at Ramirez Canyon Park during the annual reporting period, distinguishing revenue-generating and non-revenue generating events, activities, tours, and outreach programs, and specifying the dates, vehicle trip counts, and event sponsor or beneficiary as applicable, for each.

x. Nothing herein, including trip limitations, shall operate to limit or restrict access to Ramirez Canyon Park as sovereign property of the State of California at any time and by any means whatsoever, by any of the following: The governor or any civil executive officer as provided in Government Code Sec. 1001; any member of the California National Guard or the State Militia; any firefighter of any public agency; any peace officer, any emergency medical technician or paramedic whether employed by a public agency or not, any member of the Legislature or staffs thereof, any member of the Bureau of State Audits, the Secretary for Resources or any employee thereof, any member of the California Coastal Commission or staff thereof, any person appointed pursuant to Public Resources Code Section 33200 or 33213, or person appointed pursuant to Section 5.0 of the Joint Powers Agreement between the Conejo Recreation and Parks District, the Rancho Simi Recreation and Parks District, and the Santa Monica Mountains Conservancy.

County of Los Angeles Land Use Plan P24

Design public recreation facilities to minimize the impact on neighboring communities.

County of Los Angeles Land Use Plan P25

Protect adjacent neighborhood areas, to the extent feasible, from noise, visual and traffic impacts from new recreation areas.

County of Los Angeles Land Use Plan P33

Protect the health and safety of trail users as well as adjacent residents.

County of Los Angeles Land Use Plan P37

Design and locate trails and/or adjacent development so that neither intrudes unnecessarily on the environment of the other.

In addition, County of Los Angeles Land Use Plan Table 1, Permitted Uses and Development Standards, indicates that passive recreation including hiking and horseback riding are permitted in ESHA.

Section 30250 of the Coastal Act requires that new development be located in, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or, if necessary, in other areas with adequate public services, and that visitor-serving facilities that cannot be located in existing developed areas be located in existing isolated developments or at selected points of attraction for visitors. The Conservancy and MRCA recognize that, in some cases, natural constraints and often times the remote location of parklands inherently limit access and recreation opportunities for visitors with special needs. As such, the Plan's public parks programs emphasize the need to provide facilities and outreach programs intended to reach visitors with diverse abilities, disadvantaged youth, or other underserved groups. Ramirez Canyon Park contains a number of unique support facilities which are not readily and widely available at many parks in the Plan area. The Plan includes Ramirez Canyon Park program and operational elements that support special public outreach and educational opportunities, as well as the administrative infrastructure necessary to operate specialized public outreach programs and to ensure that maximum public access and recreational opportunities are provided for visitors with varying degrees of special needs.

Section 30252 of the Coastal Act requires that new development maintain and enhance public access to the coast with, among other means, transit service, providing non-automobile circulation within development, providing parking facilities, and by assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development with local park acquisition and development plans with the provisions of onsite recreational facilities to serve new development. City and County LUP policies also require that adequate parking be provided to maintain and enhance public access, and that recreational facilities be located and distributed to prevent overcrowding and to protect environmentally sensitive resources. Overlay policies supplement these policies by providing specific measures and development standards to implement transit improvements and shuttle programs for the Plan area, and for the development of support facilities including parking at trailheads and park staging areas.

Consistent with these policies, the Plan includes development of recreational facilities and uses at park properties that are located contiguous with developed areas with adequate public services to serve the proposed improvements and uses (all of the recreational facility improvement areas are located adjacent to roads where infrastructure already exists to serve surrounding, developed areas). In some cases, proposed trail improvements would be located in more remote areas, however, the passive recreational use of the proposed trail corridors does not require substantial public services, and these trail corridors have been

appropriately located and designed to take advantage of the unique qualities of the open space and natural resources of Malibu and Santa Monica Mountains area. The DEIR prepared for Plan concludes that adequate public infrastructure, utilities and other public services (fire and police protection) are available to serve the proposed improvements.

The Plan includes park improvements and uses that would be accessible to backpackers hiking along the proposed Coastal Slope Trail, bicyclists traversing along Pacific Coast Highway, and riders of the public bus system (Metropolitan Transportation Authority, MTA). The proposed camping program is designed to be transit accessible, so that visitors can utilize the MTA bus service to backpack from the camp areas at Malibu Bluffs and Corral Canyon Park to travel further west to the Latigo Trailhead property, Escondido Canyon Park and Ramirez Canyon Park via the Coastal Slope Trail. To further maximize public access in the Plan area, the Plan includes measures for the Conservancy/MRCA to coordinate with the MTA to include a stop in the existing service route to the Winding Way Trailhead parking lot along the primary transportation corridor (Pacific Coast Highway), and to provide service information to the public via public notices, trailhead signs and website posting.

The Plan also includes new public parking resources at existing parklands to alleviate parking demand for public use and recreation where current parking restrictions on adjacent roadways limit public access opportunities. Public parking improvements are proposed along Kanan Dume Road (to support access to Ramirez Canyon Park), near the entrance in Ramirez Canyon Park (improvement to existing parking lot), at Escondido Canyon Park and the Latigo Trailhead property, Corral Canyon Park (improvement to existing parking lot), and Malibu Bluffs. The Plan includes bike racks at new parking facilities, which will serve to facilitate alternative means of transportation to and between park areas. In addition, the proposed Plan will provide an alternative method of accessing park areas by providing pedestrian connections between parklands, further supported by development of new facilities intended to accommodate and encourage biking. Finally, the Plan includes use of shuttles and van pools, and development of new hike-in opportunities, to facilitate public use of Ramirez Canyon Park where public access opportunities to the park are presently limited.

All proposed parking improvement locations have been evaluated by a qualified biologist/s to ensure that park improvements have been appropriately located, to the extent feasible, in previously disturbed areas, and are appropriately setback from the top of bank of any adjacent stream, or outer edge of the riparian canopy, whichever is greater. All proposed park improvement locations and uses have been evaluated for potential impacts to habitat areas and mitigation measures identified to ensure resources impacts are avoided and minimized to the maximum extent feasible.

City and County LUP policies establish the types of land uses that are permitted within the Plan area. The majority of the Plan area is located within the City of Malibu and, with the exception of the Latigo Trailhead property and many of the proposed trail corridors, all of the proposed park improvements and uses would be located on lands that are zoned Public Open Space (POS). Proposed improvements within the County consist of limited parking facilities proposed at Kanan Dume (with a Parks land use designation) and trail corridors. Proposed trail corridors are located on lands in the City and County that are subject to various land use designations.

City LUP Policy 2.7 provides that trails and parklands are permitted uses in all land use zoning designations and that related support facilities shall be permitted to be constructed, opened and operated for its intended public use. The City's LCP further specifies that passive recreation, research and education, nature observation, and recreational and support facilities are permitted uses in the POS land use designation. Policy 5.71 of the Overlay further provides that trails, camp facilities, public outreach and

educational programs and/or related support facilities (e.g. parking, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, nature centers, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs), and special programs and events conducted at Ramirez Canyon Park, are permitted uses in the Malibu Parks Public Access Enhancement Plan Overlay and shall be permitted to be constructed, opened and operated for intended public use or benefit where it is determined feasible to locate, design, and maintain such facilities and uses so as to avoid, or minimize and fully mitigate, potential impacts.

Consistent with the applicable land use policies of the City and County LUP, the Plan includes a number of recreational facility improvements including new and expanded trail connections, camping areas, and critical support facilities such as public parking, self-contained restrooms, trailhead improvements, and the use of existing structures at Ramirez Canyon Park to support park operations and maintenance personnel necessary to maintain parklands and recreational areas within the Plan area as primary permitted uses within the Plan area.

City and County LUP policies require that park uses be consistent with the visitor carrying capacity of parklands, where availability of support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility may be limiting factor on visitor carrying capacity. County LUP policies further require that public recreation facilities protect the health and safety of trail users as well as adjacent residents, and minimize impacts on neighboring communities, to the extent feasible, from noise, visual and traffic impacts from new recreation areas. To address issues of potential land use conflicts and neighborhood compatibility, Overlay policies further require detailed measures addressing trail location and design, signage requirements, and strict limitations and restrictions on park uses, including administrative uses, public programs and events for Ramirez Canyon Park.

The Plan has considered the public need for public access and recreation, and opportunities at each parkland to address that need, in a comprehensive manner such that the proposed park improvements and uses can be developed throughout the Plan area in a balanced approach to meeting the public need while minimizing impacts to resources and ensuring land use compatibility. As such, the Plan includes park improvements and uses based on land use and resource constraints at each park property, and limitations and restrictions on park use to address potential park-specific concerns and opportunities in a manner that will meet the public's need for public access and recreational facilities.

In an effort to minimize potential land use conflicts with adjacent residential neighborhoods, proposed trail and park improvements have been located and designed to provide separation between public trails and use areas and private property where feasible by including measures such as signs and fencing which delineate trail corridors, park boundaries, permitted parking areas, and private property, and restricts activities which may result in nuisance noise, odors, or other uses that may impact the quality of life in residential areas. The Plan will implement trail segments of the Santa Monica Mountains National Recreation Area Interagency Trail Management Plan (TMP), City of Malibu Local Coastal Program Trail Map, and the City of Malibu Trail Master Plan. However, where there is presently insufficient access opportunities via public easements (existing or proposed) and/or where there may be potential conflicts with adjacent neighborhoods or steep terrain that may be avoided, alternative trail alignments have been evaluated and incorporated into the Plan to ensure trail implementation, connectivity, and to reduce potential land use conflicts and resource impacts. The Plan's trail system utilizes alternative trail alignments on public land, within existing public trail easements, and within potential future public land purchases or easement dedications wherever feasible to avoid potential conflicts with private property and adjacent neighborhoods. The Plan's sign program will provide information on regulations required to promote safe

use of the area and resource protection, where appropriate signs and visual cues will also serve to clearly identify the designated public parking areas and public trails throughout the Plan area to avoid conflicts with private property and sensitive habitat areas.

The Plan also includes detailed measures addressing administrative uses, public programs and events for Ramirez Canyon Park, and strict limitations and restrictions associated with the uses intended to ensure compatibility with adjacent residential development in Ramirez Canyon. The Proposed use restrictions and limitations included in the Plan mirror those certified by the Commission in the Overlay and would serve to minimize potential traffic, noise, and air quality impacts to Ramirez Canyon neighbors. In addition, the Plan includes a comprehensive Coastal Campgrounds and Trails Maintenance Plans for the proposed park and trail facility improvements which details ranger services, patrols and enforcement. Implementation of these plans will ensure enforcement of park rules and regulations, including but not limited to no fires, no smoking, no littering, no trail cutting, and general monitoring of park activities to ensure recreation uses do result in substantial land use conflicts with surrounding properties.

Park Agency Administrative Office Locations in the Coastal Zone

California Department of Parks and Recreation

- Malibu Creek State Park: Angeles District of State Parks Headquarters
- Angeles District includes parks from Placerita Canyon in Santa Clarita to Pio Pico State Historic Park in Whittier. Channel Coast District now also based at Malibu Creek.
- Adamson House Museum: Office and special event site for weddings.
- Will Rogers State Beach: Lifeguard Headquarters/Offices.
- Will Rogers State Historic Park: Headquarters of State Parks, Topanga Sector
- Pacific Coast Highway: Headquarters of State Parks, Coastal Sector, adaptively use of residence

National Park Service

- Solstice Canyon Park: NPS facilities now; Formerly headquarters for Santa Monica Mountains Conservancy, 1987 through 1995
- Diamond X Ranch: Operational Headquarters

Resource Conservation District of the Santa Monica Mountains

- Peter Strauss Ranch: Headquarters

Santa Monica Mountains Conservancy

- Ramirez Canyon Park: Conservancy Headquarters
- Temescal Gateway Park: Offices for interpretive staff and others

Mountains Recreation and Conservation Authority

- King Gillette Ranch: Facilities and Maintenance staff offices; Chief Ranger office
- Ramirez Canyon Park: MRCA Headquarters

Los Angeles County Department of Beaches and Harbors

- Marina del Rey: Administrative headquarters

CHAPTER 5 IMPLEMENTATION

5.0 INTERPRETATION AND USE OF THE PUBLIC WORKS PLAN

This chapter sets forth the procedures for reviewing and authorizing development included in the Public Works Plan (PWP). All park and recreation improvements, uses and programs identified in Chapter 3 of the PWP and associated exhibits and/or project plans shall be found consistent with the PWP and all policies and implementation measures contained in Chapters 3, and shall be subject to the PWP implementation procedures describe in the following sections.

Policy 5.1 Development Consistency: Development shall be deemed consistent with the PWP if it is found consistent with the provisions of Chapters 3 and 5 of the PWP.

Policy 5.2 General Development Policies and Implementation Measures: In addition to the resource-specific policies and implementation measures contained in Chapter 3 of the PWP, the following policies and implementation measures are applicable to all development improvements permitted in the PWP, except as provided for in Section 5.1.5, Development Excluded from Project Specific NOID procedures. Consistency with the following policies and implementation measures shall be demonstrated at the time a NOID is prepared and submitted for any specific PWP project, as applicable, except development excluded pursuant to Section 5.1.5.

Implementation Measure 5.1: Chapter 3 and associated figures and/or project plans identify the type, location, and size of development permitted by this PWP. Development shall not be authorized unless it is of a type, location and size contemplated by Chapter 3 and associated figures and/or project plans, and it is demonstrated that project implementation is in compliance with all policies and implementation measures of Chapters 3 and 5 of the PWP, as applicable.

5.1 PUBLIC WORKS PLAN DEVELOPMENT REVIEW PROCEDURES

5.1.1 NOID Content and Procedures

A NOID for any PWP project shall be clearly titled as such and shall, at a minimum, include the following information regarding the development project authorization:

The project description and location, including identification and availability of a project report (prepared pursuant to Section 5.1.2) and information regarding where and when it is available for public review. The project report shall be updated to include any changes or additions made in the course of project review. Copies of associated lengthy and/or oversized studies, reports, and technical materials included as part of the project report shall be provided to the executive director, and to interested persons and agencies that specifically request these materials.

1. The expected date of commencement of construction;
2. The appropriate Conservancy/MRCA contact person(s) and/or designated project manager and their contact information;
3. A list of recipients of the NOID.

4. Supporting information sufficient to allow the reviewer to determine whether the proposed development project is consistent with the certified PWP shall accompany the NOID mailed to the executive director, and to persons and agencies requesting such information. At a minimum, the supporting information shall include:
    a. Any final authorization documents from the Conservancy/MRCA (e.g., resolutions, certifications, etc.) not included in the project report
    b. A separate document that identifies all project conditions, mitigations and implementation measures and explains how compliance will be achieved for each
    c. Copies of all correspondence received on the proposed development project; and
    d. For the executive director only:
        i. A mailing list with names and addresses for each of the persons and/or agencies provided with the NOID;
        ii. One set of plain (i.e., unadorned with no return address) regular business size (9-inch by 4-inch) envelopes stamped with first class postage (metered postage is not acceptable) addressed to all interested persons and agencies, for each Commission hearing on the matter (i.e., if there are multiple Commission hearings on the matter, then multiple envelop sets shall be provided as directed by the executive director); and,
        iii. Evidence that the NOID has been posted pursuant to the parameters of Section 6.4.3 (e.g., evidence might include a site plan with the notice locations noted and/or photos of the notice locations attached).

5.1.2 Preparation of Project Reports

Except as provided in Sections 5.1.5, the Conservancy/MRCA shall prepare a project report to accompany the NOID submittal for each development project included in the PWP and subject to the NOID process. The project report shall include any information deemed necessary by the Conservancy/MRCA to satisfy the standards for development authorization set forth in this PWP. At a minimum, the project report shall include:

1. A description of the proposed development that is: sufficient to understand its size, location, type, and intensity (including but not limited to site plans and elevations showing the proposed development as appropriate); and sufficient to determine that the development is contained in the PWP.
2. Summary discussion regarding the consistency of the proposed development with the provisions of the certified PWP.
3. Environmental documentation for the proposed development prepared pursuant to the California Environmental Quality Act and/or the National Environmental Policy Act.
4. All technical reports associated with the proposed development (such as biological reports, geotechnical reports, traffic analyses, etc.), including any reports and plans required pursuant to Chapter 3.
5. The results, including supporting documentation, of consultation with persons and agencies interested in, with jurisdiction over, and/or affected by the proposed development, including

consultations with federal and state resource agencies (such as the United States Fish and Wildlife Service, California Department of Fish and Game, Regional Water Quality Control Board, etc.), and including consultations/agreements required pursuant to Chapter 3.

6. All implementing mechanisms associated with the proposed development including, but not limited to, California Environmental Quality Act (CEQA) mitigation monitoring reports, legal documents, lease agreements, etc.
7. All correspondence received on the proposed development
8. Identification of a person (project manager) responsible for ensuring that the proposed development is constructed to authorized specifications, that all terms and conditions of approval are met, and that any budget shortfalls that could affect these commitments are identified and brought to the attention of decision-makers; and
9. Findings:
    a. The proposed development has been reviewed in compliance with the CEQA and/or the National Environmental Policy Act (NEPA), as applicable, and all conditions and/or mitigation measures identified in those CEQA and/or NEPA documents have been incorporated as part of the proposed development;
    b. The proposed development project advances the purpose of this PWP, as set forth in Chapter 3;
    c. The proposed development has been submitted to the affected local jurisdiction and any comments received by the jurisdiction have been reviewed and considered.
    d. The proposed development, as modified by any conditions and/or mitigation measures incorporated as part of the project, is contained in and is consistent with the certified PWP.
    e. No development shall be undertaken without prior authorization in accordance with this chapter.

5.1.3 NOID Posting Requirements

The NOID shall be posted in conspicuous locations at the proposed development project site no later than the date that the NOID is sent pursuant to Section 6.4.1, and at least 30 working days prior to the beginning of construction. The notices shall be subject to the following parameters:

1. Notices that are posted shall be clearly visible and printed with black text/graphics on a brightly hued background (e.g., golden-rod yellow) using card-stock weight (at the least) paper or functional equivalent (e.g., wood, cardboard, corrugated plastic (or “coroplast”), plastic, vinyl, metal, etc). Notices shall be laminated or otherwise weatherproofed so as to be legible at all times, and shall be at least 8 inches by 11 inches in size, and no greater than 4 feet by 8 feet in size.
2. Notices shall be posted against a solid background at least as large as the notice itself (e.g., posting a card-stock notice on an 8-inch by 11-inch piece of plywood attached to a stake) or shall be printed onto an integral solid background (e.g., coroplast), and shall be posted at a readable height (i.e., approximately three to six feet).
3. Notices shall be posted at locations on the perimeter (and/or within the perimeter as appropriate) of the proposed project site where the site intersects public use areas (streets, paths, parking lots, etc.).

4. Notices that do not meet the criteria listed above, that otherwise become illegible, and/or that fall to the ground or disappear (for whatever reason) must be immediately replaced. All notices shall remain posted until the effective date of development authorization in accordance with this chapter.

5.1.4 Commission Review of NOID

The Commission shall review development projects that are included in the PWP and subject to PWP requirements, when authorized by the Conservancy/MRCA, for consistency with the PWP in accordance with the procedures of this section.

5.1.4.1 Filing the NOID

Within 10 days of receipt of the NOID and all applicable supporting information (as described in Sections 5.1.1 and 5.1.2, above) for a proposed development project, the Executive Director of the Commission shall review the submittal and shall determine whether additional information is necessary to determine if the proposed development project is consistent with the PWP, and if additional information is deemed necessary, shall request such information from the project manager. The NOID shall be deemed filed as follows:

1. The notice shall be deemed filed when all necessary information requested has been received by the executive director. In the event of disagreement concerning the need for additional information or the adequacy of subsequent information submitted to enable the Commission to determine consistency with the certified PWP, the executive director or the Conservancy/MRCA may submit the disagreement to the Commission for resolution. The executive director shall schedule the matter for hearing and resolution at the next Commission meeting or as soon thereafter as practicable, but in no event later than 60 calendar days after the executive director's receipt of written notice by the Conservancy/MRCA expressing disagreement with the executive director's determination that additional information is necessary to determine if the proposed development is consistent with the certified PWP. The matter shall be scheduled and heard by the Commission in accordance with the procedures set forth in 14 California Code of Regulations Section 13056(d).
2. The notice shall be deemed filed if the executive director does not respond to the NOID or any subsequent information submittal within 10 days following its receipt, the notice shall be deemed filed on the 10th day following the executive director's receipt of the notice or the subsequent information submittal intended to respond to a previous information request.

5.1.4.2 Commission Hearing Deadline

The 30th working day following the day the NOID is deemed filed shall be the hearing deadline. If the Commission fails to act upon the notice on or before the hearing deadline, the noticed development project shall be deemed consistent with the certified PWP. The hearing deadline may be extended if, on or before the hearing deadline, the Conservancy/MRCA waive the right to a hearing within 30 working days, and agrees to an extension to a date certain, no more than three months from the hearing deadline, to allow for the Commission's review of the proposed development project at a later hearing.

5.1.4.3 Commission Review and Determination of Consistency with PWP

The executive director shall report, in writing to the Commission, the pendency of the proposed development project for which a NOID has been deemed filed. The Commission shall review the proposed development project at a scheduled public hearing prior to the hearing deadline.

1. If the executive director determines that one or more proposed development projects are *de minimis* with respect to the purposes and provisions of the PWP, they may be scheduled for the Commission's review at one public hearing, during which all such items may be taken up as a single matter pursuant to procedures comparable to the Commission's consent calendar procedures (California Code Regulations, Title 14, Sections 13101 through 13103).
2. For all other proposed development projects, the executive director's report to the Commission shall include a description sufficient to allow the Commission to understand the location, nature, and extent of the proposed development, and a discussion and recommendation regarding the consistency of the proposed development project with the certified PWP. On or before the hearing deadline, the Commission, by a majority of its membership present, may take one of the following actions on a proposed development project:
    a. Determine that the proposed development project is consistent with the certified PWP, or
    b. Determine that conditions are required to render the proposed development project consistent with the certified PWP and vote to impose conditions necessary to render the proposed development project consistent with the certified PWP.
3. Following the Commission's action, the executive director shall inform the Conservancy/MRCA of the Commission's action and shall forward any conditions associated with the action. If the Commission has voted to impose condition/s necessary to render the project consistent with the PWP, development shall not be undertaken until the conditions have been incorporated into the project. The Commission review of a proposed development project shall be deemed complete on either:
    a. The date of a Commission action determining that the proposed development project is consistent with the PWP (with or without conditions to render it consistent); or
    b. If the Commission has failed to take action on the proposed development project by the hearing deadline, the date of the hearing deadline.
4. Upon completion of the Commission's review, the Conservancy/MRCA may undertake the development project provided that any conditions imposed by the Commission to render the development consistent with the PWP have been incorporated into the project.

5.1.5 Development Excluded from NOID Procedures

The categories of development identified in this section are excluded from the requirements of Sections 5.1.1-5.1.4.

The categories of development covered by this section are as follows:

1. Installation, testing, and placement in service or the replacement of, any necessary utility connection between an existing service facility and any development authorized pursuant to this Section, including utility hook up activities described in the document entitled "Repair, Maintenance and Utility Hook Up Exclusions from Permit Requirements," adopted by the Commission on September 5, 1978, provided that any adverse impacts on coastal resources, including scenic resources, have been mitigated.
2. Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair and maintenance activities, including those specifically described in the document entitled "Repair, Maintenance and Utility Hook-up Exclusions from Permit

Requirements," adopted by the Commission on September 5, 1978, provided the activity does not include:

a. Any method of repair or maintenance of a seawall, revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves substantial alteration of the foundation of the structure being repaired or maintained; placement of rip-rap or other solid material on a beach or in coastal waters, streams, estuaries, or wetlands, or on a shoreline protective work; replacement of 20 percent or more of the materials of an existing structure with materials of a different kind; or the presence of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.

b. Any repair or maintenance to facilities, structures, or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams, that includes: (a) the placement or removal, whether temporary or permanent, of rip-rap, rocks, sand, other beach materials, or any other form of solid materials; and/or (b) the presence, whether temporary or permanent, of mechanized equipment or construction materials.

c. Any routine maintenance dredging or disposal of dredge materials that involves the dredging of 100,000 cubic yards or more within a 12-month period; the placement of dredged spoils of any quantity within an environmentally sensitive habitat area, on any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams; or the removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.

d. For activities described in the "Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements" referenced in this subsection, above, any activity that will have a risk of substantial adverse impact on public access, environmentally sensitive habitat area, wetlands, or public views to the ocean.

3. Development authorized by a coastal development permit issued by the Commission prior to certification of this PWP.

5.2 AMENDMENT OF PUBLIC WORKS PLAN PROJECTS

Authorization for development that has been deemed consistent with the PWP by the Conservancy/MRCA and the Commission may be subsequently amended as necessary according to the procedures set forth in California Code of Regulations, Title 14 Section 13365 Amendment of Public Works Plan. Development in the Plan area that requires amendment of a pre-PWP certification Commission action, and that is subject to coastal development requirements, shall be pursued through the appropriate authority having jurisdiction over such coastal development permit, unless the director or project manager and the Commission determine that review of the amended development under PWP procedures is more appropriate.

5.3 EMERGENCY AUTHORIZATIONS

Definition of Emergency. For the purpose of this section the term "emergency" means: A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health,

property or essential public services.

1. Emergency Development in Areas Outside of the Commission's Retained Jurisdiction

a. *The Conservancy/MRCA Director Authority:* Where immediate action by the Conservancy/MRCA is required to protect life and property within the PWP area from imminent danger, or to restore, repair, or maintain property, development, utilities, or services destroyed, damaged, or interrupted by natural disaster, serious accident, or in other cases of an emergency, the Conservancy/MRCA director may authorize emergency development in the PWP area outside of the Commission's retained jurisdiction area in compliance with this section. Emergency work within areas subject to the Commission's permit jurisdiction is addressed in Subsection 5.3.2 below.

b. *Extreme Emergency Requiring Immediate Action:* If an emergency is so extreme that it does not allow time for the written requests, authorizations, and coordination described in this section, Conservancy/MRCA personnel or other authorized persons undertaking any emergency development shall adhere as closely as reasonably possible to the written request, authorization, and coordination portions of these procedures.

c. *Authorization of Emergency Development:* The Conservancy/MRCA may undertake emergency development in the PWP area if it is found that:

i. Immediate action by the Conservancy/MRCA is required to protect life and property from imminent danger, or to restore, repair, or maintain university property, utilities, or services destroyed, damaged, or interrupted by natural disaster, serious accident, or in other cases of emergency;

ii. The emergency requires action more quickly than could occur through the PWP normal development review procedures, and the emergency development can and will be completed within 30 days unless otherwise specified in the emergency authorization;

iii. Public comment on the emergency development has been reviewed, if time allows;

iv. The Conservancy/MRCA has coordinated with planning staff in the South Coast District office of the California Commission and/or the executive director pursuant to as much as feasible;

v. The emergency development proposed is the minimum necessary to address the emergency and, is the least environmentally damaging temporary alternative for addressing the emergency; and

vi. The emergency development proposed would be consistent with the PWP as much as feasible and/or would not impede attainment of PWP requirements following completion of the emergency development.

d. *Notice of Emergency Development Authorization:* No later than three days of the occurrence of the disaster or the discovery of the danger, the Conservancy/MRCA shall provide the executive director of the Commission with at least telephone notice of the type and location of the emergency action taken. As soon as possible and no later than seven days after the emergency, the Conservancy/MRCA shall submit, for information purposes

only, a written Notice of Emergency Development Authorization to the executive director.

e. *Development Authorized Pursuant to the Notice of Emergency Development Authorization:* Emergency development authorized pursuant to this Section is subject to the following conditions:

   i. Emergency development must be completed within 30 days and the development is considered temporary unless it is subsequently authorized through regular PWP or coastal development permit review procedures, which review must commence within 90 days of the emergency authorization.

   ii. Development or structures constructed pursuant to an emergency authorization shall be considered temporary until authorized through regular PWP or coastal development permit review procedures, and issuance of an emergency authorization shall not constitute an entitlement to the erection of permanent development or structures; and

   iii. Development authorized through the emergency process must be removed and the affected area restored if a development project authorization has not been received within one year of authorization of the emergency development. If not so authorized, the emergency development authorized, or unauthorized portion thereof, shall be removed and the affected area restored.

2. Emergency Development in Areas within the Commission's Retained Jurisdiction

   a. The Conservancy/MRCA shall apply for an emergency permit to the executive director, by letter if time allows, and by telephone or in person if time does not allow. All processing of the proposed emergency permit shall be in accordance with 14 Cal. Code of Regulations Sections 13136-13143.

   b. Where immediate action by the Conservancy/MRCA is required to protect life and public property from imminent danger or to restore, repair, or maintain public works, utilities, or services damaged or interrupted by natural disaster or other emergency, the requirement for obtaining an emergency permit may be waived, in accordance with Section 30611 of the Coastal Act; provided that the Conservancy/MRCA shall comply with the requirements of Section 30611. The Conservancy/MRCA shall notify the executive director of the type and location of the emergency work within three days of the disaster or discovery of the danger, whichever comes first. This subsection does not authorize erection of any permanent structure valued at more than $25,000. Within seven days of taking action, the Conservancy/MRCA shall notify the executive director in writing of the reasons why the action was taken and provide verification of compliance with the expenditure limits. The Conservancy/MRCA submittal to the executive director shall be reported to the Commission and otherwise processed in accordance with 14 Cal. Code of Regulations Section 13144.

5.4 MONITORING OF PUBLIC WORKS PLAN PROJECTS

The Conservancy/MRCA shall be responsible for ensuring compliance with all terms, conditions, and mitigations associated with authorized PWP development projects. The project manager and/or other Conservancy/MRCA personnel assigned responsibility to implement and/or monitor authorized development projects shall prepare an annual PWP monitoring report, commencing with approval of the

PWP by the Commission, that includes a cumulative and calendar year summary of:

1. Status of PWP-authorized development project implementation, any associated phasing requirements, and summary of compliance with any applicable PWP policies and implementation measures and/or conditions placed on the authorized NOID
2. Emergency authorizations issued and implemented pursuant to Section 5.3
3. Any comments received on PWP implementation
4. The Conservancy/MRCA shall maintain a record of these annual monitoring reports which shall be available for public review upon request

The project manager and/or other responsible Conservancy/MRCA personnel shall update, as necessary, the Public Works Funding, Operations, and Maintenance Plan prepared and implemented pursuant to Section 5.5 with compliance information commencing with approval of the PWP by the Commission. The project manager shall maintain the Public Works Funding, Operations, and Maintenance Plan and any other applicable documents and project plans demonstrating compliance with the PWP, which shall be available for public review upon request

5.5 PUBLIC WORKS FUNDING, OPERATIONS AND MAINTENANCE PLAN

5.5.1 Funding

The MRCA would apply for funding from grants from the State Coastal Conservancy in order to implement the project. Also, the project would be implemented using Proposition 84 Santa Monica Mountains Conservancy funding, a coastal watersheds of the Santa Monica Bay component. In addition, the Plan includes establishment of a fund, supported by net proceeds of special event uses at Ramirez Canyon Park, to fund a camping program designed to provide urban, disadvantaged youth with their first overnight camping experience. It is anticipated that each special event at Ramirez Canyon Park would yield approximately $1,000 of net proceeds, and could therefore fund approximately 20 participants in one overnight program event. MRCA would charge fees for the use of Plan camping, parking, and/or group facilities. These fees will be at or below the fees charged by California State Parks for similar uses. These fees are not expected to completely cover the maintenance of campsites, associated facilities, rangers, camp hosts, and fire training. The difference between the user fees and the actual costs will be supplemented by a portion of MRCA's annual maintenance budget. The funding for maintenance budget is derived from multiple sources. A large enough portion of the budget has no restrictions to prevent its expenditure at the subject parks and their interlocking trails.

No phase of a capital project will be commenced without fully available funds, including money for habitat restoration commensurate with the impacts.

5.5.2 Coastal Campgrounds Maintenance Management Plan

Plan Overview

The Coastal Campground Maintenance Management Plan is a comprehensive approach to providing for both regular maintenance and periodic repairs to Coastal Campground locations. The plan will make use of both existing agency maintenance and repair databases; as well as, the incorporation of several site-specific management tools. The five (5) campground locations will each have projected maintenance hours and supplies & servicing outlines. The above combined with a regular inspection process will provide for an

active oversight system that will identify needs, provide for adjustments to maintenance levels, and assure that park visitors have "clean and safe" campgrounds available to them.

Locations:

The five (5) Coastal Campground locations include:

- Malibu Bluffs
- Corral Canyon
- Escondido Canyon
- Ramirez Canyon
- Latigo Canyon

Standards and Initial Operations:

The servicing standards and initial operations guidelines for the Coastal Campgrounds will be based upon fifty-eight (58) maintenance and operational budgets from nearby park locations. The construction, maintenance, and repair of these parks has provided a wealth of region specific operational data that will form the baseline maintenance and operational cost projections for the five new coastal campground locations. This is real world park operational data that reflects what it takes to effectively operate and maintain parks in the coastal Malibu region.

Feedback Operations System:

Upon commencement of park operations, the coastal campgrounds will have daily work data collected by employees who will submit the information for inclusion in existing agency databases. The Routes Database records all regular park servicing such as cleaning of toilets, emptying trash cans, and removal of graffiti. The Repairs Database records all repairs and refurbishments of park facilities. These databases can be queried each month to provide a report specific to each campground location.

In addition, a Monthly Park Inspection will be performed and will identify any areas of maintenance deficiency. This information can then be used to modify the maintenance schedule to redirect efforts or apply more work hours to a specific campground or issue. The result is a closed-loop feedback system whereby work is recorded, inspected for efficiency, and then these records are used to adjust the scheduling of future work. This also provides for system flexibility to adjust from periods of low to high visitor use (seasonal variation) and for any specific conditions (such as high fire hazard weather).

Management Tools:

The Coastal Campgrounds Maintenance Management Plan consists of the following:

- Maintenance Schedule – Provides maintenance frequencies for specific maintenance needs at coastal campgrounds.
- Maintenance Inspection Form – Comprehensive inspection form that evaluates the effectiveness of campground maintenance efforts. Provides for feedback and modification of maintenance levels.
- Maintenance Labor – Provides an overview of labor hours per campground and per maintenance issue. Can be modified as a result of inspections data.
- Maintenance Supplies & Servicing – Provides an overview of supplies and servicing costs per campground and per maintenance issue. Can be modified as a result of inspections data.

- Maintenance Costs Summary – A summary of both labor and supplies costs per campground location.

Other Management Tools:

In addition to the specific maintenance management tools mentioned above, additional management tools for campground maintenance will include:

- Routes Database – Records all regular park servicing hours, safety inspections, and identifies any large repair needs. Can be queried by individual park or campground location.
- Repairs Database – Records all large park repairs and refurbishments. Can be queried by individual park or campground location.
- Fire Prevention Database – Records all fire clearance work performed. Can be queried by individual park or campground location.
- Pesticide Database – Records all deployment of weed control herbicides and other pesticides. Can be queried by individual park or campground location.
- Monthly Facilities & Maintenance Division Reports – These reports contain summaries from all the above databases and are provided to Senior Staff and MRCA Board monthly.

If campgrounds do not meet required fuel modification specifications, or if there are no funds for supervision of camps, they will be closed. There would be no additional fire danger. Unmaintained campgrounds would not pose a greater fire danger than existing wildland conditions at the site under current conditions.

Caveat for Coastal Campgrounds Maintenance Management Plan: The Coastal Campgrounds Maintenance Management Plan is intended to be a first year estimate. During each subsequent year, maintenance activities and funding would be reviewed, and revised if appropriate, to provide a high quality user experience. These are total estimated costs after full implementation of each of the park's improvements. Any activities to be done by a camp host would supplement and enhance those activities identified in this maintenance plan

5.5.3 Coastal Trails Maintenance Supplemental Plan

Plan Overview

The Coastal Trails Maintenance Supplemental Plan is a comprehensive approach to providing for both regular maintenance and periodic repairs to Coastal Trails and Trailheads. The plan will make use of both existing agency maintenance and repair databases; as well as, the incorporation of several site-specific management tools. The trail network will have projected maintenance hours and supplies & servicing outlines. The above combined with a regular inspection process will provide for an active oversight system that will identify needs, provide for adjustments to maintenance levels, and assure that trail users have a “clean and safe” trail system available to them.

Caveat for Coastal Trails Maintenance Supplemental Plan: The Coastal Trails Maintenance Supplemental Plan is intended to be a first year estimate.

During each subsequent year, maintenance activities and funding would be reviewed, and revised if appropriate, to provide a high quality user experience. These are total estimated costs after full implementation of the entire trail system. Any activities to be done by a camp host would supplement and

enhance those activities identified in this maintenance plan.

MRCA will provide at least minimal trail maintenance to keep any erosion control measures functioning. If a trail is washed out, it will be posted as closed.

Locations:

See Figure 7.

Standards and Initial Operations:

The servicing standards and initial operations guidelines for the Coastal Trails will be based upon fifty-eight (58) maintenance and operational budgets from nearby park locations. The construction, maintenance, and repair of these parks and trails has provided a wealth of region specific operational data that will form the baseline maintenance and operational cost projections for the new coastal trail locations. This is real world park operational data that reflects what it takes to effectively operate and maintain trails in the coastal Malibu region.

Feedback Operations System:

Upon commencement of park operations, the coastal trails will have work data collected by employees who will submit the information for inclusion in existing agency databases. The Routes Database records all regular park servicing such as cleaning of toilets, emptying trash cans, and removal of graffiti. The Repairs Database records all repairs and refurbishments of park facilities. These databases can be queried each month to provide a report specific to each trails location.

In addition, a Monthly Trails Inspection will be performed and will identify any areas of maintenance deficiency. This information can then be used to modify the maintenance schedule to redirect efforts or apply more work hours to a specific trail or issue. The result is a closed-loop feedback system whereby trail maintenance work is recorded, inspected for efficiency, and then these records are used to adjust the scheduling of future work. This also provides for system flexibility to adjust from periods of low to high visitor use (seasonal variation) and for any specific conditions (such as high fire hazard weather).

Management Tools:

The Coastal Trail Maintenance Supplemental Plan consists of the following:

- *Trails Maintenance Schedule* – Provides trail maintenance frequencies for specific maintenance needs at coastal trails.
- Trails Inspection Form – Comprehensive inspection form that evaluates the effectiveness of trail maintenance efforts. Provides for feedback and modification of maintenance levels.
- Trails Labor – Provides an overview of labor hours per trail and per maintenance issue. Can be modified as a result of inspections data.
- Trails Supplies & Servicing – Provides an overview of supplies and servicing costs per trail and per maintenance issue. Can be modified as a result of inspections data.
- Trails Costs Summary – A summary of both labor and supplies costs per trail location.

Other Management Tools:

In addition to the specific maintenance management tools mentioned above, additional management tools for trails maintenance will include:

- Routes Database – Records all regular park servicing hours, safety inspections, and identifies any large repair needs. Can be queried by individual park or trail location.
- Repairs Database – Records all large park repairs and refurbishments. Can be queried by individual park or trail location.
- Fire Prevention Database – Records all fire clearance work performed (e.g., by parking areas). Can be queried by individual park or trail location.
- Monthly Facilities & Maintenance Division Reports – These reports contain summaries from all the above databases and are provided to Senior Staff and MRCA Board monthly.

Personnel & Work Hours:

Normal trail maintenance work will be performed by MRCA employees or MRCA volunteers. Work will be performed during daylight hours or 7AM to 9PM. Emergency situations such as wildfires or lost individuals will necessitate MRCA employees to be at these locations after-hours.

Contractors:

Competitive bid contractors will be utilized for large maintenance and repair projects such as fire clearance work or resurfacing of parking lots.

Tools & Equipment:

A wide-variety of tools and equipment will be utilized to maintain and repair the trail network. Normal servicing and inspections will be monthly. Heavy trail equipment such as Sweco dozers and Bobcats will be used to repair damaged sections of trails and support structures. Power equipment such as chainsaws and weed whips will help keep vegetation overgrowth and fallen trees from obstructing trail routes.

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TABLE 1
Malibu Parks Public Access Enhancement Plan Area Trail OTD Information

Street Name/Project Area	Coastal Development Permit #	APN	Accepted/Managed By/Status
Cavalleri Drive	5-89-437	4467-019-018	*Accepted MRCA*
Cavalleri Road	5-90-112	4467-019-026	*Accepted MRCA*
Cavalleri Road	5-86-505	4467-019-024	*Accepted MRCA*
Cavalleri Road	5-88-821	4467-018-041, 042, 043	*Accepted MRCA*
Cavalleri Road	4-94-076	4467-019-023	*Accepted MRCA*
Cavalleri Road	4-00-097	4467-036-011, 012, 013, 014	*Accepted MRCA*
De Butts Terrace	4-00-067	4467-006-017	*Accepted MRCA*
Delaplane Road	5-89-745	4467-005-029, 030, 031	*Accepted MRCA*
Delaplane Road	5-89-957	4467-005-035	*Accepted MRCA*
Delaplane Road	4-99-220	4467-005-026	*Accepted MRCA*
Delaplane Road	4-99-219	4467-005-027	*Accepted MRCA*
Delaplane Road	05-114	4467-005-028	*Pending*
Kanan Dume Road	5-87-845	4467-033-027	*Accepted MRCA*
Ramirez Canyon Road	5-88-614A	4467-007-017, 018, 019, 020	*Accepted MRCA*
Ramirez Canyon Road	5-82-336	4467-007-014	*Accepted MRCA*
Ramirez Canyon Road	5-89-1062	4467-006-021, 022, 023	*Accepted MRCA*
Ramirez Canyon Road	5-88-683	4467-011-006	*Accepted MRCA*
Ramirez Canyon Road	05-125	4467-009-001, 002/4467-010-001	*Pending*
Winding Way	5-90-058	4460-003-011, 012	*Accepted*
Winding Way	5-88-198A2	4460-004-003	*Accepted MRCA*
Winding Way	5-90-514	4460-004-021, 022, 023	*Accepted MRCA*
Winding Way	5-82-020	4460-004-014	*Accepted MRCA*
Winding Way	5-88-289	4467-005-018	Deed Restriction
Winding Way	5-82-279	4467-005-023	*Accepted MRCA*
Winding Way		4467-005-024	Not Accepted
Winding Way	5-90-085	4467-005-016	*Accepted MRCA*
Winding Way	5-84-497	4460-005-028	Deed Restriction
Zumirez Drive	5-86-723	4467-008-021	*Accepted MRCA*
Zumirez Drive	5-82-219	4467-008-023,024, 025	*Accepted MRCA*
Zumirez Drive	5-89-1013	4467-008-019	*Accepted MRCA*
Zumirez Road	5-91-027	4467-008-031, 032, 033	*Accepted MRCA*
De Butts & Winding Way	P-81-7713	Varies	*Accepted*
De Butts Terrace	05-097	4467-003-032	*Pending*

TABLE 2
Permitted Uses
Malibu Local Implementation Plan

TABLE B - PERMITTED USES

KEY TO TABLE (In addition to a coastal development permit, the following permits are required.)	
P	Permitted use
MCUP	Requires the approval of a minor Conditional Use Permit by the Director
CUP	Requires the approval of a Conditional Use Permit
A	Permitted only as an accessory use to an otherwise permitted use
LFDC	Requires the approval of a Large Family Day Care permit
WTF	Requires the approval of a Wireless Telecommunications Facility
•	Not permitted (Prohibited)

USE	RR	SF	MF	MFBF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
RESIDENTIAL																
Single family residential	P	P	P	P	•	•	•	•	•	•	•	•	•	A	•	•
Manufactured homes	P	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•
Multiple-family residential (including duplexes, condominiums, stock cooperatives, apartments, and similar developments)	•	•	CUP	•	•	•	•	•	•	•	•	•	•	•	•	•
Second units	A[1]	A[1]	A[1]	A[1]	•	•	•	•	•	•	•	•	•	•	•	•
Mobile home parks	•	•	•	•	P	•	•	•	•	•	•	•	•	•	•	•
Mobile home park accessory uses (including recreation facilities, meeting rooms, management offices, storage/maintenance buildings, and other similar uses)	•	•	•	•	CUP	•	•	•	•	•	•	•	•	•	•	•
Mobile home as residence during construction	P	P	P	MCUP	•	•	•	•	•	•	•	•	•	•	•	•

USE	RR	SF	MF	MFBF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
Accessory uses (guest units, garages, barns, pool houses, pools, spas, gazebos, storage sheds, greenhouses (non-commercial), sports courts (non-illuminated), corrals (non-commercial), and similar uses)	A[1]	A[1]	A[1]	A[1]	•	•	•	•	•	•	•	•	•	•	•	•
Residential care facilities (serving 6 or fewer persons)	P	P	P	•	•	•	•	•	•	•	•	•	•	•	•	•
Small family day care (serving 6 or fewer persons)	A	A	A	•	•	•	•	•	•	•	•	•	•	•	•	•
Large family day care (serving 7 to 12 persons)	LFDC	LFDC	LFDC	•	•	•	•	•	•	•	•	•	•	•	•	•
Home occupations	P/ MCUP[2]	P/ MCUP[2]	P/ MCUP[2]	P/ MCUP[2]	•	•	•	•	•	•	•	•	•	•	•	•
AGRICULTURAL/ANIMAL-RELATED																
Domestic animals kept as pets or for personal use	A	A	A	A	A	•	•	•	•	•	•	•	•	•	•	•
Equestrian and hiking trails (public and private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Equestrian riding and training facilities and activities including boarding of horses and domestic animals, tournaments, shows and contests (including accessory uses such as club house with food and beverage service, pro shop, tack shop, riding rings, boarding/training/show facilities, barns, parking lots, sports courts, and living accommodations for members, their guests, participants, employees and persons required for the operation and maintenance of such facilities)	•	•	•	•	•	CUP	•	•	CUP	•	•	CUP	•	•	•	•

USE	RR	SF	MF	MFBF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
Grazing of cattle, horses, sheep or goats, including the supplemental feeding of such animals, provided that such grazing is not a part of nor conducted in conjunction with any dairy, livestock feed yard, livestock sales yard or commercial riding academy located on the same premises	P[3]	•	•	•	•	CUP[3]	•	•	•	•	•	•	•	•	•	•
Raising of horses and other equine, cattle, sheep and goats, including the breeding and training of such animals	P	A	•	•	•	CUP	•	•	•	•	•	•	•	•	•	•
Boarding of horses as a commercial use	MCUP[3]	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Raising of hogs or pigs	P	•	•	•	•	CUP	•	•	•	•	•	•	•	•	•	•
Raising of poultry, fowl, birds, rabbits, fish, bees and other animals of comparable nature	P	•	•	•	•	CUP	•	•	•	•	•	•	•	•	•	•
Greenhouses	P	•	CUP	•	•	CUP	•	•	•	•	•	•	•	•	•	•
Raising of crops (field, tree, bush, berry row, nursery stock, etc.) provided no retail sale from the premises	A	A	CUP	•	•	•	•	•	•	•	•	•	•	•	•	•
Wildlife preserves	•	•	•	•	•	P	•	•	•	•	•	•	P	•	•	•
RETAIL USES																
Book stores	•	•	•	•	•	•	•	P	P	P	P	P	•	•	•	•
Convenience stores	•	•	•	•	•	•	•	•	•	CUP	CUP	CUP	•	•	•	•
Food markets	•	•	•	•	•	•	•	P	P	P	P	P	•	•	•	•
Hardware, garden supply stores	•	•	•	•	•	•	•	P	P	P	P	P	•	•	•	•
Liquor stores	•	•	•	•	•	•	•	CUP	CUP	CUP	CUP	CUP	•	•	•	•
Plant nurseries	•	•	•	•	•	•	•	P	P	P	P	P	•	•	•	•
Prescription pharmacies	•	•	•	•	•	•	A	P	P	P	P	P	•	•	•	•
Stationary supplies	•	•	•	•	•	•	•	P	P	P	P	P	•	•	•	•

USE	RR	SF	MF	MFBF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
Visitor-oriented goods such as recreational equipment and clothing, souvenirs, local arts/crafts, and similar uses	•	•	•	•	•	•	•	MCUP	•	P	P	•	•	•	•	•
GENERAL SERVICES																
Bakeries (no on-site seating)	•	•	•	•	•	•	•	P	P	P[4]	P[4]	P	•	•	•	•
Barber shops, beauty salons	•	•	•	•	•	•	•	P	P	P[4]	P[4]	P	•	•	•	•
Laundry, dry cleaners	•	•	•	•	•	•	•	P	P	P[4]	P[4]	P	•	•	•	•
Miscellaneous services including travel agencies, photocopy services, photographic processing and supplies, mailing services, appliance repair, and similar uses	•	•	•	•	•	•	•	P	P	P[4]	P[4]	P	•	•	•	•
OFFICE/HEALTH USES																
Banks, financial institutions	•	•	•	•	•	•	•	P	P	P[4]	P[4]	P	•	•	•	•
Health care facilities	•	•	•	•	•	•	•	•	CUP	CUP[4]	CUP[4]	CUP	•	CUP	•	•
Medical, dental, physical therapy, and veterinary clinics and offices	•	•	•	•	•	•	P	P[5]	P[5]	P[4,5]	P[4,5]	P[5]	•	•	•	•
Professional offices	•	•	•	•	•	•	P	P	P	P	P	P	•	•	•	•
DINING, DRINKING, AND ENTERTAINMENT																
Amphitheatre	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•
Bars	•	•	•	•	•	•	•	•	CUP	CUP	CUP	CUP	•	•	•	•
Live entertainment	•	•	•	•	•	•	•	•	CUP	CUP	CUP	CUP	•	•	•	•
Movie theaters	•	•	•	•	•	•	•	•	•	CUP	CUP	CUP	•	•	•	•
Refreshment stands, ice cream stands, and other fixed location outdoor food vending stands	•	•	•	•	•	•	•	•	•	CUP	CUP	CUP	•	•	•	•
Restaurants	•	•	•	•	•	•	•	CUP[6]	CUP[7]	CUP[7]	CUP[7]	CUP[7]	•	•	•	•
AUTOMOTIVE RELATED USES																
Vehicle washing/detailing	•	•	•	•	•	•	•	CUP[8]	CUP[8]			CUP	•	•	•	•
Service stations (without convenience market)	•	•	•	•	•	•	•	•	CUP	CUP	CUP	CUP	•	•	•	•

USE	RR	SF	MF	MFBF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
Towing and automobile storage	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•	•	•
RECREATION AND LEISURE																
Camping	•	•	•	•	•	P	•	•	•	•	•	•	P	•	•	•
Guest Cabins						P										
Community stage theaters	CUP	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Cultural and artistic uses (such as museums, galleries, performing arts venues)	•	•	•	•	•	CUP	•	CUP	CUP	CUP	CUP	CUP	•	•	•	•
Dance studios	•	•	•	•	•	•	•	P	P	P	P	P	•	•	•	•
Golf driving ranges	•	•	•	•	•	•	•	•	CUP	CUP	CUP	CUP	•	•	P	•
Health clubs	•	•	•	•	•	•	•	P	P	P	P	P	•	•	P	•
Hotels	•	•	•	•	•	•	•	•	•	•	CUP	•	•	•	•	•
Motels, bed and breakfast inns	•	•	•	•	•	•	•	•	•	CUP	CUP	•	•	•	•	•
Parks, beaches, and playgrounds	CUP	CUP	CUP	CUP	•	P	•	CUP	CUP	CUP	CUP	CUP	P	•	P	•
Public Beach Accessway	P	P	P	P	P			P	P	P	P	P	P			
Recreation facilities (swimming pools, sandboxes, slides, swings, lawn bowling, volleyball courts, tennis courts and similar uses)	•	•	•	•	•	A	•	•	CUP	CUP[9]	CUP[9]	CUP	P	•	P	•
Recreation facilities (neighborhood – for use by surrounding residents and operated by a non-profit corporation or neighborhood association for non-commercial purposes)	•	CUP	CUP	CUP	•	•	•	CUP	CUP	•	•	CUP	•	•	•	•
Recreational vehicle parks	•	•	•	•	CUP	•	•	•	•	•	•	•	•	•	•	P
Sports courts (lighted)	•	•	•	•	•	•	•	CUP	CUP	CUP[9]	CUP[9]	CUP	•	•	•	•
PUBLIC, QUASI-PUBLIC, OR NON-PROFIT USES																
Charitable, philanthropic activities	•	•	•	•	•	•	•	P[10]	P[10]	P[10]	P[10]	P[10]	•	CUP	•	•
Churches, temples, and other places of worship	•	•	CUP	•	•	•	•	CUP	CUP	CUP	CUP	CUP	•	CUP	•	•
Community centers	•	•	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•

USE	RR	SF	MF	MFBF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
Day care facilities, nursery schools	CUP	CUP	CUP	•	•	•	•	CUP	CUP	CUP	CUP	CUP	•	CUP	•	•
Educational (non-profit) activities	•	•	•	•	•	•	•	P	P	P	P	P	P	CUP	•	•
Educational institutions (public or private)	•	•	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•
Emergency communication and service facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP[4]	CUP[4]	CUP	CUP	CUP	CUP	CUP
Helipad sites	CUP	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Government facilities	•	•	CUP	•	•	•	•	P	P	P[4]	P[4]	P	•	CUP	•	•
Libraries, museums	•	•	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•
Maintenance yards	•	•	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•
Public utility facilities	CUP	CUP	CUP	CUP	•	•	•	CUP	CUP	CUP[4]	CUP[4]	CUP	•	CUP	•	•
Research institutions	•	•	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•
Residential care facilities for the elderly	•	•	•	•	•	•	•	•	CUP	CUP	CUP[4]	CUP[4]	•	CUP	•	•
Wastewater storage and hauling	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•	•	•
Wireless telecommunications antennae and facilities	WTF	•	•	•	•	WTF	WTF	WTF	WTF	WTF	WTF	WTF	WTF	WTF	WTF	WTF
CONSTRUCTION/LIGHT INDUSTRIAL USES																
Construction services (neighborhood-serving)	•	•	•	•	•	•	•	•	CUP	•	•	CUP	•	•	•	•
Manufacturing, processing, or treatment of products	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•	•	•
Masonry and building supplies	•	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•
Metal welding	•	•	•	•	•	•	•	•	•	•	•	P	•	•	•	•
Research and development, testing facilities	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•	•	•
Self-storage	•	•	•	•	•	•	•	CUP	CUP	•	•	CUP	•	•	•	•
Wholesale, storage, and distribution	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•	•	•
OTHER USES																
Uses permitted by right that operate between the hours of 11:00 p.m. to 7:00 a.m.	•	•	•	•	•	•	MCUP	MCUP	•	•	•	•	•	•	•	•

USE	RR	SF	MF	MFBF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
Mixed use (commercial and residential)	•	•	•	•	•	•	•	•	•	•	•	CUP	•	•	•	•

Notes

1. Subject to Residential Development Standards (Section 3.6)
2. Subject to Home Occupations Standards [(Section 3.6(O)]
3. Use Prohibited in Environmentally Sensitive Habitat Areas
4. This commercial use may be permitted only if at least 50% of the total floor area of the project is devoted to visitor serving commercial use
5. CUP for veterinary hospitals
6. Maximum interior occupancy of 125 persons
7. If exceeding interior occupancy of 125 persons
8. By hand only
9. Use permitted only if available to general public
10. Charitable, philanthropic, or educational non-profit activities shall be limited to permanent uses that occur within an enclosed building.

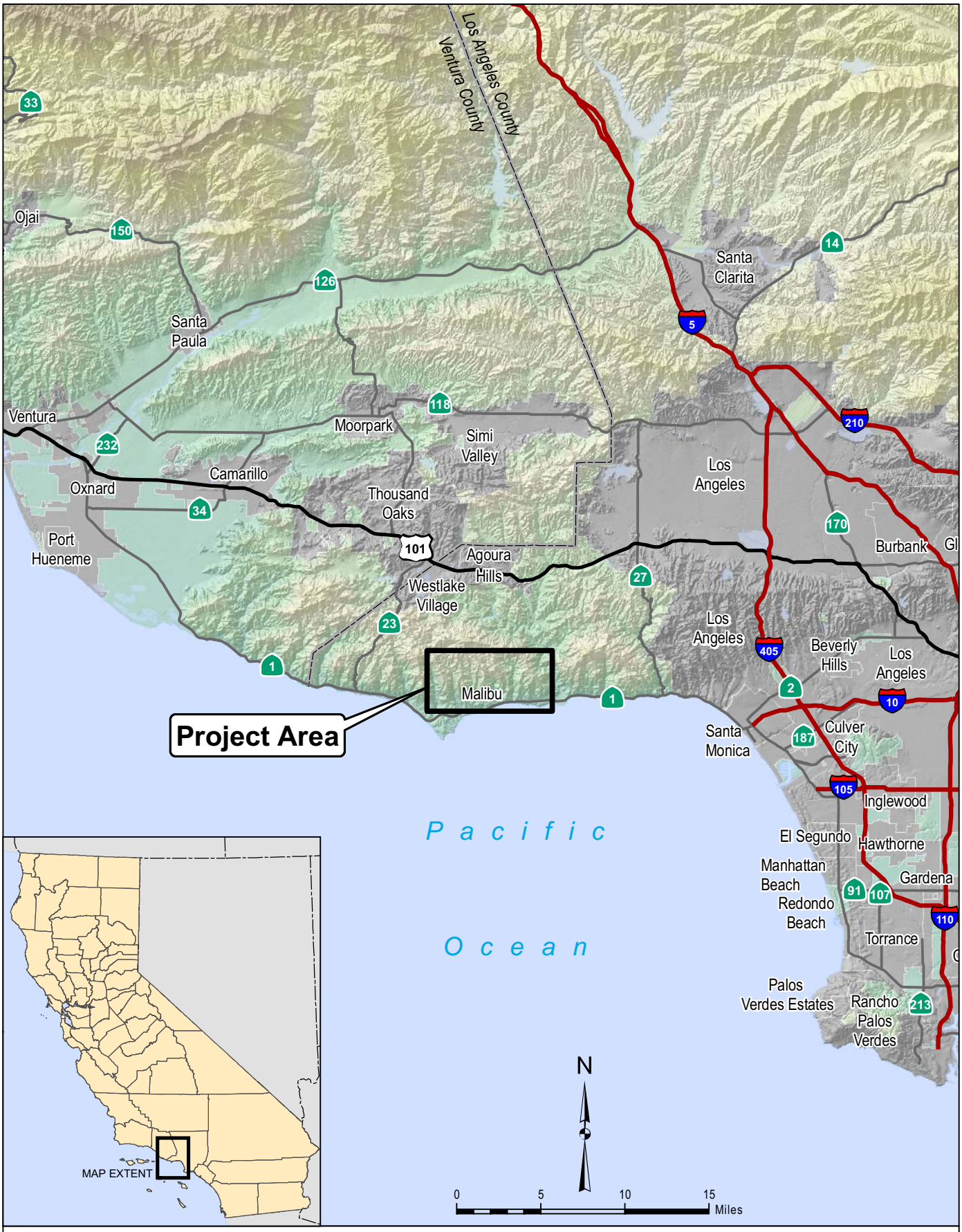
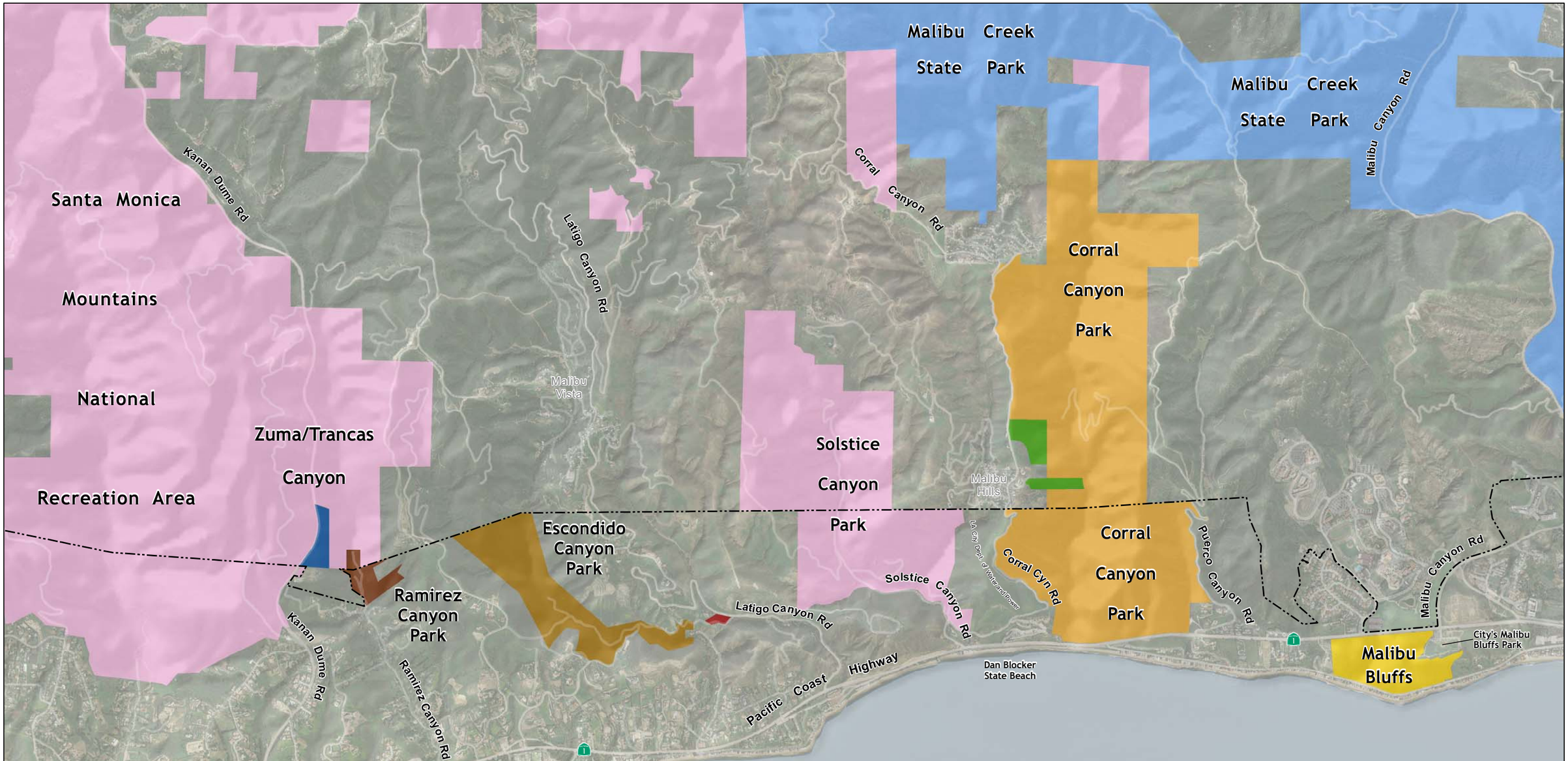


FIGURE 1
Regional Map

DUDEK

Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



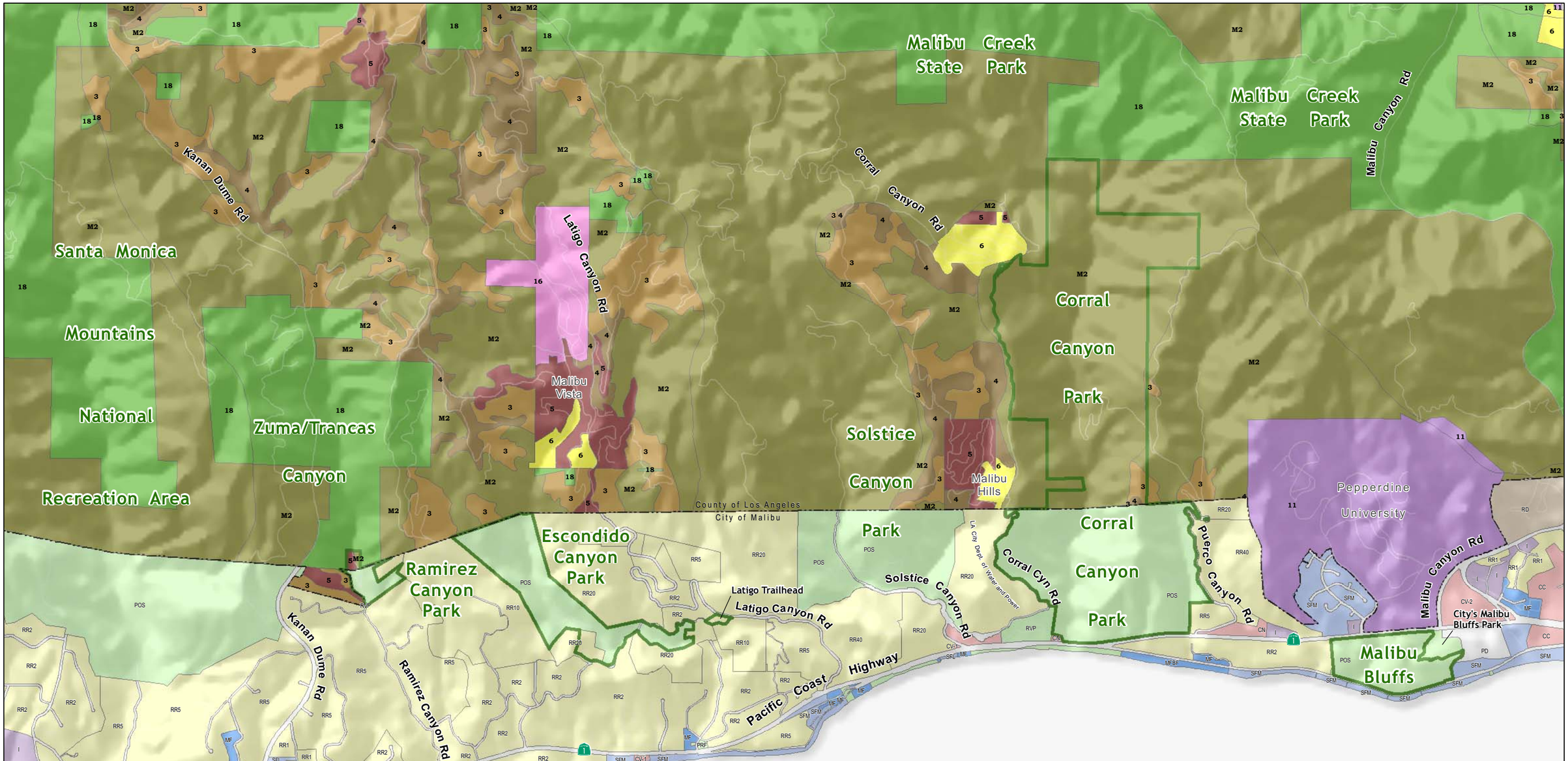
SOURCE: Aerial: DigitalGlobe 2008, MRCA 2009

FIGURE 2

Public Parkland

DUDEK

Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



N

County of Los Angeles Land Use

- 3 - Rural Land I (1 du/10 ac)
- 4 - Rural Land II (1 du/5 ac)
- 5 - Rural Land III (1 du/2 ac)
- 6 - Residential I (1 du/ac)
- 11 - Institution and Public Facilities
- 16 - Low-Intensity Visitor-Serving Commercial Recreation
- 18 - Parks
- M2 - Mountain Land (1 du/20 ac)

0 500 1,000 2,000 Feet

City of Malibu Land Use

- CC - Community Commercial
- CN - Commercial Neighborhood
- CV-1 - Commercial Visitor Serving 1
- CV-2 - Commercial Visitor Serving 2
- I - Institutional
- RD - Industrial/R&D
- POS - Public Open Space
- PRF - Private Recreational Facility
- RVP - Recreational Vehical Park
- RR1 - Rural Residential - 1 du/acre
- RR2 - Rural Residential - 1 du/2 acres
- RR5 - Rural Residential - 1 du/5 acres
- RR10 - Rural Residential - 1 du/10 acres
- RR20 - Rural Residential - 1 du/20 acres
- RR40 - Rural Residential - 1 du/40 acres
- SFL - Single Family Low - 2 du/acre
- SFM - Single Family Medium - 4 du/acre
- MF - Multi-Family Residential - 6 du/acre
- MFBF - Multi-Family Beach Front
- MH - Mobile Home Residential
- PD - Planned Development

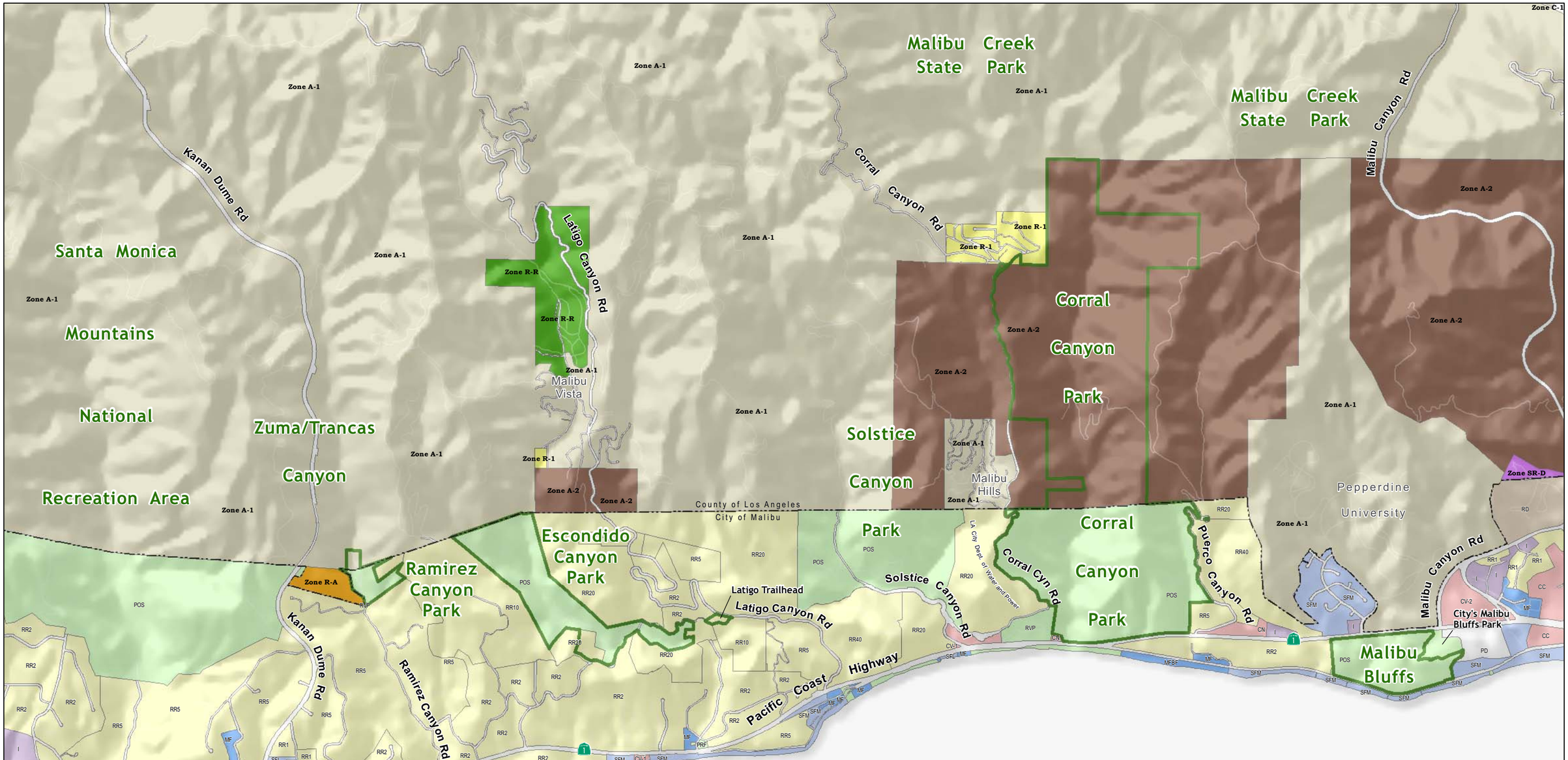
SOURCE: City of Mailibu, County of Los Angeles

FIGURE 3

City of Malibu/County of Los Angeles Land Use Designations

DUDEK

Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



N

County of Los Angeles Zoning

- Zone A-1 - Light agriculture
- Zone A-2 - Heavy agriculture
- Zone R-1 - Single-family residence
- Zone R-A - Residential agriculture
- Zone R-R - Resort and recreation
- Zone SR-D - Scientific research and development

City of Malibu Zoning

- CC - Community Commercial
- CN - Commercial Neighborhood
- CV-1 - Commercial Visitor Serving 1
- CV-2 - Commercial Visitor Serving 2
- I - Institutional
- RD - Industrial/R&D
- POS - Public Open Space
- PRF - Private Recreational Facility
- RVP - Recreational Vehical Park
- RR1 - Rural Residential - 1 du/acre
- RR2 - Rural Residential - 1 du/2 acres
- RR5 - Rural Residential - 1 du/5 acres
- RR10 - Rural Residential - 1 du/10 acres
- RR20 - Rural Residential - 1 du/20 acres
- RR40 - Rural Residential - 1 du/40 acres
- SFL - Single Family Low - 2 du/acre
- SFM - Single Family Medium - 4 du/acre
- MF - Multi-Family Residential - 6 du/acre
- MFBF - Multi-Family Beach Front
- MH - Mobile Home Residential
- PD - Planned Development

0 500 1,000 2,000 Feet

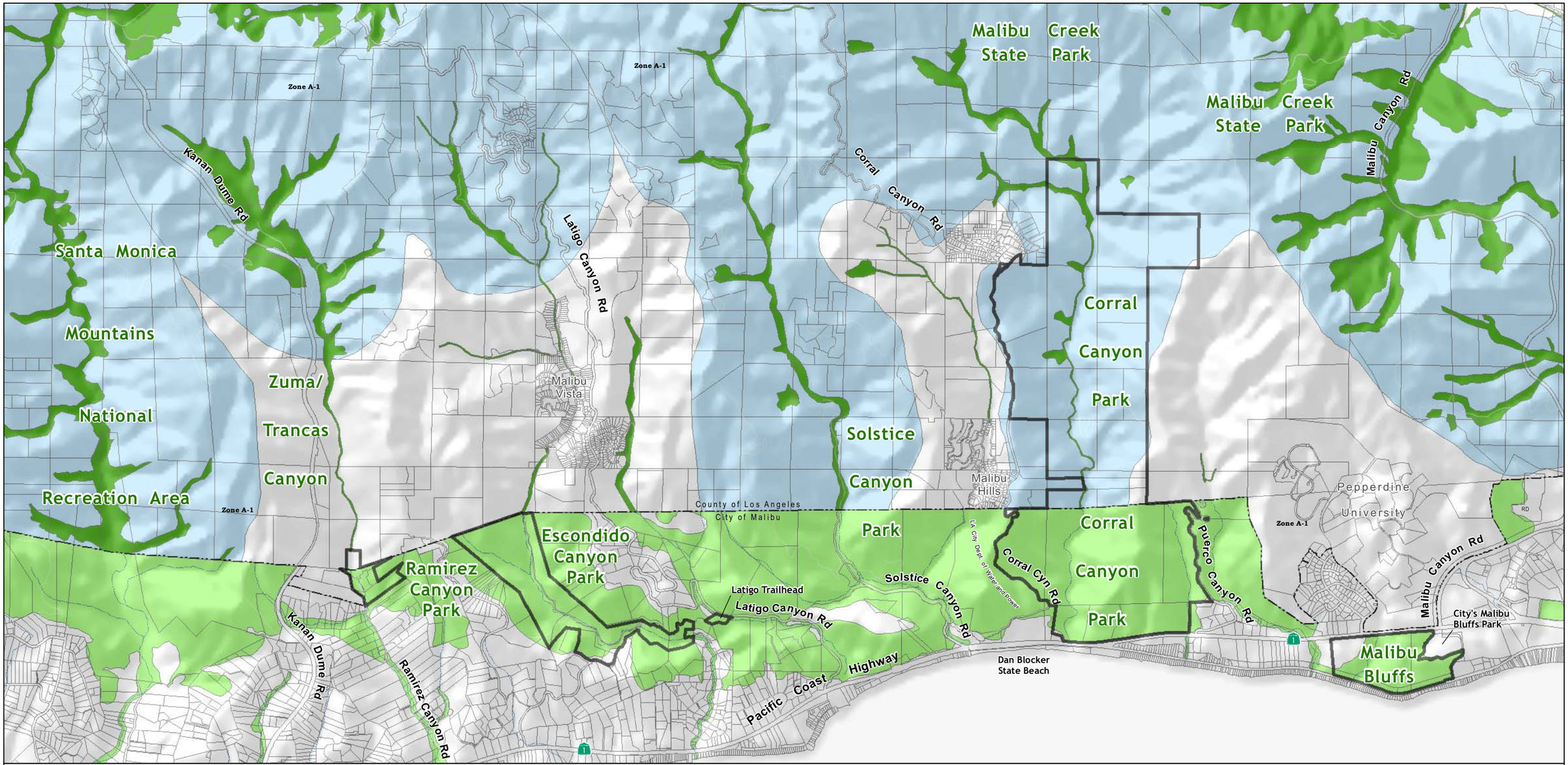
SOURCE: City of Mailibu, County of Los Angeles

FIGURE 4

City of Malibu/County of Los Angeles Zoning Districts

DUDEK

Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



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0 500 1,000 2,000 Feet

City of Mailibu ESHA

County of Los Angeles ESHA

County of Los Angeles Significant Watershed

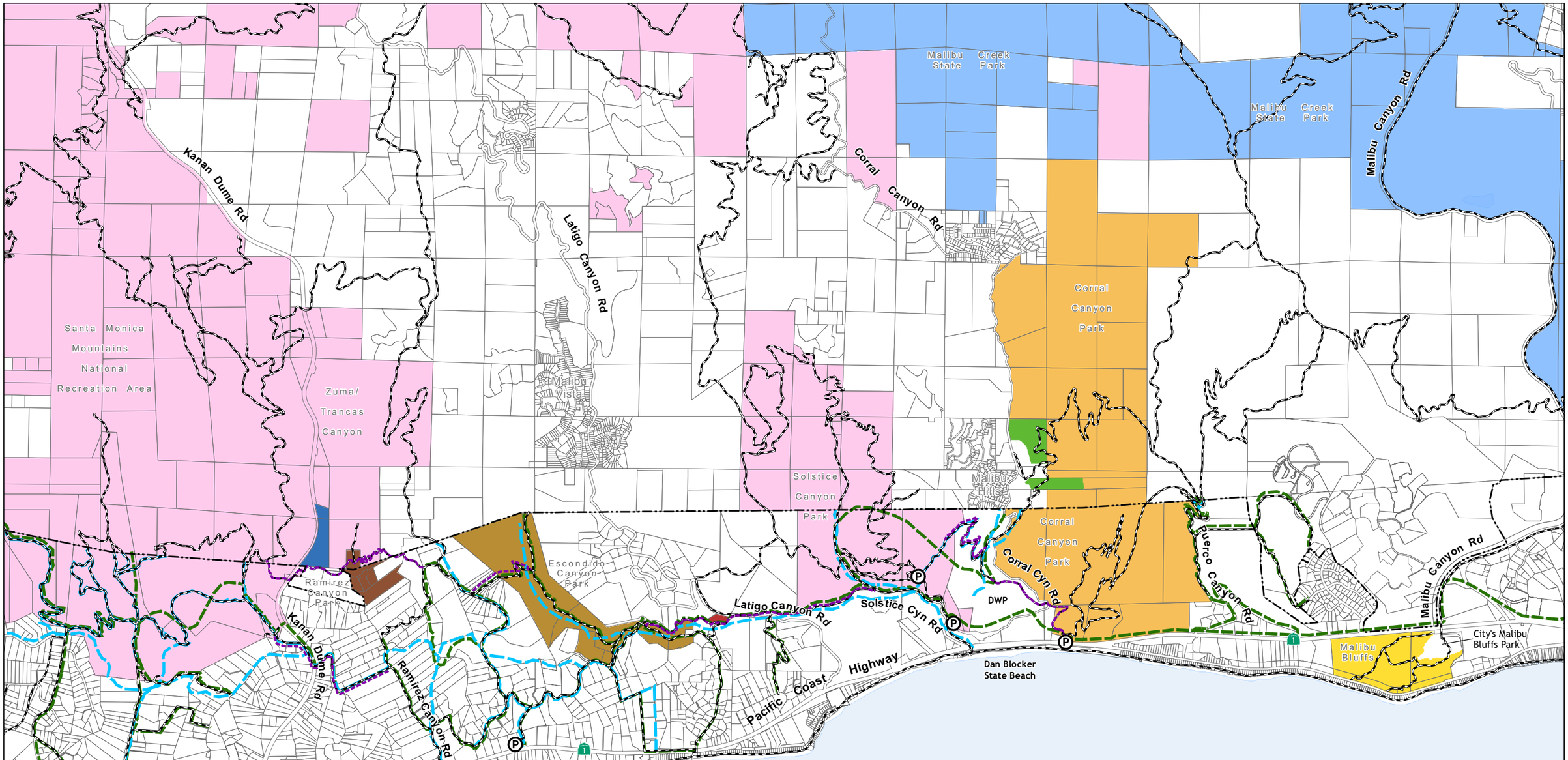
SOURCE: City of Mailibu, County of Los Angeles

FIGURE 5

City of Malibu/County of Los Angeles Environmentally Sensitive Habitat Area (ESHA)

DUDEK

Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



N

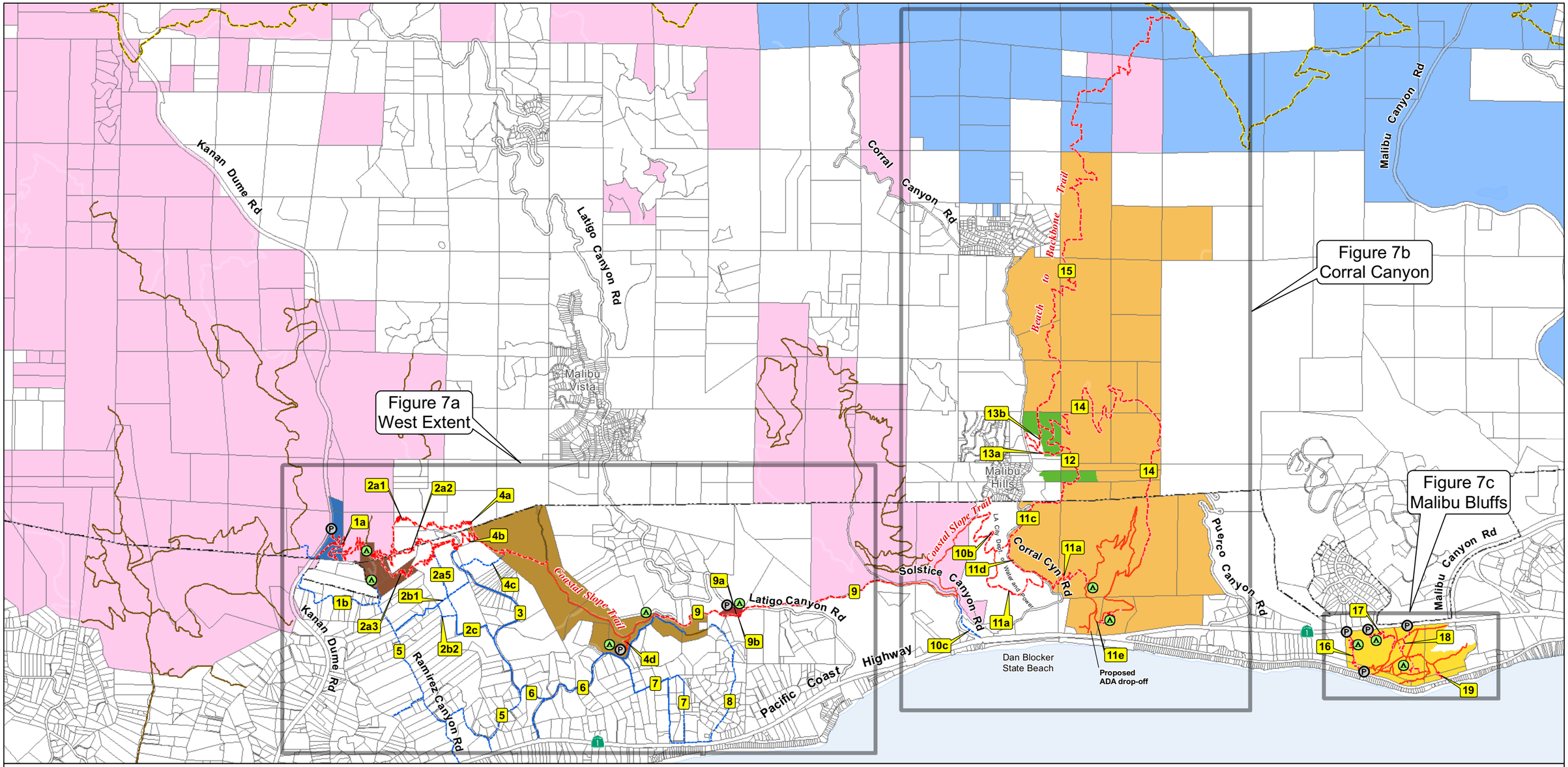
0 500 1,000 2,000 Feet

National Park Service Owned Land
California State Parks Owned Land
LA County Owned Land to be Acquired by MRCA
Other Protected Land
Malibu City Limits
Ramirez Canyon Park (SMMC - 21.7 acres)
Escondido Canyon Park (SMMC/MRCA - 138.4 acres)
Latigo Trailhead (MRCA - 2.4 acres)
Corral Canyon Park (SMMC/MRCA - 772.2 acres)
Malibu Bluffs (SMMC - 83.7 acres)
Existing Trail (NPS Inventory)
Draft Interagency Regional Trail Management Plan Alternative Trail
Malibu LCP Trail
City of Malibu Trail Master Plan Trail
Existing Parking

SOURCE: City of Malibu, National Park Service, MRCA

FIGURE 6

Planned Trail Resources



N

0 500 1,000 2,000 Feet

SOURCE: DigitalGlobe 2008, MRCA 2009

Malibu City Limits

National Park Service Owned Land

California State Parks Owned Land

LA County Owned Land to be Acquired by MRCA

Other Protected Land

Ramirez Canyon Park (SMMC - 21.7 acres)

Escondido Canyon Park (SMMC/MRCA - 138.4 acres)

Latigo Trailhead (MRCA - 2.4 acres)

Corral Canyon Park (SMMC/MRCA - 772.2 acres)

Malibu Bluffs (SMMC - 83.7 acres)

Facilities
(see P&S Project Plans)

Proposed Camping Area

Proposed Parking Area

Trail Corridors

Primary Trail (see P&S Project Plans)

Primary Trail (Existing)

Connector Trail

Connector Trail (Existing)

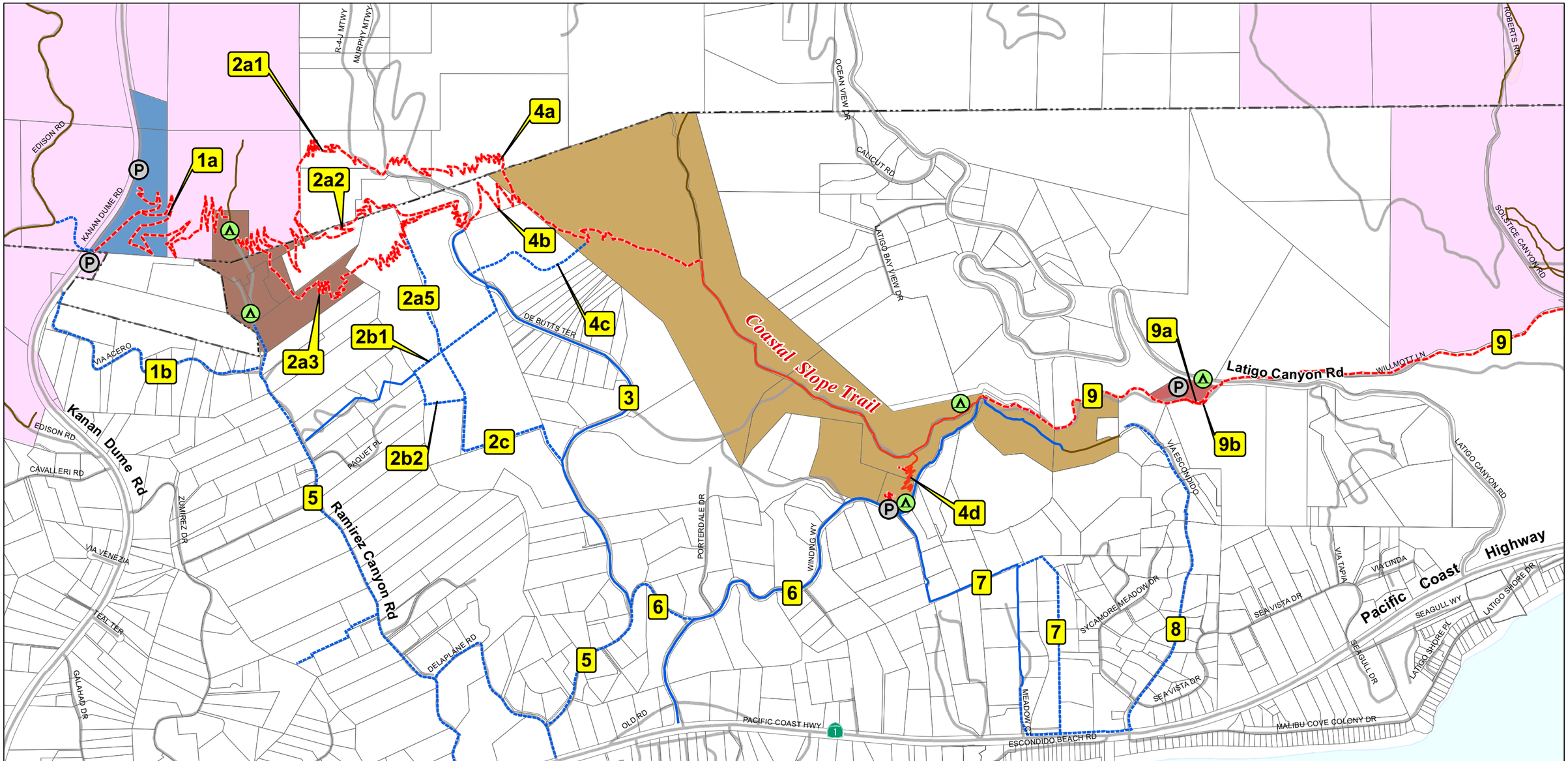
Backbone Trail

Other Existing Trail

This map includes those public parklands, recreation areas and trail segments subject to the Malibu Parks Public Access Enhancement Plan Overlay, the specific boundaries of which are as described in Section 3.4.2.B of the City of Malibu Local Coastal Program-Local Implementation Plan.
Proposed trail alignments are approximate and may vary slightly within public lands/easements due to site constraints. Trail alignments between the beach and Backbone Trail are currently shown through public park property in Corral Canyon.
Other alternatives with more spectacular views from ridgelines on private property should be considered during the regulatory process.

FIGURE 7

Proposed Trail Resources



N

0 500 1,000 2,000 Feet

SOURCE: MRCA 2009

Malibu City Limits

National Park Service Owned Land

California State Parks Owned Land

LA County Owned Land to be Acquired by MRCA

Other Protected Land

Ramirez Canyon Park (SMMC - 21.7 acres)

Escondido Canyon Park (SMMC/MRCA - 138.4 acres)

Latigo Trailhead (MRCA - 2.4 acres)

Facilities
(see P&S Project Plans)

Proposed Camping Area

Proposed Parking Area

Trail Corridors

Primary Trail (see P&S Project Plans)

Primary Trail (Existing)

Connector Trail

Connector Trail (Existing)

Other Existing Trail

This map includes those public parklands, recreation areas and trail segments subject to the Malibu Parks Public Access Enhancement Plan Overlay, the specific boundaries of which are as described in Section 3.4.2.B of the City of Malibu Local Coastal Program-Local Implementation Plan.
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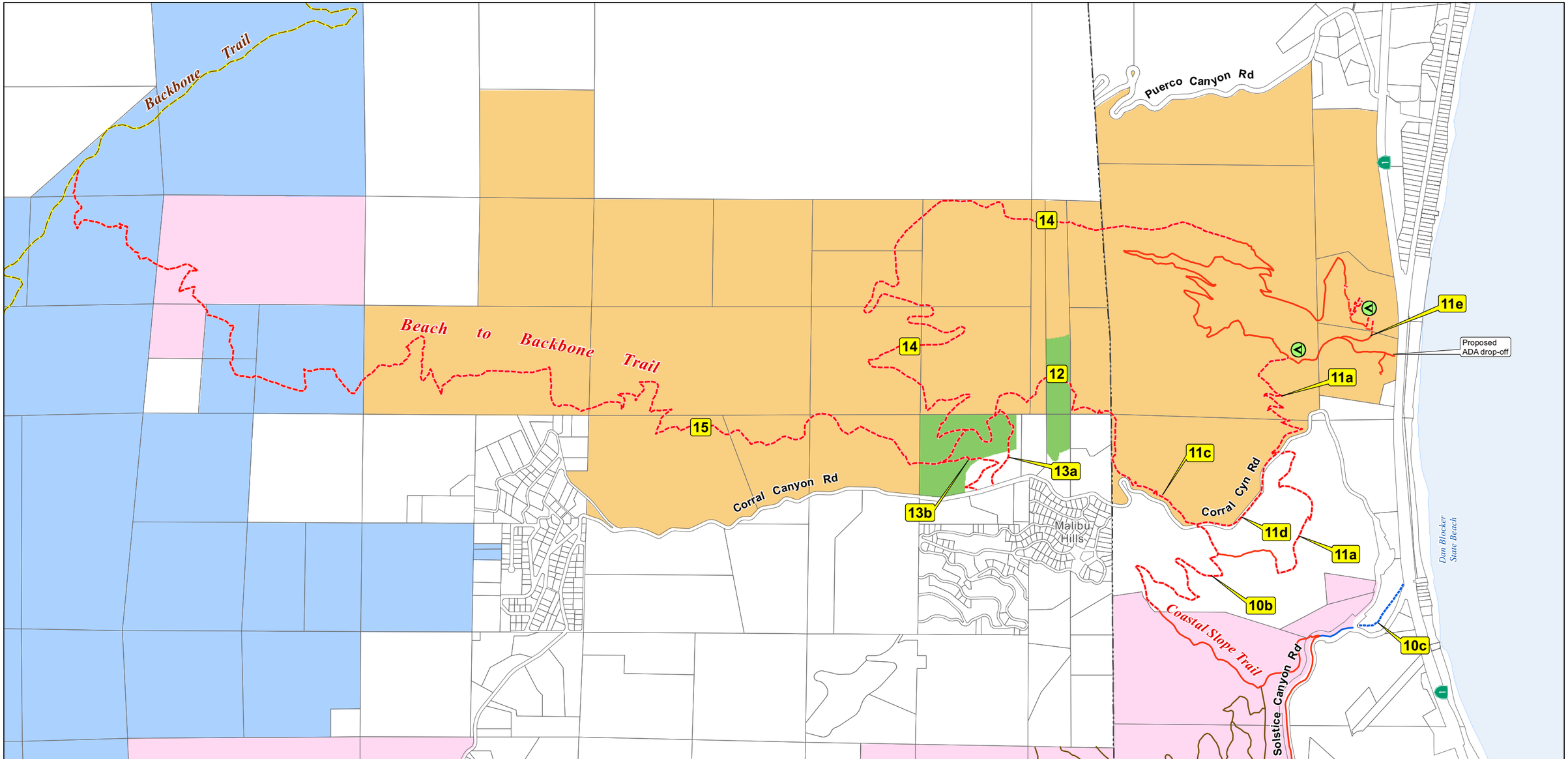
Other alternatives with more spectacular views from ridgelines on private property should be considered during the regulatory process.

FIGURE 7a

Proposed Trail Resources - West Extent

DUDEK

Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



Malibu City Limits

National Park Service Owned Land

California State Parks Owned Land

Other Protected Land

Corral Canyon Park (SMMC/MRCA - 772.2 acres)

Facilities
(see P&S Project Plans)

Proposed Camping Area

Proposed Parking Area

Trail Corridors

Primary Trail (see P&S Project Plans)

Primary Trail (Existing)

Connector Trail

Connector Trail (Existing)

Backbone Trail

Other Existing Trail

N

0 500 1,000 2,000 Feet

SOURCE: MRCA 2009

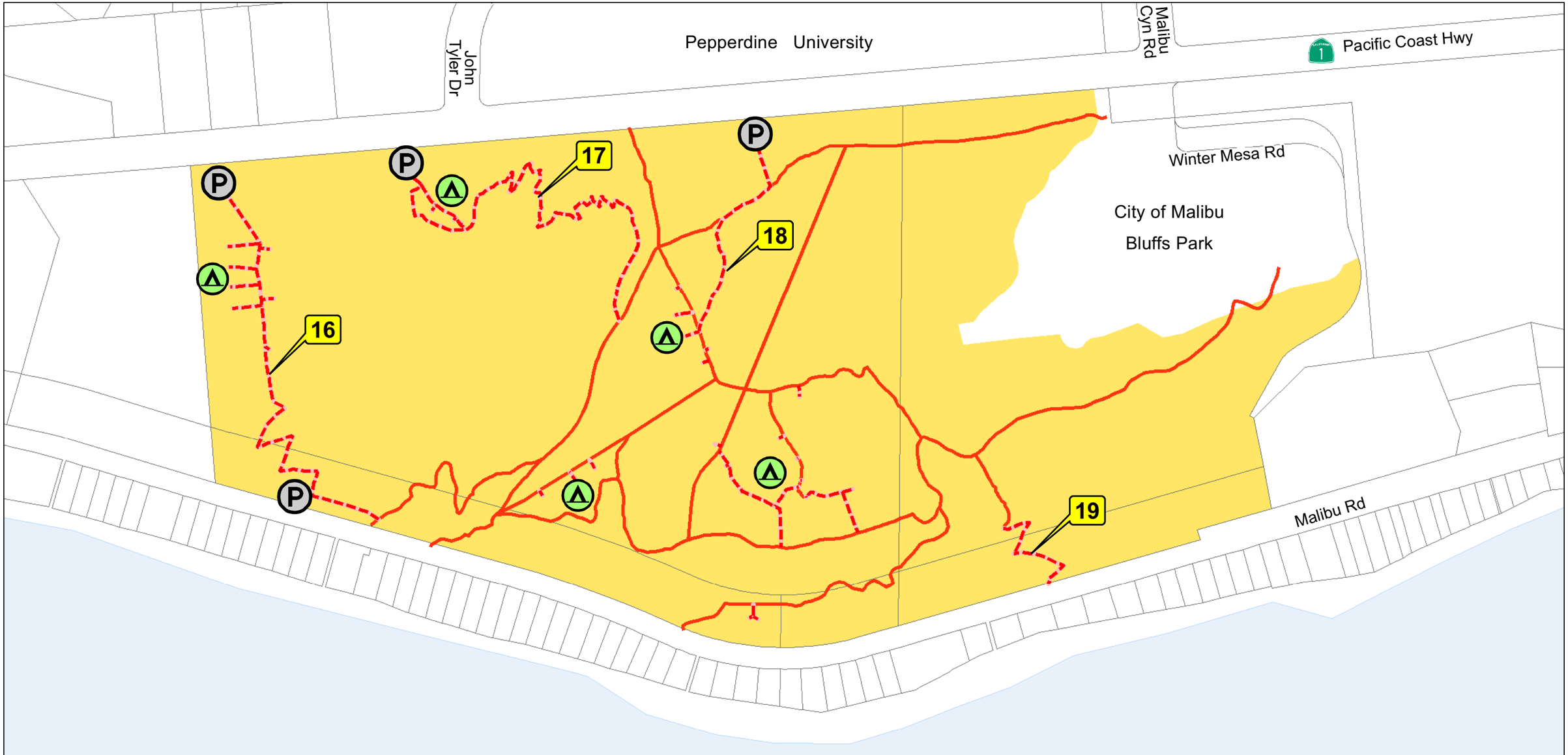
This map includes those public parklands, recreation areas and trail segments subject to the Malibu Parks Public Access Enhancement Plan Overlay, the specific boundaries of which are as described in Section 3.4.2.B of the City of Malibu Local Coastal Program-Local Implementation Plan.
Proposed trail alignments are approximate and may vary slightly within public lands/easements due to site constraints. Trail alignments between the beach and Backbone Trail are currently shown through public park property in Corral Canyon.
Other alternatives with more spectacular views from ridgelines on private property should be considered during the regulatory process.

FIGURE 7b

Proposed Trail Resources - Corral Canyon

DUDEK

Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



N

0 250 500 Feet

SOURCE: MRCA 2009

Malibu Bluffs (SMMC - 83.7 acres)

Facilities
(see P&S Project Plans)

Proposed Camping Area

Proposed Parking Area

Trail Corridors

Primary Trail (see P&S Project Plans)

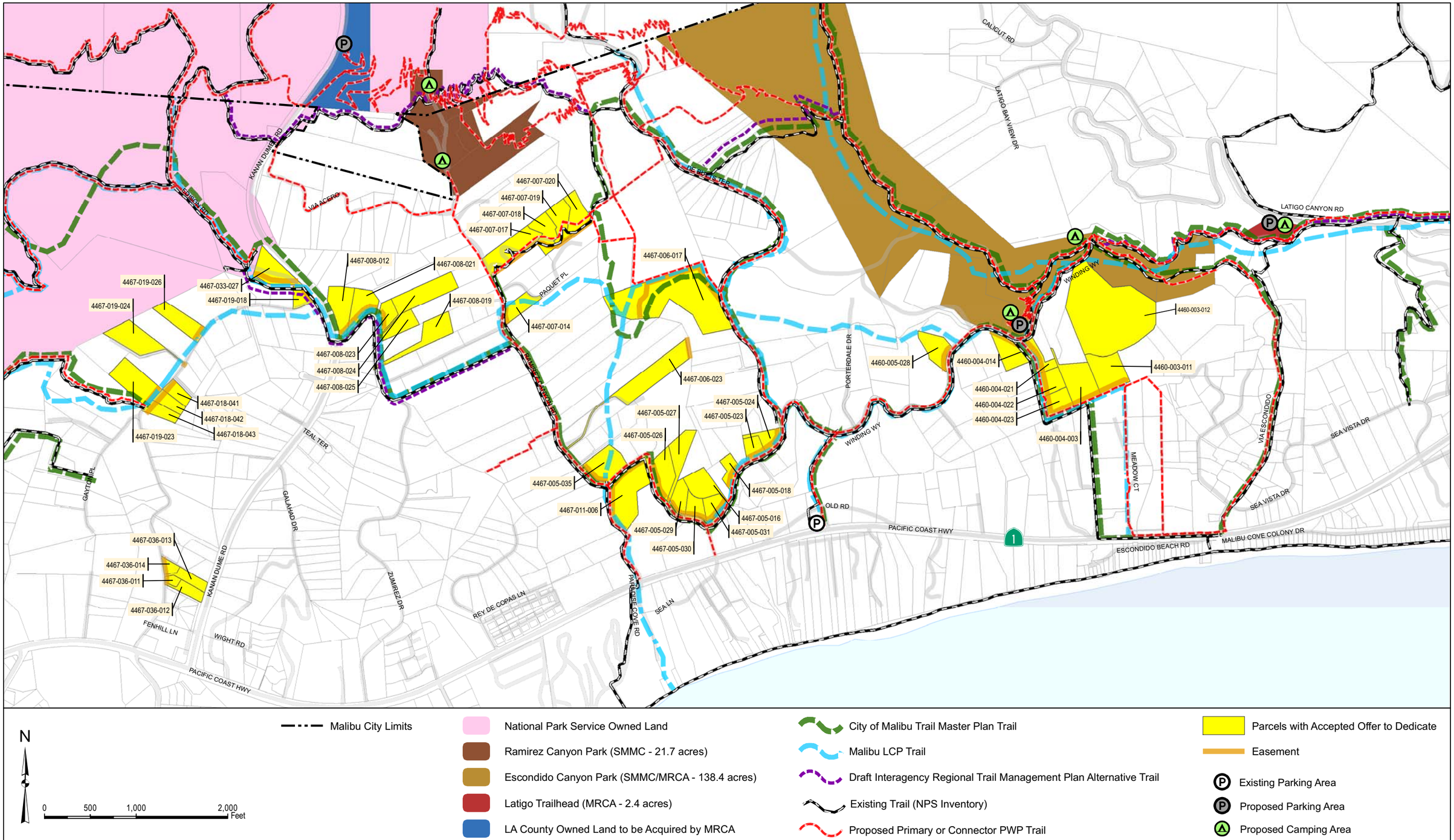
Primary Trail (Existing)

This map includes those public parklands, recreation areas and trail segments subject to the Malibu Parks Public Access Enhancement Plan Overlay, the specific boundaries of which are as described in Section 3.4.2.B of the City of Malibu Local Coastal Program-Local Implementation Plan.
Proposed trail alignments are approximate and may vary slightly within public lands/easements due to site constraints. Trail alignments between the beach and Backbone Trail are currently shown through public park property in Corral Canyon.
Other alternatives with more spectacular views from ridgelines on private property should be considered during the regulatory process.

FIGURE 7c

Proposed Trail Resources - Malibu Bluffs

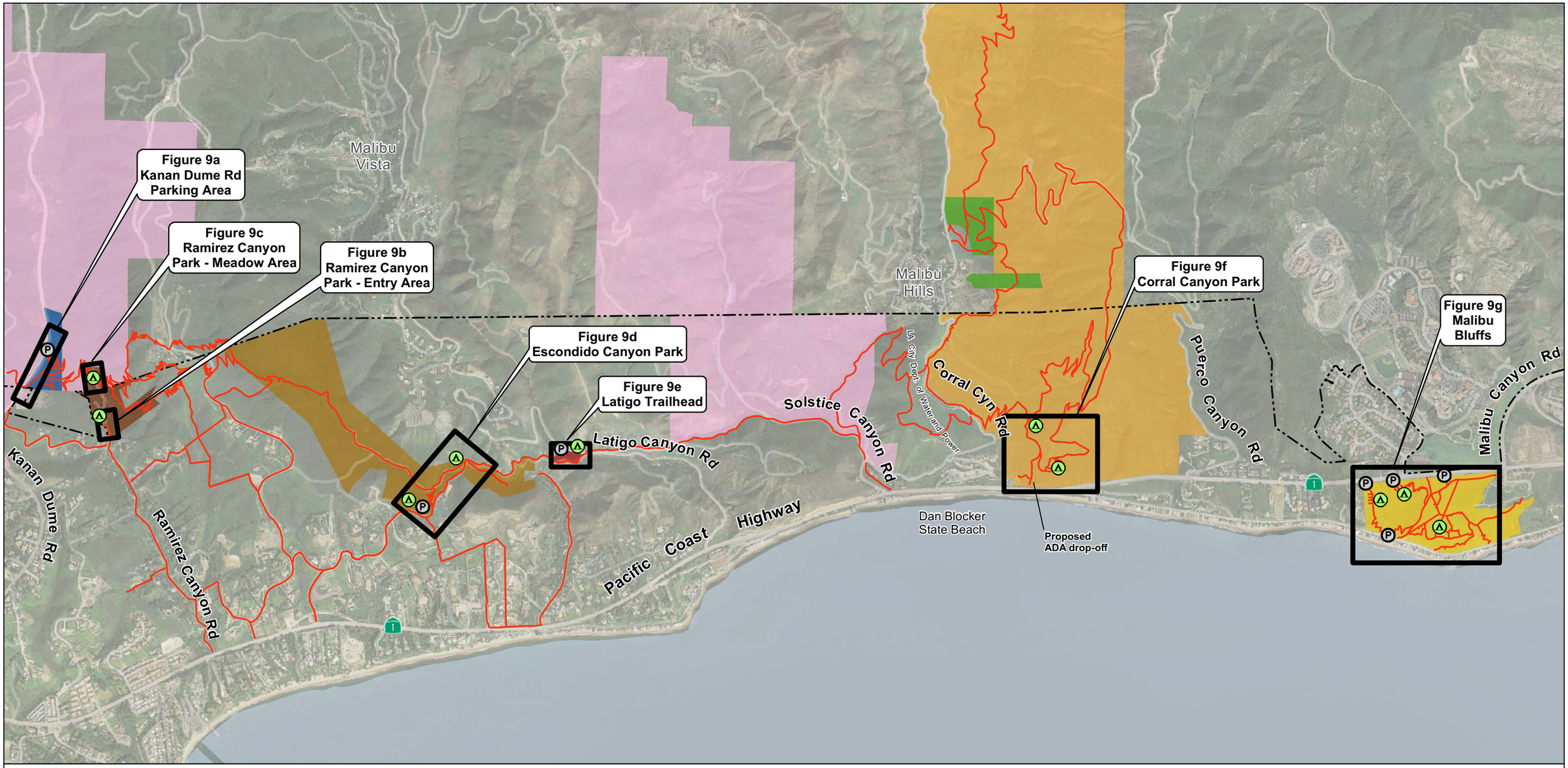
DUDEK



SOURCE: City of Malibu, National Park Service, MRCA

FIGURE 8

Offer to Dedicate (OTD)



N

0 500 1,000 2,000 Feet

SOURCE: Penfield & Smith 2009

- Malibu City Limits
- National Park Service Owned Land
- Other Protected Land
- LA County Owned Land to be Acquired by MRCA
- Ramirez Canyon Park (SMMC - 21.7 acres)
- Escondido Canyon Park (SMMC/MRCA - 138.4 acres)
- Latigo Trailhead (MRCA - 2.4 acres)
- Corral Canyon Park (SMMC/MRCA - 772.2 acres)
- Malibu Bluffs (SMMC - 83.7 acres)

Facilities
(see P&S Conceptual Project Plans - Figures 9a - 9g)

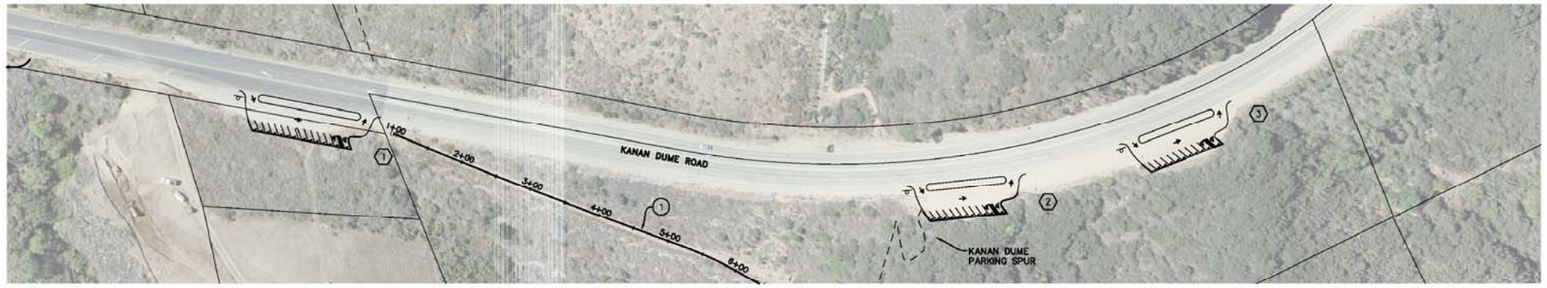
- Proposed Camping Area
- Proposed Parking Area
- Primary or Connector PWP Trail

FIGURE 9

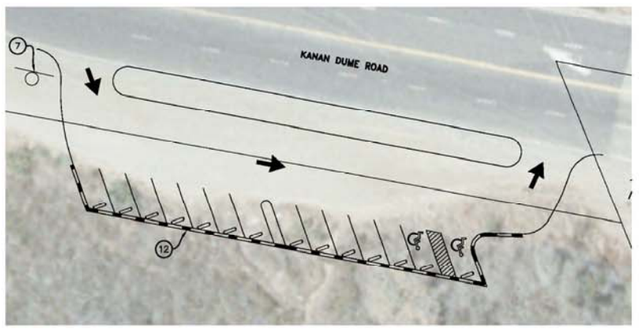
Conceptual Project Plan Index

DUDEK

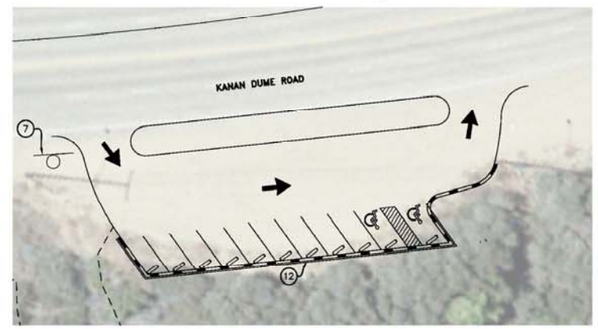
Santa Monica Mountains Conservancy/Mountains Recreation and Conservation Authority Malibu Parks Public Access Enhancement Plan - Public Works Plan



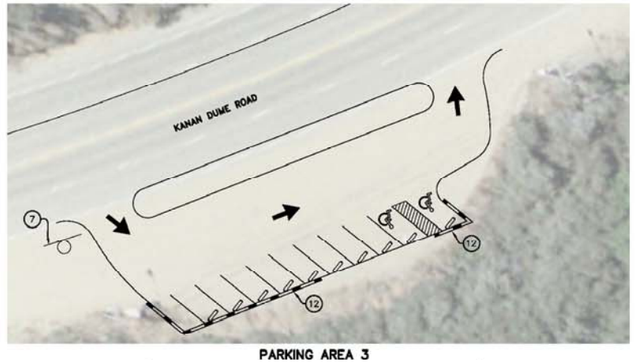
KANAN DUME ROAD



PARKING AREA 1



PARKING AREA 2



PARKING AREA 3

LEGEND

- RETAINING WALL
- (1) PARKING AREA NUMBER
- VEGETATION MAGAGEMENT BOUNDARY

CONSTRUCTION NOTES

1. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE PER DETAIL C ON SHEET 22.
7. INSTALL TRAIL INFORMATION SIGN.
12. CONSTRUCT RETAINING WALL PER DETAIL D ON SHEET 22.

SOURCE: Penfield & Smith 2009

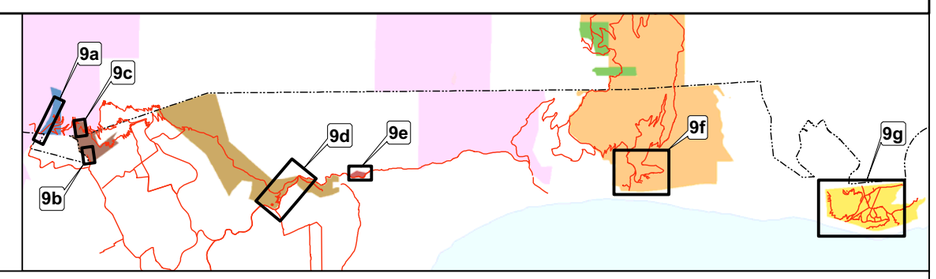


FIGURE 9a

Conceptual Project Plan - Kanan Dume Rd Parking Area

LEGEND

- EXISTING CREEK
- RETAINING WALL
- SLOPE
- VEGETATION MANAGEMENT BOUNDARY

CONSTRUCTION NOTES

3. CONSTRUCT ACCESSIBLE CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL A ON SHEET 22.
6. CONSTRUCT RESTROOM.
9. REMOVE EXISTING TENNIS COURT.
12. CONSTRUCT RETAINING WALL PER DETAIL D ON SHEET 22.
21. CONSTRUCT DRAINAGE SUMP.
22. CONSTRUCT 2:1 MAX SLOPE WITH ROCK TOE PROTECTION. SLOPE TO BE PLANTED WITH NATIVE VEGETATION AND ROUGHED WITH ROCK AND OTHER APPROPRIATE MEANS.
23. INSTALL BIKE RACK. BIKE RACK SHALL BE GRID RACK 6400 SERIES GALVANIZED BY SARIS OR APPROVED EQUIVALENT.

SOURCE: Penfield & Smith 2009

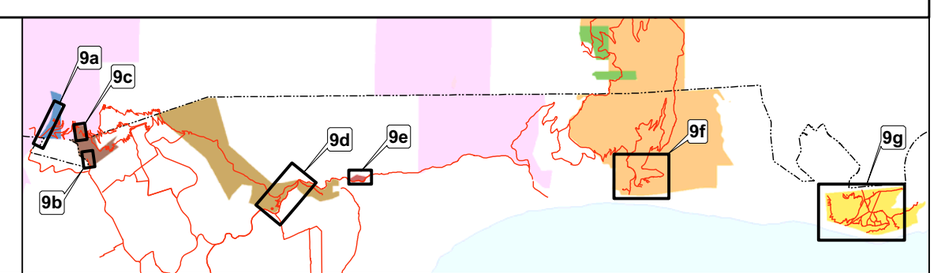


FIGURE 9b

Conceptual Project Plan - Ramirez Canyon Park - Entry Area

LEGEND

- EXISTING CREEK
- RETAINING WALL
- SLOPE
- VEGETATION MANAGEMENT BOUNDARY

CONSTRUCTION NOTES

1. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE PER DETAIL C ON SHEET 22.
4. CONSTRUCT STANDARD CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL B ON SHEET 22.
6. CONSTRUCT RESTROOM.
14. CONSTRUCT 2" PVC WATER LINE PER DETAIL L ON SHEET 23 AND CONNECT TO EXISTING WATER LINE.
20. CONSTRUCT 4" SEWER LINE PER DETAIL L ON SHEET 23 AND CONNECT TO EXISTING SEWER SYSTEM.
21. CONSTRUCT DRAINAGE SUMP.
23. INSTALL BIKE RACK. BIKE RACK SHALL BE GRID RACK 6400 SERIES GALVANIZED BY SARIS OR APPROVED EQUIVALENT.

SOURCE: Penfield & Smith 2009

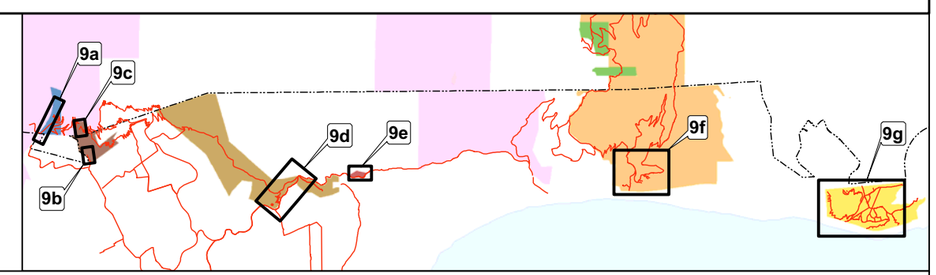
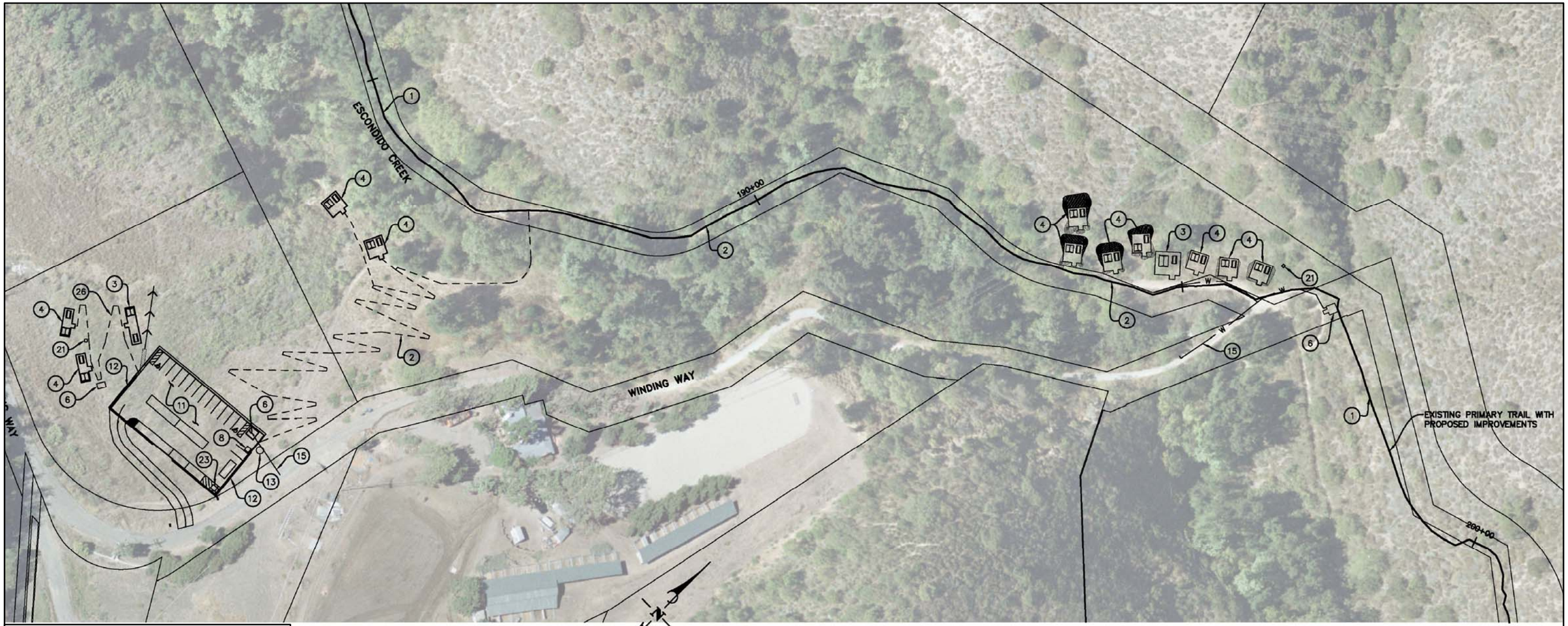


FIGURE 9c

Conceptual Project Plan - Ramirez Canyon Park - Meadow Area



LEGEND

RETAINING WALL

CONSTRUCTION NOTES

1. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE PER DETAIL C ON SHEET 22.
2. CONSTRUCT ACCESSIBLE TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE ACCESSIBLE TRAIL PER DETAIL C ON SHEET 22.
3. CONSTRUCT ACCESSIBLE CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL A ON SHEET 22.
4. CONSTRUCT STANDARD CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL B ON SHEET 22.
6. CONSTRUCT RESTROOM.
8. CONSTRUCT INFORMATION KIOSK.
11. CONSTRUCT ASPHALT CONCRETE PARKING LOT PER DETAIL K ON SHEET 22.
12. CONSTRUCT RETAINING WALL PER DETAIL D ON SHEET 22.
13. CONSTRUCT 10,000 GALLON WATER TANK PER DETAIL G ON SHEET 23.
15. CONSTRUCT 3" PVC WATER LINE PER DETAIL L ON SHEET 23 AND CONNECT TO EXISTING WATER LINE.
21. CONSTRUCT DRAINAGE SUMP.
23. INSTALL BIKE RACK. BIKE RACK SHALL BE GRID RACK 6400 SERIES GALVANIZED BY SARIS OR APPROVED EQUIVALENT.
26. CONSTRUCT 4' WIDE ACCESSIBLE TRAIL PER DETAIL C ON SHEET 22.

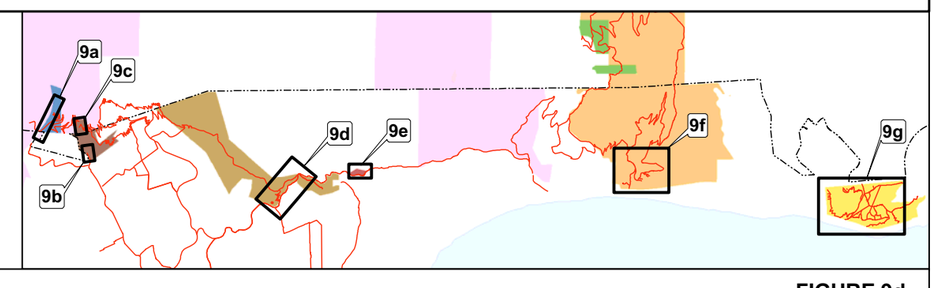


FIGURE 9d

Conceptual Project Plan - Escondido Canyon Park

CONSTRUCTION NOTES

1. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE PER DETAIL C ON SHEET 22.
3. CONSTRUCT ACCESSIBLE CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL A ON SHEET 22.
4. CONSTRUCT STANDARD CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL B ON SHEET 22.
6. CONSTRUCT RESTROOM.
8. CONSTRUCT INFORMATION KIOSK.
10. CONSTRUCT PICNIC AREA.
11. CONSTRUCT ASPHALT CONCRETE PARKING LOT PER DETAIL K ON SHEET 22.
12. CONSTRUCT RETAINING WALL PER DETAIL D ON SHEET 22.
13. CONSTRUCT 10,000 GALLON WATER TANK PER DETAIL G ON SHEET 23.
18. CONSTRUCT 4" FIREWATER LINE PER DETAIL L ON SHEET 23.
19. CONSTRUCT 4" STANDPIPE (WET).
21. CONSTRUCT DRAINAGE SUMP.
23. INSTALL BIKE RACK. BIKE RACK SHALL BE GRID RACK 6400 SERIES GALVANIZED BY SARIS OR APPROVED EQUIVALENT.

SOURCE: Penfield & Smith 2009

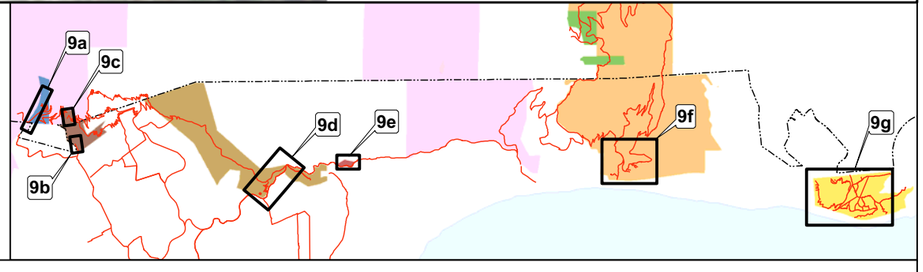
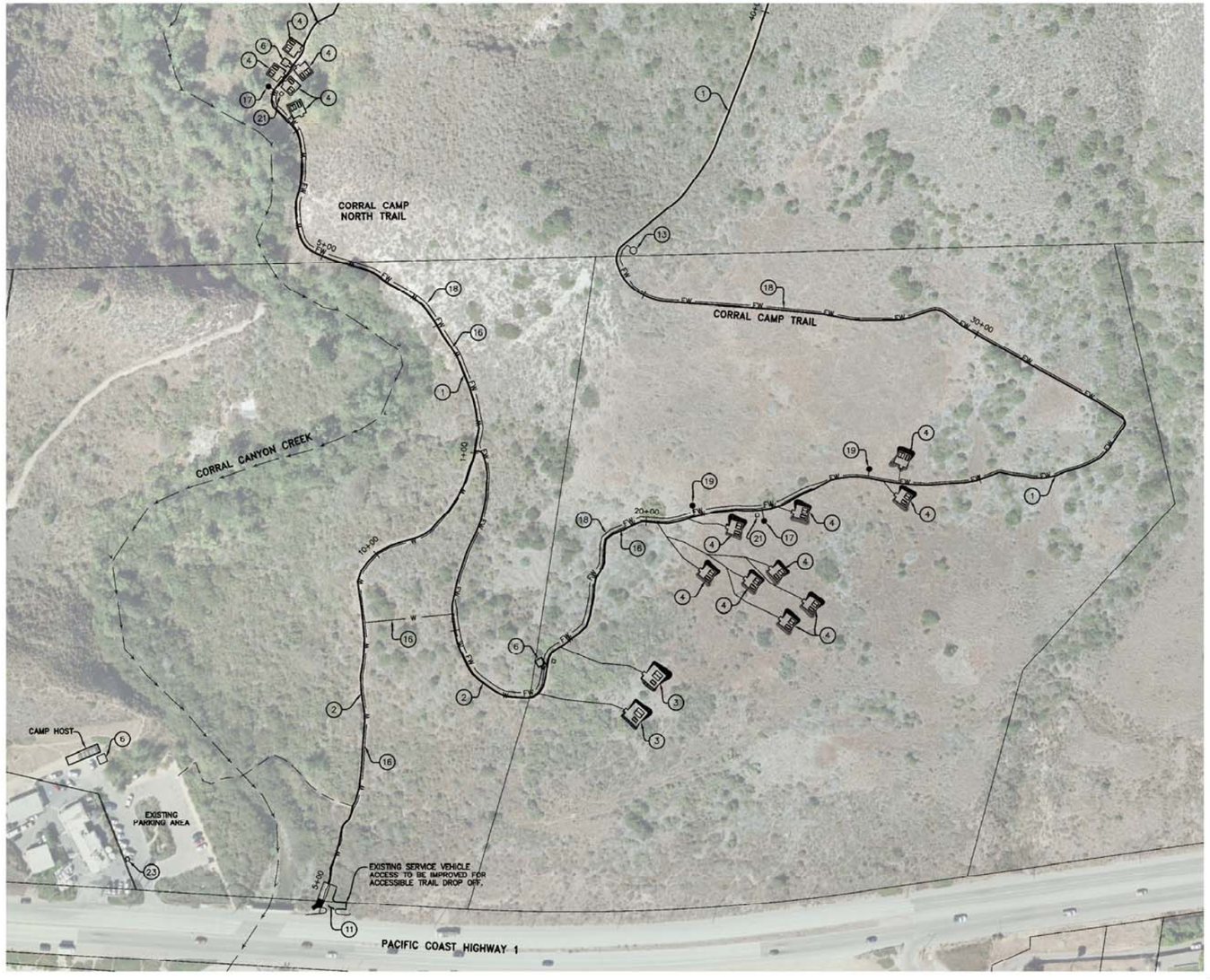


FIGURE 9e

Conceptual Project Plan - Latigo Trailhead



LEGEND

W	PROPOSED WATERLINE
FW	PROPOSED FIRE WATERLINE
	EXISTING CREEK
	PROPOSED HOSE BIBB OR STANDPIPE

CONSTRUCTION NOTES

1. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE PER DETAIL C ON SHEET 22.
2. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE ACCESSIBLE TRAIL PER DETAIL C ON SHEET 22.
3. CONSTRUCT ACCESSIBLE CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL A ON SHEET 22.
4. CONSTRUCT STANDARD CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL B ON SHEET 22.
6. CONSTRUCT RESTROOM.
11. CONSTRUCT ASPHALT CONCRETE PARKING LOT PER DETAIL K ON SHEET 22.
13. CONSTRUCT 10,000 GALLON WATER TANK PER DETAIL G ON SHEET 23.
16. CONSTRUCT 6" WATER LINE PER DETAIL L ON SHEET 23 AND CONNECT TO EXISTING WATER LINE.
17. CONSTRUCT HOSE BIBB.
18. CONSTRUCT 4" FIREWATER LINE PER DETAIL L ON SHEET 23.
19. CONSTRUCT 4" STANDPIPE (WET).
21. CONSTRUCT DRAINAGE SUMP.
23. INSTALL BIKE RACK. BIKE RACK SHALL BE GRID RACK 6400 SERIES GALVANIZED BY SARIS OR APPROVED EQUIVALENT.

SOURCE: Penfield & Smith 2009

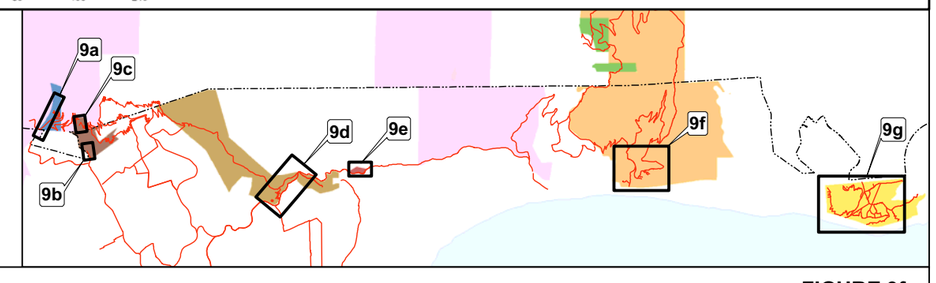
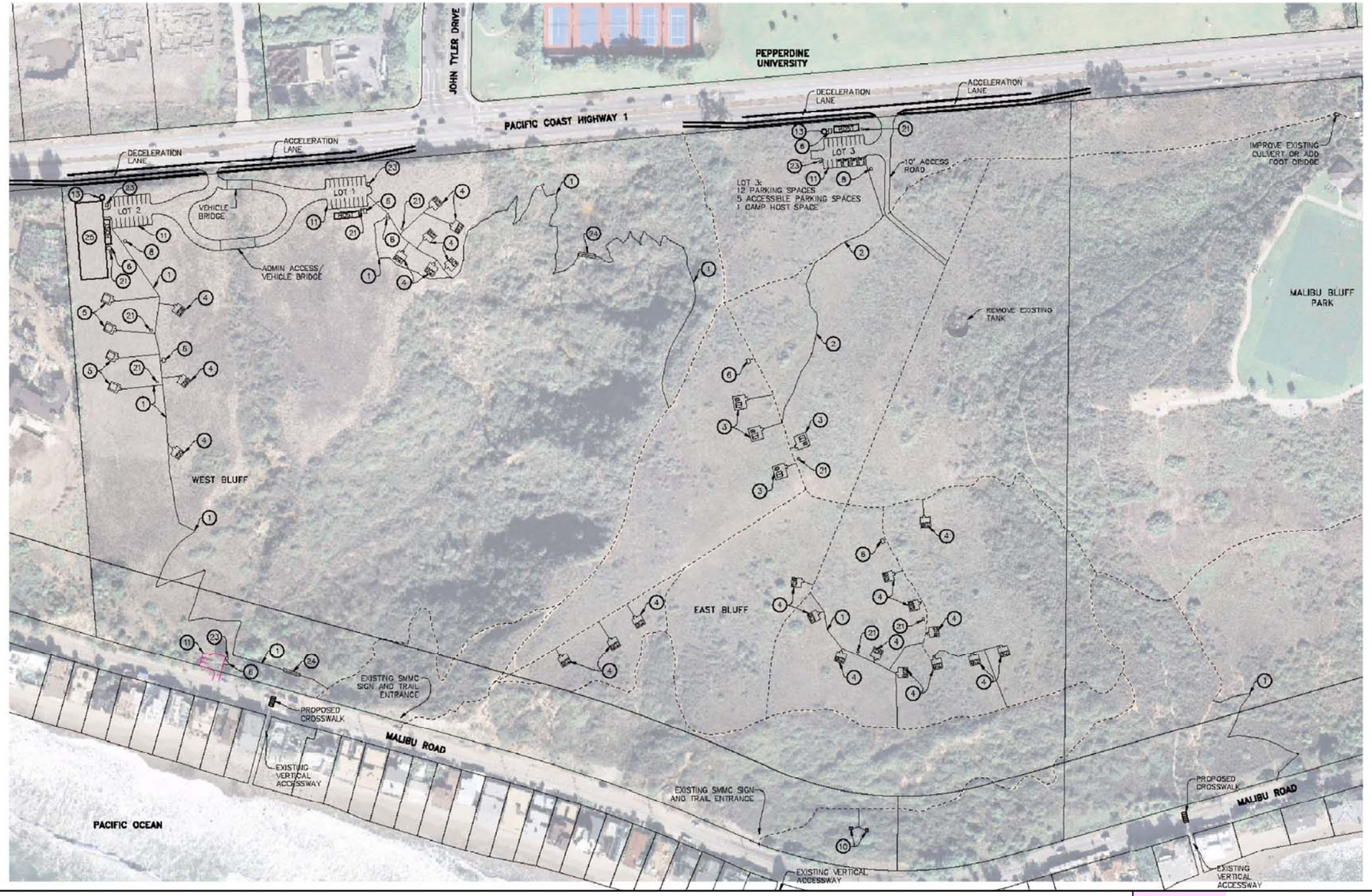


FIGURE 9f

Conceptual Project Plan - Corral Canyon Park



CONSTRUCTION NOTES

1. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE PER DETAIL C ON SHEET 22.
2. CONSTRUCT TRAIL OR IMPROVE EXISTING TRAIL TO MINIMUM 5' WIDE ACCESSIBLE TRAIL PER DETAIL C ON SHEET 22.
3. CONSTRUCT ACCESSIBLE CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL A ON SHEET 22.
4. CONSTRUCT STANDARD CAMPSITE PER LOCATION AND GRADING SHOWN HERE ON. CONSTRUCT LAYOUT PER DETAIL B ON SHEET 22.
5. CONSTRUCT TENT CABIN STRUCTURE PER LOCATION AND GRADING SHOWN HERE ON.
6. CONSTRUCT RESTROOM.
8. CONSTRUCT INFORMATION KIOSK.
10. CONSTRUCT PICNIC AREA.
11. CONSTRUCT ASPHALT CONCRETE PARKING LOT PER DETAIL K ON SHEET 22.
13. CONSTRUCT 10,000 GALLON WATER TANK PER DETAIL G ON SHEET 23.
21. CONSTRUCT DRAINAGE SUMP.
23. INSTALL BIKE RACK. BIKE RACK SHALL BE GRID RACK 6400 SERIES GALVANIZED BY SARIS OR APPROVED EQUIVALENT.
24. CONSTRUCT FOOT BRIDGE.
25. CONSTRUCT FUEL BREAK/OVERFLOW PARKING WITH PERMEABLE SURFACE.

SOURCE: Penfield & Smith 2009

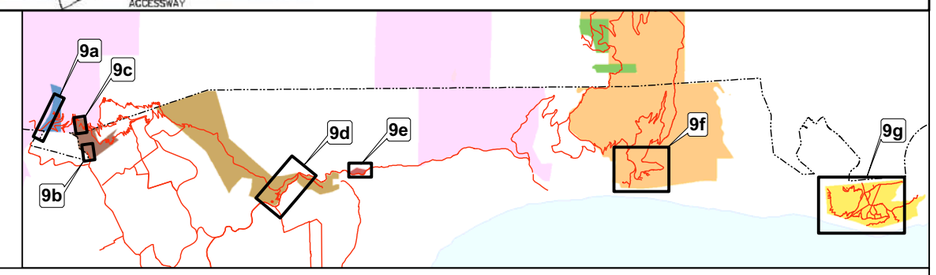


FIGURE 9g

Conceptual Project Plan - Malibu Bluffs

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Th 13a

DATE: September 22, 2009

TO: Commissioners and Interested Persons

FROM: John Ainsworth, Deputy Director
Steve Hudson, South Central District Manager
Barbara Carey, Supervisor, Planning and Regulation
Patrick Veesart, Supervisor, Enforcement

SUBJECT: Revised Findings for City of Malibu Local Coastal Program Amendment MAL-MAJ-1-08 for Public Hearing and Commission Action at the October 2009 Commission Meeting in Oceanside

DATE OF COMMISSION ACTION: June 10, 2009 in Marina del Rey

COMMISSION DECISION: At the Commission hearing of June 10, 2009, the Commission reviewed City of Malibu Local Coastal Program Amendment ("LCPA") MAL-MAJ-1-08, proposed by the Santa Monica Mountains Conservancy ("the Conservancy") and the Mountains Recreation and Conservation Authority ("MRCA") as an "override" pursuant to California Public Resources Code Section 30515 and the Commission's implementing regulations, and Commission staff's recommendation regarding that LCPA. The proposed LCPA established an overlay over certain public park areas within the City (the "Overlay") and added policies and standards to "enhance public access and recreation opportunities to and within existing parklands and recreation areas subject to the Overlay." Commission staff had recommended approval with revisions. Public testimony included a suggestion that Malibu Bluffs Park, an 84-acre open space parcel owned by the Conservancy overlooking the ocean adjacent to Pacific Coast Highway and the City's Bluff Park, be considered as a potential alternative location for future campsites within parkland in the Malibu area. The Executive Director/Officer of the applicant (Conservancy/MRCA) agreed that the area was appropriate for camping and formally amended the proposed LCPA at the hearing to include this area. The Commission approved the LCPA with the revisions proposed by staff in the staff recommendation and the addition of Malibu Bluffs Park to the Overlay, as proposed by the applicant.

COMMISSIONERS ON PREVAILING SIDE: The Commissioners on the prevailing side of the vote on the Land Use Plan amendment were: Achadjian, Blank, Burke, Clark, Hueso, Kram, Kruer, Mirkarimi, Potter, Shallenberger, Wan, and Chair Neely.

The Commissioners on the prevailing side of the vote on the Local Implementation Plan amendment were: Achadjian, Blank, Burke, Clark, Hueso, Kram, Kruer, Mirkarimi, Potter, Shallenberger, Wan, and Chair Neely.

PROCEDURAL NOTE: Adoption of the Revised Findings requires a majority vote of Commission members who were both on the prevailing side and who are also present at the October, 2009 Commission hearing at which these Revised Findings are adopted, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings. The staff recommendation, motion, and resolution are located starting on **page 12** of this report.

STAFF NOTE

This request by the Santa Monica Mountains Conservancy ("Conservancy") and the Mountains Recreation and Conservation Authority ("MRCA") to amend the City of Malibu Local Coastal Program ("LCP") differed from most LCP amendment requests in that an entity other than the local government itself was making the request. The Coastal Act[1] allows for such amendment requests where such an entity is a "…person authorized to undertake a public works project or proposing an energy facility development…if the purpose of the proposed amendment is to meet a public need of an area greater than that included within such certified local coastal program…" The law allows such amendments because it is the Coastal Commission's role to apply a regional or statewide perspective to land use debates where the use in question is of greater than local significance. Whereas local governments are generally constrained to plan the use of land only within their corporate boundaries, the Commission was created, in part, to take a broader view in making land use decisions for California's coastline.

DESCRIPTION OF THE SUBMITTAL

The Conservancy/MRCA proposal to amend Malibu's certified LCP ("the LCPA") consisted of changes to the Land Use Plan ("LUP") and the Local Implementation Plan ("LIP") to include land use policies and development standards for a Malibu Parks Public Access Enhancement Plan Overlay. The proposed Overlay included comprehensive policies and development standards for public access and recreation-oriented development within specific park properties and recreation areas within the City of Malibu including Ramirez Canyon Park, Escondido Canyon Park, and Corral Canyon Park, and eventually Malibu Bluffs Park as well. The Overlay policies further identified specific actions necessary to implement improvements intended to enhance public access and recreation opportunities throughout the area covered by the Overlay including: creation of an interconnected system of parks, open space, trails, and habitats; improvement of alternative methods of transportation between parklands in the

[1] The Coastal Act is codified in sections 30,000 to 30,900 of the California Public Resources Code. All further references to the Coastal Act are to that code.

area and; identification of recreational facility and program improvements for the park properties in the area to better support existing recreational demand and to facilitate an increased level of accessibility for disabled visitors at all properties. Finally, the proposed Overlay addressed the administrative and public outreach program uses at Ramirez Canyon Park that were previously the subject of coastal development permit (CDP) 4-98-334, issued by the Coastal Commission on February 5, 2001, but subsequently set aside (in 2005) pursuant to court order.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission adopt the following revised findings in support of the Commission's action of June 10, 2009, approving City of Malibu LCP Amendment 1-08, **with revisions**. The motion to accomplish this recommendation is found starting on **page 12.** The revisions suggested by staff and adopted by the Commission are found starting on **page 13 (LUP) and page 16 (LIP)**.

STANDARD OF REVIEW

For the proposed Land Use Plan amendment, the standard of review is conformance with and satisfaction of the requirements of Chapter 3 policies of the Coastal Act. For the proposed Implementation Plan amendment, the standard of review is conformance with and adequacy to carry out the provisions of the certified Malibu Land Use Plan, as amended.

ADDITIONAL INFORMATION

Copies of the staff report are available online on the Coastal Commission's website at www.coastal.ca.gov or at the South Central Coast District office located at 89 South California St., Second Floor, Ventura, CA 93001. For additional information, contact Patrick Veesart in the Ventura office at (805) 585-1800.

SUBSTANTIVE FILE DOCUMENTS

The Proposed LCPA, including LUP and LIP Policy revisions and additions and the Malibu Parks Public Access Enhancement Plan Overlay District Public Parkland Map (Park Lands Map 5) and Trail Resources Map (Park Lands Map 6); Resolution No. 07-114 of the Conservancy; Resolution No. 08-05 of the MRCA; Resolution No. 08-08 of the Conservancy; Resolution No. 08-20 of the MRCA; the California Coastal Commission staff report dated May 28, 2009 for MAL-MAJ-1-08, the addendum dated June 10, 2009, and the exhibits - as approved by the Commission on June 10, 2009.

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V. CALIFORNIA ENVIRONMENTAL QUALITY ACT 131

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW/OVERRIDE PROCEDURES

REVIEW REQUIREMENTS FOR LCP AMENDMENTS SUBMITTED PURSUANT TO PUBLIC RESOURCES CODE SECTION 30515 AND CALIFORNIA CODE OF REGULATIONS, TITLE 14, SECTIONS 13666 ET SEQ.

California Public Resources Code ("PRC") Section 30515 and California Code of Regulation, Title 14 (" 14 CCR") Section 13666 *et seq*. govern the submittal of LCP amendments by persons authorized to undertake public works projects that require an LCP amendment. This section of the Coastal Act allows a very limited group of people to request the Commission to amend any portion of a local jurisdiction's LCP (including its LUP, implementing ordinances etc.). PRC Section 30114 defines "public works."

PRC Section 30515

> **Amendment for public works project or energy facility development**
>
> ***Any person authorized to undertake a public works project or proposing an energy facility development may request any local government to amend its certified local coastal program, if the purpose of the proposed amendment is to meet public needs of an area greater than that included within such certified local coastal program that had not been anticipated by the person making the request at the time the local coastal program was before the commission for certification. If, after review, the local government determines that the amendment requested would be in conformity with the policies of this division, it may amend its certified local coastal program as provided in Section 30514.***
>
> ***If the local government does not amend its local coastal program, such person may file with the commission a request for amendment which shall set forth the reasons why the proposed amendment is necessary and how such amendment is in conformity with the policies of this division. The local government shall be provided an opportunity to set forth the reasons for its action. The commission may, after public hearing, approve and certify the proposed amendment if it finds, after a careful balancing of social, economic, and environmental effects, that to do otherwise would adversely affect the public welfare, that a public need of an area greater than that included within the certified local coastal program would be met, that there is no feasible, less environmentally damaging alternative way to meet such need, and that the proposed amendment is in conformity with the policies of this division.***

14 CCR Section 13666

Certified Local Coastal Program (LCP) Amendment "Override" Procedures

13666. Applicability.

These procedures are applicable to persons authorized to undertake a public works project or proposing energy facility development that requires LCP amendments provided that the development meets the following two requirements:

(1) unanticipated by the person proposing the development at the time the LCP was before the Commission for certification.

(2) meets the public needs of an area greater than that included in the certified LCP.

All other developments requiring an amendment to the certified LCP shall follow the LCP amendment procedures of the affected local government and the Commission.

PRC Section 30114 (in part)

"Public works" means the following:

(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

Thus, there are two groups of persons who may request an LCP amendment under PRC Section 30515 and 14 CCR 13666: those "authorized to undertake" public works projects and those "proposing" the development of energy facilities. However, there is no requirement that a "person authorized to undertake a public works project" propose a project at the time of their request for an LCP amendment – unlike those persons who may request an LCP amendment for the purposes of developing energy facilities who must have an accompanying project. The Santa Monica Mountains Conservancy ("Conservancy") and the Mountains Recreation and Conservation Authority ("MRCA") are "persons" (as defined in PRC Section 30111) that can undertake public works projects (in this case, publicly financed recreational facilities). In addition, the MRCA is a "special district" as defined by Coastal Act Section 30118.

Proposed LCP Amendments submitted pursuant to PRC Section 30515 and 14 CCR Section 13666 are required to be processed according to the LCP regulations, i.e., 14 CCR Chapter 8, Subchapter 2, Articles 1-18.

14 CCR Section 13666.3

13666.3. Commission Review.

> ***Commission review shall be undertaken only after consultation with the affected local government and review shall be conducted according to the LCP regulations. A local government resolution is not required if the local government fails to act within 90 days as specified in 13666.2(a).***

14 CCR Chapter 8, Subchapter 2, Article 1, Section 13500

> ***Pursuant to Public Resources Code Sections 30550 [sic], 30602, and 30606, this subchapter shall govern the submission, review, certification, and amendment of local coastal programs (LCPs) and state university or college long range land use development plans (LRDPs) and the procedures for review of developments in accordance with such plans and programs.***

Even so, there are certain exceptions where Articles 1-18, or portions thereof, may not apply. For instance, where reference is made to required information or resolutions from the "local government" or "governing authority", these may not apply to an applicant submitting an LCP amendment application under PRC Section 30515 and 14 CCR 13666 because, necessarily, such an applicant is not a "local government or "governing authority". PRC Section 30109 defines "local government" as "any chartered or general law city, chartered or general law county, or any city and county." 14 CCR Section 13502(a) defines "governing authority" as "the Board of Regents of the University of California or the Board of Trustees of the California State University and Colleges or their designated representatives." The Conservancy/MRCA is none of those. Nevertheless, the Conservancy/MRCA must supply the Commission with sufficient information to enable the Commission to analyze the proposed LCP amendment in light of the applicable LCP regulations, recognizing that a proposed LCP amendment submitted under PRC Section 30515 and 14 CCR Section 13666 is an extraordinary procedure that is likely to be resisted by the local government.

14 CCR Section 13666.4 requires that specific, factual, findings be made if the Commission is to approve (or approve as modified) an LCP amendment submitted pursuant to PRC Section 30515 including a finding that it conforms with and is adequate to carry out the Chapter 3 policies of the Coastal Act.

14 CCR Section 13666.4

13666.4. Required Findings.

> ***(a) If the recommendation is for Commission approval as proposed or modified (i.e., conditioned), the recommendation shall be accompanied by specific factual findings and reasoning which, after a careful balancing of social, economic and environmental effects, supports the following conclusions:***

(1) development meets a public need of a geographic area greater than that included within the certified LCP.

(2) development conforms with and is adequate to carry out the policies of Public Resources Code Section 30200 et seq.

(3) if significant adverse environmental impacts have been identified, reasonable alternatives have been examined, and mitigation measures have been included that substantially lessen any significant adverse environmental impact so that there is no feasible less environmentally damaging way to meet the public need. If the development will have no significant adverse environmental impact, findings shall be included which support that conclusion.

(4) disapproval would adversely affect the public welfare as identified in the findings, declarations, and general provisions of the Coastal Act (Public Resources Code Section 30000 et seq.) and the California Coastal Management Program, if applicable.

(b) If the recommendation is for Commission denial, the recommendation shall state specifically the grounds for denial, based upon the findings and relevant facts which after a careful balancing of social economic and environmental effects support the conclusions listed in Section 13666.4.

In addition, 14 CCR Section 13511(c) requires that the LUP component of an LCP be capable of carrying out the policies of Chapter 3 of the Coastal Act, and that the zoning ordinances and zoning district map (LIP) be in conformance with and adequate to carry out the provisions of the certified LUP.

<u>14 CCR Section 13511(c) (in part)</u>

13511. Common Methodology

(c) With regard to LCPs, the level and pattern of development selected by the local government shall be reflected in a land use plan, zoning ordinances and zoning district maps. The local coastal program shall include measures necessary to achieve conformity with the policies of Chapter 3 of the California Coastal Act of 1976; such measures shall be based on the authority inherent in the reasonable exercise of police power, and specifically to the authority provided in the California Coastal Act of 1976 to control or prevent uses harmful to the coastal resources of the state.

(1) The land use plan component of a local coastal program shall incorporate a statement of applicable development and resource protection policies in the substantive text or geographic provisions of the general plan, including as may be appropriate in each jurisdiction the mandatory or optional elements of a general plan as provided in Government Code

> ***Sections 65301-65303 and 65560-65567, that are capable of carrying out the policies of Chapter 3 of the California Coastal Act of 1976.***
>
> ***(2) The zoning ordinances and zoning district map shall conform with and be adequate to carry out the policies, objectives, principles, standards and plan proposals set forth in the land use plan…***

The subject LCP amendment includes proposals for new policies and/or modifications to existing policies of both the LUP and LIP portions of the City of Malibu's certified LCP. Therefore, the standard of review that the Commission uses in reviewing the proposed LUP changes is whether the LUP, as amended, would be consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendments to the LIP of the certified Local Coastal Program is whether the proposed amended IP would be in conformance with, and adequate to carry out, the provisions of the LUP portion of the certified City of Malibu Local Coastal Program. In addition, all Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified City of Malibu LUP as guiding policies.

ABILITY OF THE COMMISSION TO MODIFY A SUBMITTAL UNDER PUBLIC RESOURCES CODE SECTION 30515

The action before the Commission is only the second LCP amendment ever submitted pursuant to PRC Section 30515. That section creates a fundamentally different procedure for amending LCPs than those typically reviewed by the Commission, which are adopted and submitted by local governments and do not become effective "…until it has been certified by the Commission." (PRC Section 30514(a)) Under that process, the Commission "may suggest modifications, which, if adopted by the local government and transmitted to the Commission, shall cause the amendment, as modified, to be certified upon confirmation by the Executive Director (PRC Sections 50512 and 30513).

By way of contrast, the LCP amendment before the Commission was not adopted and submitted by a local government as that term is defined in Section 30109. Instead, it has been submitted by a "person authorized to undertake a public works project…" following the local government's failure to amend its LCP to incorporate a requested change pursuant to PRC Section 30515.

The Commission's regulations contemplate that the Commission may approve an amendment request submitted pursuant to Section 30515, deny it, or modify it and approve it as modified. (14 CCR Section 13666.4) The procedure of modifying an LCP amendment request submitted pursuant to Section 30515 differs from the procedure used for amendments submitted pursuant to Section 30514. In the latter action, the Commission is limited to suggesting modifications for subsequent local government adoption, whereas in the former, the Commission may actually modify or revise the submittal itself. In this staff report, staff has used the term "revise" rather than "modify" to avoid confusion between the procedures authorized by Sections 30514 and 30515. **See also Malibu LCP, LIP portion, section 19.7.3 ("LCP Amendments approved by the

Coastal Commission pursuant to [PRC] Section 30515 shall be effectively certified upon final action by the [Commission]."

This difference stems from the nature of the action that the Commission is undertaking when it reviews LCP amendments submitted pursuant to Section 30515. Because the requestor is not a local government (as defined in Section 30109), the requestor does not have the authority to adopt an LCP amendment, as the Legislature has required for LCP amendments submitted by local governments. Neither does the requestor have the authority to adopt modifications. Instead, in Section 30515, the Legislature established a procedure for the Commission to intermediate between local governments and a limited, specified, class of requestors in order to consider the public needs of an area greater than that over which the local government has jurisdiction. In this limited circumstance, the Commission may adopt and certify an amendment to an LCP without the concurrence of the local government, but only after a careful balancing of the competing needs pursuant to the standards articulated in Section 30515.

The Legislature did not require that the revisions adopted by the Commission to amendments submitted pursuant to Section 30515 be approved by the local government that had already declined to adopt the requested LCP amendment. This would serve no purpose, as the local government, which had already denied the amendment could effectively preclude the implementation of the amendment by refusing to approve the revision. Instead, in order to effectuate the purpose of Section 30515, the Commission was granted authority to adopt and certify LCP amendments for the limited purposes set forth therein.

B. PUBLIC PARTICIPATION

PRC Section 30503 and 14 CCR Section 13515 require public input in preparation, approval, certification and amendment of any LCP. The Conservancy and the MRCA began the public hearing process on the proposed Malibu Parks Public Access Enhancement Plan ("the Plan") improvements (originally proposed as a Public Works Plan) with a publicly noticed meeting of the MRCA on February 17, 2006, and of the Conservancy on February 27, 2006 addressing a resolution to authorize a grant of Proposition 50 funds to initiate the formal planning and design phase for the Draft Plan which was subsequently drafted and posted on the MRCA website for public viewing on June 6, 2006. A public meeting was noticed and conducted by the MRCA on the Draft Plan in Thousand Oaks, California, on June 7, 2006.

On June 13, 2006 staff of the Conservancy and the MRCA met with City of Malibu staff to review and discuss the proposed Plan. The Draft Plan was revised in response to comments and letters received during the preceding hearings and meetings, and the revised draft was posted on the MRCA website for public viewing on July 25, 2006. An additional publicly noticed hearing on the Plan was conducted by the Conservancy on July 31, 2006 in Malibu to receive public comment on the Plan. A further public hearing was held on September 18, 2006 in Agoura Hills, California, concurrently by the

Conservancy and the MRCA to discuss and provide direction regarding amendments to the Plan, and a hearing noticed to all property owners within 500 feet of the project was held in Malibu on October 23, 2006, to receive additional public comment on the Plan and proposed amendments.

Conservancy staff met with Los Angeles County Department of Parks and Recreation planning staff on October 31, 2006, to provide information on the Plan and to solicit the Department's comments, particularly regarding trail linkages and the County's Trail Plan (which is currently being updated as part of the County's Local Coastal Program planning process). The Office of Los Angeles County Supervisor Zev Yaroslavsky, Third District, was also provided with information on the Plan, including a presentation on November 9, 2006 at the quarterly Third District Parks Planning meeting with County staff, park agencies staff, nonprofit land trusts, and deputies for the Assemblymember and State Senator. An additional public hearing was held in Malibu on November 20, 2006. The Conservancy formally adopted the Plan on November 29, 2006.

Subsequent to these meetings, Conservancy and MRCA staff and the City of Malibu met to discuss the proposed Plan, resulting in revision of various elements of the Plan, particularly to include Charmlee Park as a major component of the Plan with new camping facilities in exchange for eliminating proposed camp facilities at Escondido Canyon Park, and to prepare and process an LCP amendment with the City of Malibu for incorporation of the Malibu Parks Public Access Enhancement Plan into the City's LCP through creation of an Overlay District. The LCP amendment (07-002) was filed with the City on April 23, 2007 and the City's review process resulted in a number of public meetings and hearings on the proposed Plan including a meeting before the City Environmental Review Board on July 25, 2007, a meeting with the City Planning Commission on October 9, 2007, a community workshop on November 10, 2007, and two hearings before the City Council on November 13, 2007 and December 5, 2007.

The City Council approved an LCP amendment at the December 5, 2007 hearing; however, the LCP amendment as approved by the City Council prohibited and/or deleted a number of the primary components of the proposed Plan intended to enhance public access and recreation in the Plan area. The City's action on the proposed LCP amendment request included a prohibition on all camping facilities and camping as a permitted use throughout the City of Malibu (with the exception of two (2) ADA campsites proposed at Ramirez Canyon Park that would be subject to conditional use permit requirements), deletion of public parking facilities necessary to support parkland and trail access for Escondido Canyon Park, and a reduction of public uses of Ramirez Canyon Park (as well as the requirement to build a new access road into Ramirez Canyon from Kanan-Dume Road prior to implementing those uses at Ramirez Canyon Park).

Following the December 5, 2007 action by the Malibu City Council on the proposed LCP Amendment, the Conservancy and the MRCA held a number of public hearings to discuss options for proceeding with the proposed Plan and Overlay District. Public hearings of the Conservancy and the MRCA were held on December 28, 2007 and

January 9, 2008, respectively, in which the Conservancy and the MRCA proceeded with project planning and design for development of additions and refinements of a Malibu Park Public Access Enhancement Plan Overlay District; additional project planning and design for another proposed LCP amendment, as an alternative to the one the City was submitting; and to authorize the Executive Director of the Conservancy and the MRCA to submit their alternative proposed Malibu LCP amendment to the Executive Director of the California Coastal Commission pursuant to the LCP override procedures of PRC Section 30515 and 14 CCR Section 13666 *et seq.* In taking this action the Conservancy and the MRCA found that the LCP amendment as adopted by the Malibu City Council on December 5, 2007 was contrary to the action of the Malibu Planning Commission, and effectively reduced the allowed uses of public parkland and restricted access to parks owned by the Conservancy and the MRCA.

Additional public hearings were noticed and held by the Conservancy and the MRCA on January 28, 2008 and February 6, 2008, respectively, in which the agencies reiterated their support and authorization for the Executive Director to submit the LCP Amendment to the Executive Director of the Coastal Commission pursuant to PRC Section 30515, finding that the amendment meets public needs of an area greater than that included within the certified Malibu LCP that had not been anticipated at the time the LCP was before the Commission for certification.

The Conservancy and the MRCA also received written comments regarding the project from concerned parties and members of the public. The hearings were noticed to the public by publishing the notice in the local newspaper and by mailing notice to interested parties, consistent with 14 CCR Section 13515. Notice of the Coastal Commission hearing(s) for LCP Amendment 1-08 was distributed to all known interested parties. The Commission conducted a public hearing on the LCP Amendment on June 10, 2009, after which the Commission voted to approve and certify both the Land Use Plan amendment and Implementation Plan amendment with revisions.

II. STAFF RECOMMENDATION, MOTION, AND RESOLUTION

Staff recommends the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to the resolution.

MOTION: ***I move that the Commission adopt the following revised findings in support of the Commission's action on June 10, 2009, to certify City of Malibu Local Coastal Program Amendment MAL-MAJ-1-08, including a Land Use Plan amendment and an Implementation Plan amendment, as revised in this staff report.***

STAFF RECOMMENDATION:

Staff recommends a **YES** vote on the motion. Passage of this motion will result in the adoption of revised findings as set forth in this staff report. The motion requires a majority vote of the members from the prevailing side who are also present at the October 7, 2009 hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings.

The Commissioners voting on the prevailing side to approve the LCP amendment as revised were: **Commissioners Achadjian, Blank, Burke, Clark, Hueso, Kram, Kruer, Mirkarimi, Potter, Shallenberger, Wan, and Chair Neely.**

RESOLUTION TO ADOPT REVISED FINDINGS:

The Commission hereby adopts the findings set forth below for its approval of City of Malibu LCPA MAL-MAJ1-08 (including Land Use Plan amendment and Implementation plan amendment), as revised, on the ground that the findings support the Commission's decision and action made on June 10, 2009, and accurately reflect the reasons for it.

III. REVISIONS RECOMMENDED BY STAFF AND ADOPTED BY THE COMMISSION

This section shows all of the LCP changes that are being implemented through this LCPA. The straight text represents all of the changes and additions proposed by the Conservancy and MRCA. The **bolded underlined** text and the ~~struck-out text~~ is text that the Commission added or removed, respectively, and that text is the same as what was presented in the staff recommendation sent to the Commission in June, as the Commission's action was consistent with that staff recommendation. The double-underlined and ~~double-struck-out~~ text indicates additional changes that occurred during the June hearing. Thus, the specially formatted text shows both the changes proposed by Commission staff and adopted by the Commission on June 10, 2009, as well as changes adopted at the hearing.

A. REVISIONS TO THE LAND USE PLAN AMENDMENT

Note: The Local Coastal Program - City of Malibu Park Lands Maps 5 and 6 (**Exhibit 21**) have been revised to include Malibu Bluffs Park.

Malibu Local Coastal Program Amendment- Land Use Plan

CHAPTER 5--NEW DEVELOPMENT

C. Land Use Plan Policies

1. Land Use Plan Map

The Land Use Plan Map shows the land use designation for each property. The land use designation denotes the type, density and intensity of development that may be permitted for each property, consistent with all applicable LCP policies. An overlay is applied to the Civic Center area that allows for a mix of land uses and specific development standards if a specific plan or other comprehensive plan is developed, adopted, and certified as an LCP amendment for the area. An overlay is also applied to those parkland and recreation areas **generally** included **in the Local Coastal Program - City of Malibu Park Lands Maps 5 and 6** ~~the Malibu Parks Public Access Enhancement~~ **and specifically defined in Section 3.4.2(B) of the City of Malibu Local Coastal Program – Local Implementation Plan, that allows for** ~~, a comprehensive plan developed to provide the framework for implementation of~~ specific trail development, recreation support facility, transportation, and public program improvements for individual parklands and trail corridors for the benefit of public access and recreation consistent with the goals of the LCP and the Coastal Act. New development in the City shall be consistent with the Land Use Plan map, and all applicable LCP policies. Following is a description of the land use designations.

13. Malibu Parks Public Access Enhancement Plan Overlay Policies

5.66 ~~The Malibu Parks Public Access Enhancement Plan shall~~ **Specific parkland, recreation, transportation, and trail improvement projects consistent with the Malibu Parks Public Access Enhancement Plan Overlay can** be **approved and** implemented~~, as~~ **via a** public works ~~projects~~ **plan and notice of impending development (NOID) or a coastal development permit** to 1) develop public access and recreational facility improvements, including support facilities, needed to meet growing visitation and demands for recreational opportunities in the Santa Monica Mountains and Malibu area, 2) address potential impacts to coastal resources associated with recreational facility development, 3) provide alternative transportation opportunities to facilitate public access, 4) implement and maintain specialized public program uses intended to enhance and diversify access and recreation opportunities, and 5) balance the needs and concerns of private residents adjacent to public recreational lands with the need to promote and enhance public access and recreation opportunities in the Coastal Zone for all visitors

5.67 The Malibu Parks Public Access Enhancement Plan **Overlay** provides **for** policies and implementing measures that expand on the public access and recreation policies of the Malibu LCP which**, when implemented,** ~~shall be implemented to~~ **will** enhance public access and recreation opportunities to and within existing parklands and recreation areas subject to the overlay ~~district~~ for

use by local and non-local visitors, and for visitors with diverse backgrounds, interests, ages, and abilities.

5.68 Park uses shall be ~~established and maintained~~ consistent with the visitor carrying capacity of specific park areas taking into consideration available support facilities, opportunities to develop new support facilities, accessibility, protection of natural resources, public safety issues, and neighborhood compatibility.

5.69 ~~Limited o~~**O**vernight campsites**, including "low-impact" campsites,** are ~~defined as principal~~ permitted uses in parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay and should be developed within park boundaries for public use to provide a wider range of recreational opportunities and low-cost visitor serving opportunities for visitors of diverse abilities, where impacts to coastal resources are minimized and where such sites can be designed within site constraints and to adequately address public safety issues. **For purposes of this Overlay, low impact campsites (and associated support facilities including, where appropriate, picnic tables, potable water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations) are "carry-in carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains. Low impact campsites, as defined, constitute a resource dependent use. Access to low impact campsites shall be supported by parking areas and designated ADA drop-offs located in non-ESHA areas.**

5.70 **In selected areas** ~~W~~**w**here physical constraints of natural park areas limit access opportunities for people with disabilities, park support facilities and amenities shall be developed and maintained, ~~where available and~~ consistent with public safety needs and resource protection policies, to **provide access opportunities for people with disabilities, and** thematically link nature study, education and recreation via specialized public programs and events.

5.71 Trails to and within public parklands, camp facilities, public outreach and educational programs and/or related support facilities (e.g. parking, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, nature centers, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs), and special programs and events conducted at Ramirez Canyon Park, are ~~defined as principal~~ permitted uses in the Malibu Parks Public Access Enhancement Plan Overlay and shall be permitted to be constructed, opened and operated for intended public use or benefit where it is determined feasible to locate, design, and maintain such facilities and uses so as to avoid, or minimize and fully mitigate, potential impacts to ESHA.

CHAPTER 2--PUBLIC ACCESS AND RECREATION

7. Malibu Parks Public Access Enhancement Plan Overlay

2.90 The City, Santa Monica Mountains Conservancy, and Mountains Recreation and Conservation Authority, shall coordinate and consult with the National Park Service and the County of Los Angeles, and other appropriate public and private entities and interested parties in designing, locating, funding, acquiring, and implementing the public access and recreational facility improvements identified in the Malibu Parks Public Access Enhancement Plan ~~pursuant to an adopted and certified~~ ~~o~~**Overlay** ~~district~~.

LCP LUP PARK LANDS MAPS ~~NO. 2~~

Amend **Local Coastal Program – City of Malibu Park Lands** ~~m~~**M**ap**s** to include ~~trail segments as proposed by~~ the Malibu Parks Public Access Enhancement Plan **Public Parkland Map and Proposed Trail Resources Map as Maps 5 and 6, respectively**.

Revise the Malibu Parks Public Access Enhancement Plan Proposed Trail Resources Map to include a note that states:

This map includes those public parklands, recreation areas and trail segments subject to the Malibu Parks Public Access Enhancement Plan Overlay, the specific boundaries of which are as described in Section 3.4.2.B of the City of Malibu Local Coastal Program-Local Implementation Plan.

B. REVISIONS TO THE LOCAL IMPLEMENTATION PLAN AMENDMENT

Note: The Local Coastal Program - City of Malibu Park Lands Maps 5 and 6 referenced in the LIP (**Exhibit 21**) have been revised to include Malibu Bluffs Park.

City of Malibu Local Coastal Program-Local Implementation Plan

CHAPTER 3-ZONING DESIGNATIONS AND PERMITTED USES

3.4.2 Malibu Parks Public Access Enhancement Plan Overlay

A. Purpose

~~A~~**1**. The purpose of the Malibu Parks Public Access Enhancement Plan Overlay ~~Zone~~ is to maximize and prioritize public access and recreational opportunities in specific parkland and recreation areas as defined in Section 3.4.2.B below (Plan area). This Overlay ~~District~~ implements the land use policies of the **certified Malibu Land Use Plan** ~~Malibu Parks Public Access Enhancement Plan~~, consistent with sound resource conservation principles and constitutionally protected rights of private property owners. This Overlay ~~District~~ shall further supplement and implement the public access and recreation policies of Chapter 3 of the Coastal Act, Chapter 2 of the Malibu Local Coastal Program Land Use Plan, and Chapter 12 the Malibu Local Coastal Program Local Implementation Plan~~. This ordinance shall be given the most liberal construction possible~~ to ensure that public access and public recreational opportunities are protected and provided consistent with the goals, objectives, and policies of ~~the Malibu Parks Public Access Enhancement Plan,~~ the California Coastal Act, City of Malibu Local Coastal Program, and Article X, Section 4, of the California Constitution.

~~B~~**2**. To **better** implement the goals, objectives, and policies of ~~the Malibu Parks Public Access Enhancement Plan and the public access and recreation policies of~~ Chapter 3 of the Coastal Act, and Chapter 2 of the Malibu Local Coastal Program Land Use Plan, this Overlay ~~District~~ provides site specific development standards and other implementation measures to 1) complete trail connections for the Coastal Slope Trail, between the beach and the Backbone Trail, and other connector trails and to ensure adjacent lands are protected as natural and scenic areas to enhance the recreational experience of trail corridors, and 2) identify site specific public access, recreational facility, and program improvements for Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park and Malibu Bluffs Park ~~subject to the Malibu Parks Public Access Enhancement Plan Overlay~~ to provide camp areas, critical support facilities, improved public transit, and improved trail and park accessibility to facilitate an increased level of accessibility for visitors with disabilities. The Malibu Parks Public Access Enhancement Plan Overlay further specifies the uses and facilities to be accommodated by park-specific projects, and provisions to ensure project implementation is carried out consistent with all applicable **coastal** resource protection~~, hazards and land use~~ policies of the Coastal Act and **the** certified Malibu Local Coastal Program.

B. Description of Area Subject to Section 3.4.2

The provisions of this Overlay ~~District~~ shall apply to those public parklands and recreation areas illustrated generally on the **Local Coastal Program - City of Malibu Park Lands Maps 5 and 6** ~~Malibu Parks Public Access Enhancement Plan Overlay Public Parkland Map and Proposed Trail Resources Map~~, extending from the Zuma/Trancas Canyon Units of the Santa Monica Mountains National Recreation Area to Corral Canyon Park, south to Pacific Coast Highway and north to the City of Malibu/Unincorporated Los Angeles County Boundary. The term recreation areas as used in this section applies specifically to Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park, and Malibu Bluffs Park, existing and proposed trail

corridors as identified in the City's Trail Master Plan, Local Coastal Program, and Draft Santa Monica Mountains National Recreation Area Interagency Trail Management Plan. Public parklands that are owned and maintained by the National Park Service; the Zuma/Trancas Canyon Units of the Santa Monica Mountains National Recreation Area and Solstice Canyon Park, are included in the Malibu Parks Public Access Enhancement Plan Overlay to allow for comprehensive and strategic planning for developing priority trail and transit connections with the goal of establishing a network of parks, trails, and open space for public use; however, this Overlay ~~District~~ shall not apply to any future development plans of the National Park Service for these parklands.

Private property subject to this Overlay ~~District~~ consists only of those properties containing **existing** trail and open space **Offers** To Dedicate **(OTDs)** ~~and subject to the~~ **on trail segments depicted on the Local Coastal Program - City of Malibu Park Lands Map 6** ~~Malibu Parks Public Access Enhancement Plan Overlay and all applicable provisions of Chapter 12, Public Access, of the Malibu Local Coastal Program Local Implementation Plan~~, or **such trail easements that may be** ~~those identified on the Conservancy's Work Program, as may be amended, which are~~ **acquired,** purchased from willing sellers, dedicated to public use as part of the entitlement process~~,~~ or donated by a private landowner **in the future**.

C. Applicability

The implementing measures of this Overlay ~~District~~ will serve to enhance public access and recreation opportunities to and within park facilities subject to this Malibu Parks Public Access Enhancement Plan Overlay. These implementing measures establish the park-specific uses and facilities determined to be critical in ensuring maximum public access and recreational opportunities are achieved pursuant to the Malibu Parks Public Access Enhancement Plan Overlay goals, consistent with all public access and recreation policies of the Malibu Local Coastal Program and the Coastal Act. Development of public access and recreation improvements as defined in the Malibu Parks Public Access Enhancement Plan Overlay shall be governed by the policies, standards and provisions of this Overlay ~~District~~.

Where any policy or standard provided in this Overlay ~~District~~ conflicts with any other policy or standard contained in the City's General Plan, Zoning Code, certified Local Coastal Program, or other City-adopted plan, resolution or ordinance not included in the certified Local Coastal Program, and it is not possible for the development to comply with both the Malibu Parks Public Access Enhancement Plan Overlay and other plan, resolution or ordinance, the specific policies, standards or provisions contained herein shall take precedence. **However, nothing in this Section 3.4.2 of the Malibu LIP relieves the Conservancy of MRCA of obligations to comply with other applicable State law. Thus, notwithstanding any mandatory language within this Section 3.4.2, the development of public access and recreation improvements and use of the land and of existing structures and facilities described herein remain subject**

to the requirement that the necessary Coastal Act authorization (permit or Public Works Plan and Notice of Impending Development) as well as any other authorization required under State law first be obtained.

D. Development Standards

1. Trails

Public access and recreation opportunities on lands subject to this Overlay ~~District~~ shall be provided and enhanced by developing trail resources pursuant to implementation of a number of site-specific trail improvements as conceptually illustrated on the Malibu Parks Public Access Enhancement Plan Proposed Trail Resources Map, and which shall be subject to the following implementation measures.

~~A~~a. Trail Easement & Open Space Deed Restriction Land Acceptance Program

~~1~~i. The Conservancy/MRCA shall work with the Public Access Division of the Coastal Commission and the City of Malibu Planning Division to accept all ~~OTDs~~ **Offers To Dedicate property interests (OTDs) in real property** identified **as prospective trail corridors or open space areas** in areas subject to Malibu Parks Public Access Enhancement Plan Overlay beginning July 2006.

~~2~~ii. As data becomes available, the Conservancy/MRCA shall work with the Coastal Commission and City of Malibu to identify and accept, as applicable, all trail and open space OTDs identified in areas subject to Malibu Parks Public Access Enhancement Plan Overlay and evaluate/process the legal documentation necessary to ensure allowance of trail use on properties subject to OTDs, where appropriate, or to ensure such properties are protected as natural and scenic areas to enhance the recreational experience of trail corridors.

~~3~~iii. The Conservancy/MRCA should monitor the review and approval process for coastal development permits in the areas subject to Malibu Parks Public Access Enhancement Plan Overlay, subject to City or Coastal Commission action, for potential future OTD~~s~~ requirements and act to accept OTDs that may become available.

4iv. The Conservancy/MRCA should study opportunities **for** and evaluate potential land acquisitions based on proximity to existing trail alignments and existing OTDs to facilitate development of the Coastal Slope Trail, and associated connector trails, where private property presents a significant obstacle to trail implementation.

~~B~~b. Park Agency Coordination

1. All plans for location, design and development of ~~park~~ **trail** improvements located on, or potentially affecting, adjacent Federal parklands and/or County lands shall be submitted to the Outdoor Recreation Planner of the National Park Service and/or the Los Angeles County Department of Parks and Recreation to ensure continued interagency coordination and successful planning efforts for providing an accessible, safe and enjoyable trail system throughout the Malibu Parks Public Access Enhancement Plan Overlay area.

~~C~~c. Trail Location, Development and Design

~~1~~i. The Conservancy/MRCA should develop plans to construct, improve and maintain trails for public use once **they have** accepted ~~as~~ an OTD **a property interest in the land proposed for trail use**, or once **fee title to such property is** acquired through land purchase or donation, consistent with the resource protection policies of this Overlay ~~District~~.

~~2~~ii. To the maximum extent feasible, and where consistent with all public safety provisions and the resource protection policies of this Overlay ~~District~~, the City of Malibu Local Coastal Program and the Coastal Act, trails should be designed **in accordance with current accessibility guidelines and technical requirements** ~~to accommodate the recommended guidelines for the universal design of trails and trail facilities as described in the document prepared by Moore, Iacofano, Goltsman, Inc. (MIG), dated June 2006~~. Where full compliance with ~~these~~ accessibility guidelines is determined to be infeasible, trails and trail facilities will incorporate those accessible features that can be reasonably accommodated.

~~3~~iii. Trails shall be located, designed, and maintained to avoid or minimize impacts to ESHA **and other coastal resources** by utilizing established trail corridors, following natural contours, and avoiding naturally vegetated areas with significant native plant species to the **maximum** extent feasible. Trail construction resulting in unavoidable impacts to ESHA may be permitted if found consistent with all applicable resource protection policies of this Overlay ~~District~~, the City of Malibu Local Coastal Program and the Coastal Act.

~~4~~iv. Trail development and maintenance shall be designed to accommodate multiple uses including hiking, mountain biking and equestrian uses wherever feasible. Where multi-use trails occur along existing roadways, wood bollards shall be installed between trails and roadways, and pedestrian crossing signs and/or signals shall be installed at all major road crossings, to clearly delineate trail alignments, and to provide separation and ensure safety for trails adjacent to roadways.

2. Limited Overnight Campsites

Public access and recreation opportunities on lands subject to this Overlay shall be provided by developing low-cost visitor-serving camp facilities**, including low-impact campsites,** ~~pursuant to implementation of a number of site-specific improvements proposed exclusively at Ramirez Canyon Park, Escondido Canyon Park and Corral Canyon Park~~ **in the general locations indicated on the Trail Resources Map designated as Local Coastal Program - City of Malibu Park Lands Map 6**, subject to the **resource protection policies in this LCP and the** following implementation measures**. For purposes of this Overlay, low impact campsites (and associated support facilities including, where appropriate, picnic tables, potable water, self-contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire-proof cooking stations) are "carry-in carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretative component including signage related to the natural resources of the Santa Monica Mountains. Low impact campsites, as defined, constitute a resource dependent use. Access to low impact campsites shall be supported by parking areas and designated ADA drop-offs located in non-ESHA areas.**

~~A~~a. Overnight Camps Location, Development, Design and Operations

~~1~~i. To maximize access to parklands, trails and recreational opportunities, new campsite facilities shall be provided within park boundaries at Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park and Malibu Bluffs Park.

~~2~~ii. Campsites proposed and developed pursuant to the Malibu Parks Public Access Enhancement Plan **Overlay** shall consist of designated and improved camps areas located within park boundaries **in the general locations indicated on the Trail Resources Map designated as Local Coastal Program - City of Malibu Park Lands Map 6**. Consistent with Table B, Permitted Uses, of the City of Malibu Local Implementation Plan, these campsites are ~~defined as principal~~ permitted uses in the **Public** Open Space (OS) Zone and are therefore not subject to conditional **and/or special** use permit requirements~~, or any other non-appealable special use permit that may otherwise limit development and maintenance of such campsites in the Malibu coastal zone~~.

~~3~~iii. To the extent supported by funds available in the ~~Malibu Parks Public Access~~ Fund operated and maintained pursuant to Section D.12.~~B~~**b**.~~6~~**vi** of this Overlay ~~District~~, programs that provide camping opportunities for disadvantaged youth will be provided **by the Conservancy/MRCA** at Ramirez Canyon Park, Escondido Canyon Park, and Corral Canyon Park at no cost to participants. The Fund shall specifically serve to implement ~~the Malibu Coastal Camping program,~~ a program designed for disadvantaged youth and dedicated to teaching first-time campers proper use of camping equipment, environmental awareness and outdoor leadership skills. The ~~camp~~ program shall include all necessary transportation, food and equipment, with

staffing provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education.

~~4~~iv. Campsites shall be located ~~within existing public use areas and shall be located~~ to take advantage of the unique and diverse resources of Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park, and Malibu Bluffs Park, and to facilitate disabled access where possible. **To the maximum extent feasible, ~~C~~c**ampsites shall be located in previously disturbed ~~or non-sensitive~~ areas **(except those described in Policy 3.6 of the LUP)** to minimize impacts to ~~sensitive habitat areas~~ **ESHA and other coastal resources** ~~to the maximum extent feasible~~.

~~5~~v. Campsites shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective**.** ~~to the maximum extent feasible, unless a lesser setback is determined, by a qualified biologist, to be adequate to protect riparian habitat.~~ If it ~~can be found~~ **is determined, by a qualified biologist or environmental resource specialist, to the satisfaction of the reviewing body,** that potential impacts to riparian corridors will be avoided or appropriately mitigated and there is no alternative site design to meet these setback requirements given other environmental constraints such as sensitive habitat, archaeological resources or topography, reduced stream corridor setbacks may be permitted for low-impact campsites.

~~6~~vi. Campsites shall be located in areas of level terrain, as much as feasible, to avoid the need for grading and the need for excessive maintenance requirements that may be necessary for substantially altered sites. Exceptions to this **specific requirement** shall be provided for campsites specifically designed to facilitate disabled access, in which case grading shall be minimized to the maximum extent feasible**, and the development will still need to satisfy other resource protection requirements**.

~~7~~vii. To the extent possible consistent with other resource protection policies, campsites shall be located in proximity to maintenance and/or administrative access points to provide for easy access and to minimize potential impacts to sensitive habitat areas associated with maintenance requirements.

~~8~~viii. Campsites shall be located ~~within existing public use areas~~ to avoid the need for new construction in undisturbed and remote habitat areas and impacts associated with grading and vegetation removal **to the maximum extent feasible**; however, where feasible, campsites should be located in areas where vegetation provides a natural buffer between campsites and trail corridors. Where necessary, native vegetation**, of local genetic stock,** shall be planted to provide a buffer between campers and trail users~~,~~ and to screen camp facilities from adjacent trails, parking **areas,** and day use facilities.

~~9~~**ix.** Campsites shall be provided with limited, necessary support facilities to support overnight use of the sites including, where appropriate, picnic tables, water, self-contained chemical/composting restrooms, and shade trees. However, the maximum area of ground disturbance required to accommodate facilities for any single campsite, excluding shared parking, fuel modification and restroom facilities, and campsites specifically designed to facilitate disabled access, shall be limited to the least environmental damaging alternative meeting project objectives.

~~10~~**x.** Proposed campsite locations shall be evaluated by a qualified biologist **or environmental resource specialist** to ensure that, to the **maximum** extent feasible, 1) campsites are appropriately located in previously disturbed areas **(except those described in Policy 3.6 of the LUP)**, 2) campsites are appropriately set back from the top of bank of any adjacent stream, and 3) to assess potential impacts to adjacent habitat areas and provide recommendations for mitigation, as applicable.

~~11~~**xi.** No ~~camper, hiker, casual or transient visitor,~~ **person** shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this ~~Plan~~ **Overlay**. Development, use restrictions, and brush maintenance for all campsites shall be carried out in accordance with the Fire Protection and Emergency Evacuation Plan ~~prepared~~ **approved** pursuant to Section D.11.~~B~~**b**.~~1~~**i** of this Overlay ~~District~~.

~~12~~**xii.** Overnight camping at Ramirez Canyon Park shall be allowed by reservation only. Overnight camping at Escondido Canyon Park, ~~and~~ Corral Canyon Park and Malibu Bluffs Park shall be allowed by reservation and/or by onsite registration (e.g., by an onsite drop-box or by onsite Park staff). A board or kiosk at the Corral Canyon Park and Malibu Bluffs Park parking areas shall designate which campsites have been reserved. At Escondido Canyon Park, if ~~permission is obtained at the lower parking lot~~ **feasible**, a board or kiosk shall **be placed at the parking area on Winding Way (near Pacific Coast Highway) that** designate**s** which campsites have been reserved (to reduce ~~potential~~ **unnecessary additional** trips to the ~~upper proposed parking lot~~ **park**). ~~Otherwise~~ **In addition,** ~~the~~ **a** board or kiosk **shall be placed at the Escondido Canyon Park** ~~at the upper~~ parking lot ~~shall~~ **to** designate which campsites have been reserved. The reservation and onsite registration systems shall require campers to acknowledge and agree to all park rules including, but not limited to, the prohibition on campfires and the "cold camping" regulation.

~~13~~**xiii.** ~~To the maximum extent feasible, and where~~ **C**onsistent with all public safety provisions and the resource protection policies of this Overlay ~~District~~, the City of Malibu Local Coastal Program and the Coastal Act, campsites should be designed **in accordance with current accessibility guidelines and technical requirements.** ~~to accommodate the recommended guidelines for the universal design of trails and trail facilities as described in the document prepared by Moore,~~

~~Iacofano, Goltsman, Inc. (MIG), dated June 2006.~~ Where full compliance with ~~these~~ accessibility guidelines is determined to be infeasible, campsites shall incorporate those accessible features that can be reasonably accommodated.

3. Public Transit

Public access opportunities to parklands and recreation areas subject to this Overlay shall be maximized by encouraging and expanding transportation options supported by adequate support facilities pursuant to ~~implementation of a number~~ **development** of **the following** site-specific transit and facility improvements, subject to the following implementation measures.

~~A~~a. Public Transit Improvements

~~1~~i. The Conservancy/MRCA shall coordinate with the Metropolitan Transportation Authority (MTA) to include a stop in the existing service route to the Winding Way Trailhead parking lot, typically used to access Escondido Canyon Park. The Conservancy/MRCA shall provide MTA service information to the public via public notices, trailhead signs and website posting.

~~B~~b. Transportation and Parking Management

~~1~~i. The Conservancy shall implement a Transportation and Parking Management Plan for Ramirez Canyon Park including the following provisions:

- Agreements shall be secured and maintained **between the Conservancy/MRCA and willing providers of** ~~for~~ offsite parking resources ~~provisions~~ to accommodate the maximum parking demand **associated with** ~~for~~ the authorized uses of the park for groups of **up to** 200 people without displacing the current parking **needs of the provider** ~~use of the designated locations~~. ~~Parking agreements and use of the parking resources secured by such agreements shall be considered permitted uses and shall not be denied or obstructed by the City.~~

- No off-site public coastal access parking, including the Winding Way Trailhead parking lot and the proposed parking facilities at Escondido Canyon Park, shall be utilized to satisfy the off-site parking requirements associated with Ramirez Canyon Park use.

- Daily vehicle trips associated with all authorized uses of Ramirez Canyon Park are restricted to a maximum of 80 trips per day (40 round trips)**.**~~, except as provided for in Section D.12.B.2.~~

- Signs shall be provided and maintained at the entrance gate to Ramirez

Canyon Park forbidding horn honking except in case of emergency.

- Vans and shuttles shall minimize traffic trips on Ramirez Canyon Road by traveling with maximum passenger capability and in convoys, whenever feasible.

~~2~~ii. Bicycle parking facilities shall be included on all plans to construct new parking or trailhead facilities.

~~3~~iii. Hike-in and walk-in public access opportunities shall be developed for Ramirez Canyon Park due to existing limitations on vehicular transportation to the Park. Hike-in opportunities shall be developed from the proposed parking areas along Kanan Dume Road and from dedicated, donated, and purchased easements along De Butts Terrace, Winding Way, Delaplane, and Ramirez Canyon Road, and from Pacific Coast Highway, where feasible.

iv. ~~A p~~ Parking areas may be developed at Escondido Canyon Park and Malibu Bluffs Park and a parking area/trailhead may be developed on Latigo Canyon Road for hike-in access to Escondido Canyon Park if feasible.

4. Public Outreach and Education

Public access to parklands subject to this Overlay shall be maximized by improving accessibility of parklands for visitors of diverse backgrounds, interests and abilities. This section specifically ~~identifies~~ **recognizes** Ramirez Canyon Park as an existing parkland with well established amenities available to support various public use programs including picnic areas, restrooms, educational displays, sitting benches, gardens, easily accessible terrain, and a riparian area interpretive trail. This Section provides for a number of park-specific improvements and plan specifications designed to accommodate visitors with various disabilities (e.g., mentally and physically challenged). This Section further provides detailed program and operational requirements of public outreach and educational opportunities necessary to ensure that public programs are implemented to the maximum extent feasible within the site constraints of Ramirez Canyon Park.

~~A~~a. Ramirez Canyon Park Public Outreach, Recreation and Education Programs

~~1~~i. Outreach programs designed to provide access and recreation opportunities primarily for disadvantaged youths, physically and mentally challenged visitors, clients from various shelters, Los Angeles Mission representatives, veterans, and seniors ~~shall~~**may** be permitted year round at Ramirez Canyon Park, seven days per week from 8:00 a.m. to dusk. The programs shall be provided at no cost to the participants, and free or low-cost transportation utilizing vans or small transit buses shall be provided.

~~2~~**ii.** Public improvements for ~~the~~ **a** riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by visitors with mobility disabilities in compliance with Americans with Disabilities Act (ADA), including trails, picnic facilities, drinking fountains, restrooms, and parking areas, ~~shall~~ **may** be ~~maintained~~ **permitted** for public use.

~~3~~**iii.** Three day-use picnic areas and two overnight camp areas may be developed at Ramirez Canyon Park, which shall be designed specifically to provide park amenities to accommodate disabled visitors and their families. The accessible day-use picnic areas shall be located in level, previously disturbed areas so as not to adversely impact sensitive habitat, but shall be located in proximity to natural areas to provide association with natural resources to the maximum extent feasible.

~~4~~**iv**. All public outreach, recreation and education programs operated at Ramirez Canyon Park shall comply with the requirements of Section D.3.~~B~~**b**.~~1~~**i** of this Overlay ~~District~~, Transportation and Parking Management, which includes use of shuttles and van pools to support public visitation, and limitations on daily vehicle trips. The Conservancy/MRCA shall give priority to public outreach, recreation and education programs at Ramirez Canyon Park over private events and/or small group gathering uses, specifically as it relates to implementing Section D.3.~~B~~**b**.~~1~~**i** of this Overlay ~~District~~, Transportation and Parking Management.

~~B~~b. Accessibility Design Guidelines

~~1~~**i.** To ensure that access and recreational opportunities for visitors with diverse abilities are maximized, the Conservancy/MRCA may continue all public outreach programs at Ramirez Canyon Park, ~~shall~~ **may** provide additional day-use picnic facilities, and ~~shall~~ **may** implement park improvements to provide for limited overnight camping opportunities at Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park and Malibu Bluffs Park in compliance with Americans with Disabilities Act (ADA) **and consistent with the policies of this Overlay, the City of Malibu Local Coastal Program and the Coastal Act**.

~~2~~**ii.** Access and recreational opportunities for visitors with diverse abilities shall be accommodated, where feasible and consistent with public safety needs and resource protection policies, by trail design and improvements intended to meet current accessibility standards and technical requirements. Where such improvements would potentially result in adverse impacts to cultural, historic, religious, or significant natural features or characteristics; where such improvements would substantially alter the nature of the setting or the purpose of the trail or would require construction methods or materials that are prohibited by law; or where compliance would not be feasible due to terrain or prevailing construction practices, specialized programs shall be developed and implemented to provide feasible alternatives for compliance and/or universal design when appropriate.

~~3~~**iii.** The Conservancy/MRCA will assess all contributing structures and landscape features for their role in developing programs that meet current accessibility guidelines and technical requirements at the parks areas owned and maintained by the Conservancy/MRCA. Where programmatic needs cannot be met within existing park facilities, the Conservancy/MRCA shall consider the following: 1) appropriate new construction, 2) modifying programs or providing new specialized programs able to be accommodated at existing facilities and landscapes, or 3) not implementing the program element.

5. Support Facilities

Public access and recreation opportunities shall be maximized by development of critical public support facilities **(e.g. parking, trailhead facilities, public restrooms, picnic amenities, ranger/ maintenance supervisor housing, administrative personnel facilities related to the daily operation and maintenance of parklands and park programs)** subject to the following implementation measures.

~~A~~a. Support Facilities Location, Development and Design

~~1~~**i.** To maximize access to parklands and trails consistent with the other provisions of this Overlay ~~District~~, new, limited parking and trailhead facilities ~~shall~~ **may** be provided at Ramirez Canyon Park, ~~and~~ Malibu Bluffs Park, and Escondido Canyon Park, including the Latigo Canyon Road Trailhead to Escondido Canyon**, provided they are consistent with the resource protection policies of this LCP**.

~~2~~**ii.** New support facilities shall be located at park entrances and along existing primary trail routes, **provided they can be so located consistent with the resource protection policies of this LCP. They will be located** within previously disturbed areas where feasible, to minimize impacts to sensitive habitat areas to the maximum extent feasible.

~~3~~**iii.** New support facilities **(not associated with low-impact campsites)** shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective **(excepting support facilities within Ramirez Canyon Park, a limited [no more than 10 space] Latigo trailhead parking and picnic area for Escondido Canyon Park, and an Americans with Disabilities Act (ADA) compliant drop-off area at Corral Canyon Park, all of which may be located closer to the stream bank provided they are still no less than 25 feet from top of stream bank).**~~, to the maximum extent feasible. If determined by a qualified biologist that potential impacts to riparian corridors will be avoided or appropriately mitigated and there is no alternative site design to meet these setback requirements given other environmental constraints such as sensitive habitat, archaeological resources or topography, reduced stream~~

~~corridor setbacks may be permitted for low-impact primary parkland support facilities but in no case shall be setback less than 25 feet from the top of bank of all streams.~~

~~4~~iv. New support facilities shall be located in areas of level terrain to minimize the need for grading as much as feasible.

~~5~~v. New support facilities shall be strategically located in disturbed areas **(except those described in Policy 3.6 of the LUP) and outside of any ESHA**~~,~~ but shall also be located adjacent to vegetated areas whenever feasible where existing vegetation may provide a natural buffer between support facilities, trail corridors and/or public viewing areas. Where necessary, native vegetation ~~shall~~ **may** be planted to provide a buffer and to screen support facilities.

~~6~~vi. Proposed support facility locations shall be evaluated by a qualified biologist to ensure that, to the maximum extent feasible, 1) facilities are appropriately located in previously disturbed areas, 2) facilities are appropriately setback from the top of bank of any adjacent stream, and 3) to assess potential impacts to habitat areas that may result from development of new facilities and to provide recommendations for mitigation, as applicable. **These analyses and recommendations must be submitted to the body reviewing any application for development for review and approval.**

6. Signs

A uniform and comprehensive park and trail sign program**, which is** essential for identifying park areas, permitted uses, support facilities, sensitive habitats, and adjacent land uses shall be applied to all new trail and park area improvements as ~~applicable~~ **appropriate** and shall be subject to the following implementation measures.

~~A~~a. Signs Location, Content and Design

~~1~~i. Signs shall be provided at all park locations, as determined necessary and appropriate **by the Conservancy/MRCA**, to provide information relative to**, among other things,** trails, regulations, **natural resources,** and services.

- Trail signs shall be provided for visitors beyond the trailhead and shall include distance to destination points and information about trail conditions and accessibility that will help visitors determine the level of trail difficulty.

- Regulatory signs shall be provided at park entrance areas, staging areas or gathering points and may include, but **need** not **be** limited to, the following information: 1) permitted use of the area or facility being posted, 2) general regulations at trail-heads, 3) general regulations at jurisdiction boundaries, 4) regulations required to promote safe use of an area

(including limitations on fires) and resource protection, and 5) identification of private property boundaries.

- Services signs identifying services and/or support facilities for the park visitor shall be provided in locations as determined appropriate by the managing agency.

- **Educational/interpretive signs shall be provided in public use areas in or adjacent to ESHA that identify natural resources and explain their special nature or role in the local ecosystem.**

~~2~~**ii.** Sign appearance shall be standardized for easy recognition by visitors including face, font, capitalization, colors, icons, materials, and dimensions, except where unique signage is used to identify architecturally significant structures in Ramirez Canyon Park.

~~3~~**iii.** Trail improvements ~~should~~ **must** provide adequate signs at all access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads, and ~~should~~ **must** provide adequate safety signs, including**,** but not limited to, road crossing signs and yield/warning signs on multi-use trail segments.

~~4~~**iv.** Final plans for location and content of proposed trail and park signs shall be submitted for review and comment to the Outdoor Recreation Planner of the National Park Service to ensure continuity of signs between the park properties in the Plan area.

~~5~~**v.** The Conservancy/MRCA shall retain the services of a bilingual consultant who will assist in determining which of those regulatory, informational, and directional signs should be posted in both English and Spanish.

7. Environmentally Sensitive Habitat Areas (ESHA)

Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values and all areas subject to proposed access and recreation improvements found to constitute ESHA pursuant to the provisions of Chapter 4 of the Malibu Local Implementation Plan shall be subject to the following implementation measures**, as well as other, generally-applicable resource protection provisions of this LCP**.

~~A~~**a. Permitted Parkland Uses, Development and Design**

~~1~~**i.** Trails, camp facilities, park uses as described in this Overlay ~~District~~, and necessary support facilities shall be considered ~~principal~~ permitted uses for those

parkland areas subject to the Malibu Parks Public Access Enhancement Plan Overlay and as identified on the Public Parkland Map and Proposed Trail Resources Map. Trails~~,~~ **and other resource dependent** park uses**,** and necessary support facilities **associated with resource dependent uses,** located within or adjacent to areas mapped as ESHA shall be sited and designed to **avoid** ~~minimize impacts to ESHA to the maximum extent feasible~~ **significant disruptions of habitat values within the ESHA and avoid significantly degrading such areas. Minor disruptions to ESHA resulting from resource dependent uses shall be mitigated pursuant to LIP provision 3.4.2(D)(7)(a)(viii). Such uses shall also minimize impacts to other coastal resources through, among other things, m**~~M~~itigation measures, including**,** but not limited to, ~~selective~~ siting for new permitted park improvements in previously disturbed areas, signs, and limited fencing shall be implemented as necessary to protect ESHA.

~~2~~**ii.** New park facilities shall be located along existing primary trail routes, in proximity to trail entrances and trailheads, and in previously disturbed areas, where feasible, to avoid and minimize impacts to sensitive habitat areas to the maximum extent feasible. **Any new, non-resource dependent facilities must be located outside of ESHAs.**

~~3~~**iii.** New park facilities shall be located a minimum of 100 feet from the top of bank of all streams or from the outer edge of riparian vegetation, whichever is the most protective, to the maximum extent feasible, excluding those special provisions for low-**impact** ~~intensity hike-in~~ campsites and **associated** support facilities as provided for per implementation measures D.2.A~~a~~**a**.~~5~~**v** and D.5.A~~a~~**a**.~~3~~**iii** of this Overlay ~~District~~, respectively**, and new park facilities at Ramirez Canyon Park, a limited (no more than 10 spaces) Latigo trailhead parking and picnic area for Escondido Canyon Park, and an ADA compliant drop-off area at Corral Canyon Park which shall be located no less than 25 feet from top of stream bank**. Riparian area buffers shall be planted with appropriate native species to provide canopy and vegetative structure to improve habitat function and value of buffer areas.

4iv. Proposed park facility locations shall be evaluated by a qualified biologist **(1)** to ensure that, to the maximum extent feasible, **(a**~~1~~) facilities are appropriately located in previously disturbed areas **(except those described in Policy 3.6 of the LUP)**, **and (b**~~2~~) facilities are appropriately setback from the top of bank of any adjacent stream, and **(2**~~3~~) to assess potential impacts to habitat areas and provide recommendations for **alternatives to avoid impacts, and if impacts are unavoidable, for** mitigation **measures**, as applicable.

~~5~~**v.** Proposed park facility locations shall be located in proximity to maintenance and/or administrative access points (trailheads) to provide for easy maintenance access and to minimize potential impacts to sensitive habitat areas associated with existing maintenance operations requiring motorized access by park personnel. Motorized vehicle access by park personnel within parklands shall avoid sensitive

habitat areas and shall be limited to existing maintenance routes to the maximum extent feasible, and shall be for the purposes of conducting maintenance, providing emergency services, conducting patrols, implementing habitat restoration, assisting accessibility to camps with fully accessible campsites and facilities, and providing other park services.

~~6~~**vi.** Proposed park facilities shall be developed with the smallest development envelope determined necessary to accommodate such facilities to minimize the area of disturbance and avoid potential impacts to ESHA.

~~7~~**vii.** All new and improved park facility projects, including trails, campsites, parking, etc., where determined appropriate and feasible, shall **be designed in accordance with current accessibility guidelines and technical requirements** ~~incorporate the best practices design provisions contained in the Guidelines for the Universal Design of Trails and Trail Facilities as described in the document prepared by Moore, Iacofano, Goltsman, Inc. (MIG), dated June 2006~~.

~~8~~**viii.** Prior to improving and opening any trail or **other resource dependent** park facility for public use in an area of naturally vegetated habitat, a site-specific biological assessment shall be prepared by a qualified biologist **or environmental resource specialist** ~~which shall~~ **to** evaluate the vegetation and habitat of the project area to determine potential impacts to ESHA that may occur. Should the biological assessment determine that **unavoidable** adverse impacts to ESHA may result from permitted development**,** the **impacts must be mitigated to avoid any significant disruption or degradation of habitat values**. **The** following ~~minimum~~ **additional** mitigation measures shall **also** be implemented:

- Mitigation measures for impacts to ESHA shall include habitat restoration and/or enhancement and shall be monitored for a period of no less than five years following completion. Mitigation ratios for **permanent impacts to** specific types of habitat shall be as follows:

  Coastal sage scrub**/chaparral** ~~2~~**3** to 1
  ~~Seasonal wetlands 3 to 1~~
  ~~Freshwater marsh 3 to 1~~
  Riparian **vegetation** areas 3 to 1
  ~~Vernal pools 4 to 1~~
  ~~Saltmarsh 4 to 1~~
  Native trees 10 to 1 (oak, walnut, sycamore, alder, or toyon)
  Native grasslands 3 to 1

  To address temporary impacts to ESHA, all disturbed areas shall be re-vegetated consistent with Policy 3.4.2(D)(8)(a)(iv).

~~9~~**iv.** Focused spring surveys for special status plant species shall occur within project footprint areas where potential habitat occurs to assess potential direct and indirect impacts to special status species prior to implementation of new park facility improvement projects.

~~10~~**x. In addition to any applicable provisions of Section 4.4.2 of the Malibu Local Implementation Plan, S~~s~~hould** project construction occur during the migratory bird nesting season (typically February through August), a focused avian nesting survey shall be performed by a qualified wildlife biologist 72 hours prior to construction in accordance with the Migratory Bird Treaty Act (MBTA) (16 U.S.C. Sec. 703 et seq). If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with a~~n appropriate buffer, which will be determined by the biologist based on the biology of the species~~ **300 foot buffer for all bird species except raptors which require a 500 foot buffer**. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing.

~~B~~b. Hydromodification

~~1~~**i.** Existing streambed modifications in Ramirez Canyon Park are part of a larger system of channelization in Ramirez Canyon where numerous neighboring properties contain similarly modified channels. The Conservancy/MRCA shall initiate a site-specific, comprehensive analysis of the modified stream channel at Ramirez Canyon Park to assess opportunities for streambed and riparian habitat restoration and potential onsite and offsite flooding or erosional hazards that might result from removing or other modification of the channelization structures.

~~2~~**ii. If the analysis described in the previous paragraph reveals a need for additional streambed alterations, and such alterations are allowable under policies 3.32 and 3.33 of the certified Malibu Land Use Plan, b**~~B~~ioengineering methods or “soft solutions” shall be developed as an alternative to constructing rock revetments, vertical retaining walls or other “hard structures” along Ramirez Canyon Creek **wherever feasible**. If bioengineering methods are demonstrated to be infeasible, then other alternatives may be considered. Any ~~applications for~~ **development that includes** protective measures along Ramirez Canyon Creek shall demonstrate that existing development and/or public use areas in Ramirez Canyon Park are in danger from flood hazards, that the proposed protective device is the least environmentally damaging alternative, that it is sited and designed to avoid and minimize impacts to the habitat values of the riparian corridor along the creek and the recreational and public access use of the Park property along the creek, and that any unavoidable impacts have been mitigated to the maximum extent feasible.

~~3~~iii. Where minor alteration of natural streams for the purpose of stream crossings (vehicular or pedestrian) are necessary to provide access to and within public recreation areas, the following development standards shall be applied:

- Use of Arizona crossings shall be limited to repair and maintenance of existing**, legal** crossings consistent with the repair and maintenance provisions of Section 13.4.2 Repair and Maintenance Activities of the City of Malibu Local Coastal Program Local Implementation Plan.

- All new stream crossings shall consist of a span bridge design which minimizes placement of any new structures within the stream bed or channel and avoids removal of natural riparian vegetation to the maximum extent feasible.

- Construction activities shall be scheduled to occur during the dry season.

- Staging areas outside of the riparian canopy shall be identified and flagged for construction workers and to store materials.

- Monitoring of stream crossing construction activities shall be conducted by a qualified biologist **or environmental resource specialist**. The biologist**/resource specialist** shall be responsible for ~~briefing~~ **advising** construction workers on potential resource damage avoidance prior to the commencement of any on site activities.

- These provisions shall not apply to existing or proposed pedestrian stream crossings along hiking trails where no alteration of the natural stream channel is required to accommodate access.

~~C~~c. Parkland Habitat Preservation and Monitoring

~~1~~i. Trail or park areas that have been severely degraded as the result of overuse or lack of maintenance shall be restored by such techniques as revegetation with native plants, trail consolidation and improvement, and through the provision of support facilities such as parking, defined trail systems, raised walkways, trash receptacles, restrooms, and picnic areas. Fencing and signs, designed and located consistent with other applicable provisions of this Overlay ~~District~~, shall be installed around restoration areas for purposes of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts. All park fencing shall be designed to allow for wildlife passage. In severely degraded areas, controlled and limited public access may be allowed during the recovery period and in consultation with appropriate public agencies and/or resource specialists. Any limitation of public use shall be evaluated periodically to determine the need for continued use

restrictions and the limitation shall be removed at the termination of the recovery period.

~~2~~ii. The Conservancy/MRCA shall conduct periodic assessments of park visitation numbers and patterns of use and shall monitor the quality of visitor experience and make the appropriate management changes to prevent potential degradation of natural resources from overuse. Monitoring and visitor survey data shall be evaluated to identify needs, problems, and issues that require management action.

~~D~~d. Native Trees

1. All development involving access and recreation improvements within areas containing one or more native oak (Quercus species), California Walnut (Juglans californica), Western Sycamore (Platanus racemosa), Alder (Alnus rhombifolia), or Toyon (Heteromeles arbutifolia) tree, that has at least one trunk measuring six inches or more in diameter, or a combination of any two trunks measuring a total of eight inches or more in diameter, measured at four and one-half feet above natural grade shall be subject to the provisions of Chapter 5 Native Tree Protection of the Malibu Local Coastal Program Local Implementation Plan.

8. Water Quality

All new public access and recreation improvements shall be evaluated for potential adverse impacts to water quality and shall consider Site Design, Source Control and Treatment Control Best Management Practices (BMPs) to prevent polluted runoff and water quality impacts resulting from new development, and shall be designed to prevent the introduction of pollutants that may result in water quality impacts. Projects shall be designed to control post-development peak runoff rates and average volumes to maintain or reduce pre-development downstream erosion rates. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 17 of the Malibu Local Implementation Plan~~, or the Regional Water Quality Control Board, whichever is most protective~~.

~~A~~a. Parkland Facilities Development and Design

~~1~~i. New park facility development shall, as applicable, include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control Best Management Practices (BMPs), that will be implemented to minimize post-construction polluted runoff, and shall include monitoring and maintenance provisions for identified BMPs and shall specifically address:

- Designated areas within camp facilities to provide fresh water for camp uses including drinking water, hand washing and dish washing, and areas

where overspill will drain. All overspill shall be contained onsite and treated with appropriate post-development BMPs measures.

- Methods to accommodate onsite percolation and to mitigate and treat any increase in runoff from impervious surfaces consistent with all applicable development standards of Section 17.5.1 BMP Requirements and Implementation of the Malibu Local Implementation Plan.

~~2~~ii. An Interim Erosion Control Plan shall be developed and implemented for construction activities resulting in soil disturbance and vegetation removal and the following development standards shall be applied:

- The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.

- Should grading take place during the rainy season (November 1 – March 31) temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, geofabric covers or other appropriate cover, geotextiles or mats shall be installed on all cut or fill slopes as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction.

~~3~~iii. All new park facilities shall be located in areas of level terrain, to the maximum extent feasible, to avoid the need for grading and to minimize landform alteration and alteration of natural drainage patterns. Campsites specifically designed to facilitate disabled access, parking resources to support trail access, and development of important trail linkages, shall be sited and designed to ensure grading is minimized to the maximum extent feasible.

4iv. All graded and disturbed areas on ~~the subject~~ **development** site**s** shall be planted and maintained for erosion control purposes within sixty (60) days of completing construction activities resulting in soil disturbance or vegetation removal. To minimize the need for irrigation all landscaping shall consist ~~primarily~~ of native~~,~~ drought resistant plants***.*** ~~as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in the document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996.~~ **All native plant species shall be of local (Santa Monica Mountains) genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council)**

(http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. ~~Invasive, non-indigenous plant species which tend to supplant native species shall not be used.~~

~~B~~b. Onsite Wastewater Disposal

~~1~~i. All new public restroom facilities shall consist of self contained, chemical or composting restrooms**,** which shall be sited and designed to ensure that impacts to ESHA and water quality are avoided. **Where feasible,** ~~S~~**s**elf-contained restroom facilities shall be located a minimum of 200 feet from the top of bank of any adjacent stream~~, wherever feasible~~, and **in no case** shall **they** ~~not~~ be located less than 100 feet from the top of bank of any adjacent stream or the outer edge of riparian vegetation **(except at Ramirez Canyon Park, and at a limited (no more than 10 spaces) Latigo trailhead parking and picnic area for Escondido Canyon Park~~, and at an ADA compliant drop-off area at Corral Canyon Park~~ where restroom facilities shall be located no less than 25 feet from top of stream bank)**, which ever is the most protective. Minimal grading to create minor berms around the facilities shall be allowed**, provided it is not in violation of other LCP resource protection policies,** to ensure run-off is contained in the vicinity and/or is conveyed and filtered through bioswales. Self-contained restroom facilities shall be maintained pursuant to manufacturer specifications at all times.

~~2~~ii. ~~The Septic System Abandonment/Wastewater Treatment and Recycled Water System Installation Plan, developed and implemented for~~ **Development at** Ramirez Canyon Park shall ~~be maintained onsite to~~ provide for 1) the permanent abandonment of the idle septic system and leachfields located beneath the tennis court, the leachfield serving Barwood, and of the leachfields and/or pits and septic tanks serving the Barn and Peach House Structures, 2) installation of an on site wastewater treatment system and recycled water reuse program, including a landscape/ orchard planting and management plan designed to maintain sufficient evapotranspiration capacity for the maximum effluent production of the site during all potential seasonal conditions, and 3) the installation and maintenance of on site emergency power generators and fuel supply necessary to maintain the wastewater treatment system for at least twelve (12) hours. These improvements shall be maintained and all new permanent restroom facilities shall be required to connect to the on-site wastewater treatment and recycled water reuse system.

~~3~~iii. ~~The Wastewater Treatment and Recycled Water System Installation Plan developed and implemented for~~ **Development at** Ramirez Canyon Park shall require use of restrooms connected to the wastewater treatment system for all visitors, tours, gatherings and events at Ramirez Canyon Park accommodating up to 200 people (the design capacity of the wastewater treatment system). Should any use, or combination of uses, at Ramirez Canyon Park result in a capacity of visitors

exceeding 200 people at any one time, portable restrooms shall be provided to supplement the treatment capacity of the wastewater treatment system.

4iv. A Water Quality Monitoring Program shall be implemented at Ramirez Canyon Park that includes provisions for quarterly analysis of water samples up- and downstream of the subject site for a minimum of four quarters of available streamflow (streamflow in Ramirez Canyon Creek is intermittent), commencing with ~~implementation~~ **certification** of this Overlay ~~District~~. The quarterly analysis of water samples shall determine fecal coliform concentration and, should the results of the one year analysis be adverse or inconclusive, additional water quality analysis shall be performed. If the results of the water quality monitoring fail to rule out existing septic systems as a potential source of elevated fecal coliform counts downstream of Ramirez Canyon Park, a complete permit application shall be made to the City of Malibu Health Department for abandonment of the remaining septic systems and further upgrade the new wastewater treatment system to accept and treat the effluent from the ranger/maintenance supervisor residence and/or the Art Deco building.

9. Visual Resources

All new public access and recreation improvements shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Development of public access and recreation improvements shall be subject to the following standards as well as any other applicable development standards of Chapter 6 of the Malibu Local Implementation Plan.

~~A~~a. Park Facilities Siting and Design

~~1~~i. New restroom facilities shall be located and designed such that they are not substantially visible from trails, public roads or other scenic viewing areas. Measures to minimize visibility of restroom facilities include:

- Locating the structures in level areas where vegetation exists or where topography naturally screens the areas from public views. Where necessary, native vegetation shall be planted to provide a buffer between restrooms, trail users and campers, and to screen restrooms facilities.

- Where **the reviewing body** determine~~d~~**s it is** necessary and feasible for purposes of protecting visual resources, **and it is consistent with the resource protection policies of the LCP,** grading shall be allowed to "tuck" restroom facilities into hillside terrain and thereby blend with natural terrain. Restroom facilities shall be designed with colors that are

compatible with the surrounding landscape and landscape screening shall be used to minimize visibility of the structures.

~~2~~**ii.** Campsite locations shall be located and designed such that they are not substantially visible from trails, public roads or other scenic viewing areas**, whenever possible consistent with the other provisions of this Overlay**. Measures to minimize visibility of campsites include locating sites in level areas where vegetation exists or where topography naturally screens the areas from public views. Where necessary, native vegetation shall be planted to provide a buffer between campers and trail users and to screen camp facilities from adjacent trails.

~~3~~**iii.** Retaining walls shall be permitted only where required to support critical trail linkages on hillside terrain, or to support restroom construction in hillside terrain, where no other alternative location or method of support is available. The height of permitted retaining walls shall not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted. Retaining walls shall be designed with natural materials that blend with the surrounding earth materials and landscape.

~~4~~**iv.** Drainage devices for parking facilities shall be placed in locations of minimal visibility and shall be colored to match natural soils and screened with landscaping to minimize visibility.

10. Archaeological Resources

All new public access and recreation improvements shall be located and/or designed to protect and preserve areas, sites and structures of historic, cultural, archaeological and paleontological significance. Development of public access and recreation improvements shall be subject to the following **standards as well as any other applicable development standards of Chapter 11 of the Malibu Local Implementation Plan**:

~~1~~**a. For all project areas that will involve ground disturbance,** ~~A~~ **a** Phase I Inventory of cultural resources shall be conducted by a qualified archaeologist ~~for all project areas that will involve ground disturbance~~ **which includes the following:**~~. All other applicable development standards of Chapter 11 of the Malibu Local Implementation Plan apply.~~

- A records search through the regional historical resources information center.
- An archival search of historic records.
- A field survey.

- A written report which describes how the survey was conducted and the result of the survey.

~~2~~b. Park signs, maps, public information notices, and website information shall include notice to inform visitors that disturbance to archaeological sites cannot be reversed, that such resources are of great religious importance to contemporary Native Americans and destruction of archaeological sites on public property is illegal and a punishable offense.

11. Hazards

All new public access and recreation improvements shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. Development of public access and recreation improvements shall be subject to the following development standards as well as any other applicable development standards of Chapter 9 of the Malibu Local Implementation Plan to minimize risks associated with high geologic, flood, and fire hazard.

~~A~~a. Geology and Flooding

1. A geologic/soils/geotechnical study identifying any geologic hazards affecting areas identified for new, structural park facility development shall be prepared and shall contain recommendations for mitigation measures, where applicable, and a statement ~~that~~ **as to whether** the project areas are suitable for the proposed improvements and that the improvements will be safe from geologic hazard.

2. Engineered structures such as retaining walls, footings for small structures (i.e. restrooms with footings, water service lines, engineered retaining walls, parking areas, etc., as applicable), and significant cut and fill grading will require the preparation of a geotechnical report, prepared by a qualified engineering geologist or a registered geotechnical engineer, to provide recommendations for the design of these structures and grading procedures.

3. Where applicable, new park improvements shall include adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff and erosion.

~~B~~b. Fire Protection, Emergency Evacuation

~~1~~i. A Fire Protection and Emergency Evacuation Plan shall be developed and **submitted, for review and approval, to the reviewing body for any Coastal Act approval as well as to the appropriate Fire Agency as described below. The approved version shall be** implemented for Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park, and Malibu Bluffs Park ~~and shall be approved by the State Fire Marshall and Los Angeles County Fire Department,~~

~~Division of Fire and Life Safety~~. The Fire Management and Emergency Evacuation Plan shall include the following provisions:

- All standard Parkland rules and regulations shall be enforced per existing policies of the MRCA/SMMC:
    - Except in designated camp areas, park properties shall be closed sunset to sunrise.
    - No smoking or fires.
    - No alcoholic beverages.
    - No littering or dumping.
    - No unauthorized vehicle use.
    - No defacing or destroying property.
    - Dogs must be on a leash and cleaned up after.
    - Possession of firearms, bow and arrow prohibited.
    - Violations subject to $500 fine and/or 6 months in County jail.
- An annual fuel modification plan for site vegetation management and tree trimming/limbing at each park property shall be developed and implemented prior to the annual fire season.
- Campsite locations shall be located within existing public use areas to ensure easy access for purposes of maintenance and patrol, and in case of emergency.
- No ~~camper, hiker, pedestrian, casual or transient visitor to Malibu, nor any resident of the City of Malibu,~~ **person** shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this Plan. The only cooking apparatus permitted shall consist of self-contained propane stoves when permitted consistent with the terms of the approved Fire ~~**Management**~~ **Protection** and Emergency Evacuation Plan. No kerosene or white gas lanterns shall be permitted.
- ~~No person shall, outside of any park facility mentioned herein, on any public or private property, permit or allow, or cause to be permitted or allowed, any open flame, fire, or other incendiary source, of any nature whatsoever, within twenty (20) feet of any flammable vegetation. This provision shall prohibit backyard fires, barbeques, or any other flame source whatsoever. Propane BBQs when accompanied with approved fire~~

~~extinguishers shall be exempt from this policy.~~

- Campers shall be required to utilize designated cook ~~**surfaces**~~ **stations** provided at each approved campsite, which shall be designed of non-flammable materials **and capable of being fully enclosed**. Cold-camping apparatus such as flame-less cook-stoves and lanterns are preferred. Prospective campers shall be informed of the No Campfire/Cold Camp Policy upon reserving and/or registering for use of camp facilities and shall be put on notice that unauthorized use of fire-related camping and cooking apparatus specifically prohibited by the No Campfire/Cold Camp Policy will be cause for confiscation of such devices and/or expulsion of visitors from camp facilities. Signs shall be posted and camp areas will be routinely patrolled to enforce the No Campfire/Cold Camp Policy **and notification provided that violation of the No Campfire/Cold Camp Policy may be punishable by fines up to $1,000.00**.

- Fire protection apparatus shall be provided and maintained at all camp facilities and shall include, at a minimum:

    - Water storage tank or water delivery system designed, located, and maintained to provide a dependable water supply for fire protection at each proposed camp area at all times to ensure adequate water supply for fire protection of new camp facilities.

    - A portable and air-powered quick attack firefighting system to be provided at each camp facility for ready deployment by trained Camp Host, Ranger, or park personnel in the event of a fire.

    - Portable self-contained fire extinguisher units to be provided for each cluster or group of campsites.

- **Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park, and Malibu Bluffs Park shall be closed to all recreational use during any Red Flag Day/period as declared for the Santa Monica Mountains area by the National Weather service, a division of the National Oceanic Atmospheric Administration (NOAA), Park properties shall be posted and patrolled to inform visitors of Red Flag Day closures and notification provided that violation of the Red Flag Day closure policy may be punishable by fines up to $6,000.00.**

- Camping at all park properties will be prohibited **and Ramirez Canyon Park shall be closed to events, tours, camping reservations or other special functions when any** Flash Flood/Flood Warnings or Urban/Small Stream Advisory is issued. Signs will be posted and camp areas will be routinely patrolled to notify park users and to enforce restrictions on park use during all Flash Flood/Flood Warnings and Urban/Small Stream

Advisories as determined by the National Weather Service, a division of the National Oceanic Atmospheric Administration (NOAA). **Written warnings of the cancellation policy shall be provided to potential campers and prospective program and event sponsors prior to contracting for park use.**

- A~~n~~ ~~onsite~~ Camp Host, staff maintenance person, or Ranger, who is wildland fire-trained, shall be **onsite** ~~accommodated for~~ at each park property during the times camping is permitted. This shall be accomplished by either providing for residency of a Camp Host, staff maintenance person or Ranger at existing park properties, or ensuring that support facilities and apparatus are provided to sustain continuous daily and nightly patrols to strictly enforce the No Campfire Policy and use restrictions relating to hazardous conditions. Park patrols shall be conducted daily at each park property when campers are present. Adjustments to patrol procedures will be made as necessary to ensure park rule enforcement and compliance.

- An Evacuation Plan shall be prepared and shall include details relative to evacuation procedures and evacuation locations to be implemented for each park property during emergencies.

- **Where it is infeasible to meet all applicable current Building and Fire Code requirements for fire protection due to site or resource constraints, modifications may be granted pursuant to an approved Fire Protection Plan, as provided by Section 702A of Chapter 7A of the 2007 California Building Code and Section 4702.1 of the 2007 California Fire Code, as may be amended. Such Fire Protection Plan will analyze the site fire risk at a fine scale and develop customized measure for mitigating the risk including design, construction, maintenance and operation requirements of the park improvements in compliance with applicable fire codes and, where necessary, fire protection enhancement requirements to provide "same practical effect" or functional equivalency for any non-code complying park improvement element.**

- Emergency power generators and fuel supply at Ramirez Canyon Park necessary to maintain emergency lighting for at least twelve (12) hours shall be installed and maintained on site.

- ~~Park events, tours, camping reservations or other special functions at Ramirez Canyon Park shall be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued. Written warnings of the cancellation policy shall be provided to potential campers and prospective event sponsors prior to contracting for park use.~~

~~2~~**ii.** A Wooden Bridge Reinforcement Plan, developed and implemented to provide for reinforcement of the wood bridge over Ramirez Canyon Creek next to Ramirez Canyon Park, shall be maintained to ensure that the bridge will safely support a 25-ton fire truck and thereby accommodate emergency access. The wood bridge shall be maintained in sound condition to ensure safe and adequate emergency access to the Park.

~~3~~**iii.** An Emergency Access and **Emergency** On-Site Parking Plan for Ramirez Canyon Park, prepared by a licensed civil engineer and approved by the **appropriate Fire Agency** ~~**Los Angeles County Fire Department**~~ as compliant with applicable state and county fire and life safety regulations, shall be maintained for Ramirez Canyon Park. **Special events held during the fire season shall retain all guest vans, shuttles, and drivers continuously on site during the event.**

iv. Opportunities for additional emergency ingress/egress to and from Kanan Dume Road over Via Acero shall be explored, including the potential for feasibly obtaining easements from willing property owners or by eminent domain. Construction of an additional emergency ingress/egress at Ramirez Canyon may occur consistent with all applicable policies and provisions of the LCP. This policy is not intended to limit the use of, or access to, Ramirez Canyon Park via Ramirez Canyon Road.

v. The Conservancy/MRCA shall explore and pursue all options to remove any permitted or unpermitted private encroachments into the Ramirez Canyon Road 40 foot easement to achieve full access road width and clearance standards as required by the appropriate fire agency.

12. Land Use and Neighborhood Compatibility

All new public access and recreation facilities shall be developed consistent with the established OS land use and zoning designation of the parklands subject to the Malibu Parks Public Access Enhancement Plan Overlay. Permitted park uses consist of recreation, research and education, nature observation, and a range of critical support facilities, developed and operated pursuant to this Overlay ~~District~~ of the Malibu Local Implementation Plan. Existing and proposed support facilities are defined as those facilities deemed necessary to support the primary permitted land use, public access and recreation, research and education, and nature observation. The type of support facilities addressed at each park facility shall be based on the level and complexity of public uses and specialized programs offered at each park area. Ramirez Canyon Park, given its unique character, limited accessibility to the public, and specialized programs shall be permitted the administrative and support facilities necessary to maintain access programs, daily operations and maintenance of the various park and recreation programs addressed in this Overlay ~~District~~.

Development of public access and recreation improvements, and specialized public parkland programs, shall be subject to the following development standards and all other applicable implementation measures identified in this Overlay ~~District~~. Public access and recreation improvements, and specialized public parkland programs, shall be developed and maintained to minimize potential land use conflicts with adjacent residential neighborhoods.

~~A~~a. Land Use Compatibility

~~1~~i. Trail and park improvements shall be located and designed to provide separation between public trails and use areas and private property where feasible. Measures to provide such separation may include but not be limited to:

- Signs which inform hikers and park visitors of parkland and private property boundaries and include~~s~~ provisions to restrict trespassing on private property, and to limit activities which may result in nuisance noise, odors, or other uses that may impact the quality of life in residential areas. ~~Such signs shall be found consistent with all other implementation measures of this Overlay District~~.
- Fencing which delineates trail corridors, park boundaries, permitted parking areas, and private property, where located, designed and installed consistent with all other implementation measures of this Overlay ~~District~~.

~~B~~b. Specialized Programs – Ramirez Canyon Park

~~1~~i. All Ramirez Canyon Park uses, including administrative uses, public outreach, events, gatherings, tours, and workshops, etc. shall be limited in size, duration and occurrence to comply with the proposed maximum of 40 round trips/day on Ramirez Canyon Road~~, except as provided herein~~.

~~2~~ii. Public outreach and education activities are priority uses and shall be accommodated first within the maximum allowed 40 round trips/day for Ramirez Canyon Park uses. ~~Not more than twice per month a public outreach, education, or other event may exceed the daily round trip limitation, if in the preceding month the actual number of trips per day has been below the established trip threshold, by the amount of the proposed additional trips but not more than 60 round trips/day.~~

~~3~~iii. Events, tours, or other special functions permitted pursuant to this section shall be cancelled when any red-flag warning for extreme weather, fire and/or flooding warning is issued. Written warnings of such policy shall be provided to prospective sponsors prior to contracting for park use.

4iv. ~~Amplified music shall not cause a reading exceeding 65 dBA at the southern boundary of Ramirez Canyon Park as measured by an appropriately calibrated measuring device operated by a public officer.~~ **Amplified music shall only be provided in the areas located immediately in front of and behind the Barn facility and at no time shall amplified music be audible beyond the property boundaries adjacent to residential development. In addition, event monitors on duty during such events shall check sound levels hourly at the site boundaries nearest adjacent residential development and shall immediately ensure volume reduction to achieve this standard should it be exceeded. Amplified music shall not be allowed anywhere on the subject site after 8:00 p.m. Sunday through Thursday evenings or after 10:00 p.m. on Friday or Saturday evenings. Special event sponsors shall be provided written notice of these amplified music restrictions prior to entering into a contract for rental of the facility.**

~~5~~**v**. Special events held during the fire season shall retain all guest vans, shuttles, and drivers continuously on site during the event.

~~6~~**vi**. Net proceeds **or $1,000 per large event, whichever is greater,** generated by special events held at Ramirez Canyon Park shall be used to establish and maintain ~~the Malibu Parks Public Access Fund (the Fund)~~ **a fund** for purposes of funding access and recreational improvements and opportunities for visitors with diverse abilities, disadvantaged youth, or other underserved groups. The ~~F~~ **f**und shall specifically serve to implement ~~the Malibu Coastal Camping Program,~~ a program designed for disadvantaged youth and dedicated to teaching first-time campers proper use of camping equipment, environmental awareness and outdoor leadership skills. The camp program shall include all necessary transportation, food and equipment, with staffing provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education.

~~7~~**vii**. Specialized programs permitted at Ramirez Canyon Park and associated support facilities shall consist of the following uses and **be limited by the following** restrictions:

- Administrative offices for the Conservancy and Mountains Recreation & Conservation Authority (MRCA).

- Ranger/maintenance supervisor residence utilized by MRCA staff charged with security, site management, and public safety duties.

- Public improvements for the riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by physically challenged visitors in compliance with Americans with Disabilities Act (ADA) requirements, including trails, picnic facilities, drinking fountains, restrooms, and parking areas.

- Use of the Peach House, Barn, and Art Deco facility for small group gatherings and tours for up to ~~60~~ **40** participants each, and to greet guests or as a component of site tours **provided the Conservancy/MRCA has secured all other necessary approvals under State law for such use of these facilities**.

- Public Outreach, Events, Gatherings, Tours, And Workshops

  - Public Outreach Programs
    - Year-Round, Permitted 7 Days/Week
    - Max 40 Participants
    - 8:00 a.m. – Dusk
    - **Minimum 10 Outreach Events Conducted Per Month at Ramirez Canyon Park, Escondido Canyon Park or Corral Canyon Park, 5 of which shall be conducted at Ramirez Canyon Park (except when precluded by public safety concerns)**

  - Tours And/Or Small Gatherings
    - Year-Round, 12 Tours or Gatherings Permitted/Month
    - Max ~~60~~ **40** Participants
    - 8:00 a.m. – Dusk

  - Special Events **(gatherings of guests numbering more than 40)**
    - March – October, 32 Events Permitted/Year, 1 Event Permitted/Week
    - Maximum 200 Participants **(April 1 through July 31)**
    - **Maximum 150 Participants (March 1 through March 31 and August 1 through October 31)**
    - 8:00 a.m. - 9:00 p.m. Sunday-Thursday, and 8:00 a.m. to 10:00 p.m. Friday and Saturday, One Additional Hour is Allotted for Personnel Clean-Up and Securing the Facility.

- Day-use picnic areas designed specifically to provide park amenities to accommodate disabled visitors and their families by reservation. The accessible day-use picnic areas shall be located in level, previously disturbed areas so as not to adversely impact sensitive habitat, but shall be located in proximity to natural areas to provide association with natural resources to the maximum extent feasible.

- ADA accessible camp facility designed specifically for use by disabled visitors and their families, available by reservation.

- Hike-in camp facility, available by reservation **only**.

~~8~~viii. A Transportation and Parking Management Plan shall be developed and maintained to manage traffic trips on Ramirez Canyon Road pursuant to Section D.3.B.1 of this Overlay ~~District~~.

~~9~~ix. An Event Monitoring Program shall be implemented and shall include annual monitoring reports to be submitted to the Executive Director of the Coastal Commission annually. The monitoring reports shall include a summary of the number and kind of events, tours, small gatherings, and outreach programs conducted at Ramirez Canyon Park during the annual reporting period, distinguishing revenue-generating and non-revenue generating events, activities, tours, and outreach programs, and specifying the dates, vehicle trip counts, and event sponsor or beneficiary as applicable, for each.

~~10~~x. Nothing herein, including trip limitations, shall operate to limit or restrict access to Ramirez Canyon Park as sovereign property of the State of California at any time and by any means whatsoever, by any of the following: The governor or any civil executive officer as provided in Government Code Sec. 1001; any member of the California National Guard or the State Militia; any firefighter of any public agency; any peace officer, any emergency medical technician or paramedic whether employed by a public agency or not, any member of the Legislature or staffs thereof, any member of the Bureau of State Audits, the Secretary for Resources or any employee thereof, any member of the California Coastal Commission or staff thereof, any person appointed pursuant to Public Resources Code Section 33200 or 33213, or person appointed pursuant to Section 5.0 of the Joint Powers Agreement between the Conejo Recreation and Parks District, the Rancho Simi Recreation and Parks District, and the Santa Monica Mountains Conservancy.

IV. FINDINGS FOR APPROVAL OF THE LOCAL COASTAL PROGRAM AMENDMENT AS REVISED

The following has been revised to represent the Commission's action on June 10, 2009, including the addition of Malibu Bluffs Park to the Overlay. Revisions pertaining to the addition of Malibu Bluffs Park are shown by the use of ~~strikethrough text~~ to indicate language the Commission is deleting and **bold underlined text** to indicate text the Commission is adding.

A. AMENDMENT DESCRIPTION AND HISTORY

The Santa Monica Mountains Conservancy ("Conservancy") and the Mountains Recreation and Conservation Authority ("MRCA") proposal to amend Malibu's adopted LCP ("the LCPA") pursuant to Coastal Act Section 30515 consists of changes to the Land Use Plan ("LUP") and the Local Implementation Plan ("LIP") to include land use

policies and development standards for a Malibu Parks Public Access Enhancement Plan Overlay. The proposed Overlay includes comprehensive policies and development standards for public access and recreation-oriented development within specific park properties and recreation areas within the City of Malibu including Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park **and Malibu Bluffs Parks**. The Overlay policies further identify specific actions necessary to implement improvements intended to enhance public access and recreation opportunities throughout the area covered by the Overlay including: creation of an interconnected system of parks, open space, trails, and habitats; improvement of alternative methods of transportation between parklands in the Plan area and; identification of recreational facility and program improvements for the park properties in the Plan area to better support existing recreational demand and to facilitate an increased level of accessibility for disabled visitors at all properties. Finally, the Overlay addresses the administrative and public outreach program uses at Ramirez Canyon Park that were previously the subject of Coastal Development Permit No. 4-98-334, approved by the Coastal Commission on April 12, 2000 and issued on February 5, 2001, but subsequently set aside (in 2005) pursuant to court order.

LCPA MAL-MAJ-1-08 began as a proposal by the Santa Monica Mountains Conservancy ("Conservancy") and the Mountains Recreation and Conservation Authority ("MRCA") to create a Malibu Parks Public Access Enhancement Plan, which was originally proposed as a Public Works Plan ("PWP") pursuant to Section 30605 of the Coastal Act. The PWP proposed, among other things, to obtain approval for improvements to the Conservancy's park and recreation areas, allow various uses (including camping at Ramirez Canyon Park, Escondido Canyon Park ~~and~~ Corral Canyon Park **and Malibu Bluffs Park**), and endorse a trail acquisition plan.

The Conservancy and the MRCA began the public hearing process on the proposed PWP with a publicly noticed meeting of the MRCA on February 17, 2006, and of the Conservancy on February 27, 2006 addressing a resolution to authorize a grant of Proposition 50 funds to initiate the formal planning and design phase for the Plan. The Draft Plan was posted on the MRCA website for public viewing on June 6, 2006, and a public meeting was noticed and conducted by MRCA on the Draft Plan in Thousand Oaks, California, on June 7, 2006.

On June 13, 2006 staff of the Conservancy and the MRCA met with City of Malibu staff to review and discuss the proposed Plan. The Draft Plan was revised in response to comments and letters received during the preceding hearings and meetings and the revised draft was posted on the MRCA website for public viewing on July 25, 2006. An additional publicly noticed hearing on the Plan was conducted by the Conservancy on July 31, 2006 in Malibu to receive public comment on the Plan. A further public hearing was held on September 18, 2006 in Agoura Hills, California, concurrently by the Conservancy and the MRCA to discuss and provide direction regarding amendments to the Plan, and a hearing noticed to all property owners within 500 feet of the project was held in Malibu on October 23, 2006 to receive additional public comment on the Plan and proposed amendments.

Conservancy staff met with Los Angeles County Department of Parks and Recreation planning staff on October 31, 2006 to provide information on the Plan and to solicit the Department's comments, particularly regarding trail linkages and the County's Trail Plan (which is currently being updated as part of the County's Local Coastal Program planning process). The Office of Los Angeles County Supervisor Zev Yaroslavsky, Third District, was also provided with information on the Plan, including a presentation on November 9, 2006 at the quarterly Third District Parks Planning meeting with County staff, park agencies staff, nonprofit land trusts, and deputies for the Assemblymember and State Senator. An additional public hearing was held in Malibu on November 20, 2006. The Conservancy formally adopted the Plan on November 29, 2006.

However, the City of Malibu objected to the Conservancy's and the MRCA's determination to proceed with a PWP. The City felt that the proposals in the plan (such as adding parking spaces, restroom facilities, trailheads, campsites, etc.) were "development" within the meaning of the Coastal Act and the City contended that the improvement proposals were more appropriately addressed by obtaining a coastal development permit ("CDP") from the City, consistent with the LCP. The City further argued that certain components of the PWP were inconsistent with the certified LCP and therefore required an LCP amendment.

The draft PWP was submitted to the Commission on June 9, 2006 and, after review by staff, on June 30, 2006, the Commission informed the Conservancy and the MRCA that it could not accept the proposed PWP because it was submitted as a draft document and had not been formally adopted by resolution of the Conservancy and/or the MRCA as required by Section 30510 of the Coastal Act. However, in anticipation of a future, formally adopted, submittal the Commission offered comments on the Draft Plan.

The Draft Plan was revised in response to comments and letters received during the preceding hearings and meetings and a revised draft was posted on the MRCA website for public viewing on July 25, 2006. An additional publicly noticed hearing on the Plan was conducted by the Conservancy on July 31, 2006 in Malibu to receive public comment on the Plan. Another public hearing was held on September 18, 2006 in Agoura Hills concurrently by the Conservancy and MRCA to discuss and provide direction regarding amendments to the Plan, and a hearing noticed to all property owners within 500 feet of the project was held in Malibu on October 23, 2006 to receive additional public comment on the Plan and proposed amendments.

On December 22, 2006, the Conservancy filed a lawsuit against the City seeking declaratory relief on three matters: 1) Whether the Conservancy is immune from local land use regulations; 2) whether the current uses of Ramirez Canyon Park are consistent with the City's LCP and; 3) whether a CDP is required for the current uses at Ramirez Canyon Park. Malibu's City Attorney answered and filed a cross-complaint for an injunction asserting violations of the Coastal Act. The City also filed a separate lawsuit that addressed two claims that arose from the Conservancy's approval of the

PWP: 1) That the Conservancy and the MRCA violated the California Environmental Quality Act ("CEQA") and; 2) that the PWP exceeded those agencies' authority.

In early 2007, the Conservancy and the City reached an agreement to suspend the litigation, revise various elements of the proposed Plan, particularly to include Charmlee Park as a major component of the Plan with new camping facilities in exchange for eliminating proposed camp facilities at Escondido Canyon Park, and to prepare and process an LCP amendment with the City of Malibu. The agreement also stipulated interim (until the LCP amendment process was completed) uses at Ramirez Canyon Park:

1. Administrative and government offices for up to 15 employees;
2. A residential caretaker and his family;
3. Two special programs a week for disabled youth and/or for seniors;
4. Occasional employee training programs;
5. On-going property maintenance.

The resultant LCP amendment (LCPA No. 07-002) was filed with the City on April 23, 2007 and the City's review process resulted in a number of public meetings and hearings on the proposed Plan including a meeting before the City Environmental Review Board on July 25, 2007, a meeting with the City Planning Commission on October 9, 2007, a community workshop on November 10, 2007, and two hearings before the City Council on November 13, 2007 and December 5, 2007. During the City's review process the proposed PWP document was set aside and in its place the Conservancy/MRCA prepared the Malibu Parks Public Access Enhancement Plan Overlay District for incorporation into the City's LCP.

The City Council approved LCPA No. 07-002 at their December 5, 2007 hearing. However, in response to public comment which included local opposition to overnight camping within the City of Malibu, the LCP amendment as approved by the City Council prohibited and/or deleted a number of the primary components of the proposed Plan intended to enhance public access and recreation in the Plan area. The City's action on the proposed LCP amendment request included a prohibition on all camping facilities and uses throughout the City of Malibu (with the exception of two (2) ADA campsites proposed at Ramirez Canyon Park that would be subject to conditional use permit requirements), deletion of public parking facilities necessary to support parkland and trail access for Escondido Canyon Park, and a reduction of public uses of Ramirez Canyon Park (as well as the requirement to build a new access road into Ramirez Canyon from Kanan-Dume Road prior to implementing those uses at Ramirez Canyon Park).

The City submitted LCPA No. 07-002, as approved at its December 5, 2007 hearing, to the Executive Director of the Coastal Commission on December 28, 2007, and the Commission filed the application on January 7, 2008, designating it as LCPA MAL-MAJ-3-07, which is scheduled to be heard immediately preceding this item.

Unhappy with the City Council's December 5, 2007 action on the proposed LCP Amendment, the Conservancy and MRCA held a number of public hearings to discuss options for proceeding with the proposed Plan and Overlay District pursuant to the LCP override provisions found in Coastal Act Section 30515.

Public hearings of the Conservancy and MRCA were held on December 28, 2007 and January 9, 2008, respectively, in which the Conservancy and MRCA acted to proceed with project planning and design for development of additions and refinements to the Malibu Park Public Access Enhancement Plan Overlay District; additional project planning and design for the LCP amendment, and to authorize the Executive Director to submit the Malibu LCP amendment to the Executive Director of the California Coastal Commission pursuant to the LCP override procedures of PRC Section 30515 and 14 CCR Section 13666 *et seq.* In taking this action the Conservancy and MRCA found that the LCP amendment as adopted by the Malibu City Council on December 5, 2007 was contrary to the action of the Malibu Planning Commission, and effectively reduced the allowed uses of public parkland, restricted access to parks owned by the Conservancy and MRCA, and failed to fulfill the intent of the original Public Works Plan, contrary to the intent of the LCP amendment as proposed by the Conservancy and MRCA.

Additional public hearings were noticed and held by the Conservancy and MRCA on January 28, 2008 and February 6, 2008, respectively, in which the agencies reiterated their support and authorization for the Executive Director to submit the LCP Amendment to the Executive Director of the Coastal Commission pursuant to PRC Section 30515, finding that the amendment meets public needs of an area greater than that included within the certified Malibu LCP that had not been anticipated at the time the LCP was before the Commission for certification.

On April 15, 2008, the Conservancy and the MRCA submitted an LCP amendment application for a Malibu Parks Public Access Enhancement Plan Overlay District to the Commission with a request for a preliminary determination by the Executive Director pursuant to 14 CCR Section 13166 and PRC Section 30515, as to the applicability of the Certified LCP Amendment Override Procedures contained in 14 CCR Section 13166. This application included, in part, camping and other public access and recreation improvements not included in LCPA MAL-MAJ-3-07, particularly camping in Escondido Canyon Park and other improvements which had been previously abandoned pursuant to the Conservancy's and City's 2007 agreement.

On May 15, 2008, the Commission, in a letter to Stacey Rice, Planning Manager for the City of Malibu, and Joseph Edmisten, Executive Director of the Conservancy preliminarily determined that the Conservancy's proposed LCP Amendment qualified as being subject to the Certified LCP Amendment Override Procedures contained in 14 CCR Division 5.5, Chapter 11, Sub-chapter 2 (Sections 13666 to 13666.4). The preliminary determination and associated LCP amendment submittal was forwarded to the City of Malibu for its consideration and action. The City then had ninety (90) days from receiving the amendment request submittal (i.e., until mid-August) to review the proposal and amend their LCP pursuant to 14 CCR Section 13666.2(a).

At the July 14, 2008 Malibu City Council hearing, the City Council, in closed session, unanimously voted to file a lawsuit against the Commission's Executive Director to require the Executive Director to rescind the Commission's preliminary determination as to the applicability of the LCP override procedures contained in 14 CCR Section 13666.2. Later, during regular open session, the City adopted Resolution No. 08-44 which finds that "the proposed Malibu parks Public Access Enhancement Plan Overlay District is not development subject to the LCP override provisions…" making clear that the City would not accept the LCP Amendment.

On July 15, 2008, the Coastal Commission received the Conservancy's and MRCA's City of Malibu Local Coastal Program (LCP) Amendment "Override" submittal for the Malibu Parks Public Access Enhancement Plan Overlay District. The amendment proposes to establish an overlay district for specific park properties within the City of Malibu (City) with comprehensive policies and development standards to allow for implementation of public access and recreational improvements. The LCP Amendment has been submitted pursuant to PRC Section 30515 and 14 CCR Section 13666.2.

Commission staff reviewed the Conservancy's LCP amendment submittal and, on July 29, 2008, pursuant to 14 CCR Section 13553, found it to be properly submitted and complete. Staff designated the application as LCPA MAL-MAJ-1-08 and scheduled it to be heard following the hearing for LCPA MAL-MAJ-3-07.

At the June 10, 2009 Commission hearing on the merits of the proposed LCP amendment, Joseph Edmiston, the Executive Director of the Conservancy and the Executive Officer of MRCA, officially amended the agencies' proposal in order to add the Malibu Bluffs Park as an additional area to be made subject to the Overlay.

B. DESCRIPTION AND HISTORY OF PARKLANDS INCLUDED IN THE MALIBU PARKS PUBLIC ACCESS ENHANCEMENT PLAN OVERLAY

The Conservancy/MRCA proposal to amend the City of Malibu LCP proposes changes to the Land Use Plan ("LUP") and the Local Implementation Plan ("LIP") to include land use policies and development standards for a Malibu Parks Public Access Enhancement Plan Overlay. The Overlay includes specific public access, recreational facility (including campgrounds), and program improvements for ~~three~~ **four** park properties owned by the Santa Monica Mountains Conservancy and the Mountains Recreation and Conservation Authority: Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park **and Malibu Bluffs Park**. In addition, the Overlay includes plans for connections for the Coastal Slope Trail and other connector trails which would link the ~~three~~ **four** above-mentioned parks and other recreation areas within the City of Malibu including Solstice Canyon Park and the Zuma/Trancas Canyon Units - owned and operated by the National Park Service. The Zuma/Trancas Canyon

Units and Solstice Canyon Park are included in the Overlay to allow for comprehensive and strategic planning for developing priority trail and transit connections; however, the policies within the Overlay do not apply to any future development plans of the National Park Service for these parklands.

Ramirez Canyon Park

Ramirez Canyon Park is located in Ramirez Canyon off the Malibu coastline and is bordered by National Park Service land in its northern portion, and private residential land in its southern portion. Barbra Streisand donated this 22-acre estate to the Santa Monica Mountains Conservancy in December 1993. The park contains five structures once serving as residences on six separate lots.

Because Ramirez Canyon Park contains a number of structures, gardens, and designed hardscape on the majority of the property associated with the former ownership, rather than the open natural habitat typically associated with other park properties, the park serves to provide a range of diverse environmental, cultural, and educational opportunities for both passive and active recreation activities. The more developed nature of the park lends itself well to function as a place for special, pre-arranged activities, events, and functions typically permitted by the State Parks system for the benefit of the community and visitors.

Ramirez Canyon Park is bisected by the City of Malibu-County of Los Angeles jurisdictional boundary. Access to the property is provided by gated vehicular access roads from Pacific Coast Highway via Ramirez Canyon Road or via West Winding Way and Delaplane, and then through a gated entrance at the terminus of Ramirez Canyon Road. At the request of local neighbors along Ramirez Canyon Road and pursuant to the conditions of a Coastal Development Permit previously issued by the Coastal California Coastal Commission, public access to the park property is by appointment only. The portion of the park property located within the City of Malibu is designated and zoned as Public Open Space (OS) in the Local Coastal Program, while the balance of the property located in the Los Angeles County is designated Rural Land III (1 unit/2 acres) and Mountain Land (1 unit/20 acres), and is zoned A-1-1, Light Agriculture.

Ramirez Canyon Park contains a number of support facilities for the park's public use programs including picnic areas, restrooms, educational displays, sitting benches, gardens, and a riparian area interpretive trail. Public restrooms are served by a state-of-the-art alternative septic system. Additionally, Ramirez Canyon Park contains a number of support facilities for the park's public use programs including picnic areas, restrooms, educational displays, sitting benches, gardens, and a riparian area interpretive trail. Public restrooms are served by an alternative septic system. Additionally, the park has facilities to provide indoor and outdoor conference and event amenities: 1) the "Barwood" House used for office, conference room, and library uses; 2) the "Barn" used for office and meeting and reception use; 3) "Peach House"; 4) "Deco House"; 5)

Ranger/Maintenance Supervisor residence occupied by MRCA staff charged with park security and other public safety duties; and 6) gardens and meadows.

Programs

Children's Educational Program

A joint venture program with the non-profit "Happy Trails" gives children and young adults with disabilities a high-quality, interactive educational experience in a fun, safe learning environment. Programs focus on various animal activities to emphasize reinforcement of high self-esteem, improved communication and cooperation skills. The program also provides environmental instruction about the ecology of Ramirez Canyon Park and the Santa Monica Mountains.

Riparian Area Interpretative Trail

In the northern portion of the property a barrier-free riparian area interpretive trail and picnic facilities has been developed north of the Barn facility that extends to the adjacent National Park Service lands. The gentle terrain of the trail area offers an undisturbed creekside interpretive area that provides an outdoor access opportunity for mobility-impaired visitors who are rarely able to enjoy such natural areas typically and readily available to other visitors in the Santa Monica Mountains.

Senior & Public Outreach Program

Ramirez Canyon Park provides a retreat to visitors with accessible garden paths and picnic areas. A riparian area interpretive trail and overlook with picnic facilities are fully accessible and can be readily enjoyed by individuals with physical limitations. Numerous senior homes, the Reverends from the Los Angeles Mission on Skid Row, Veterans from the V.A. Hospital in Westwood, at-risk youth, various battered women's shelters, and young ladies from Esperanza Housing Project in the inner city have all been guests of Ramirez Canyon Park.

Special Events, Small Group Gatherings and Tours

The gardens and unique structures of the park have been made accessible to the public with docent-led canyon and garden tours. The one-hour walking tour covers the historical, botanical, and architectural background of the property, as well as its broader relationship to the Santa Monica Mountains. Visitors have an additional hour to relax and explore the grounds. Special events and small gatherings have historically helped to maintain the property and support outreach programs designed to serve disadvantaged youth, physically-challenged visitors, and seniors.

Natural Resources

Ramirez Canyon Park is traversed by Ramirez Canyon Creek within the west and southernmost portions of the property, and contains extensive stands of native coastal sage scrub habitat along the canyon walls and northern portion of the property which is adjacent to National Park Service land. Ramirez Canyon Creek is a blueline stream with regular water which is conveyed to the Pacific Ocean at Paradise Cove. Given the occurrence of Ramirez Canyon Creek and those areas vegetated with native coastal sage scrub habitat outside of the developed areas of the park, the majority of the park property is mapped as an Environmentally Sensitive Habitat Area per the City of Malibu Local Coastal Program (see City of Malibu/County of Los Angeles Environmentally Sensitive Habitat Area Overlay Map).

Planning/Permitting History

A Riparian Habitat Evaluation study, prepared by LSA Associates, Inc., August 30, 2002, details the history of development on the property beginning with construction of the first residence in 1953. Based on a review of historic aerial photographs and legal records, the study documents site conditions prior to 1977 (prior to establishment of the Coastal Commission and effectiveness of the Coastal Act in January 1977) and reports that all residential structures and associated infrastructure where developed on the property prior to 1977. In addition, the existing tennis court, swimming pool, various garden pads including the existing meadow, and the retaining wall and bridge at Barwood are documented to have been developed prior to 1977. While most of the existing structural development of Ramirez Canyon Park was developed prior to 1977, the study reports that much of the existing stream channelization of Ramirez Canyon Creek was conducted by previous property owners subsequent to 1977 without the benefit of permits.

On April 12, 2000, the Coastal Commission (Commission) approved Coastal Development Permit 4-98-334 permitting the Conservancy to establish and conduct the various administrative uses, programs, and events at Ramirez Canyon Park; which at the time, prior to certification of the City of Malibu Local Coastal Program, was zoned and designated for rural residential use per the City of Malibu zoning code and General Plan. Because the City of Malibu did not have a certified LCP at the time of Commission decision, the standard of review for the proposed project was the Coastal Act. The Commission found that the uses proposed by the Conservancy for the park were consistent with all applicable policies of the Coastal Act subject to a number of special conditions of the permit, all of which were complied with, and the permit was issued by the Commission on February 5, 2001.

The approved coastal development permit provided a detailed project description for improvements, programs, and limitations for use of Ramirez Canyon Park including the following project components and conditions of approval:

- Park administrative offices for the Conservancy and Mountains Recreation & Conservation Authority (MRCA).

- Ranger and/or maintenance supervisor and certified wildland firefighter residence. Ensures 24/7 presence at the facility for maintenance and public safety reasons.

- Public improvements for the riparian area interpretive trail and picnic facilities designed specifically to provide facilities and amenities required for the safe use of the trail by physically challenged in compliance with Americans With Disabilities Act (ADA) requirements, including trails, picnic facilities, drinking fountains, restrooms, and parking areas.

- Use of the Peach House and Barn facility for small group gatherings and tours for up to 40 participants each, and to a limited extent the Art Deco facility permitted to be used to greet guests or as a component of site tours.

- Events, Gatherings, Tours, Workshops, and Outreach Programs as follows:

    - 32 Special Events per Year (March through October only)
      (16 events for up to 150 guests per event, March, and August through October)
      (16 events for up to 200 guests per event, April through July)
      No more than one special event per week
    - 8 tours per month, (40-person maximum per tour) (all year),
    - 4 small gatherings per month (40-person maximum per gathering) (all year)
    - 10 outreach programs per month (proposed as a maximum, for up to 40 participants) (all year)

- Special events, group gatherings, workshops, and tours subject to the following limitations:

    - Special events: gatherings of guests numbering more than 40, permitted to occur a maximum of one day per week during the special event season, including weekends and holidays, between the hours of 8:00 a.m. and 9:00 p.m. Sunday-Thursday, and 8:00 a.m. to 10:00 p.m. Friday and Saturday. The event season for special events for up to 200 guests was established between April 1 and August 1, allowing such events one day per week only, including weekends and holidays. The event season for special events for up to 150 guests was established between March 1 and April 1 and between August 1 and October 1 (peak fire season; which was defined as August 1 through December 31), allowing such events one day per week only, including weekends and holidays. Additional provisions applicable to events include:

        - Special events held during fire season to retain all guest van, shuttles, and drivers continuously on site during the event.

- Special events for groups of over 40 participants permitted outdoors only.
- No special events to be permitted between October 31 and March 1.
- Events, tours, or other special functions on site to be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued, and that written warnings of such policy to be provided to prospective sponsor prior to contracting for park use.

- Outreach programs designed to provide access and recreation opportunities primarily for disadvantaged youths, physically challenged visitors, and seniors permitted to be conducted year round, seven days per week from 8:00 a.m. to dusk. The programs are provided at no cost to the participants and the Conservancy provides free or low-cost transportation for participants typically consisting of up to three vans or small transit buses. A minimum of ten Outreach Programs were required to be conducted each month.

- Event Monitoring Program consisting of annual monitoring reports to be submitted to the Executive Director of the Commission by November 15th of each year. The monitoring reports include a summary of the number and kind of events, tours, small gatherings, and outreach programs conducted at Ramirez Canyon Park during the annual reporting period, distinguishing revenue-generating and non-revenue generating events, activities, tours, and outreach programs, and specifying the dates, vehicle trip counts, and event sponsor or beneficiary as applicable, for each.

- Transportation and Parking Management Plan including components to ensure that:

  - Agreements were secured and offsite parking provisions (three private parking areas at the Church of Christ Scientist, 28635 Pacific Coast Highway; a private property in the 27400 block of Pacific Coast Highway; and the Paradise Cove Beach Cafe, 28128 Pacific Coast Highway) for groups of 200 people were identified and available at private parking locations for visitors boarding van shuttles or consolidating carpools to Ramirez Canyon Park to accommodate the maximum parking demand for the authorized uses of the park without displacing the current parking use of the designated locations.

  - No off-site public coastal access parking, including but not limited to the Winding Way Trailhead, would be utilized to satisfy the off-site parking requirements associated with Ramirez Canyon Park use.

  - Daily vehicle trips associated with all authorized uses of Ramirez Canyon Park were restricted to a maximum of 80 trips each way per day (40 round trips).

- o Signage was provided at the entrance gate to Ramirez Canyon Park forbidding horn honking except in case of emergency.

- o Vans and shuttles minimize traffic trips on Ramirez Canyon Road by traveling with maximum passenger capability and in convoys, whenever feasible.

- Emergency Access and On-Site Parking Plan developed by a licensed civil engineer and approved by the Los Angeles County Fire Department to comply with applicable State and County fire and life safety regulations. The plan requires that all vehicles at Ramirez Canyon Park use the appropriate designated parking areas identified in the approved plan and that a number of physical improvements to accessways, roads, parking, and placement of signage be implemented. These improvements include, among other things, construction of fire department hammerhead turnaround areas, road widening, and installation of water tanks and back up generators on the park property. In addition, the Conservancy contributes annually a proportionate share of fees (generally equivalent to that normally assessed for 6 single family homes) to the neighborhood homeowners association for maintenance of Ramirez Canyon Road. Finally, as previously mentioned, the Conservancy adopted a policy to ensure that events, tours, or other special functions on site be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued, and that written warnings of such policy to be provided to prospective sponsor prior to contracting for park use.

- Septic System Abandonment/Wastewater Treatment and Recycled Water System Installation Plan developed to provide for the permanent abandonment of the idle septic system and leachfields located beneath the tennis court, the leachfield then serving Barwood, and of the leachfields and/or pits and septic tanks serving the Barn and Peach House Structures and installation of a new, on site wastewater treatment system and recycled water reuse program, including a landscape/ orchard planting and management plan designed to maintain sufficient evapotranspiration capacity for the maximum effluent production of the site during all potential seasonal conditions. The plan also provides for the installation and maintenance on site of emergency power generators and fuel supply necessary to maintain the wastewater treatment system for at least twelve (12) hours.

- Water Quality Monitoring Program including provisions for quarterly analysis of water samples up- and down-stream of the subject site for a minimum of four quarters of available streamflow (streamflow in Ramirez Canyon Creek is intermittent), commencing with the first quarter of available streamflow following the installation of the new wastewater treatment system. The quarterly analysis of water samples shall determine fecal coliform concentration and, should the results of the one year analysis be adverse or inconclusive, additional water

quality analysis shall be performed. If the results of the water quality monitoring fail to rule out existing septic systems as a potential source of elevated fecal coliform counts downstream of Ramirez Canyon Park, a complete permit application was required to abandon the remaining septic systems and further upgrade the new wastewater treatment system to accept and treat the effluent from the ranger residence and/or the Art Deco building.

- Fire Management and Evacuation Plan developed and approved by the State Fire Marshall and Los Angeles County Fire Department, Division of Fire and Life Safety, including provisions for submittal of an annual fuel modification plan for site vegetation management and tree trimming/limbing on Ramirez Canyon Road, Delaplane Road, and Winding Way prior to the annual fire season. The plan also provides for the installation and maintenance on site of emergency power generators and fuel supply necessary to maintain emergency lighting for at least twelve (12) hours; that events, tours, or other special functions on site be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued; and that written warnings of such policy to be provided to prospective event sponsors prior to contracting for park use.

- Wooden Bridge Reinforcement Plan to provide for bridge reinforcement of the wood bridge over Ramirez Canyon Creek next to the park to ensure the bridge could safely support a 25 ton fire engine.

- Amplified Music and Noise Restrictions provide for use of amplified music only in the meadow located immediately adjacent to and in front of Bam facility, but not allowed in any location on the park property after 8:00 p.m. Sunday through Thursday evenings or after 10:00 p.m. on Friday or Saturday evenings. Use of amplified sound requires monitoring of sound levels by park rangers and restrictions on amplified music are provided to events sponsors contracting for park use.

- Drainage and Polluted Runoff Control Plan developed for the on site roadway, turnouts, and parking areas to ensure implementation of best management practices to minimize the volume, velocity, and pollutant load of stormwater leaving the developed areas of the site, and provisions for maintaining the drainage and filtration systems so that they are functional throughout the life of the approved development.

The Commission's review of the Ramirez Canyon Park project under Coastal Development Permit 4-98-334 noted that the streambed of Ramirez Canyon Creek through the property has been substantially modified and channelized without the benefit of permits. While the channelization occurred under prior ownership, the Conservancy, as the current property owner, is responsible for seeking the appropriate permits to permit or restore the stream channel as necessary and consistent with all applicable laws. The Conservancy submitted a Coastal Development Permit Application

to address the issue of streambed alterations; however, the application was never completed and the issue remains unresolved at this time.

Although the permit was issued by the Commission on February 5, 2001, and the proposed and required improvements and programs were implemented, during the review process the City of Malibu filed suit against the Conservancy in November 1999, alleging that the Conservancy was holding commercial events at its Ramirez Canyon property in violation of the Coastal Act. In addition, in May 2000, the City of Malibu and Ramirez Canyon Preservation Fund filed suit for a writ of mandate, challenging the Commission's April 12, 2000 decision to approve Coastal Development Permit 4-98-334. Ultimately, on February 4, 2005, the Ventura County Superior Court granted the writ of mandate, ruling that at the time the Commission approved Coastal Development Permit 4-98-334, the Conservancy was subject to local land use regulation, and that the Conservancy should have sought approval from the City of Malibu before applying to the Coastal Commission. The Conservancy filed an appeal on November 23, 2005, but subsequently abandoned the appeal on April 10, 2006 in order to pursue an expanded public access program beyond the scope of the original Coastal Commission application for Ramirez Canyon alone. With the exception of the Conservancy's Public Outreach Programs, all programmatic uses of the park approved pursuant to Coastal Development Permit 4-98-334 (events, gatherings, tours, workshops) have been suspended pending the review of the proposed Plan.

Escondido Canyon Park

Escondido Canyon Park is located approximately one mile east of Kanan Dume Road in Malibu. The park is approximately 140 acres in size and is mostly surrounded by privately owned land. The park consists of open land heavily vegetated with a variety of native and nonnative plant and tree species. Escondido Canyon Park consists of the Escondido Canyon Natural Area acquired by MRCA in 1990 and the balance of the park property that was acquired by the Conservancy in 1997.

The park is only accessible by the public via pedestrian access along the road shoulder of East Winding Way from a parking lot located on Winding Way at Pacific Coast Highway, approximately 1 mile south of the park boundary. A dirt trail then takes access from the terminus of Winding Way onto the park property. The entire park property is designated and zoned as Public Open Space (OS) in the City of Malibu Local Coastal Program (see City of Malibu/County of Los Angeles Land Use Designations Map & City of Malibu/County of Los Angeles Zoning Designations Map).

Park Facilities

There presently are very few support facilities at Escondido Canyon Park, with the exception of one picnic table at the park entrance. The primary public amenity at the park is the trail system through the Escondido Canyon Natural Area that leads hikers, mountain bikers, and equestrians along a 4.2 mile trail through oak woodland, riparian

woodland, and coastal sage scrub habitat to the spectacular, multi-tiered 150-foot Escondido Falls—the highest in the Santa Monica Mountains.

Natural Resources

Escondido Canyon Park is in its entirety naturally vegetated with native and non-native plant species. The majority of the park area can be characterized as relatively undisturbed coastal sage scrub habitat; however, Escondido Creek winds its way through the park along which riparian woodland is the dominating habitat. In addition, areas containing a mix of native and non-native grassland occur in various areas of the park. Various pocket areas of disturbance along the trail are evident through the park. The majority of the park property is designated as an Environmentally Sensitive Habitat Area in the City of Malibu Local Coastal Program (see City of Malibu/County of Los Angeles Environmentally Sensitive Habitat Area Overlay Map).

Planning/Permitting History

As detailed above, Escondido Canyon Park had been acquired in its entirety by the Conservancy and MRCA by 1997. During the 1997 acquisition of the park, the Conservancy also began planning for park improvements and initiated the permitting and environmental review process to develop a fifteen car parking lot near the Escondido trailhead adjacent to the terminus of Winding Way, which would have also accommodated one bus and a horse trailer pull-out. The project also included installation of two chemical restrooms, an ADA accessible trail to Escondido Creek, a water fountain, horse trough and hitching post, picnic tables, and trail improvements. A Negative Declaration was approved for the proposed project; however, subsequent permits were never sought and the project was never fully implemented.

Corral Canyon Park

Corral Canyon Park is regionally significant in that it encompasses approximately 772-acres of coastal land in the City of Malibu and unincorporated County of Los Angeles and contains the last undeveloped coastal canyon in Los Angeles County that flows freely to the ocean (see Public Parkland Map). The park is surrounded by privately owned land with the exception of where Dan Blocker State Beach lies just south along the shoreline and State and Federal parkland to the north. The park consists of open land heavily vegetated with a variety of native and non-native plant and tree species.

The property was formerly owned by Bob Hope, who in the early 1990s had County approvals to build a luxury home development and golf course in Corral Canyon. Corral Canyon Park and the trailhead were acquired by the MRCA in 1998 and transferred to the Conservancy in early 2000. The park is easily accessed directly from Pacific Coast Highway between Malibu Canyon and Kanan Dume Roads and also via public transit where a MTA bus stop is located at the entrance to the park. The park property is designated and zoned as Public Open Space (OS) in the City of Malibu Local Coastal

Program (see City of Malibu/County of Los Angeles Land Use Designations Map & City of Malibu/County of Los Angeles Zoning Designations Map).

Park Facilities

The Corral Canyon Park trailhead contains a number of support facilities including public parking, picnic areas, restrooms, sitting benches educational displays, and hiking trails. The park contains a 2.5 mile loop trail that climbs through pristine wilderness to the Puerco Canyon watershed divide which provides spectacular ocean and mountain views along coastal bluffs and hillsides. The trailhead also provides seasonal access underneath Pacific Coast Highway to Dan Blocker State Beach.

Natural Resources

Given the unique terrain of Corral Canyon Park, and its proximity to the ocean, the park contains a wide variety of habitat, including coastal sage scrub, coastal bluff, native grassland, and the riparian corridor of Corral Creek which includes among other species alder, coast live oak, California sycamore, and willow trees. A pocket of coastal salt marsh is located where the creek meets the ocean at the Pacific Coast Highway bridge. Various pocket areas of disturbance along the trail are evident in the southernmost portion of the park where a number of structures once existed. The park property is designated as an Environmentally Sensitive Habitat Area (ESHA) in the City of Malibu Local Coastal Program. Within the County's jurisdiction, Corral Canyon Creek is considered ESHA and much of the park is considered Significant Watershed per the County's certified Land Use Plan (see City of Malibu/County of Los Angeles Environmentally Sensitive Habitat Area Overlay Map).

Planning/Permitting History

On September 26, 2002, the Coastal Commission granted a waiver for Coastal Development Permit 4-02-072-W for the construction of trailhead and trail improvements at Corral Canyon Park. The project included construction of a 15 car public parking lot, one chemical restroom, and a 2.5 mile loop trail through the park. In addition, the project included an ADA accessible picnic area, an interpretive kiosk, park signage, drinking fountain, recycling bins, and an extensive native vegetation planting plan. The proposed improvements were developed and are now available for public use at the park trailhead.

C. THE PROPOSED LCP AMENDMENT QUALIFIES FOR PROCESSING PURSUANT TO THE "OVERRIDE" PROCEDURE OF PRC SECTION 30515

California Public Resources Code ("PRC") Section 30515 and California Code of Regulations, Title 14 ("14 CCR") Section 13666 *et seq*. govern the submittal of LCP amendments by persons authorized to undertake public works projects that require an LCP amendment. This section of the Coastal Act allows a very limited group of people to request the Commission to amend any portion of a local jurisdiction's LCP (including its LUP, implementing ordinances etc.).

PRC Section 30515

Amendment for public works project or energy facility development

Any person authorized to undertake a public works project or proposing an energy facility development may request any local government to amend its certified local coastal program, if the purpose of the proposed amendment is to meet public needs of an area greater than that included within such certified local coastal program that had not been anticipated by the person making the request at the time the local coastal program was before the commission for certification. If, after review, the local government determines that the amendment requested would be in conformity with the policies of this division, it may amend its certified local coastal program as provided in Section 30514.

If the local government does not amend its local coastal program, such person may file with the commission a request for amendment which shall set forth the reasons why the proposed amendment is necessary and how such amendment is in conformity with the policies of this division. The local government shall be provided an opportunity to set forth the reasons for its action. The commission may, after public hearing, approve and certify the proposed amendment if it finds, after a careful balancing of social, economic, and environmental effects, that to do otherwise would adversely affect the public welfare, that a public need of an area greater than that included within the certified local coastal program would be met, that there is no feasible, less environmentally damaging alternative way to meet such need, and that the proposed amendment is in conformity with the policies of this division.

14 CCR Section 13666

Certified Local Coastal Program (LCP) Amendment "Override" Procedures

13666. Applicability.

These procedures are applicable to persons authorized to undertake a public works project or proposing energy facility development that requires LCP amendments provided that the development meets the following two requirements:

(1) unanticipated by the person proposing the development at the time the LCP was before the Commission for certification.

(2) meets the public needs of an area greater than that included in the certified LCP.

All other developments requiring an amendment to the certified LCP shall follow the LCP amendment procedures of the affected local government and the Commission.

PRC Section 30114 (in part)

"Public works" means the following:

(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.

Those sections establish the following three criteria that must be satisfied for a proposed LCP amendment to qualify for review on the merits pursuant to this "override" procedure:

1. The party requesting the amendment must be "authorized to undertake a public works project or proposing [an] energy facility development" (PRC § 30515 and 14 CCR § 13666)
2. The purpose of the proposed amendment must be "to meet public needs of an area greater than that included within such certified local coastal program" (PRC § 30515) and the development must in fact meet those needs (14 CCR § 13666(2)) and
3. The need must not have "been anticipated by the person making the request at the time the local coastal program was before the commission for certification" (PRC § 30515; see also 14 CCR § 13666(1)).

The first and third of these criteria are addressed in this section (IV.C.). The second eligibility criterion (whether the amendment is designed to and does meet public needs of an area greater than the City of Malibu) is repeated in 14 CCR Section 13666.4(a) as the first of the four factual findings that the Commission must make in order to approve an LCP amendment pursuant to this override process. Thus, it is addressed separately, in section IV.E.1, below.

1. The Conservancy and MRCA are authorized to initiate this process.

There are two groups of persons who may request an LCP amendment under PRC Section 30515 and CCR 13666: those "authorized to undertake" public works projects and those "proposing" the development of energy facilities. However, there is no requirement that a "person authorized to undertake a public works project" propose a project at the time of their request for an LCP amendment (as is the case here) unlike those persons who may request an LCP amendment for the purposes of developing

energy facilities who must have an accompanying project. See also Malibu LCP, LIP portion, section 19.2.1.A.4 (LCP amendments may be initiated by anyone authorized to undertake a public works project if the criteria of PRC section 30515 are satisfied).

PRC Section 30114 (in part)

> ***"Public works" means the following:***
>
> ***(c) All publicly financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.***

The Santa Monica Mountains Conservancy ("Conservancy") and the Mountains Recreation and Conservation Authority ("MRCA") are "persons" (as defined in PRC section 30111) and can undertake public works projects (in this case, publicly financed recreational facilities). In addition, the MRCA is a "special district" as defined by Coastal Act Section 30118.

2. The Conservancy and the MRCA did not anticipate this need in 2002

The second factor addressed in this section IV.C. is whether the need being addressed by the proposed LCP amendment was anticipated by the person proposing the development at the time the LCP was certified.

In this case, the need at issue is the need to increase recreational and access opportunities in the open space areas of the Santa Monica Mountains through land use policies and development standards such as those found in the Malibu Parks Public Access Enhancement Plan Overlay. The "person" who must not have anticipated that need is the Conservancy/MRCA, and the time at which they must not have anticipated it is in 2002, when the Malibu LCP was certified.

This LCP amendment relates to specific public access, recreational facility, and program improvements for specific parks within the City of Malibu to meet specific needs identified since certification of Malibu's LCP. In 2002, the Conservancy and MRCA did not anticipate the need for the enhanced policies and standards now being proposed because the certified Malibu LCP designated camping as permitted use within parklands. In addition, the Conservancy already had a permit for recreational and access improvements in the Ramirez Canyon area (CPD No. 4-98-334). However, the history of events described above (including the loss of CDP 4-98-334, the City's opposition to the Conservancy and MRCA's original PWP, and, most recently, the City's decision that camping is not an appropriate activity anywhere within the City of Malibu) revealed the need for enhanced provisions regarding public access and recreation within the City. Finally, the future park improvements anticipated by the Overlay will serve the greater Los Angeles area and southern California region, and, not just the City of Malibu. Therefore, in compliance with PRC Section 30515 and CCR Section 13666, the Conservancy/MRCA is eligible to request an amendment to the City of Malibu's LCP, said request was unanticipated at the time Malibu's' LCP was certified, and the

proposed amendment will, when implemented, serve an area greater than that of the certified LCP.

D. PROCEDURAL REQUIREMENTS HAVE BEEN SATISFIED

14 CCR Section 13666.3

13666.3. Commission Review.

Commission review shall be undertaken only after consultation with the affected local government and review shall be conducted according to the LCP regulations. A local government resolution is not required if the local government fails to act within 90 days as specified in 13666.2(a).

14 CCR Section 13666.3 requires that Commission review of a submittal under PRC Section 30515 only be undertaken after consultation with the affected local government, that review be conducted according to the LCP regulations (14 CCR Chapter 8, Subchapter 2, Article 1 - see Section 13500), and that local government resolution is not required if the local government fails to act within 90 days as specified in 13666.2(a).

On April 15, 2008, the Conservancy/MRCA submitted the LCPA to the Commission with a request for a preliminary determination by the Executive Director. On may 15, 2008, the Commission issued a letter to the City of Malibu and the Conservancy/MRCA notifying them that the Executive Director of the Commission had reviewed the subject LCPA request in consideration of the override procedure requirements of the Coastal Act and the Commission's regulations and determined that the Conservancy/MRCA is a "person authorized to undertake a public works project" and that the LCPA submittal meets the public needs of an area greater than that included in Malibu's certified LCP, unanticipated at the time the LCP was before the Commission for certification. The Commission's letter included the LCPA Submittal and notified the City that, according to 14 CCR Section 13666.2, the City had 90 days from the date of submittal to review and act upon the proposal. And that failure to act within 90 days of the amendment submittal would allow for the Conservancy/MRCA to file the request for the LCPA with the Commission. On July 14, 2008, the Malibu City Attorney announced that, in closed session, the City Council had unanimously voted to file a lawsuit against the Commission's Executive Director seeking to require him to rescind the Commission's preliminary determination as to the applicability of the LCP override procedures. Thereafter, the City Council held a public hearing regarding the Commission's preliminary determination and adopted City Resolution No. 08-44, which memorializes the City's finding that "the proposed Malibu Parks Public Access Enhancement Plan Overlay District is not development subject to the LCP override provisions, reaffirms related amendments to the certified LCP Land Use Plan (LUP) that were proposed by the City and processed by the Coastal Commission earlier on the same day that the Commission acted on this proposal (MAJ-3-07) and makes findings in connection with the proposed Overlay District." On July 15, 2008, the Conservancy/MRCA submitted its

proposed LCPA for a Malibu Parks Public Access Enhancement Plan Overlay to the Commission pursuant to PRC Section 30515 and 14 CCR Section 13666 *et seq*. Therefore, in compliance with 14 CCR Section 13666.3, the affected local government was consulted with and failed to adopt the subject LCPA within 90 days of submittal. A local government resolution is not necessary, although the City did adopt one, and Commission review of the subject LCPA can proceed according to the LCP Regulations.

E. THE PROPOSED LCP AMENDMENT SATISFIES THE FINDINGS REQUIRED BY 14 CCR SECTION 13666.4

13666.4. Required Findings.

(a) If the recommendation is for Commission approval as proposed or modified (i.e., conditioned), the recommendation shall be accompanied by specific factual findings and reasoning which, after a careful balancing of social, economic and environmental effects, supports the following conclusions:

> ***(1) development meets a public need of a geographic area greater than that included within the certified LCP.***
>
> ***(2) development conforms with and is adequate to carry out the policies of Public Resources Code Section 30200 et seq.***
>
> ***(3) if significant adverse environmental impacts have been identified, reasonable alternatives have been examined, and mitigation measures have been included that substantially lessen any significant adverse environmental impact so that there is no feasible less environmentally damaging way to meet the public need. If the development will have no significant adverse environmental impact, findings shall be included which support that conclusion.***
>
> ***(4) disapproval would adversely affect the public welfare as identified in the findings, declarations, and general provisions of the Coastal Act (Public Resources Code Section 30000 et seq.) and the California Coastal Management Program, if applicable.***

(b) If the recommendation is for Commission denial, the recommendation shall state specifically the grounds for denial, based upon the findings and relevant facts which after a careful balancing of social economic and environmental effects support the conclusions listed in Section 13666.4.

14 CCR Section 13666.4 requires that specific, factual, findings be made if the Commission approves or revises an LCP amendment submitted pursuant to PRC Section 30515:

1. <u>The proposed LCP amendment is designed to meet a public need of a geographic area greater than that included within the certified LCP and does address that need.</u>

As addressed in detail in this staff report the subject LCPA provides policies and implementing measures that expand on the public access and recreation policies of the Malibu LCP and that will enable development that will serve to enhance public access and recreation opportunities to and within park facilities in the City of Malibu for local and non-local visitors with diverse interests and abilities. The geographic area covered by the Malibu LCP is the City of Malibu. However, Malibu is located within one of the most populated regions in the United States and is within easy driving distance of millions of California residents. The City of Malibu and the Santa Monica Mountains National Recreation Area receive millions of visitors annually from the greater Los Angeles Area and the demand for access and recreation opportunities, including camping opportunities exceeds the supply.

Unfortunately, Malibu has had a long history of conflict related to meeting the Coastal Act mandate for protecting and enhancing public access and recreational resources. In recognition of this ongoing conflict, the Commission certified the City's LCP which describes the various factors that have historically limited public access opportunities in the Malibu region:

> *Public access to and along the shoreline and trails, and the provision of public recreational opportunities and visitor-serving facilities such as campgrounds, hotels and motels has historically been a critical and controversial issue in Malibu. Continuing conflicts in providing maximum public access to and along the shoreline and trails, as mandated by the Coastal Act, is evidenced in the Coastal Commission's permit regulatory reviews and public hearings concerning proposed projects in Malibu since 1976.*" (Chapter 2 of the City of Malibu Local Coastal Program Land Use Plan).

The demand for coastal public access and recreation opportunities, the mandates of the Malibu LCP and of the Coastal Act to meet this demand, and the continuing conflict with the City of Malibu remains today as evidenced by the history and circumstances resulting in the Conservancy/MRCA LCP amendment override application. The override procedure invoked for the proposed Overlay allows for such amendments because, as with the Conservancy and MRCA, it is the Coastal Commission's role to apply a regional or statewide perspective to land use debates where the use in question is of greater than local significance. Where local governments generally are constrained to plan the use of land only within their corporate boundaries, the Commission was created, in part, in order to take a broader view in making land use decisions for California's coastline in the interest of all people.

Presently, there are no public camping facilities within the City of Malibu. One private campground facility, the Malibu RV Park, exists in the City and is located east of the intersection of Corral Canyon Road and Pacific Coast Highway.

As demonstrated by the evidence outlined in this staff report, there is a significant demand both locally and on statewide basis for public camping, hiking and recreation facilities within public parklands. The need and demand for public recreation at the Conservancy/MRCA parklands cannot be focused on, nor determined by, the residents of Malibu alone, but by the roughly 17 million people that live and work within the Los Angles area and visitors seeking coastal recreation throughout California and the nation.

The Conservancy and MRCA have also recognized the need for recreation opportunities for park visitors of varying abilities (e.g., physically and mentally challenged). As such, the Conservancy and MRCA have identified an underserved population seeking coastal access and recreation and have therefore emphasized the need to provide facilities and outreach programs intended to reach this population.

Ramirez Canyon Park contains a number of established amenities to support public use programs designed to facilitate accessibility including picnic areas, restrooms, educational displays, sitting benches, gardens, easily accessible terrain, and a riparian area interpretive trail. As such, the Overlay does not contemplate extensive physical improvements for Ramirez Canyon Park to improve accessibility but includes detailed program and operational polices and implementation measures to ensure that public outreach programs are implemented to the maximum extent feasible.

To implement the policy provisions for enhancing accessibility to and within Conservancy/MRCA owned and maintained park areas throughout the Plan area, the Overlay also provides implementation measures for the development of new park facilities designed to accommodate visitors with diverse abilities including additional accessible day-use picnic areas at Ramirez Canyon Park, and a number of other park-specific improvements and specifications, including accessible camping facilities and support facilities for Escondido Canyon Park**,** ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park**. Finally, where feasible and found consistent with public safety needs and resource protection policies, the Overlay provides that trail improvements will incorporate current accessibility guidelines and technical requirements to facilitate access and use by persons with disabilities.

Although the existing certified Malibu LCP recognizes camping as permitted use within Parklands it does not include specific development standards for the campsites in parklands, including policy direction regarding the development of campgrounds in environmentally sensitive habitat areas. In addition, the certified Malibu LCP does not include specific development and use standards for Ramirez Canyon Park.

It is clear from the evidence presented in this report that the proposed LCP override will provide for future public camping facilities, public trails and recreational opportunities for disadvantaged, disabled, and able-bodied persons - serving a public need of a geographic area greater than that included in the certified LCP.

2. The proposal, as revised, is in conformity with the policies in Chapter 3 of the Coastal Act and would establish a system adequate to carry out these policies

The Chapter 3 policies of the Coastal Act (PRC Section 30200 et seq) provide for the protection and enhancement of coastal resources. Following is a discussion regarding the conformance of the subject LCPA with the relevant Chapter 3 policies, namely those concerning public access and recreation, environmentally sensitive habitat areas, visual resources, hazards, water quality, new development, and archaeological resources. Additionally, this section addresses the consistency of the proposed LUP policies with the applicable policies of the Coastal Act. Finally, there is a discussion of how the LIP, as amended, conforms with and is adequate to carry out the policies of the LUP.

a. Public Access and Recreation

Both the Coastal Act and Malibu's certified LCP contain policies that protect public access and recreation in the Coastal Zone and encourage development of lower cost visitor serving recreation opportunities and overnight accommodations:

California Coastal Act Public Access and Recreation Policies

Coastal Act § 30210: In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act §* 30212.5: *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Coastal Act § 30213: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Neither the Commission nor any regional commission shall either (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Coastal Act § 30214: (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.
(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic value of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Coastal Act § 30223: Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Coastal Act Section 30210 mandates that maximum public access and recreational opportunities be provided for all people, consistent with the need to protect public safety, private property and natural resources. Coastal Act Sections 30212.5, 30213 30214 and 30223 state that public facilities are to be provided throughout an area so as to mitigate impacts of overcrowding or overuse by the public of any single area; that lower-cost visitor and recreational facilities be protected; encouraged, and where feasible, provided; public access policies should be implemented in a manner that that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case; and upland areas necessary to support coastal recreation should be reserved for such uses, where feasible.

The proposed Overlay that is the subject of this LCPA provides policies and implementing measures that expand on the public access and recreation policies of the Malibu LCP and that will serve to enhance public access and recreation opportunities to and within park facilities in the City of Malibu for local and non-local visitors with diverse interests and abilities. The City of Malibu and the Santa Monica Mountains National Recreation Area receive millions of visitors annually from the greater Los Angeles Area and the demand for access and recreation opportunities exceeds the supply. That demand is projected to grow. (The State Park System Plan 2002 Part I – A System for the Future).

The proposed policies and implementation measures identify where and when access and recreation improvements and programs permitted by the LCP are allowed within the specific park properties and trail corridors included in the Plan area. In addition, because the LCP clearly encourages protection, enhancement and expansion of public access and recreational opportunities via development of trails, support facilities and campsites, but lacks specific development standards for these uses, the proposed Overlay policies and implementation measures further clarify the various recreation and

park uses, activities, support facilities and public outreach programs permitted within the specific park properties of the Overlay area.

Visitor Demand

Located in western Los Angeles County, the City of Malibu is located about 25 miles from downtown Los Angeles. According to the US Census Bureau, the five counties which comprise the greater Los Angeles area (Ventura, Los Angeles, Orange, Riverside, and San Bernardino Counties) have a combined population of approximately 17,776,000 (as of July 1, 2006). A 100-mile radius from the city center of Malibu extends as far north as Bakersfield, as far south as Carlsbad, as far east as Redlands and includes all of Ventura, Los Angeles and Orange Counties, the most populated areas of Riverside, and San Bernardino Counties, and portions of Santa Barbara, Kern, San Luis Obispo, and San Diego Counties. Thus, Malibu is located within one of the most populated regions in the United States and is within easy driving distance of millions of California residents.

The City of Malibu has over 20 miles of coastline and its beaches, like Zuma Beach and Surfrider Beach, are world famous and draw many thousands of visitors from the greater Los Angeles area. According to the City of Malibu (2000 economic study), about 1.5 to 2 million people visit Malibu annually. In addition, the City is located within the Santa Monica Mountains National Recreation Area which, according to the National Park Service, receives about 33 million visitors annually.

Overnight Camping

Presently, there are no public camping facilities within the City of Malibu. One private campground facility, the Malibu RV Park, exists in the City and is located east of the intersection of Corral Canyon Road and Pacific Coast Highway. The Malibu RV Park includes 35 tent spaces for which fees range between $41-$46 Sunday-Thursday and $51-$56 Friday-Saturday during the peak season (May 23-September 30), and between $20-$25 Sunday-Thursday and $25-$30 Friday-Saturday during the off season (October 1-May 22). A holiday surcharge of $20/night per tent is imposed, except on the 4th of July when a surcharge of $75/night per tent is required. The limited supply of overnight camping facilities in Malibu and the apparent ability to charge considerable fees for use of the facilities that are available indicate a significant demand for these limited resources.

Since there are currently no public camping facilities within the City of Malibu, records of use to assess current demand for low-cost overnight camping resources within the City are not available. However, California State Parks data relative to existing demand for public camping facilities in areas proximate to the City demonstrate a significant unmet demand for camping opportunities. In 2007, State Parks personnel reported that the months of June, July and August experienced a 107.4% capacity for camping at the Leo Carrillo, Malibu Creek, Point Mugu and Thornehill Broome campgrounds located in

County jurisdictions adjacent to the City - the extra 7.4% attributed to overflow camping and group camping. (State Parks email, November 2, 2007).

In addition, a State Parks News Release (November 2007) confirmed an overwhelming, unmet demand for camping resources on a State-wide level, particularly along the California Coast, reporting that camping reservations on opening day for May increased 20% from 2006 with many coastal facilities, Bolsa Chica in Orange County, Carpinteria State Beach in Santa Barbara County, Doheny State Beach in Orange County, San Clemente State Beach in Orange County, San Elijo State Beach in San Diego County, and South Carlsbad State Beach in San Diego County, at 90% capacity by close of business on opening day. Personnel of the Long Range Planning Program for California State Parks further reports the following on public demand and support for developing new camp areas along the California Coast:

> *The California State Parks system has not stayed abreast with the demand for peak-season camping as the population has grown. There is a high unmet demand for camping outdoor opportunities in California. Changes in California's demography, coupled with growing tourism, have created unprecedented demand for more camping opportunities. The demand for all campsites at State Parks grew by approximately 13% between the years 2000 and 2005.*
>
> *California's state parks are the most heavily visited of any state park system in the nation. Some facilities are at capacity. Coastal beaches and campgrounds, for example are the most heavily used state parks. State Parks coastal campsites are at or near capacity during the spring, summer and fall months, with thousands of potential visitors turned away. Demand is so high that if the Department were to add 325 camp sites a year, it would not keep up with requests. (The State Park System Plan 2002, Part I: A System for the Future, www.parks.ca.gov/?page_id=24512).*

The proposed Overlay includes new policies to encourage development of overnight camping resources within park boundaries in the Plan area and the specific development standards necessary to ensure such facilities are developed consistent with all applicable policies of the Coastal Act and Malibu's LCP.

The Overlay provides for developing unique, "low-impact" camp facilities within existing park boundaries in the Plan area consistent with public safety needs, site constraints, and resource protection policies. Low-impact campsites are walk-in campsites including, where appropriate, support facilities such as picnic tables, fire-proof cooking stations, water tanks, pipelines, self-contained chemical/composting restrooms, and shade trees, etc., which utilize remote parking in non-ESHA areas and which have an educational or interpretive component including signage related to the natural resources of the Santa Monica Mountains. Low-impact campsites, as defined, constitute a resource dependent use and, as such, can be located close to or with ESHA.

In addition, the Overlay provides for fully accessible camp facilities in each park area considered for campsite development and the Overlay will establish a fund, supported

by net proceeds of special event uses at Ramirez Canyon Park, to fund a camping program designed to provide urban, disadvantaged youth with their first overnight camping experience. It is anticipated that each special event at Ramirez Canyon Park would yield approximately $1,000 of net proceeds, and could therefore fund approximately 20 participants in one overnight program event. The MRCA will provide all necessary transportation, meals and equipment, and will deliver a program dedicated to teaching novice and first-time campers proper use of camping equipment, environmental awareness and outdoor leadership skills. Staffing will be provided by professional naturalist educators who are trained in first aid, youth leadership and outdoor education.

Implementation of the proposed Overlay will provide a new recreational experience and accommodation not presently available for most visitors to the Malibu coastal area and will thus further the goals of the Public access and recreation policies Coastal Act and Malibu LCP to provide and enhance public access and recreational resources.

Public Access and Trails

The area subject to the proposed Overlay is a major component of an expansive trail system with existing and planned trail corridors for the larger Santa Monica Mountains National Recreation Area. This trail system includes the Backbone Trail, a primary trail corridor traversing a variety of public parklands along the coast north of the City from urban areas of Los Angeles County area to the east, past Topanga State Park and on to Point Mugu State Park in Ventura County to the west. Various inland connector trails link urban areas (such as Santa Monica, the San Fernando Valley and Simi Valley) with the trail corridors and parklands of the Santa Monica Mountains National Recreation Area from which one could ultimately gain access south to the shoreline. Implementation of the trail segments proposed by the Overlay and support facility improvements is critical to completing and supporting access to the Coastal Slope Trail within the City of Malibu, and its ultimate connection to the Backbone Trail that will provide access to and between adjacent urban areas of Los Angeles County and Ventura County, the larger Santa Monica Mountains National Recreation Area, and the shoreline within the City of Malibu.

In addition, the Overlay's proposed trail connections will serve to meet a primary goal articulated in Completing the California Coastal Trail (Coastal Conservancy 2003) which is to "*Create linkages to other trail systems and to units of the State Park system, and use the Coastal Trail system to increase accessibility to coastal resources from urban population centers*." Implementation of the proposed Overlay trail plan will provide and connect several threads within the coastal trail system in the Malibu and Santa Monica Mountains area. Some trail segments will traverse inland and parallel to the shoreline linking parklands and providing expansive and spectacular views of the coast, while others will connect parkland and upland areas to the shoreline such as at Corral Canyon Park. The proposed Overlay is consistent with and will implement the principles for completing the California Coastal Trail.

Accessibility for Visitors with Disabilities

The park areas addressed in the proposed Overlay vary substantially with respect to existing access opportunities, recreation support facilities, and amenities. The policies in the Overlay are intended to facilitate expansion of recreational opportunities at park facilities to serve a variety of visitors, whenever feasible and consistent with the constraints of natural parklands. The Conservancy and MRCA recognize that, in some cases, natural constraints of parklands inherently limit access and recreation opportunities for visitors of varying abilities (e.g., physically and mentally challenged). As such, the Conservancy and MRCA have identified an underserved population seeking coastal access and recreation and have therefore emphasized the need to provide facilities and outreach programs intended to reach this population.

In making public parkland facilities maximally accessible, the Conservancy and MRCA have developed the Overlay with specific provisions for accessibility while remaining sensitive to circumstances in which conventional accessibility modifications may adversely affect the natural character of park areas. In these situations, the Overlay proposes to incorporate current accessibility guidelines and technical requirements into all plans for parkland facilities, where feasible. These guidelines will provide design specifications and alternative regulations to facilitate access and use by persons with disabilities to structures and natural park properties.

Ramirez Canyon Park contains a number of established amenities to support public use programs designed to facilitate accessibility including picnic areas, restrooms, educational displays, sitting benches, gardens, easily accessible terrain, and a riparian area interpretive trail. As such, the Overlay does not contemplate extensive physical improvements for Ramirez Canyon Park to improve accessibility but includes detailed program and operational polices and implementation measures to ensure that public outreach programs are implemented to the maximum extent feasible.

To implement the policy provisions for enhancing accessibility to and within Conservancy/MRCA owned and maintained park areas throughout the Plan area, the Overlay also provides implementation measures for the development of new park facilities designed to accommodate visitors with diverse abilities including additional accessible day-use picnic areas at Ramirez Canyon Park, and a number of other park-specific improvements and specifications, including accessible camping facilities and support facilities for Escondido Canyon Park**,** ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park**. Finally, where feasible and found consistent with public safety needs and resource protection policies, the Overlay provides that trail improvements will incorporate current accessibility guidelines and technical requirements to facilitate access and use by persons with disabilities.

Support Facilities

The public access and recreation goals of the Coastal Act and Malibu LCP are best accomplished by linking and integrating natural parks via trail linkages, public

transportation and providing adequate support facilities to make certain residents and visitors can reach and enjoy these public resources. The proposed Overlay includes polices and implementation measures for public access and recreation support facilities, including new park facilities designed to accommodate visitors with diverse abilities including fully accessible day-use picnic areas, camping facilities, trailhead amenities throughout the Plan area, as well as new accessible camping opportunities. In addition, the Overlay establishes a uniform comprehensive park and trail sign program essential for identifying park areas, permitted uses, support facilities and sensitive habitats, and thereby also essential for minimizing potential issues arising from land use conflicts, resource protection, and safety concerns. The provisions of the proposed Overlay when implemented will facilitate development of support facilities identified as necessary to ensure the many elements that contribute to maximum access and recreation are provided and maintained for public use.

Public Transit

Presently, there is very limited public transit service to parklands and trails in the Plan area. There are many people who do not have a reliable transportation source, and public transportation routes usually bypass most natural areas. The Metropolitan Transportation Authority travels through the Plan area on the primary thoroughfare of the City of Malibu, Pacific Coast Highway, but includes limited stops at public parklands and trailheads. The Metropolitan Transportation Authority provides low-cost transportation for people throughout the Santa Monica Mountains National Recreation Area and has the potential to support public access opportunities for those who may otherwise not have access to Malibu parks or beaches.

To maximize public access in the Plan area, the Overlay provides for coordination with MTA to increase access opportunities to coastal parklands from inland areas along the primary transportation corridor (Pacific Coast Highway). These transportation services are particularly vital in the Plan area given the limited amount of existing and proposed parking resources for visitors to travel to and from parks at trailheads. In addition, the Overlay standards require that all parking and trailhead facilities include bike racks, or secured storage for bicycles, to facilitate alternative means of transportation to park areas. Combined with onsite camping registration at Corral Canyon Park and Escondido Canyon Park, this will allow for flexibility for cyclists traveling along Pacific Coast Highway to camp along the coast. In addition, implementation of the Overlay policies will provide an alternative method of accessing park areas by providing pedestrian connections between parklands, further supported by development of new facilities intended to accommodate and encourage biking. Finally, the Overlay provides for the use of shuttles and van pools, and development of new hike-in opportunities, to facilitate public use of Ramirez Canyon Park where public access opportunities to the park are presently limited.

Coastal Act Consistency Analysis

The proposed Overlay adds new policies to, and clarifies existing policies of, the City of Malibu LCP that would facilitate development of public access and recreational resources within the Plan area such as an interconnected system of trails and public parklands and park-specific improvements to maximize access opportunities. The proposed Overlay provides for improvement of existing trail corridors and development of a number of new coastal trails and support facilities which would substantially enhance public access and recreational opportunities within the Plan area. The Overlay identifies new public access, recreational facility, and program improvements for Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park** which will serve to maximize public access opportunities for visitors with diverse backgrounds, interests, ages, and abilities. The proposed improvements include public parking, camp areas within park boundaries, and trail improvements to support existing recreational demand and to facilitate an increased level of accessibility for visitors with disabilities, including the unique opportunity for fully accessible overnight camping. The proposed camping facilities will provide a rare opportunity for low-cost overnight camping in the Plan area.

In addition, consistent with Coastal Act Section 30210, to provide recreational opportunities for all the people, the Overlay includes detailed policies and implementation measures for Ramirez Canyon Park program and operational elements that support special public outreach and educational opportunities, as well as the administrative infrastructure necessary to operate specialized public outreach programs and to ensure that maximum public access and recreational opportunities are provided for visitors with varying degrees of special needs.

The proposed Public Outreach and Education and Accessibility policies and implementation measures provide for expansion of recreational opportunities at existing park facilities to serve a variety of visitors, whenever feasible and consistent with safety needs and constraints of natural parklands. Policies in the Overlay emphasize the need to provide facilities and outreach programs intended to reach visitors with diverse abilities, disadvantaged youth, or other underserved groups. Additionally, policies in the Overlay provide that public outreach programs at Ramirez Canyon Park that provide public access opportunities for visitors with diverse backgrounds and abilities will continue and provide for development of additional day-use picnic facilities and limited overnight camping opportunities at Ramirez Canyon Park, Corral Canyon Park, ~~and~~ Escondido Canyon Park**, and Malibu Bluffs Park** that facilitate disabled access where possible. The Overlay's Accessibility implementation measures also provide that proposed park improvements enhance accessibility wherever feasible, consistent with public safety and resource protection policies and in accordance with current accessibility guidelines and technical requirements.

Also consistent with Coastal Act Section 30210, to protect natural resources, to ensure public safety, and to protect the rights of private property owners, the LUP policies and implementation measures of the proposed Overlay include the following provisions:

1) Trails are to be located, designed, and maintained to avoid or minimize impacts to ESHA by utilizing established trail corridors, following natural contours, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible; trail construction resulting in unavoidable impacts to ESHA must be found consistent with all applicable Resource Protection Policies of the City of Malibu LCP and the Coastal Act.

2) Campsites are proposed to be developed in existing public use areas and in previously disturbed or non-sensitive areas. Campsites would be setback from the top of bank from all streams to the maximum extent feasible, in areas of level terrain to avoid the need for grading and to minimize associated impacts to sensitive habitat areas and water quality.

3) Potential campsite locations are required to be evaluated by a qualified biologist to ensure that campsites may be appropriately located in previously disturbed areas, are appropriately setback from the top of bank of any adjacent stream, and to assess potential impacts to adjacent habitat areas and provide recommendations for mitigation, as applicable, to ensure resources impacts are avoided and minimized to the maximum extent feasible.

4) Campfires are strictly prohibited at all times and the development, use restrictions, and brush maintenance requirements for all campsites are to be carried out in accordance with an approved Fire Protection and Emergency Evacuation Plan. The Fire Protection and Emergency Evacuation Plan required per the Overlay District's Hazards implementation measures will include a number of site-specific provisions that address fuel modification, safety precautions, onsite fire protection and infrastructure, and evacuation plans and policies.

5) Public park areas subject to degradation resulting from intense use are addressed in the Overlay per ESHA implementation measures which require 1) revegetation of degraded areas with native plants, 2) trail consolidation and improvement, 3) provision of support facilities such as defined parking areas and trail corridors, trash and recycling receptacles, self-contained chemical/composting restrooms, picnic areas, and 4) provision of support facilities necessary for operations and maintenance personnel and associated maintenance equipment. The Plan's support facilities will ensure that adequate facilities are provided and maintained to manage public parking areas, to accommodate potential trash and waste generation at park areas, and to ensure that support facilities necessary to maintain the park properties are provided for. These measures will ensure that public access is maximized in a way that maintains park areas such that they remain desirable destination areas for visitors.

6) Policies in the proposed Overlay provide that new support facilities are to be located at park entrances, along existing primary trail routes and within previously disturbed areas, are to be adequately setback from the top of bank from any adjacent streams, and are to be sited on level terrain to the maximum extent feasible to minimize the need for grading and impacts to sensitive habitat areas.

7) New support facility locations are required to be evaluated by a qualified biologist to ensure that, to the maximum extent feasible, 1) facilities are appropriately located in previously disturbed areas, 2) facilities are appropriately setback from the top of bank and any adjacent stream, 3) to assess potential impacts to habitat areas that may result from development of new facilities, and 4) to provide recommendations for mitigation to avoid or minimize impacts to coastal resources.

8) The proposed Overlay provides for uniformity in a comprehensive park and trail sign program essential for identifying park areas, permitted uses, support facilities and sensitive habitats, and thereby also essential for minimizing potential issues arising from land use conflicts, resource protection, and safety concerns.

9) The Wooden Bridge Reinforcement Plan and the Emergency Access and On-Site Parking Plan for Ramirez Canyon Park will be maintained for the Ramirez Canyon Park to ensure adequate and safe access to the property consistent with the Hazards implementation measures of the Overlay.

Policies in the proposed Overlay would facilitate development of public access and recreational resources and programs that would have a beneficial impact on coastal public access and recreational opportunities in the City of Malibu. As described above, the proposed Overlay policies and implementations measures for new park improvements, uses and programs have been designed to protect natural resources, to ensure public safety, to protect the rights of private property owners, and to minimize conflicts with and preserve the character and integrity of adjacent residential areas.

The Commission is requiring several revisions to the proposed Overlay LUP Public Access & Recreation policies to bring these policies into conformance with the Public Access and Recreation policies of the Coastal Act. The majority of the required revisions to the LUP Overlay policies are to simply clarify and refine the proposed policy language and does not modify the intent of the proposed LUP polices.

Proposed Overlay LUP policy 5.69, which addresses limited overnight campsites, has been revised to include a definition for “low impact campsites” and the limited support facilities associated with these campsites. As defined pursuant to this revisions, “low impact campsites” (and associated support facilities including picnic tables, potable water, self contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire proof cooking stations) are “carry-in/carry-out” campsites accessed by foot or wheelchair and which have an educational or interpretive component including signage related to the natural resources of the Santa Monica Mountains.

In addition, as discussed in detail below in section 2b. (Environmentally Sensitive Habitat) of this report, policy 5.69 further defines these “low impact campsites”, with interpretive and educational components, as resource dependent uses. Under Section 30240 of the Coastal Act only resource dependent uses are permitted within

environmentally sensitive habitat areas. The parklands subject to this Overlay are almost entirely covered in chaparral ESHA and contain areas of oak woodland, riparian and grassland ESHA. Like hiking trails, the proposed low impact interpretive hike-in campsites are considered resource dependent uses. Clearly, hiking trails and low impact interpretive walk-in camp sites are dependent on the environmentally sensitive parkland habitats and scenic resources. The interpretive signage required in the camp facilities will provide educational information regarding the sensitive nature habitats and will provide guidance on how to recreate in these areas without damaging the sensitive nature of these habitats. In addition, establishing designated trails and low impact camp sites campsites will minimize unauthorized trails in the parklands and unofficial gathering spots which will minimize adverse impacts to these sensitive habitat areas.

The proposed revisions also include the addition of two maps to the LUP; The Malibu Parks Public Access Enhancement Plan Public Park Map (LUP Map 5); and the Proposed Trail Resources Map (LUP Map 6). Map 5 illustrates the public parklands included in the Overlay and Map 6 shows the existing and proposed trail network covered in the overlay.

Therefore, the Commission finds, that as revised, the proposed LUP Access and Recreation Policies of the proposed Overlay are consistent with Sections 30210, 30212.5 and 30213 of the Coastal Act.

Consistent with Policy 30214 of the Coastal Act, the proposed Overlay includes polices and implementation measures for trail and park improvements intended to enhance public access opportunities in the Plan area and will include primarily low-intensity uses consisting of access trails which are sited and designed to be noninvasive on the natural topography of trail corridors and to minimize impacts to sensitive habitat areas. Limited camping facilities are planned exclusively within park boundaries which will provide opportunities for low-cost overnight recreation in the Plan area; these facilities would be limited in size and location in consideration of geologic and natural resource constraints of each park property and sited and managed to protect the rights and privacy of adjacent property owners.

In addition, the proposed Overlay's sign program will provide information on regulations required to promote safe use of the area and resource protection. Appropriate signs and visual cues would be required serve to clearly identify the designated public parking areas and public trails throughout the Plan area to avoid conflicts with private property and sensitive habitat areas.

Furthermore, as previously mentioned above, vehicular access to and special program operations at Ramirez Canyon Park were thoroughly addressed by the Commission through the approval of CDP No. 4-98-334. Although this CDP is no longer valid as a result of a superior court decision, the Commission held multiple hearings on this CDP application and specifically addressed the proposed uses and intensity of uses at the Ramirez Canyon Facility, including the number of proposed shuttle van trips over the access road through the Ramirez Canyon neighborhood. It is important to note that the

Court did not set aside the Commission's findings regarding consistency of the proposed park uses with the Coastal Act, but simply found that the Conservancy's proposal should have been reviewed for consistency with the Malibu's local land use regulations, which at the time had not been certified by the Commission as a local coastal program.

Through the approval of CDP No. 4-98-334, the Commission addressed the neighboring residents concerns regarding potential adverse traffic and noise impacts associated with the operation of this facility and conditioned the permit to limit the number of shuttle van trips over the access road, set limits on amplified music and limited the hours of operation of the facility to minimize impacts on the surrounding neighborhood. The Commission concluded that, as conditioned, the uses permitted at Ramirez Park were consistent with the character of the surrounding Ramirez community and in conformity with the Chapter Three policies of the Coastal Act. As discussed in more detail in Section IV(C)(2)(f) (New Development) of this report, the Commission is requiring revisions to the proposed LIP Policy 12b relating to specialized programs at Ramirez Park to bring this LIP policy into conformity with what the Commission approved in CDP No. 4-98-334.

Therefore, Commission finds LUP policies in the Overlay are consistent with Coastal Act Section 30214 because they will ensure that future park improvements will be designed and managed in consideration of all topographic, geologic and natural resource constraints and will minimize conflicts with adjacent residential development.

Consistent with Policy 30223 of the Coastal Act the Overlay includes policies to support a number of public access and recreational opportunities throughout the Plan area, primarily in upland areas of the Coastal Zone, including provisions for new and improved trail linkages, limited overnight camping areas, and support facilities deemed necessary to support public access and recreational uses. The Overlay identifies new public access, recreational facility, and program improvements for Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park** generally consisting of public parking, camp areas within park boundaries, and trail improvements to support existing recreational demand and to facilitate an increased level of accessibility for visitors with disabilities. The park areas addressed in the Plan and associated improvements would be available for and maintained for public access and recreational use. Therefore, the Commission finds that the proposed LUP Overlay polices are consistent with Coastal Act Section 30223.

As described above, as revised, the proposed LUP coastal access and recreation Overlay policies are consistent with the public access and recreation policies of the Coastal Act.

Malibu Land Use Plan Consistency Analysis

City of Malibu LCP Land Use Plan Public Access and Recreation Policies

LCP Policy 2.1 The shoreline, parklands, beaches and trails located within the City provide a wide range of recreational opportunities in natural settings which include hiking, equestrian activities, bicycling, camping, educational study, picnicking, and coastal access. These recreational opportunities shall be protected, and where feasible, expanded or enhanced as a resource of regional, state and national importance.

LCP Policy 2.4 Public accessways and trails shall be an allowed use in Environmentally Sensitive Habitat Areas. Where determined to be desirable (by consideration of supporting evidence), limited or controlled methods of access and/or mitigation designed to eliminate or minimize impacts to ESHA may be utilized. Accessways to and along the shoreline shall be sited, designed, and managed to avoid and/or protect marine mammal hauling grounds, seabird nesting and roosting sites, sensitive rocky points and intertidal areas, and coastal dunes.

2.7 Public accessways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer-to-Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities e.g. parking, construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.

2.8 Public recreational facilities throughout the City, including parking areas or facilities, shall be distributed, as feasible, to prevent overcrowding and to protect environmentally sensitive habitat areas.

2.9 Public access and recreational planning efforts shall be coordinated, as feasible, with the National Park Service, the State Department of Parks and Recreation, the State Coastal Conservancy, Los Angeles County, Los Angeles County Department of Beaches and Harbors, the Santa Monica Mountains Conservancy, and the Santa Monica Mountains Trails Council.

2.11 Public land, including rights of way, easements, dedications, shall be utilized for public recreation or access purposes, where appropriate and consistent with public safety and the protection of environmentally sensitive habitat areas.

2.13 Open space easements and dedications shall be utilized, where required, to facilitate the objectives of the City's recreational and/or public access program.

2.15 The City should coordinate with County, federal and state park agencies and nonprofit land trusts or organizations to insure that private land donations and/or public access dedications are accepted and managed for their intended use.

2.16 Entrance roads, parking facilities, and other necessary support facilities for parks, beaches and other shoreline recreation areas shall be sited and designed to minimize adverse impacts to environmentally sensitive habitat areas and other sensitive environmental and visual resources.

2.17 Recreation and access opportunities at existing public beaches and parks shall be protected, and where feasible, enhanced as an important coastal resource. Public beaches and parks shall maintain lower-cost user fees and parking fees, and maximize hours of use to the extent feasible, in order to maximize public access and recreation opportunities.

Limitations on time of use or increases in use fees or parking fees, which effect the intensity of use, shall be subject to a coastal development permit.

2.18 The City should coordinate with the National Park Service, the California Department of Parks and Recreation, the State Coastal Conservancy, Caltrans, the County Department of Beaches and Harbors and the Santa Monica Mountains Conservancy to provide a comprehensive signage program to identify public parks, trails and accessways. Said signage program should be designed to minimize conflicts between public and private property uses.

2.24 The extension of public transit facilities and services, including shuttle programs, to maximize public access and recreation opportunities shall be encouraged, where feasible.

2.25 New development shall provide off-street parking sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation.

2.26 Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

2.34 Existing, lower cost visitor-serving and recreation facilities, including overnight accommodations, shall be protected to the maximum feasible extent. New lower cost visitor and recreation facilities, including overnight accommodations, shall be encouraged and provided, where designated on the LUP Map. Priority shall be given to developments that include public recreational opportunities. New or expanded facilities shall be sited and designed to minimize impacts to environmentally sensitive habitat areas and visual resources.

2.36 Coastal recreational and visitor serving uses and opportunities, especially lower cost opportunities, shall be protected, encouraged, and where feasible, provided by both public and private means. Removal or conversion of existing lower cost opportunities shall be prohibited unless the use will be replaced with another offering comparable visitor serving or recreational opportunities.

2.37 Priority shall be given to the development of visitor-serving commercial and/or recreational uses that complement public recreation areas or supply recreational opportunities not currently available in public parks or beaches. Visitor-serving commercial and/or recreational uses may be located near public park and recreation areas only if the scale and intensity of the visitor-serving commercial recreational uses is compatible with the character of the nearby parkland and all applicable provisions of the LCP.

The Land Use Plan portion of the certified LCP contains a number of public access and recreation policies that provides for the protection, provision and enhancement of public access and recreation opportunities in the City of Malibu consistent with the goals, objectives, and policies of the Coastal Act.

The proposed Overlay adds new LIP or implementation policies to, and clarifies existing LIP policies of, the City of Malibu LCP that would facilitate development of public access and recreational resources within the Plan area such as an interconnected system of trails and public parklands and park-specific improvements to maximize access opportunities. The proposed Overlay provides for improvement of existing trail corridors and development of a number of new coastal trails and support facilities that would

substantially enhance public access and recreational opportunities within the Plan area. The Overlay identifies new public access, recreational facility, and program improvements for Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park** which will serve to maximize public access opportunities for visitors with diverse backgrounds, interests, ages, and abilities. The proposed improvements include public parking, camp areas within park boundaries, and trail improvements to support existing recreational demand and to facilitate an increased level of accessibility for visitors with disabilities, including the unique opportunity for fully accessible overnight camping. The proposed camping facilities will provide a rare opportunity for low-cost overnight camping in the Plan area.

The Commission is requiring several revisions to the proposed Overlay LIP Public Access & Recreation policies to bring these policies into conformance with the LUP overlay policies as revised. As with the revised LUP policies, the majority of the revisions to the LIP Overlay policies are to simply clarify and refine the proposed policy language and does not modify the intent of the proposed LIP polices.

Consistent with LCP Policy 2.1, the Overlay implementation policies will facilitate a variety of recreational opportunities including hiking, equestrian activities, bicycling, camping, educational study, picnicking, and accessibility to natural areas throughout the Plan area by guiding the development and implementation of new and improved multi-use trail linkages, limited overnight camping areas, special outreach programs and support facilities; all intended to support and expand public access and recreational uses.

Consistent with LCP Policy 2.4, the Overlay implementation policies identify trails as permitted uses in ESHA. The Overlay requires that trails be located, designed, and maintained to minimize impacts to ESHA by utilizing established trail corridors, following natural contours to minimize grading and avoiding naturally vegetated areas with significant native plant species, to the maximum extent feasible. Trail construction resulting in unavoidable impacts to ESHA will be carried out consistent with all applicable Resource Protection Policies of the adopted Overlay, the City of Malibu LCP and the Coastal Act.

The Resource Protection Policies of the Overlay implementation policies related to trail development in ESHA include, among other requirements, provisions for restoration of areas that have been severely degraded as the result of overuse or lack of maintenance utilizing techniques such as revegetation with native plants, trail consolidation and improvement, and provision of support facilities such as parking, defined trail systems, raised walkways, trash receptacles, restrooms, and picnic areas. Appropriate fencing and signs will be installed around restoration areas for purposes of identifying sensitive habitats and educating visitors about ESHA and/or restoration efforts.

Where severely degraded areas may develop, controlled and limited public access will be required during the recovery period and in consultation with appropriate public agencies and/or resource specialists. Public use will be evaluated periodically to

determine the need for use restrictions and any implemented limitations on public access will be removed at the termination of the recovery period. The Overlay further provides that the Conservancy/MRCA conduct periodic assessments of park visitation numbers and patterns of use and monitor the quality of visitor experience to make the appropriate management changes to prevent potential degradation of natural resources from overuse. Any future development potentially impacting ESHA must be submitted to the Coastal Commission or City of Malibu, as applicable, for specific project review. These Overlay provisions will ensure that limited or controlled methods of access and/or mitigation will be implemented to eliminate or minimize impacts to ESHA consistent with LCP Policy 2.4.

Consistent with the revised LUP policy 5.69, which addresses overnight campsites, including "low Impact" campsites, the revised LIP policy 2 mirrors the LUP policy language in LUP Policy 5.69. Policy 2 has been revised to include a definition for "low impact campsites" and the limited support facilities associated with these campsites. Low impact campsites are defined, pursuant to this revision: "low impact campsites" (and associated support facilities including picnic tables, potable water, self contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire proof cooking stations) are "carry-in/carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretive component including signage related to the natural resources of the Santa Monica Mountains."

In addition, as discussed in detail below in section 2b. (Environmentally Sensitive Habitat) of this report LUP Policy 5.69 and LIP policy 2 further defines these "low impact campsites", with interpretive and educational components, as resource dependent uses. Under Section 30240 of the Coastal Act only resource dependent uses are permitted within environmentally sensitive habitat areas. The parklands subject to this Overlay are almost entirely covered in chaparral ESHA and contain areas of oak woodland, riparian and grassland ESHA. Like hiking trails, the proposed low impact interpretive hike-in campsites are considered resource dependent uses. Clearly, hiking trails and low impact interpretive walk-in camp sites are dependent on the environmentally sensitive parkland habitats and scenic resources. The interpretive signage required in the camp facilities will provide educational information regarding the sensitive nature habitats and will provide guidance on how to recreate in these areas without damaging the sensitive nature of these habitats. In addition, establishing designated trails and low impact campsites will minimize unauthorized trails in the parklands and unofficial gathering spots, minimizing adverse impacts to these sensitive habitat areas. As revised LIP policy 2 is consistent with and will carry out revised LUP policy 5.69.

Consistent with LCP Policy 2.7, the Overlay LIP polices will facilitate acceptance and opening of public access trail OTDs throughout the Plan area to create an integrated system of trail connections linking the public parklands within the Plan area and thus allowing for continuous, open access opportunities for hikers, mountain bikers, backpackers and equestrians.

Consistent with LCP Policy 2.8, the Overlay LIP includes implementation measures for a number of recreational facility improvements including new and expanded trail connections, camping areas, and critical support facilities such as public parking, self-contained restrooms, trailhead improvements, and the use of existing structures at Ramirez Canyon Park to support park operations and maintenance personnel necessary to maintain parklands and recreational areas within the Plan area. These proposed improvements are distributed throughout the Plan area along the trail corridors and within the park properties addressed by the Overlay and will serve to ensure that new and enhanced public access and recreation opportunities are provided to reduce the potential of overburdening limited existing public facilities concentrated in specific areas, and to ensure proposed improvements are appropriately sited, designed and maintained to protect environmentally sensitive habitat areas.

In addition to the Conservancy-owned park properties, the Plan area includes portions of Zuma/Trancas and Solstice Canyon Parks (owned and maintained by the National Park Service), containing expansive natural open space areas and established trails systems which are critical components of an integrated system of parks, trails, and open space intended for public use in the Plan area. Consistent with LCP Policy 2.9, the Overlay provides for coordination with the National Park Service to ensure trail connectivity and sharing of visitor support facilities, and requires that all plans for location, design and development of park improvements located on, or potentially affecting, adjacent Federal parkland are to be submitted to the Outdoor Recreation Planner of the National Park Service to ensure continued interagency coordination and planning efforts for providing an accessible, safe and enjoyable trail system throughout the Plan area.

Consistent with LCP Policy 2.11, the Overlay includes LIP policies to facilitate and expand public access and recreation for public parklands and all identified and documented public rights-of-way in the Plan area, including offers-to-dedicate (OTDs), intended for trail access. The Overlay signage program will provide information on regulations required to promote safe use of an area and resource protection. Appropriate signs and visual cues will also serve to clearly identify the designated public parking areas and public trails throughout the Plan area to avoid conflicts with private property and sensitive habitat areas. The Overlay includes trails that are located, designed, and which will be maintained to minimize impacts to ESHA by utilizing established trail corridors, following natural contours to minimize grading and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. To ensure that educational and interpretive signs are provided in public use areas and in or adjacent to ESHA to inform the public of the special nature of these sensitive ecosystems, the Commission finds it necessary to revise LIP policy 6.i.(Signs) to provide these types of interpretive/educational signs as part of an overall signage program.

Consistent with LCP Policy 2.13, the Overlay requires coordination with the Coastal Commission and the City of Malibu to identify and accept, as applicable, all trail and open space OTDs identified in areas subject to Malibu Parks Public Access

Enhancement Plan Overlay and evaluate/process the legal documentation necessary to ensure allowance of trail use on properties subject to OTDs, where appropriate, or to ensure such properties are protected as natural and scenic areas to enhance the recreational experience of trail corridors.

The proposed Overlay LIP includes policies that require coordination between the Conservancy/MRCA, the National Park Service, and the County of Los Angeles and includes specific provisions to ensure that existing parklands, lands subject to OTDs, or lands which are purchased from willing sellers, dedicated or donated for the purpose of public use, resource protection and recreation, are accepted and maintained for public access, resource protection and recreation. Therefore, the proposed Plan will serve to carry out the intent of LCP Policy 2.15.

Consistent with LCP Policy 2.16, the Overlay LIP includes policies to facilitate and guide the development of support facilities including parking areas, ADA drop-offs, self-contained public restrooms and water sources to serve Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park**. These support facilities would be located at park entrances, along existing primary trail routes and within previously disturbed areas, would be appropriately setback from the top of bank from any adjacent streams and on level terrain to the maximum extent feasible to minimize the need for grading and impacts to sensitive habitat areas. Where impacts to sensitive resources are unavoidable, the Overlay includes a comprehensive set of policies and implementation measures to ensure that unavoidable impacts are minimized to the maximum extent feasible and that restoration plans be implemented to ensure that no significant impacts to resources will occur.

Consistent with LCP Policy 2.17, the Overlay includes policies to facilitate and guide the development of lower-cost access and recreational opportunities. Parking and camping user fees will be consistent with fees for such uses typical of the State Park system. Limitations on time of use will only consist of time restrictions required to ensure public safety (standard hours of operation and use restrictions associated with adverse environmental conditions, i.e. flood and fire conditions).

The Overlay signage program requires that a uniform and comprehensive park and trail sign program be developed to identify park areas, permitted uses, support facilities and sensitive habitats. The policies and implementation measures of Overlay provide that Plan signage be installed to assist the public in identifying public parks and private property, and locating and recognizing trail access points, public support facilities, potential natural hazards, road crossings, and park rules. The Overlay requires that final plans for location and content of proposed trail and park signs be submitted for review and comment to the Outdoor Recreation Planner of National Park Service to ensure continuity of signs between the park properties in the Plan area. As mentioned above, to ensure that educational and interpretive signs are provided in public use areas and in or adjacent to ESHA to inform the public of the special nature of these sensitive ecosystems, the Commission finds it necessary to revise LIP policy 6.i. (Signs) to ensure interpretive/educational signs describing the natural ecosystem are included as

part of the proposed signage program. As such, the proposed Overlay is consistent with the intent of LUP Policy 2.18.

Consistent with LCP Policy 2.24, the Overlay includes measures for the Conservancy/MRCA to coordinate with the Metropolitan Transportation Authority (MTA) to include a stop in the existing service route to the Winding Way Trailhead parking lot, and to provide service information to the public via public notices, trailhead signs and website posting. The MTA offers low-cost transportation for people who otherwise would not have access to parklands and beaches and serves as an alternative means for gaining access to parklands

The Overlay includes provisions to ensure that adequate parking is available for Ramirez Canyon Park and to develop new parking for Escondido Canyon Park **and Malibu Bluffs Park** in order to alleviate parking demand for public use and recreation. In addition, the Overlay LIP provides for development of new parking facilities adjacent to Kanan Dume Road and Latigo Canyon Road which are intended to specifically serve coastal access and recreation. Consistent with LCP Policies 2.25 and 2.26, policies in the Overlay provide for the development of new public parking resources where none currently exist and will thereby serve to meet the existing demand for parking resources necessary to support maximum access and recreational opportunities.

As proposed Overlay LIP Policy 3.b (Transportation and Parking Management) does not specify that new parking areas for Escondido Canyon Park and a new trailhead parking lot on Latigo Canyon may be developed to provide hike in access to Escondido Canyon. Therefore, the Commission finds it necessary, to add provision 3.b.iv. to the LIP Transportation and Parking Management policy that indicates ~~a~~ parking area**s** may be developed at Escondido Canyon Park **and Malibu Bluffs Park,** and a parking area and trailhead may be developed on Latigo Canyon Road for hike- in access to Escondido Canyon.

Consistent with LCP Policies 2.34, 2.36 and 2.37, the Overlay will serve to protect and provide lower cost visitor-serving and coastal recreation facilities, and to ensure that the new and expanded access and recreational facilities are sited and designed to minimize impacts to environmentally sensitive habitat areas and visual resources. The Overlay provides for development of visitor-serving and recreational uses that complement public recreation areas and supply recreational opportunities not currently available within the Plan area.

In conclusion, the Commission finds that proposed LUP Overlay policies, as revised, are consistent with consistent with the public access and recreation policies of the Coastal Act, and that the proposed LIP Overlay policies, as revised, are consistent with the certified Malibu LUP policies, and the LUP Overlay policies, as revised in this report.

b. Environmentally Sensitive Habitat Areas

Both the Coastal Act and Malibu's certified LCP contain policies that protect environmentally sensitive habitat areas (ESHA) in the Coastal Zone:

California Coastal Act Environmentally Sensitive Habitat Areas (ESHA) Policies

> ***Section 30240:***
>
> ***(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.***
>
> ***(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.***

Section 30240 of the Coastal Act states that environmentally sensitive habitat areas (ESHAs) must be protected against disruption of habitat values, that proposed development adjacent to ESHA and parks shall be designed to prevent adverse impacts to those areas and be compatible with their continuance, and that only resource-dependent uses are allowable within ESHA.

Section **30107.5** of the Coastal Act, defines an environmentally sensitive area as:

> ***"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.***

The proposed Overlay includes policies and implementation measures for specific public access and recreational facilities (including limited low impact campsites) for ~~three~~ **four** park properties (Ramirez Canyon park, Escondido Canyon Park, ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park**) owned by the Conservancy/MRCA. Additionally, the Overlay includes plans for connections for the Coastal Slope Trail and other connector trails which would link the ~~three~~ **four** above-mentioned parks and other recreation areas within the City of Malibu. Implementation of the proposed Overlay will result in improvements located in a variety of habitat types varying from highly disturbed road shoulders that are devoid of vegetation and of little habitat value to well established coastal sage scrub habitat areas and riparian corridors of significant habitat values.

The proposed LUP amendment includes the addition of maps showing the parklands and trails that are within the overlay area, and the addition of one Public Access and Recreation policy (Policy 2.90) and several New Development policies pertaining to the overlay (Policies 5.66 through 5.71). Although no specific Land Resource (ESHA)

policies are proposed to be modified or added as part of the LUP amendment, the proposed overlay does implicate the ESHA policies of the LUP, given the location of the overlay area within mapped ESHA. The issue of ESHA protection is addressed extensively in the proposed LIP provisions of the overlay.

The proposed policies (specifically LUP Policy 5.71) provide for the development of a network of mapped trails, both within public parkland and within private lands along trail easements. Although the majority of the trail improvements associated with trail easement OTDs are located along road shoulders primarily composed of bare dirt and scattered residential landscaping and other non-native vegetation, many of the trails proposed through parklands would traverse undisturbed ESHA. .Under Section 30240 of the Coastal Act only resource dependent uses are permitted within environmentally sensitive habitat areas. The parklands subject to this Overlay are almost entirely covered in chaparral ESHA and contain areas of oak woodland, riparian and grassland ESHA. Trails are a type of development that the Commission has considered to be "resource dependent" and therefore allowable within ESHA, so long as ESHA is protected against any significant disruption of habitat values. The proposed Policy 5.71 provides for the development of trails within the overlay subject to siting, design and maintenance of such facilities that avoids, minimizes, if necessary mitigates potential impacts to ESHA.

Further, the proposed Overlay LUP Policy 5.69, provides for overnight campsites within the parklands that are part of the overlay. Although the policies of the certified LCP do not specifically state that campsites are a "resource dependent" use, the Commission certainly considers them to be, in the same way that public trails and accessways are resource dependent. Clearly, hiking trails and low impact interpretive walk-in camp sites are dependent on the spectacular parkland sensitive habitats and resources. An integral part of any public access or recreational experience in the Santa Monica Mountains is the ability to experience the sights, smells, and feel of the habitat up-close by being within it; by being "in nature". This means that by its very essence, such access and recreation use, including its various components, is dependent on the resource to function at all. Of course, access and recreational use, such as camping, must still be designed (including siting, sizing, etc.) to ensure that it results in no significant disruption of the habitat values of the very resource the public is meant to experience.

In order to clarify that campsites (including necessary support facilities) are a resource dependent use, the Commission finds it necessary to revise Proposed LUP Policy 5.69 to include a definition for "low impact campsites" and the limited support facilities associated with these campsites. Low impact campsites are defined, pursuant to this revision, as: "low impact campsites" (and associated support facilities including picnic tables, potable water, self contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire proof cooking stations) are "carry-in/carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretive component including signage related to the natural resources of the Santa Monica Mountains."

In addition, Policy 5.69 further defines these "low impact campsites", with interpretive and educational components, as resource dependent uses. Like hiking trails, the proposed low impact interpretive hike-in campsites are considered resource dependent uses. The interpretive signage in the camp facilities will provide educational information regarding the sensitive nature habitats and guidance on how to enjoy these areas without damaging the sensitive nature of these habitats. In addition, establishing designated trails and low impact campsites will minimize unauthorized trails in the parklands and unofficial gathering spots, minimizing adverse impacts to these sensitive habitat areas.

As revised to add specificity regarding low impact campsite and associated support facilities, the Commission finds that the proposed LUP component of LCPA 1-08 is consistent with Section 30240 of the Coastal Act.

City of Malibu LCP Land Use Plan ESHA Protection Policies

3.8 Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

3.9 Public accessways and trails are considered resource dependent uses. Accessways and trails located within or adjacent to ESHA shall be sited to minimize impacts to ESHA to the maximum extent feasible. Measures, including but not limited to, signage, placement of boardwalks, and limited fencing shall be implemented as necessary to protect ESHA.

3.14 New development shall be sited and designed to avoid impacts to ESHA. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective in the context of a Natural Community Conservation Plan that is certified by the Commission as an amendment to the LCP. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA.

3.15 Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the City annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. However, if after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

3.22 Interpretive signage may be used in ESHA accessible to the public to provide information about the value and need to protect sensitive resources.

3.32 Channelizations or other substantial alterations of streams shall be prohibited except for: 1) necessary water supply projects where no feasible alternative exists; 2) flood protection for

existing development where there is no other feasible alternative, or 3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels.

3.42 New development shall be sited and designed to minimize impacts to ESHA by:

- ***Minimizing grading and landform alteration, consistent with Policy 6.8***
- ***Minimizing the removal of natural vegetation, both that required for the building pad and road, as well as the required fuel modification around structures.***
- ***Limiting the maximum number of structures to one main residence, one second residential structure, and accessory structures such as, stable, corral, pasture, workshop, gym, studio, pool cabana, office, or tennis court, provided that such accessory structures are located within the approved development area and structures are clustered to minimize required fuel modification.***
- ***Minimizing the length of the access road or driveway, except where a longer roadway can be demonstrated to avoid or be more protective of resources.***
- ***Grading for access roads and driveways should be minimized; the standard for new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the City Planning Commission, upon recommendation of the Environmental Review Board and the determination that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use to be processed consistent with the LIP provisions.***
- ***Prohibiting earthmoving operations during the rainy season, consistent with Policy 3.47.***
- ***Minimizing impacts to water quality, consistent with Policies 3.94-3.155***

3.43 New septic systems shall be sited and designed to ensure that impacts to ESHA are minimized, including those impacts from grading and site disturbance as well as the introduction of increased amounts of water. Adequate setbacks and/or buffers shall be required to protect ESHA and to prevent lateral seepage from the leachfield(s) or seepage pit(s) into stream waters or the ocean.

3.45 All new development shall be sited and designed so as to minimize grading, alteration of physical features, and vegetation clearance in order to prevent soil erosion, stream siltation, reduced water percolation, increased runoff, and adverse impacts on plant and animal life and prevent net increases in baseline flows for any receiving waterbody.

3.51 Disturbed areas ESHAs shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

3.53 Fencing or walls shall be prohibited within riparian, bluff, Point Dume canyon or dune ESHA, except where necessary for public safety or habitat protection or restoration. Fencing or walls that do not permit the free passage of wildlife shall be prohibited in any wildlife corridor.

3.55 Fencing adjacent to ESHA shall be sited and designed to be wildlife permeable, enabling wildlife to pass through.

3.47 Earthmoving during the rainy season (extending from November 1 to March 1) shall be prohibited for development that is 1) located within or adjacent to ESHA, or 2) that includes grading on slopes greater than 4:1. In such cases, approved grading shall not be undertaken

unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after March 1, unless the City determines that completion of grading would be more protective of resources.

3.48 Where grading is permitted during the rainy season (extending from November 1 to March 1), erosion control measures such as sediment basins, silt fencing, sandbagging, installation of geofabrics, shall be implemented prior to and concurrent with grading operations. Such measures shall be maintained through final grading and until landscaping and permanent drainage is installed.

3.50 Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:

- ***Plantings shall be native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below.***
- ***Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.***
- ***Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.***
- ***Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years.***
- ***Any landscaping or revegetation shall be monitored for a period of at least five years following the completion of planting. Performance criteria shall be designed to measure the success of the plantings. Midcourse corrections shall be implemented if necessary. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met.***

3.56 Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHA in order to minimize impacts on wildlife. High intensity perimeter lighting and lighting for sports courts or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA is prohibited.

3.59 All new development shall be sited and designed to minimize required fuel modification and brushing to the maximum extent feasible in order to minimize habitat disturbance or destruction, removal or modification of natural vegetation, and irrigation of natural areas, while providing for fire safety, as required by Policies 4.45 through 4.54. Development shall utilize fire resistant materials and incorporate alternative fuel modification measures, such as firewalls (except where this would have impacts on visual resources), and landscaping techniques, where feasible, to minimize the total area modified. All development shall be subject to applicable federal, state and county fire protection requirements.

3.60 As required by Policy 4.49, applications for new development shall include a fuel modification plan for the project site, approved by the County Fire Department. Additionally, applications shall include a site plan depicting the brush clearance, if any, that would be required on adjacent properties to provide fire safety for the proposed structures.

3.61 Applications for new development shall include a quantification of the acreage of natural vegetation that would be removed or made subject to thinning, irrigation, or other modification by the proposed project, including building pad and road/driveway areas, as well as required fuel modification on the project site and brush clearance on adjacent properties.

3.62 All new development shall include mitigation for unavoidable impacts to ESHA from the removal, conversion, or modification of natural habitat for new development, including required fuel modification and brush clearance.

3.63 New development shall be sited and designed to preserve oak, walnut, sycamore, alder, toyon, or other native trees that are not otherwise protected as ESHA. Removal of native trees shall be prohibited except where no other feasible alternative exists. Structures, including roads or driveways, shall be sited to prevent any encroachment into the root zone and to provide an adequate buffer outside of the root zone of individual native trees in order to allow for future growth.

3.64 New development on sites containing oak, walnut, sycamore, alder, toyon, or other native trees shall include a tree protection plan.

3.65 Where the removal of native trees cannot be avoided through the implementation of project alternatives or where development encroachments into the protected zone of native trees result in the loss or worsened health of the trees, mitigation measures shall include, at a minimum, the planting of replacement trees on-site, if suitable area exists on the project site, at a ratio of 10 replacement trees for every 1 tree removed. Where on-site mitigation is not feasible, off-site mitigation shall be provided through planting replacement trees or by providing an in-lieu fee based on the type, size and age of the tree(s) removed.

The proposed LIP provisions of the Overlay provide implementation measures related to trail and park improvements to enhance public access opportunities in the Plan area, including a network of mapped trails, both within public parkland and within private lands along trail easements; limited overnight camp sites within the ~~three~~ **four** subject parks to provide low-cost overnight recreation in the Plan area and to offer opportunities for the public to learn about natural resources in the Santa Monica Mountains; and necessary support facilities for such uses. The Overlay also contains provisions regarding specific park, support, and administrative facilities at Ramirez Canyon Park. The proposed ESHA provisions of the Overlay include a number of requirements to ensure that environmentally sensitive habitat areas are protected, and that potential impacts to sensitive habitats resulting from project implementation be avoided, where feasible, and minimized to the maximum extent possible.

Trails

Many of the trails proposed within the Overlay would be located through undisturbed ESHA. Under the policies of the LUP, only resource dependent uses are permitted within environmentally sensitive habitat areas. Trails are a type of development that the LUP recognizes to be “resource dependent” and therefore allowable within ESHA, so long as ESHA is protected against any significant disruption of habitat values. Consistent with LUP Policy 3.9, the Overlay provides for trail improvements, which are sited and designed to protect and minimize impacts to ESHA to the maximum extent feasible. The proposed Overlay trails are located, designed, and will be maintained to

avoid or minimize impacts to ESHA by utilizing established trail corridors, following natural contours, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible.

The provisions of the Overlay related to trail development in ESHA include, among other requirements, provisions for restoration of areas that have been severely degraded as the result of overuse or lack of maintenance utilizing techniques such as revegetation with native plants, trail consolidation and improvement, and provision of support facilities such as parking, defined trail systems, raised walkways, trash receptacles, restrooms, and picnic areas. Trail alignments are required to be sited to utilize exiting trail corridors and to avoid steep, vegetated terrain wherever possible and new support facilities would be sited and designed in relatively level areas void of or containing disturbed vegetation to minimize grading, landform alteration, drainage pattern disturbance and vegetation clearance and to therefore prevent soil erosion, sedimentation, and alteration of natural water flows.

Campsites

The proposed LIP Amendment includes limited camping facilities that are planned exclusively within park boundaries, which would be clustered in designated camp areas and limited in size and location in consideration of geologic and natural resource constraints of the park properties. They are intended to enhance access and recreational opportunities and to provide new low-cost, overnight recreational opportunities where impacts to environmentally sensitive habitat areas are minimized and where designed to meet fire safety standards.

The parklands in question contain significant areas that are mapped as ESHA in the certified LCP. Under the policies of the LUP, only resource dependent uses are permitted within environmentally sensitive habitat areas. Although the policies of the certified LUP do not specifically state that campsites are a “resource dependent” use, the Commission certainly considers them to be, in the same way that public trails and accessways are resource dependent. Clearly, hiking trails and low impact interpretive walk-in camp sites are dependent on the parkland sensitive habitats and resources. An integral part of any public access or recreational experience in the Santa Monica Mountains is the ability to experience the sights, smells, and feel of the habitat up-close by being within it; by being “in nature”. This means that by its very essence, such access and recreation use, including its various components, is dependent on the resource to function at all. Of course, access and recreational use, such as camping, must still be designed (including siting, sizing, etc.) to ensure that it results in no significant disruption of the habitat values of the very resource the public is meant to experience.

In order to clarify that campsites (including necessary support facilities) are a resource dependent use, the Commission finds it necessary to revise Section D2 of the Overlay to include a definition for “low impact campsites” and the limited support facilities associated with these campsites. Low impact campsites are defined, pursuant to this

revision, as: "low impact campsites" (and associated support facilities including picnic tables, potable water, self contained chemical/composting restrooms, shade trees, water tanks, portable fire suppression apparatus, and fire proof cooking stations) are "carry-in/carry-out" campsites accessed by foot or wheelchair and which have an educational or interpretive component including signage related to the natural resources of the Santa Monica Mountains."

Several other minor clarifications to the provisions of Section D2 of the Overlay regarding campsites are necessary to ensure that this use will minimize impacts to coastal resources. As revised, the Overlay provides that camping facilities would be limited in size and location, and clustered in consideration of geologic and natural resource constraints of the park properties. Further, the provisions require that camp areas are located within existing public use areas, or in previously disturbed or non-sensitive areas, if feasible. Campsites must be located a minimum of 100 feet from the top of bank from all streams if feasible, in disturbed areas of level terrain to avoid the need for grading and minimize impacts to sensitive habitat areas and visual resources, to the maximum extent feasible. As revised, the LIP amendment will allow for the development of resource dependent low-impact campsites that will avoid and/or minimize impacts to ESHA.

Support Facilities

The proposed Overlay provides that park support facilities would be located either within existing developed and disturbed areas of Ramirez Canyon Park, or within existing disturbed and non-sensitive areas at Escondido Canyon and Corral Canyon Parks. All proposed improvement areas are required to be evaluated to confirm the presence or absence of ESHA in proposed improvement areas to ensure that significant impacts to ESHA are avoided. In doing so, all planned park support facility improvements must be sited and designed to utilize existing facilities and/or disturbed areas to the maximum extent feasible, to provide appropriate setbacks from streams and other sensitive habitat areas, and to be non-invasive on the natural topography thus minimizing grading and associated impacts to sensitive habitat areas.

The LCP public access policies specifically allow for recreational and park support facility improvements within natural parklands, most of which within the City are designated and zoned OS and subject to the ESHA Overlay designation, assuming such improvements can be sited and designed to avoid and minimize impacts to ESHA to the maximum extent feasible. Furthermore, LCP Policy 2.16 specifically permits entrance roads, parking facilities, and other necessary support facilities for parks where sited and designed to minimize adverse impacts to environmentally sensitive habitat areas and other sensitive environmental and visual resources.

The Overlay LIP includes policies to facilitate and guide the development of support facilities including parking areas, ADA drop-offs, self-contained public restrooms and water sources to serve Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park**. These support facilities would be located at

park entrances, along existing primary trail routes and within previously disturbed areas, would be appropriately setback from the top of bank from any adjacent streams and on level terrain to the maximum extent feasible to minimize the need for grading and impacts to sensitive habitat areas. Where impacts to sensitive resources are unavoidable, the Overlay includes a comprehensive set of policies and implementation measures to ensure that unavoidable impacts are minimized to the maximum extent feasible and that restoration plans be implemented to ensure that no significant impacts to resources will occur.

Support facilities for the parklands would be sited and designed to minimize adverse impacts to environmentally sensitive habitat areas as the proposed improvements would be sited and designed to utilize existing facilities and/or disturbed areas to the maximum extent feasible, to provide appropriate setbacks from streams and other sensitive habitat areas, and to be non-invasive on the natural topography to minimize grading and associated impacts to sensitive habitat areas.

General ESHA protections

The Overlay provides that if severely degraded areas may develop, controlled and limited public access in conjunction with habitat restoration will be required during the recovery period and in consultation with appropriate public agencies and/or resource specialists. Limitation of public use will be evaluated periodically to determine the need for continued use restrictions and the limitation will be removed at the termination of the recovery period. Fencing and signs will be installed around restoration areas for purposes of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts.

The Overlay further requires that the Conservancy/MRCA conduct periodic assessments of park visitation numbers and patterns of use and monitor the quality of visitor experience and make the appropriate management changes to prevent potential degradation of natural resources from overuse, and that any future development potentially impacting ESHA not addressed in the Plan be submitted to the Coastal Commission or City of Malibu, as applicable, for specific project review.

Consistent with LCP Policy 3.22, the Overlay includes signs for park development projects at existing facilities where determined appropriate for the purpose of identifying sensitive habitats and educating visitors of ESHA occurrence and/or restoration efforts. In addition, the Overlay includes development of a uniform and comprehensive sign program, which will be posted in English and in Spanish, where applicable, to assist the public in identifying public parks, and locating and recognizing trail access points, public support facilities, sensitive habitats, potential natural hazards, and park rules.

Consistent with LCP Policies 3.63-3.65, the Overlay and associated improvements will protect all native trees in or near the planned improvement areas. The plan area, particularly within existing parklands, contains a number of native trees that are afforded protection pursuant to the City's LCP. Where it is determined infeasible to preserve in-

place or to transplant these trees, tree replacement mitigation would be provided onsite consistent with the requirements of the tree mitigation provisions of the Overlay and the City's LCP.

Specific Provisions Regarding Ramirez Canyon Park

The Overlay includes provisions for the development of park, administrative, and support facilities at Ramirez Canyon Park. Additionally, the Overlay specifies the programs and uses that may be allowed at this park.

Previous development at Ramirez Canyon Park has resulted in a significantly disturbed and manicured environment. While the Commission has included Ramirez Canyon Park within mapped ESHA, the LCP does recognize that disturbed areas associated with existing, legally established uses are not considered to be ESHA. As such, much of the property within and directly adjacent to the existing development envelopes associated with the pre-Coastal Act establishment of Ramirez Canyon Park as an estate compound, as well as those adjacent areas subject to required fuel modification for existing structures, do not meet the Malibu LCP definition of ESHA. However, although the site has been subject to past disturbance resulting in diminished habitat value, consistent with the ESHA definition of the LCP, Ramirez Canyon Creek is afforded special treatment as a habitat area of significance pursuant to the policies and standards in the LCP applicable to streams and, therefore, the Overlay has policies and measures to implement a stream restoration project for Ramirez Canyon Creek to correct the streambank disturbance performed by a previous property owner resulting from substantial channelization of much of the creek corridor within the park. Additionally, the Overlay requires that any proposed development that includes protective measures along Ramirez Canyon Creek demonstrate that existing development and/or public use areas in Ramirez Canyon Park are in danger from flood hazards and that any proposed protective device is the least environmentally damaging alternative, sited and designed to avoid and minimize impacts to the habitat values of the riparian corridor. Bioengineering methods or "soft solutions" are required to be developed as an alternative to constructing "hard structures" along Ramirez Canyon Creek, except that if bioengineering methods are demonstrated to be infeasible, then other alternatives may be considered. Finally, future development will be sited and designed to avoid removal of native trees, except that stream restoration in Ramirez Canyon Creek may require widening of the creek channel throughout much of Ramirez Canyon Park and in some locations may affect upland areas that presently support large native trees.

The Overlay also specifies the range of uses, programs and events that may be allowed at Ramirez Canyon Park. The Commission previously considered a specific development proposal for uses and development (CDP No. 4-98-334). The Commission found that a certain level of access and recreational uses could be carried out at Ramirez Canyon Park, with conditions, while protecting ESHA from significant disruption of habitat values, consistent with Section 30240 of the Coastal Act. While the proposed LCP amendment includes only a planning level consideration of uses for Ramirez

Canyon Park, the Overlay does include fairly specific detail about the types of uses and frequency of programs and events that are contemplated for this park and would be considered through further approvals in the future. In a few instances, the proposed LCPA includes additional uses or programs that were not previously considered by the Commission. In order to ensure that potential impacts to ESHA (and other coastal resources considered elsewhere in this report), the Commission finds it necessary to revise the Overlay (Section 12b) to allow for the same level of uses, events, and programs that were previously determined to be appropriate for Ramirez Canyon Park.

In conclusion, the Commission finds that proposed LUP Overlay policies, as revised, are consistent with Section 30240 of the Coastal Act, and that the proposed LIP Overlay provisions, as revised, conform with and are adequate to carry out the certified Malibu LUP policies, and the LUP Overlay policies, as revised in this report.

c. Visual Resources

Both the Coastal Act and Malibu's certified LCP contain policies that protect visual resources in the Coastal Zone:

California Coastal Act Visual Resource Policies

> ***Coastal Act § 30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline reservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.***

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and preserved. The proposed Overlay requires that all new public access and recreation improvements be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

City of Malibu LCP Land Use Plan Visual Resource Policies

> ***6.1 The Santa Monica Mountains, including the City, contain scenic areas of regional and national importance. The scenic and visual qualities of these areas shall be protected and, where feasible, enhanced.***
>
> ***6.2 Places on and along public roads, trails, parklands, and beaches that offer scenic vistas are considered public viewing areas. Existing public roads where there are views of the ocean and other scenic areas are considered Scenic Roads. Public parklands and riding and hiking trails which contain public viewing areas are shown on the LUP Park Map. The LUP Public Access Map shows public beach parks and other beach areas accessible to the public that serve as public viewing areas.***

6.3 Roadways traversing or providing views of areas of outstanding scenic quality, containing striking views of natural vegetation, geology, and other unique natural features, including the ocean shall be considered Scenic Roads. The following roads within the City are considered Scenic Roads:

- ***Pacific Coast Highway***
- ***Decker Canyon Road***
- ***Encinal Canyon Road***
- ***Kanan Dume Road***
- ***Latigo Canyon Road***
- ***Corral Canyon Road***
- ***Malibu Canyon Road***
- ***Tuna Canyon Road***

6.5 New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.

6.6 Avoidance of impacts to visual resources through site selection and design alternatives is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including resiting, or reducing the height or bulk of structures.

6.8 Prominent ridgelines and other intervening ridgelines that are visible from a public road, a beach, public viewing areas, or public hiking trails, shall be protected by setting structures below the ridgeline to avoid intrusions into the skyline where feasible. Where there are no feasible alternative building sites below the ridgeline or where the only alternative building site would result in unavoidable adverse impacts to ESHA, structures shall be limited to one-story (18 feet maximum from existing or finished grade, whichever is lower) in height to minimize visual impacts.

6.9 All new development shall be sited and designed to minimize alteration of natural landforms by:

- ***Conforming to the natural topography.***
- ***Preventing substantial grading or reconfiguration of the project site.***
- ***Eliminating flat building pads on slopes. Building pads on sloping sites shall utilize split level or stepped-pad designs.***
- ***Requiring that man-made contours mimic the natural contours.***
- ***Ensuring that graded slopes blend with the existing terrain of the site and surrounding area.***
- ***Minimizing grading permitted outside of the building footprint.***
- ***Clustering structures to minimize site disturbance and to minimize development area.***
- ***Minimizing height and length of cut and fill slopes.***
- ***Minimizing the height and length of retaining walls.***

- ***Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. Export of cut material may be required to preserve the natural topography.***

6.10 New development, including a building pad, if provided, shall be sited on the flattest area of the project site, except where there is an alternative location that would be more protective of visual resources or ESHA.

6.11 The length of on-site roads or driveways shall be minimized, except where a longer road or driveway would allow for an alternative building site location that would be more protective of visual resources or ESHA. Driveway slopes shall be designed to follow the natural topography. Driveways that are visible from a scenic road, a beach, a public viewing area, or public hiking trail shall be a neutral color that blends with the surrounding landforms and vegetation.

6.12 All new structures shall be sited and designed to minimize impacts to visual resources by:

• Ensuring visual compatibility with the character of surrounding areas.
• Avoiding large cantilevers or understories.
• Setting back higher elements of the structure toward the center or uphill portion of the building.

6.13 New development in areas visible from scenic roads or public viewing areas, shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly reflective materials shall be prohibited.

6.14 The height of permitted retaining walls shall not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted. Where feasible, long continuous walls shall be broken into sections or shall include undulations to provide visual relief. Where feasible, retaining walls supporting a structure should be incorporated into the foundation system in a stepped or split level design. Retaining walls visible from scenic highways, trails, parks, and beaches should incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape.

6.15 Fences, walls, and landscaping shall not block views of scenic areas from scenic roads, parks, beaches, and other public viewing areas.

6.29 Cut and fill slopes and other areas disturbed by construction activities shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:

• Plantings shall be of native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below.
• Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.
• Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.
• Lawn shall not be located on any geologically sensitive area such as coastal blufftop.
• Landscaping or revegetation shall provide 90 percent coverage within five years. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years.

The proposed LCPA does not include any new LUP policies or modifications to policies that implicate the visual resource protection requirements of Section 30251 of the Coastal Act. Nonetheless, the certified LUP does contain Section 30251 of the Coastal Act as a guiding policy in addition to the other relevant LUP visual resource policies detailed above.

The proposed LCP amendment does include implementation measures to ensure that restroom structures, improvements for trails, campsites, and parking facilities are visually compatible with the character of the area and are designed to protect visual resources of the plan area, to ensure consistency with the policies of the Malibu LUP. In addition, provisions in the Overlay require camp area improvements, including restrooms, to be clustered in specific locations that are not visible from primary public viewing areas. The Overlay does not include or contemplate the addition of any structural improvements such as shoreline protective devices, drain pipes or discharge dissipaters on a bluff or beach. Future improvements envisioned in the Overlay are minor in nature and will serve to provide additional public access and recreational opportunities to enjoy the substantial open spaces and visual resources protected by the existing parklands in the plan area.

The Overlay requires that all new public access and recreation improvements be sited and designed to protect views to and along the ocean and scenic coastal areas. The Overlay contains implementation measures to ensure that planned restroom structures, and improvements for trails, campsites, and parking facilities are visually compatible with the character of the area and will protect visual resources of the plan area consistent with LUP Policies 6.1 and 6.2.

In the plan area, proposed trail improvements will potentially be visible from Kanan Dume Road, Latigo Canyon Road, and Corral Canyon Road which are designated scenic roads pursuant to LUP Policy 6.3. However, proposed trail improvements are minor in nature and will not result in substantial impacts to visual resources from these designated roadways. In addition, the provisions of the Overlay require future parking areas, self-contained restroom facilities and retaining walls to not be substantially visible from trails, public roads or other scenic viewing areas. Therefore, view impacts from Kanan Dume Road, Latigo Canyon Road, and Corral Canyon Road will be insignificant.

The only new structures contemplated by the Overlay District are public restroom facilities and where needed, retaining walls, which are required to be located and designed so as not to be substantially visible from significant public viewing areas. Consistency with Policy 6.5 is ensured by the Visual Resource implementation measures of the Overlay which enumerate standards for the screening of restrooms, and necessary retaining walls if required for trail construction, from public trails and other scenic viewing areas as necessary. Specifically, these measures call for locating new improvements in level areas to minimize grading, and within areas where vegetation exists or where topography naturally screens the improvement areas from public views. Where necessary, native vegetation will be planted to provide a buffer

between new campsites and trail corridors and to screen proposed restrooms facilities and retaining walls.

Where determined necessary and desirable, the Overlay would permit some additional grading to "tuck" restroom facilities into hillside terrain and thereby blend with natural terrain. Restroom facilities are to be designed with colors that are compatible with the surrounding landscape and landscape screening will be used to minimize visibility of the structures. Visual Resource implementation measures provides that retaining walls are permitted only where required to support critical trail linkages on hillside terrain and where no other alternative route or method of trail support is available. The Overlay requires that retaining walls will not exceed six feet and that stepped or terraced retaining walls up to twelve feet in height, with planting in between, may be permitted where necessary. All retaining walls are to be designed with natural materials or will incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape. Finally, the Overlay requires that the drainage devices for parking facilities be placed in locations of minimal visibility, will be colored to match natural soils, and will be screened with landscaping to minimize visibility. Therefore, the Overlay is consistent with LCP Policy 6.5

The Overlay requires that site selection and design alternatives be considered when locating and designing proposed camping and new park support facilities to protect the existing visual character of parklands and to minimize alteration of natural landforms. The Overlay improvements will require minor grading for new trails and park facilities and the Overlay includes only self-contained restrooms and retaining wall structures (required for trail support) that would potentially be visible from public viewing areas. Trails are to be located and designed to utilize established trail corridors and to following natural contours wherever feasible. Due to the secluded nature of the proposed improvement areas, variations in natural topography and existing vegetation that will be retained on the site, the planned park improvements and necessary grading will not be visible from the majority of viewsheds within the Plan area.

Because the Overlay includes new trail improvements, public parking and camp facilities that will inevitably be visible from some public trails within existing parklands, the Overlay provides for landscape screening measures to reduce the visibility of these improvements to minimize potential impacts to visual resources. The Overlay does not involve development of new structures on any prominent ridgelines or other intervening ridgelines. Campsites and structures are required to be located in level areas to minimize grading and landform alteration, and to specifically utilize park areas presently screened from public views by natural topography and/or existing vegetation. Necessary grading must be designed to follow the natural contours of proposed improvement areas to minimize disturbed areas and timely vegetation restoration of disturbed areas with native plant species will minimize visual impacts associated with grading. Therefore, the Overlay is consistent with LCP Policies 6.6 through 6.10.

The proposed Overlay does not involve or facilitate construction of new roads or driveways in the Plan area. Consistent with LCP Policies 6.12 and 6.13, Visual

Resource implementation measures require that new parking, restrooms and retaining wall improvements be designed with colors that are compatible with the surrounding landscape and/or consist of natural materials or veneers, texturing and/or colors that blend with surrounding earth materials or landscape, and are colored to match natural soils to ensure that the improvements are compatible with the surrounding landforms and vegetation to minimize impacts to visual resources.

Consistent with LCP Policies 6.14 and 6.15, Visual Resource implementation measures provide that retaining walls are permitted only to support critical trail linkages on hillside terrain and where no other alternative route or method of trail support is available. The height of permitted retaining walls will not exceed six feet. Stepped or terraced retaining walls up to twelve feet in height, with planting in between, are permitted for trails improvements where necessary, and all retaining walls are to be designed with natural materials or must incorporate veneers, texturing and/or colors that blend with the surrounding earth materials or landscape.

Consistent with LCP Policy 6.29, the Overlay requires that all graded and disturbed areas will be planted and maintained for erosion control purposes within (60) days of completing construction activities resulting in soil disturbance or vegetation removal. To minimize the need for irrigation, implementation measures require that re-vegetation efforts consist of native plants from native genetic stock. Invasive, non-indigenous plant species are not permitted.

In conclusion, the Commission finds that the proposed LIP Overlay policies, conform with and are adequate to carry out Section 30251 of the Coastal Act as well as the certified Malibu LUP visual resource policies

d. Hazards

Both the Coastal Act and Malibu's certified LCP contain policies that minimize risks to life and property in the Coastal Zone:

California Coastal Act Hazards Policies

Coastal Act § 30253: New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

(4) Minimize energy consumption and vehicle miles traveled.

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

City of Malibu LCP Land Use Plan Hazard Policies

4.2 All new development shall be sized, designed and sited to minimize risks to life and property from geologic, flood, and fire hazard.

4.4 On ancient landslides, unstable slopes and other geologic hazard areas, new development shall only be permitted where an adequate factor of safety can be provided, consistent with the applicable provisions of Chapter 9 of the certified Local Implementation Plan.

4.5 Applications for new development, where applicable, shall include a geologic/soils/ geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such reports shall be signed by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and subject to review and approval by the City Geologist.
4.8 Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 40 percent (2.5:1), except that driveways and/or utilities may be located on such slopes, where there is no less environmentally damaging feasible alternative means of providing access to a building site, provided that the building site is determined to be the preferred alternative and consistent with all other policies of the LCP.

4.10 New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.

4.11 New development involving a structure dependent on a wastewater disposal system shall utilize secondary treatment, at a minimum, and evapotranspiration waste disposal systems or other innovative measures, where feasible.

4.14 New development shall be prohibited on property or in areas where such development would present an extraordinary risk to life and property due to an existing or demonstrated potential public health and safety hazard.

4.45 New development shall minimize risks to life and property from fire hazard through:

· Assessing site-specific characteristics such as topography, slope, vegetation type, wind patterns etc.;
· Siting and designing development to avoid hazardous locations;
· Incorporation of fuel modification and brush clearance techniques in accordance with applicable fire safety requirements and carried out in a manner which reduces impacts to environmentally sensitive habitat to the maximum feasible extent;
· Use of appropriate building materials and design features to insure the minimum amount of required fuel modification;
· Use of fire-retardant, native plant species in landscaping.
4.46 New development within Environmentally Sensitive Habitat Areas and habitat buffers shall be sized, sited and designed to minimize the impacts of fuel modification and brush clearance activities on habitat and neighboring property.

4.48 When brush clearance is required for fire safety, brushing techniques that minimize impacts to native vegetation, ESHA and that minimize erosion, runoff, and sedimentation shall be utilized.

4.49 Applications for new development, which require fuel modification, shall include a fuel modification plan for the project, prepared by a landscape architect or resource specialist that incorporates measures to minimize removal of native vegetation and to minimize impacts to ESHA, while providing for fire safety, consistent with the requirements of the applicable fire safety regulations. Such plans shall be reviewed and approved by the Forestry Division.

4.50 New development shall provide for emergency vehicle access and fire-flow water supply in accordance with applicable fire safety regulations.

4.51 All new development shall demonstrate the availability of an adequate water supply for fire protection, as required by applicable fire safety regulations.

4.52 Where applicable, property owners shall comply with applicable fire safety regulations for management of combustible vegetative materials (controlled burns) in fire hazardous areas.

4.53 The City shall coordinate with County, State and National Park agencies to develop a closure policy for public recreation areas during periods of extreme fire hazard.

Section 30253 of the Coastal Act and LCP Policy 4.2 require that new development be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The Plan area is located along the Malibu/Santa Monica Mountains coastline, an area that is subject to a number of natural hazards including landslides, erosion, flooding and fire. While the proposed Overlay contemplates very little development of new, habitable, or flammable structures (only new self-contained public restrooms are proposed) planning for the proposed uses, programs, and public facility improvements must ensure that all development and uses provide for geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The Hazards policies of the Overlay District provide that the proposed Plan improvements be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard.

The Overlay LIP provisions require that a geologic/soils/geotechnical study identifying any geologic hazards affecting areas identified for new, structural park facility development be prepared and shall contain recommendations for mitigation measures, where applicable, and a statement that the project areas are suitable for the proposed improvements and that the improvements will be safe from geologic hazard. Structural improvements, such as parking areas, would also be subject to measures for avoidance of potential impacts associated with faulting, seismicity, and soil stability and said measures would be identified and incorporated into the design of future improvements within the Overlay pursuant to the recommendations of the project's engineer.

In addition, the Overlay LIP requires that a Fire Protection and Emergency Evacuation Plan be prepared and approved to provide a plan-of-action to minimize exposure of public park facilities, visitors, and adjacent communities to natural hazards, and to

prepare and condition for potential emergency situations. Fire protection and evacuation measures will be defined for each park property, and specialized fire protection measures defined for Ramirez Canyon Park due to the built-out nature of the property and the unique access programs the Park supports. In addition, the Overlay requires that the provisions contained in Wooden Bridge Reinforcement Plan and Emergency Access and On-Site Parking Plan for Ramirez Canyon Park, previously implemented pursuant to CDP 4-98-334, will be maintained for Ramirez Canyon Park.

The Overlay would not change or conflict with LCP Policy 4.4 and approval of future improvements contemplated in the Overlay would be subject to the requirements of this policy. However, with the exception of trails, future improvements are proposed to be located outside of landslide, unstable slopes and other geologic hazard areas. Trail development, given the limited and short-term activities on trails, is considered low-risk and appropriate in these areas.

The Overlay LIP provisions would not change or conflict with LCP Policy 4.5 and approval of future improvements contemplated in the Overlay would be subject to the requirements of this policy. There are no structures contemplated by the Overlay with the exception of limited, self-contained restroom facilities.

The Overlay LIP provisions would not change or conflict with LCP Policy 4.8 and approval of future improvements contemplated in the Overlay would be subject to the requirements of this policy.

Consistent with LCP policy 4.10, the Overlay requires that run-off (from the proposed parking surfaces) be conveyed in a non-erosive manner, which will serve to minimize erosion and ensure the geologic stability of the site.

The Overlay does not involve new development that is reliant on a wastewater disposal system. Water Quality policies of the Overlay require all new public restroom facilities consist of self-contained, chemical or composting restrooms and further require that the Septic System Abandonment/Wastewater Treatment and Recycled Water System, developed and implemented for Ramirez Canyon Park pursuant to CDP 4-98-334, be maintained onsite and that any new permanent restroom facility at Ramirez Canyon Park must connect to the on-site wastewater treatment and recycled water reuse system.

Future park improvements contemplated by the Overlay are minor in nature (no habitable structures with the exception of self-contained portable restrooms are considered) and will not be subject to significant geologic hazards. In addition, a Fire Protection and Emergency Evacuation Plan will be prepared to include a plan-of-action to minimize exposure of public park facilities, visitors, and adjacent communities to natural hazards, and to prepare and condition for potential emergency situations. Fire protection and evacuation measures will be defined for each park property, and specialized fire protection measures defined for Ramirez Canyon Park due to the built-out nature of the property and the unique access programs the Park supports. In

addition, the provisions contained in the Wooden Bridge Reinforcement Plan and Emergency Access and On-Site Parking Plan for Ramirez Canyon Park, previously implemented pursuant to CDP 4-98-334, will be maintained for Ramirez Canyon Park.

Therefore, consistent with LCP Policy 4.14, the proposed Overlay LIP policies and associated uses are appropriate for the subject parklands and will not present an extraordinary risk to life and property due to an existing or demonstrated potential public health and safety hazard.

Consistent with LCP Policies 4.45 and 4.48-4.53, which address potential fire hazards and require new development to minimize risks to life and property from fire hazard, the proposed Overlay contains a number of provisions to ensure that improvements and land uses ensure fire safety within the plan area. Camp policies require camps areas to be developed and maintained as "cold camps" at all times consistent with the provisions of the Hazards implementation measures of the Overlay. The Overlay LIP specifies that campfires are prohibited at all times and that all camping activities are prohibited unless an onsite Camp Host, staff maintenance person, or Ranger, who is wildland fire-trained, is accommodated for at each park property. Overnight Camp implementation measures further call for development, use restrictions, and brush maintenance for all campsites to be carried out in accordance with an approved Fire Protection and Emergency Evacuation Plan. All standard parkland rules and regulations shall be enforced per existing policies of the MRCA/SMMC, including the no smoking provision.

A Fire Management and Evacuation Plan for Ramirez Canyon Park, Escondido Canyon Park, ~~and~~ Corral Canyon Park**, and Malibu Bluffs Park** will be prepared and reviewed and approved by the State Fire Marshall. The Fire Management and Evacuation Plan will contain fuel modification/management policies for the proposed improvements contemplated by the Overlay, and will address safety precautions, onsite fire protection equipment and infrastructure, and evacuation policies and plans for the parklands and uses subject to the Overlay. The Fire Management and Evacuation Plan is required to include the following provisions:

- *All standard Parkland rules and regulations shall be enforced per existing policies of the MRCA/SMMC:*
    - *Except in designated camp areas, park properties shall be closed sunset to sunrise.*
    - *No smoking or fires.*
    - *No alcoholic beverages.*
    - *No littering or dumping.*
    - *No unauthorized vehicle use.*
    - *No defacing or destroying property.*

- *Dogs must be on a leash and cleaned up after.*
- *Possession of firearms, bow and arrow prohibited.*
- *Violations subject to $500 fine and/or 6 months in County jail.*

- *An annual fuel modification plan for site vegetation management and tree trimming/limbing at each park property shall be developed and implemented prior to the annual fire season.*
- *Campsite locations shall be located within existing use areas to ensure easy access for purposes of maintenance and patrol, and in case of emergency.*
- *No person shall make or maintain, nor aid and abet others in making or maintaining, a campfire or any other open fire in any of the park facilities covered by this Plan. The only cooking apparatus permitted shall consist of self-contained propane stoves when permitted consistent with the terms of the approved Fire Management and Emergency Evacuation Plan. No kerosene or white gas lanterns shall be permitted.*
- *Campers shall be required to utilize designated cook surfaces provided at each approved campsite, which shall be designed of non-flammable materials. Cold-camping apparatus such as flame-less cook-stoves and lanterns are preferred. Prospective campers shall be informed of the No Campfire/Cold Camp Policy upon reserving and/or registering for use of camp facilities and shall be put on notice that unauthorized use of fire-related camping and cooking apparatus specifically prohibited by the No Campfire/Cold Camp Policy will be cause for confiscation of such devices and/or expulsion of visitors from camp facilities. Signs shall be posted and camp areas will be routinely patrolled to enforce the No Campfire/Cold Camp Policy.*
- *Fire protection apparatus shall be provided and maintained at all camp facilities and shall include, at a minimum:*
  - *Water storage tank or water delivery system designed, located, and maintained to provide a dependable water supply for fire protection at each proposed camp area at all times to ensure adequate water supply for fire protection of new camp facilities.*
  - *A portable and air-powered quick attack firefighting system to be provided at each camp facility for ready deployment by trained Camp Host, Ranger, or park personnel in the event of a fire.*
  - *Portable self-contained fire extinguisher units to be provided for each cluster or group of campsites.*

- *Camping at all park properties will be prohibited when any Red Flag, Flash Flood/Flood Warnings or Urban/Small Stream Advisory is issued. Signs will be posted and camp areas will be routinely patrolled to notify park users and to enforce restrictions on park use during all Red Flag, Flash Flood/Flood Warnings and Urban/Small Stream Advisories as determined by the National Weather Service, a division of the National Oceanic Atmospheric Administration (NOAA).*

- *An onsite Camp Host, staff maintenance person, or Ranger, who is wildland fire-trained, shall be accommodated for at each park property during the times camping is permitted. This shall be accomplished by either providing for residency of a Camp Host, staff maintenance person or Ranger at existing park properties, or ensuring that support facilities and apparatus are provided to sustain continuous daily and nightly patrols to strictly enforce the No Campfire Policy and use restrictions relating to hazardous conditions. Park patrols shall be conducted daily at each park property when campers are present. Adjustments to patrol procedures will be made as necessary to ensure park rule enforcement and compliance.*

- *Emergency power generators and fuel supply at Ramirez Canyon Park necessary to maintain emergency lighting for at least twelve (12) hours shall be installed and maintained on site.*

- *Park events, tours, camping reservations or other special functions at Ramirez Canyon Park shall be cancelled when any red-flag warning for extreme weather, fire and/or flooding is issued. Written warnings of the cancellation policy shall be provided to potential campers and prospective event sponsors prior to contracting for park use.*

Implementation of the adopted Fire Management and Evacuation Plan, and continued maintenance of the Wooden Bridge Reinforcement Plan and Emergency Access and On-Site Parking Plan for Ramirez Canyon Park will ensure consistency with all applicable LCP Policies addressing potential fire hazards.

Proposed Overlay LIP provision 11(a)(b)(i) includes the following provision:

> *No person shall, outside of any park facility mentioned herein, on any public or private property, permit or allow, or cause to be permitted or allowed, any open flame, fire, or other incendiary source, of any nature whatsoever, within twenty (20) feet of any flammable vegetation. This provision shall prohibit backyard fires, barbeques, or any other flame source whatsoever. Propane BBQs when accompanied with approved fire extinguishers shall be exempt from this policy.*

This LIP provision would effectively prohibit the majority backyard barbeques, fire pits, outdoor fireplaces, or other flame sources within the City of Malibu. This policy goes beyond the scope of the proposed Overlay and would create an unreasonable prohibition on back yard barbeques, fire pits, outdoor fireplaces and other flame sources

within the City of Malibu. In addition, the Conservancy/MRCA has not presented any evidence that would demonstrate these types of flame sources have historically resulted in any wildfires in Malibu. Therefore, the Commission finds that it is necessary to delete this policy from the proposed LIP Overlay Fire Protection, Emergency Evacuation polices.

The Conservancy/MRCA has proposed a number of very comprehensive fire protection and emergency evacuation policies that will ensure, to the extent feasible, that future development and existing facilities within the Overlay area are protected from fire hazards. Access to Ramirez Canyon Park is via a road that does not have a secondary ingress/egress point. Although the proposed fire protection and fire evacuation policies do ensure the Ramirez Park facility will be relatively safe from fire hazards a secondary access road out of the Canyon would provide an additional emergency ingress/d egress out of the Canyon. Unfortunately, the are a number of constraints that make the construction of a new road out of the canyon problematic, including ESHA issues and steep topography that would necessitate significant grading and landform alteration to construct a road.

However, there is an existing private access road, Via Acero, that serves a number of properties from Ramirez Canyon Road. This road extends up the western slope of the canyon to a point a few hundred feet from Kanan Dume Road. It would be relative easy to extend this road all the way through to Kanan Dume Road. If the Conservancy/MRCA could secure easements rights over this road this road could provide a secondary emergency ingress/egress that could serve the Ramirez Canyon Park Facility and the neighboring community. The Conservancy/MRCA have approached residents who hold access easements along this road and have been not been able to come to an agreement to improve and use this road as a secondary emergency access road for Ramirez Canyon Park. However, the Commission finds that the Conservancy/MRCA should continue to explore opportunities for a secondary emergency access road over Via Acero. Therefore, the Commission is adding the following provision to the Fire Protection, Emergency Evacuation LIP policies of the Overlay:

> iv. Opportunities for additional emergency ingress/egress to and from Kanan Dume Road over Via Acero shall be explored, including the potential for feasibly obtaining easements from willing property owners or by eminent domain. Construction of an additional emergency ingress/egress at Ramirez Canyon may occur consistent with all applicable policies and provisions of the LCP. This policy is not intended to limit the use of, or access to, Ramirez Canyon Park via Ramirez Canyon Road.

Therefore, as revised, the proposed Overlay LIP provisions are consistent with the certified Malibu LUP policies.

e. Water Quality

Both the Coastal Act and Malibu's certified LCP contain policies that protect water quality in the Coastal Zone:

California Coastal Act Water Quality Policies

Coastal Act § *30230:*

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act § *30231:*

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Coastal Act § *30236*

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (l) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

City of Malibu LCP Land Use Plan Water Quality Policies

3.95 New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:

- ***Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss.***
- ***Limiting increases of impervious surfaces.***
- ***Limiting land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss.***
- ***Limiting disturbance of natural drainage features and vegetation.***

3.96 New development shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams, or wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely impact groundwater, the ocean, coastal streams, or wetlands, consistent with the requirements of the

Los Angeles Regional Quality Control Board's municipal stormwater permit and the California Ocean Plan.

3.97 Development must be designed to minimize, to the maximum extent feasible, the introduction of pollutants of concern that may result in significant impacts from site runoff from impervious areas. To meet the requirement to minimize "pollutants of concern," new development shall incorporate a Best Management Practice (BMP) or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.

3.99 Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate. Dry weather runoff from new development must not exceed the pre-development baseline flow rate to receiving waterbodies.

3.100 New development shall be sited and designed to minimize impacts to water quality from increased runoff volumes and nonpoint source pollution. All new development shall meet the requirements of the Los Angeles Regional Water Quality Control Board (RWQCB) in its the Standard Urban Storm Water Mitigation Plan For Los Angeles County And Cities In Los Angeles County (March 2000) (LA SUSMP) or subsequent versions of this plan.

3.102 Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor, i.e. 2 or greater) for flow-based BMPs. This standard shall be consistent with the most recent Los Angeles Regional Water Quality Control Board municipal stormwater permit for the Malibu region or the most recent California Coastal Commission Plan for Controlling Polluted Runoff, whichever is more stringent.

3.104 New roads, bridges, culverts, and outfalls shall not cause or contribute to streambank or hillside erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality including construction phase erosion control and polluted runoff control plans, and soil stabilization practices. Where space is available, dispersal of sheet flow from roads into vegetated areas or other on-site infiltration practices shall be incorporated into road and bridge design.

3.110 New development shall include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.

3.111 New development shall include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include the monitoring and maintenance plans for these BMPs.

3.114 Trash storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.

3.115 Permits for new development shall be conditioned to require ongoing maintenance where maintenance is necessary for effective operation of required BMPS. Verification of maintenance shall include the permittee's signed statement accepting responsibility for all structural and treatment control BMP maintenance until such time as the property is transferred and another party takes responsibility.

3.116 The City, property owners, or homeowners associations, as applicable, shall be required to maintain any drainage device to insure it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year. Owners of these devices will be responsible for insuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season.

3.117 Public streets and parking lots shall be swept frequently to remove debris and contaminant residue. For private streets and parking lots, the property owner shall be responsible for frequent sweeping to remove debris and contaminant residue.

3.118 Some BMPs for reducing the impacts of non-point source pollution may not be appropriate for development on steep slopes, on sites with low permeability soil conditions, or areas where saturated soils can lead to geologic instability. New development in these areas should incorporate BMPs that do not increase the degree of geologic instability.

3.119 New development that requires a grading permit or Local SWPPP shall include landscaping and re-vegetation of graded or disturbed areas, consistent with Policy 3.50. Any landscaping that is required to control erosion shall use native or drought-tolerant non-invasive plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where irrigation is necessary, efficient irrigation practices shall be required.

3.120 New development shall protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems shall be restored, where feasible, except where there are geologic or public safety concerns.

3.121 Alterations or disturbance of streams or natural drainage courses or human-made or altered drainage courses that have replaced natural streams or drainages and serve the same function, shall be prohibited, except where consistent with Policy 3.32. Any permitted stream alterations shall include BMPs for hydromodification activities.

3.122 Natural vegetation buffer areas that protect riparian habitats shall be maintained. Buffers shall function as transitional habitat and provide a separation from developed areas to minimize adverse impacts. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the riparian habitat, but in no case shall the buffer be less than 100 feet, except for development permitted pursuant to Policy 3.10.

3.123 Any channelization or dam proposals shall be evaluated as part of a watershed planning process, evaluating potential benefits and/or adverse impacts. Potential adverse impacts of such projects include effects on wildlife migration, downstream erosion, dam maintenance (to remove silt and trash) and interruption of sand supplies to beaches.

The riparian corridors contained in Ramirez, Escondido**,** ~~and~~ Corral Canyon**, and Malibu Bluffs** Parks provide important habitat for a variety of sensitive plant and animal species. The value and quality of the sensitive habitat areas within these parks are directly related to the water quality of the coastal tributaries that sustain them. The proposed LCPA does not include any new LUP policies or modification of any existing policy regarding the protection of water quality. Nonetheless, the certified LUP does contain Section 30230, 30231, and 30236 of the Coastal Act as guiding policies in

addition to the other relevant LUP visual resource policies detailed above. The Overlay does include implementation measures to ensure protection of ESHA and to minimize impacts to water quality. These Water Quality measures generally require that new park development be located and designed to minimize soil disturbance, removal of natural vegetation, and landform alteration.

Water Quality provisions in the Overlay require that new parking facilities be designed to minimize stormwater runoff and potential pollutant loads from impervious areas and that activities involving soil disturbance and vegetation removal be carried out in conjunction with construction phase erosion control and polluted runoff control plans. Implementing these policies will serve to minimize impacts from erosion and sedimentation from disturbed soils or areas void of vegetation, and will prevent alteration of natural drainage patterns. Water Quality provisions also include specific requirements for installing new portable self-contained restroom facilities for trail users and backpackers to ensure impacts to ESHA and water quality are avoided. In addition, the Overlay provides for maintenance of, and connection of new restroom facilities to, the state-of-the-art wastewater treatment and water reuse system previously installed for Ramirez Canyon Park pursuant to CDP 4-98-334, and installation of entirely self-contained portable restroom facilities at Escondido Canyon**,** ~~and~~ Corral Canyon**, and Malibu Bluffs** Parks.

Consistent with Coastal Act Sections 30230 and 30231, policies in the Overlay require that all new public access and recreation improvements be evaluated for potential adverse impacts to water quality and shall consider Site Design, Source Control and Treatment Control Best Management Practices (BMPs) to prevent polluted runoff and water quality impacts resulting from new development, and be designed to prevent the introduction of pollutants that may result in water quality impacts. Additionally, the Overlay and associated improvements would not involve substantial alteration of any stream or drainage, with the exception of the habitat enhancement project planned for Ramirez Canyon Creek which will serve to improve habitat value and water quality of the coastal stream. New park support facilities would be setback a minimum of 100 feet from streams (with limited exceptions at Ramirez Canyon Park, at the Latigo Canyon trailhead parking area, and at an ADA compliant drop-off area at Corral Canyon Park) such that potential development impacts including grading and removal of vegetation in sensitive riparian and other coastal water habitat areas is avoided to the maximum extent feasible. Finally, incorporation of construction BMPs as required by the Overlay Water Quality policies and implementation measures discussed above will minimize potential runoff, erosion of site soils and resulting degradation of water quality.

Consistent with Coastal Act Section 30236, the Overlay includes provisions to guide implementation of a future Ramirez Canyon Creek Habitat Enhancement Plan stream restoration project for Ramirez Canyon Creek to correct the streambank disturbance and channelization performed by a previous property owner which has affected much of the habitat value of the creek corridor within the park. Implementation of the Ramirez Canyon Creek Habitat Enhancement Plan would serve to improve the biological resources and water quality associated with the Ramirez Canyon Creek riparian corridor consistent with the provisions of Coastal Act Sections 30230, 30231 and 30236.

The Overlay includes a number of provisions to address potential impacts of grading and uncontrolled stormwater runoff on sensitive habitats. Water Quality implementation measure require new park facility development to include post-development phase drainage and polluted runoff control plans that specify site design, source control, treatment control best management practices (BMPs), and monitoring intended to minimize post-construction polluted runoff. Water Quality implementation measures also require that an Interim Erosion Control Plan be developed and implemented for construction activities resulting in soil disturbance and vegetation removal with specific provisions should grading occur during the rainy season. In addition, Water Quality implementation measure require all graded and disturbed areas on the subject site to be planted and maintained for erosion control purposes within (60) days of completing construction activities resulting in soil disturbance or vegetation removal.

Consistent with LUP Policy 3.95, the Overlay requires that future improvements be sited and designed to protect and provide ample buffer areas between proposed improvement areas and coastal waters, and to minimize grading, vegetation disturbance, and new impervious surfaces associated with the limited physical improvements proposed for new park support facilities. Given the minor nature of the planned trail and park facility improvements, implementation of the Overlay will not result in substantial disturbance to natural drainage features and vegetation.

Consistent with the balance of LUP Policies relating to water quality protection, the Overlay will not result in the degradation of the water quality of groundwater basins or coastal surface waters and all future improvements are required to be designed to minimize, to the maximum extent feasible, the introduction of pollutants of concern that may result in significant impacts from site runoff from impervious areas. The Overlay provides for incorporating site design and Best Management Practices (BMPs) to ensure that potential pollutant loading in stormwater runoff is reduced to the maximum extent feasible. Water Quality implementation measures of the Overlay require that an Interim Erosion Control Plan be developed and implemented for construction activities resulting in soil disturbance and vegetation removal, and also include specific development standards for erosion control. In addition, the Water Quality policies and implementation measures of the Overlay will serve to ensure that impacts to water quality are minimized.

Future parking facilities contemplated in the Overlay are required to be designed to minimize stormwater runoff and potential associated pollutant loads from limited impervious areas. The Overlay also requires that all trail and park facility improvements be sited and designed to minimize grading, landform alteration, drainage pattern disturbance and vegetation clearance to prevent soil erosion, sedimentation, and alteration of natural water flows to any receiving water body, and that all activities involving soil disturbance and vegetation removal associated with development of new trails, campsites and support facilities include construction phase erosion control and polluted runoff control plans. Water Quality implementation measures further specifically requires that the new park facility development, as applicable, include post-development

phase drainage and polluted runoff control plans that specify site design, source control and treatment control best management practices (BMPs), and include monitoring and maintenance provisions for identified BMPs.

In addition, the Overlay requires an Interim Erosion Control Plan for construction activities resulting in soil disturbance and vegetation removal to include the following standards: 1) the plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas, and natural areas on the site shall be clearly delineated on the project site with fencing or survey flags; and 2) should grading take place during the rainy season (November 1 – March 31) temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, geofabric covers or other appropriate cover, geotextiles or mats shall be installed on all cut or fill slopes as soon as possible. These erosion measures are required to be implemented on site prior to or concurrent with initial grading operations and must be maintained throughout the development process to minimize erosion and sediment from runoff waters during construction.

Water Quality implementation measures also provide that all new park facilities are to be located in areas of level terrain, to the maximum extent feasible, to avoid the need for grading and to minimize landform alteration and alteration of natural drainage patterns. Where grading may be necessary to provide new park facilities, the Overlay requires graded and disturbed areas to be planted with native/drought resistant plants which will be maintained for erosion control purposes within (60) days of completing construction activities resulting in soil disturbance or vegetation removal.

Given that only new parking facilities proposed at Ramirez Canyon Park (adjacent to Kanan Dume Road), at Escondido Canyon Park (at the terminus of Winding Way), **at Malibu Bluffs Park,** and at the property adjacent to Latigo Canyon Road would result in new impervious surfaces within the entire Plan area, increases in impervious surfaces and run-off volumes resulting from the project would be of a limited, incremental nature. Drainage features would be designed to accommodate the anticipated incremental increase of runoff from these limited parking areas. Consistent with LCP Policies related to protection of water quality, water runoff would be retained on-site by means of primarily non-structural, post-construction BMPs.

To preserve water quality and protect sensitive habitats, discharge of harmful substances into or alongside coastal streams or wetlands are prohibited pursuant to park regulations. No development-related water discharge to coastal waters would result from implementation of the Overlay and associated improvements and, as described above, the Overlay provides for improvements to retain and treat all runoff from the proposed limited impervious parking surfaces to the maximum extent feasible. Therefore, the Overlay and associated improvements will not result in discharge to coastal waters that would adversely affect water quality.

Furthermore, all improvements contemplated by the Overlay would be designed to provide for all minimum setback requirements from streams, wetlands and other coastal water habitat areas, except as specifically noted in few instances for primary, low impact recreation facilities. These minimum setback standards will provide adequate buffer areas between the proposed uses and coastal waterways, providing for natural infiltration and treatment of overall site drainage and thereby reducing pollutant load before it reaches waterways by natural drainage patterns and/or seepage. Native vegetation will be maintained onsite and improvements will not result in vegetation removal or disturbance in significant coastal canyons or on hillsides which are susceptible to erosion. The Overlay provides for ongoing monitoring and maintenance for all identified BMPs, which includes maintenance of trash collection areas and existing and proposed parking areas, to ensure potential impacts from polluted stormwater runoff are minimized. Therefore, the proposed Overlay is consistent with all applicable water quality protection policies of the LCP referenced above.

Alternatively, the proposed Overlay provides that all new public restroom facilities consist of self-contained, chemical or composting restrooms, where appropriate, sited and designed to ensure that impacts to ESHA and water quality are avoided by being located a minimum of 200 feet from the top of bank of any adjacent stream, wherever feasible, and in no case less than 100 feet from the top of bank of any adjacent stream (except for limited exceptions previously discussed). Water Quality implementation measures require that the previously implemented Wastewater Treatment and Recycled Water System be maintained onsite at Ramirez Canyon Park and that new permanent restroom facilities at the park be connected to the on-site wastewater treatment and recycled water reuse system. Finally, the Overlay requires that the Wastewater Treatment and Recycled Water System developed and implemented for Ramirez Canyon Park pursuant to CDP 4-98-334 be used for all visitors, tours, gatherings and events at Ramirez Canyon Park accommodating up to 200 people (the design capacity of the wastewater treatment system). Should any use, or combination of uses, at Ramirez Canyon Park result in a capacity of visitors exceeding 200 people at any one time, portable restrooms are to be provided to supplement the treatment capacity of the wastewater treatment system. Therefore, the proposed Overlay will not result in any new wastewater discharge within the Plan area.

In addition, in response to concerns of water quality raised during the previous coastal development permit process addressing uses at Ramirez Canyon Park and in concert with the requirements of CDP 4-98-334, the Overlay requires that the existing, remaining private sewage disposal treatment systems at Ramirez Canyon Park, not located adjacent to or in proximity to Ramirez Canyon Creek, be analyzed for adequate treatment capacity and potential water quality impacts and that on-going water quality monitoring of Ramirez Canyon Creek be conducted. The Overlay provides for a Water Quality Monitoring Program to be implemented at Ramirez Canyon Park including provisions for quarterly analysis of water samples up- and down-stream of the subject site for a minimum of four quarters of available streamflow, commencing with approval of the Overlay

Although the proposed Overlay will not result in new wastewater discharge in the Plan area, the Overlay includes a number of provisions, in addition to the substantial wastewater treatment improvements already installed at Ramirez Canyon Park to address potential water quality impacts associated with OSTSs installed by a previous property owner at Ramirez Canyon Park to ensure that the water quality and habitat values of Ramirez Canyon Creek are protected to the maximum extent feasible.

In conclusion, the Commission finds that proposed LIP Overlay provisions, as revised, conform with and are adequate to carry out the certified Malibu LUP policies, including Coastal Act Sections 30230, 30231, and 30236 of the Coastal Act, and the LUP Overlay policies, as revised in this report.

f. New Development

Both the Coastal Act and Malibu's certified LCP contain policies that regulate new development in the Coastal Zone:

California Coastal Act New Development Policies

> ***Coastal Act § 30250: (a) New residential, commercial, or industrial development shall be located in, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources…(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.***
>
> ***Coastal Act § 30252: The location and the amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means or serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development with local park acquisition and development plans with the provisions of onsite recreational facilities to serve the new development.***

As described in detail in previous sections, the proposed Overlay provides for trail and park improvements and programs to enhance public access and recreational uses in the Plan area. The Overlay includes policies to develop limited overnight camping facilities and park support facilities at particular park locations, and special outreach programs at Ramirez Canyon Park, intended to accommodate existing and future demand for a variety of public access and recreational opportunities.

In concert with the other public access and resource protection policies discussed herein, policies in the Overlay provide that: proposed trails, park uses, and necessary support facilities are permitted uses in the existing parklands that are designated and

zoned POS and subject to the LCP ESHA Overlay designation; that protection of ESHA and public access shall take priority over other development or land uses and; that trail and park improvements, uses and programs shall be designed and/or implemented to minimize conflicts and to preserve the character and integrity of adjacent residential areas.

In an effort to minimize potential land use conflicts with adjacent residential neighborhoods within the plan area, the Overlay requires that trail and park improvements must be located and designed to provide separation between public trails and use areas and private property where feasible by including measures such as signs and fencing which delineate trail corridors, park boundaries, permitted parking areas, and private property, and restricts activities which may result in nuisance noise, odors, or other uses that may impact the quality of life in residential areas.

The Overlay includes detailed measures addressing administrative uses, public programs and events for Ramirez Canyon Park and the strict limitations and restrictions associated with the uses intended to ensure compatibility with adjacent residential development in Ramirez Canyon Park. Pursuant to Special Programs policies of the Overlay, pre-arranged, limited event and gathering uses are permitted; however, the policies also recognize the importance of prioritizing coastal-dependent and coastal-related uses for the public park, specifically the park's public outreach and educational programs, and also consider the site constraints associated with limited availability of public transportation to the park and land use compatibility.

Pursuant to Transportation implementation measures of the Overlay, bike racks, or secured storage for bicycles, would be provided at all new trailhead facilities to facilitate alternative means of transportation to park areas and the proposed trail connections will encourage hike-in access throughout the Plan area. Finally, the Overlay includes provisions for coordinating efforts with MTA to increase access opportunities to the coastal parklands from inland areas along primary transportation corridors.

The proposed Overlay and associated parking and trailhead support facilities will ensure there is sufficient infrastructure to support public access and recreation and will facilitate alternative access within the plan area. In addition, the Overlay will serve to maintain and enhance public access by facilitating extension of transit service and non-automobile circulation within the plan area.

Therefore the Commission finds that the proposed Overlay LUP policies are consistent with the Chapter 3 policies of the Coastal Act.

City of Malibu LCP Land Use Plan New Development Policies

With the exception of developing trail linkages within variously zoned areas of the Plan area which, pursuant to LCP Policy 2.7 are permitted use in all land use and zoning designations***,*** and those Plan areas located in the County and NPS lands, the Overlay

focuses exclusively on publicly owned lands in the City which are designated and zoned as public open space (OS) by the City of Malibu certified Local Coastal Program.

The Local Coastal Program states:

> ***The OS designation provides for publicly owned land which is dedicated to recreation or preservation of the City's natural resources, including public beaches, park lands and preserves. Allowable uses include passive recreation, research and education, nature observation, and recreational and support facilities.***

In addition, Table 2 Permitted Uses, of the Local Coastal Program Implementation Plan (attached) indicates that the following uses are permitted uses in the OS Zone:

- ***equestrian and hiking trails***
- ***wildlife preserves***
- ***camping***
- ***parks, beaches and playgrounds***
- ***public beach accessways***
- ***recreation facilities (including swimming pools, sandboxes, slides, swings lawn bowling, volley ball courts, tennis courts and similar uses)***
- ***educational (non-profit) activities are primary permitted uses in the OS Zone.***

Consistent with the OS land use designation and Table 2, Permitted Uses, the proposed Overlay includes development policies and standards for trail and park improvements dedicated to public access, recreation, education and the preservation of natural resources, including hiking trails, camping, recreational support facilities, and special public outreach programs, all designed to maximize public access, recreational and education opportunities within the plan area consistent with the intent of the OS land use designation and the uses specifically allowed in the OS Zone.

The park properties located within the City and addressed in the Overlay were previously designated and zoned rural residential. However, during the City's Local Coastal Program review and certification process those portions of the parks located in the City were re-designated and zoned OS which provided for consistency between the properties' ownership and use as publicly owned land, maintained by the Conservancy/MRCA and other park agencies, and dedicated to public access, recreation and preservation. The established OS land use and zoning designation clearly reflect the properties' current land uses, collectively consisting of recreation, research and education, nature observation, and a range of park support facilities.

Existing and proposed support facilities included in the Overlay are those facilities deemed necessary to support permitted uses in the OS zoning designation - in this case public access, recreation, education and preservation. The type of support facilities addressed at each park facility is based on the natural constraints of each park property, existing available access, and the level and complexity of public uses and specialized programs offered at each park area. Ramirez Canyon Park, given its unique

character, limited accessibility to the general public, and specialized programs uses, requires more administrative and support facilities to maintain access programs, daily operations and maintenance requirements than do Escondido**, Malibu Bluffs,** or Corral Canyon Parks that provide primarily passive recreation. Additionally, the developed nature of Ramirez Canyon Park provides facilities from which the Conservancy and MRCA can appropriately conduct the administrative responsibilities associated with operating specialized public outreach programs, conducting open space acquisitions, planning, research, and the management of conservation of parklands in the coastal zone. Below is a list of Park Agency Administrative Office Locations in the Coastal Zone:

California Department of Parks and Recreation:

Malibu Creek State Park: Angeles Headquarters
(Angeles District includes parks from Placerita Canyon in Santa Clarita to Pio Pico State Historic Park in Whittier. Channel Coast District now also based at Malibu Creek.

Near County Line: Beach house residence converted to offices for Angeles District Superintendent II position and staff

Adamson House Museum: includes office and special event site for weddings.

Will Rogers State Beach Lifequard Headquarters. Offices.

Will Rogers State Historic Park*: Offices for District Superintendent II Bill Verdery and staff (Topanga to Santa Susana State Historic Park)
(* check: may be just out of Coastal Zone)

Point Mugu State Park/Sycamore Canyon Beach: formerly had Dispatch Center for Angeles District

***National Park Service*:**

Solstice Canyon Park: NPS facilities now; buildings were formerly headquarters for Santa Monica Mountains Conservancy, 1987 through 1995.

***Santa Monica Mountains Conservancy*:**

Ramirez Canyon Park: Conservancy Headquarters

Temescal Gateway Park: Offices for interpretive staff and others

Mountains Recreation and Conservation Authority:

King Gillette Ranch: Facilities and Maintenance staff offices; Chief Ranger office

Ramirez Canyon Park: MRCA Headquarters

Los Angeles County Department of Beaches and Harbors:

Marina del Rey: Administrative headquarters

These uses are typically associated with publicly-owned parklands and are consistent with the type of uses permitted in other open space and recreation designated lands in the Coastal Zone as evidenced by the numerous parklands that support similar critical administrative functions as well as important public access programs. In certifying the LCP, the Coastal Commission appropriately applied the OS zone designation to park properties with existing administrative support facilities, including those of Ramirez Canyon Park, thus recognizing administrative park functions as necessary public access and recreation support facilities and therefore distinguishing such support facilities as permitted uses in the OS zone district.

Ramirez Canyon Park contains a number of unique support facilities which are not readily and widely available at many parks in the Plan area. Therefore, the park has the established facilities to provide a range of diverse passive and active recreational uses of the property. The more developed nature of the park lends itself well to function as a place for special, pre-arranged activities, events, and functions typically permitted by the State Parks system for the benefit of the community and visitors. Additionally, the park has facilities to provide indoor and outdoor conference and event amenities.

The proposed Overlay includes Land Use policies that recognize the existing and proposed public trails, park uses, and necessary support facilities that are the subject of this Overlay as permitted uses for the parklands pursuant to the allowed uses of OS designation and zoning, and that such uses shall have preference over other general and non-priority uses. The primary support facilities addressed in the Overlay and determined critical to maximizing access and recreational opportunities include: 1) the availability of public transit; 2) parking resources; 3) provisions for support facilities such as restrooms and picnic areas and; 4) the availability of administrative facilities necessary to support daily operations, maintenance needs for parklands and public programs intended to provide a diversity of coastal access and recreation opportunities. Facilities policies of the Overlay include provisions to facilitate development of support facilities identified as necessary to meet the goals of the to ensure the many elements that contribute to maximum public access and recreation are provided and maintained for the public.

The Overlay includes an LIP policy addressing, in detail, the uses and activities permitted at Ramirez Canyon Park. As previously discussed above, on April 12, 2000, the Coastal Commission approved Coastal Development Permit 4-98-334 permitting the Conservancy to establish and conduct the various administrative uses, programs, and events at Ramirez Canyon Park; which at the time, prior to certification of the City of Malibu Local Coastal Program, was zoned and designated for rural residential use per the City of Malibu zoning code and General Plan. Because the City of Malibu did not have a certified LCP at the time of Commission decision, the standard of review for the proposed project was the Coastal Act. The Commission found that the uses proposed by the Conservancy for the park were consistent with all applicable policies of the Coastal Act subject to a number of special conditions of the permit, all of which were complied with, and the permit was issued by the Commission on February 5, 2001.

Vehicular access to and special program operations at Ramirez Canyon Park were thoroughly addressed by the Commission through the approval of CDP 4-98-334. Although this CDP is no longer valid as a result of a Superior Court decision, the Commission held multiple hearings on this CDP application and specifically addressed the proposed uses and intensity of uses at the Ramirez Canyon Park facility, including the number of proposed shuttle van trips over the access road through the Ramirez Canyon neighborhood. It is important to note that the Superior Court did not set aside the Commission's findings regarding consistency of the proposed park uses with the Coastal Act, but simply found that the Conservancy's proposal should have been reviewed for consistency with the Malibu's local land use regulations, which at the time had not been certified by the Commission as a local coastal program.

Through the approval of this CDP, the Commission did consider the neighboring residents concerns regarding potential adverse traffic and noise impacts associated with the operation of this facility and conditioned the permit to limit the number of shuttle van trips over the access road, set limits on amplified music and limited the hours of operation of the facility to minimize impacts on the surrounding neighborhood. The Commission concluded that that as conditioned the uses permitted at Ramirez Park were consistent character of the surrounding Ramirez Canyon community and in conformity with the Chapter three policies of the Coastal Act.

The Conservancy/MRCA are proposing to modify the restrictions on the number shuttle van trips for public outreach and education activities, special events and amplified music restrictions. The Commission restricted the these activities to ensure the proposed activities at Ramirez Canyon Park would be compatible with the character of the surrounding Ramirez Canyon Community. Although the proposed modifications to the Specialized Programs restrictions may appear to be only minor modifications to the previously required restrictions, the Commission struggled at the time this CDP was approved for this facility, to establish reasonable restrictions on these programs. Again, these program restriction were to ensure to ensure that the noise and traffic impacts associated with these programs would be compatible with the surrounding character of the community. Therefore, the Commission finds it is necessary to revise LIP Overlay Policy 12(i)(ii)(iv)(vi) & (vii) to bring the project into conformity with program restrictions required pursuant to CDP 4-98-334 and ensure conformity with the certified Malibu LUP.

Therefore, the Commission finds that, as revised, the Overlay LIP policies are consistent with the applicable Chapter 5 policies of the Malibu LUP.

g. Archaeological Resources

Both the Coastal Act and Malibu's certified LCP contain policies that protect archeological resources in the Coastal Zone:

California Coastal Act Archaeological Resource Policies

Coastal Act § 30244: Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

City of Malibu LCP Land Use Plan Archaeological Resource Policies

5.60 New development shall protect and preserve archaeological, historical and paleontological resources from destruction, and shall avoid and minimize impacts to such resources.

5.61 Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

5.62 The City should coordinate with appropriate agencies, such as the UCLA Archaeological Center, to identify archaeologically sensitive areas. Such information should be kept confidential to protect archaeological resources.

5.63 Coastal Development Permits for new development within archaeologically sensitive areas shall be conditioned upon the implementation of the appropriate mitigation measures.

5.64 New development on sites identified as archaeologically sensitive shall include onsite monitoring of all grading, excavation and site preparation that involve earth moving operations

Coastal Act Section 30224 requires that reasonable mitigation measures be required where new development would adversely impact archeological resources. In addition, LCP Policies 5.60 – 5.64 require that new development, protect, preserve, and minimize impacts to archaeological resources and, where new development is proposed within archaeologically sensitive areas, that appropriate mitigation measures be required and implemented. The LCP policies also require that new development within archaeologically sensitive sites include on-site monitoring by a qualified archaeologist for all grading, excavation, and site preparation.

The Overlay includes policies which require that development of new park facilities be designed to protect resources of historic, cultural, archaeological and paleontological significance, and that mitigation be implemented where impacts may occur pursuant to all applicable development standards of Chapter 11 of the Malibu Local Implementation Plan.

Policies in the Overlay require that Phase I Inventory of cultural resources be conducted for all project areas by a qualified archaeologist which includes the following:

- A records search through the regional historical resources information center.
- An archival search of historic records.
- A field survey.
- A written report which describes how the survey was conducted and the result of the survey.

In addition, the overlay requires that park signs, maps, public information notices, and website information include notice to inform visitors that disturbance to archaeological sites cannot be reversed, that such resources are of great religious importance to contemporary Native Americans and destruction of archaeological sites on public property is illegal and a punishable offense.

The LIP provisions proposed in the Overlay add more specificity with regard to park and access uses within the Overlay area. Several minor revisions are required to assure consistency with the archaeological policies of the LUP. As revised, the Commission finds that the LIP, as proposed to be amended, is consistent with Coastal Act Section 30224 and LUP Policies 5.60 – 5.64.

h. Conclusion Regarding Conformity with Chapter Three Policies of the Coastal Act.

Coastal Act Section 13666.4. states in part that

(a) If the recommendation is for Commission approval as proposed or modified (i.e., conditioned), the recommendation shall be accompanied by specific factual findings and reasoning which, after a careful balancing of social, economic and environmental effects, supports the following conclusions:

(2) development conforms with and is adequate to carry out the policies of Public Resources Code Section 30200 et seq.

Section 13666.4 of the Coastal Act requires that if the recommendation is for approval of the override LCPA the Commission must make specific factual findings as to whether or not the development, in this case the Conservancy/MRCA's - City of Malibu LCPA 1-08, conforms with and is adequate to carry out the Chapter three policies of the Coastal Act. The preceding findings include extensive specific factual findings which explain why the proposed City of Malibu LCPA Override, as revised, is consistent with the certified Malibu LCP and the Chapter three policies of the Coastal Act. Therefore, as is required pursuant to Section 1366.4 of the Coastal Act, the Commission finds that, as revised, the Conservancy/MRCA's - City of Malibu LCP Override Amendment 1-08, is conforms with and is adequate to carry out the polices of the Public Resources Code Section 30200 et seq.

3. There is no feasible, less environmentally damaging alternative means of addressing the needs at issue

LCPA MAJ-1-08 adds a Malibu Parks Public Access Enhancement Plan Overlay to the certified LCP. While future improvements and development are contemplated in the Overlay, the Overlay itself is a policy document that contains specific development standards and policies that are specifically designed to ensure future development authorized pursuant to this Overlay will not result in significant adverse environmental

impacts. At this point there is no actual physical development before the Commission. The proposed Overlay provides the necessary policy guidance for the siting and design of future parkland uses and parkland development to ensure there are no significant adverse impacts associated with these uses or development. Coastal Act Section 13666.4(a)(3) requires that if significant adverse impacts are identified reasonable alternatives should be examined and mitigation measures included that substantially lessens any significant adverse environmental impact. The Overlay includes specific development policies that require future parkland development be sited and designed to avoid adverse environmental impacts, and that alternatives be analyzed to avoid significant adverse environmental impacts, and if adverse significant adverse impacts are unavoidable mitigation measures shall be implemented.

As detailed in this staff report, potential adverse environmental impacts that could result from implementation of the Overlay have been identified and policies have been developed to avoid significant adverse impacts, reasonable development alternatives are required to be examined, and requirements for mitigation measures have been included in the Overlay that would substantially lessen any significant adverse environmental impacts so that there is no feasible less environmentally damaging way to meet the public need.

The Conservancy and MRCA are currently preparing and processing an Environmental Impact Report (EIR) for a future Public Works Plan (PWP) that will serve as the facilities plan for the Overlay area. The EIR and PWP will include the detailed project and facility plans for future campgrounds, support facilities and uses within the parklands covered by the overlay. The EIR & PWP will also include a comprehensive analysis of the potential adverse environmental impacts of the proposed facilities and mitigation measures. Furthermore, the EIR and PWP will include a comprehensive alternatives analysis for proposed development within each parkland unit.

Nevertheless, the Conservancy and the MRCA have explored other potential alternative locations for future campsites within parkland in the Malibu area.

> **Charmlee Park -** is a City of Malibu-owned coastal parkland with many of the same qualities as the parklands included in the Overlay. However, Charmlee Park is obviously not a feasible alternative location because, although suggested by the City of Malibu and initially, with agreement of the Conservancy/MRCA, it was included in the LCP amendment request made to the City as an alternative to campsites at Escondido Canyon Park, the City ultimately withdrew it from consideration and refused to permit the uses proposed in the Park.
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> **Malibu Bluffs Park –** The Park has been the subject of discussions, and disagreement, relative to recreation land use in the past. **At the public hearing on the LCPA, the Ramirez Canyon Preservation Fund suggested the Park as a potential alternative location, and the Conservancy/MRCA agreed that it is an appropriate location for inclusion in the Overlay. The Park was acquired in 1979 by the California Department of Parks and Recreation using state bond funds.** In 1985, the Coastal Commission denied a permit amendment request (Coastal Development Permit 5-82-

780A) to develop active and passive recreation uses of the property, finding that the proposed uses were insufficient to serve the growing demand of visitors from the region and elsewhere in California for recreation, namely, recreational uses such as camping, hiking, walking for pleasure and picnicking. In 1995, the California Department of Parks and Recreation conveyed approximately 94 acres of the Malibu unit to the Conservancy. The developed portion of the property (approximately 10 acres of municipal sports complex, including the Malibu Little League, and community center) was sold to the City of Malibu, and the Conservancy retains approximately 84 acres of native coastal bluff habitat overlooking the ocean. The property is managed by the MRCA. This property **was originally acquired for, among other things, camping purposes, and** is suitable for low-impact, low-cost camping facilities. **The Park is located immediately adjacent to, and easily accessible from, Pacific Coast highway (PCH) and via public transit (MTA), and can support ample parking on-site and in the existing parking lot which provides shared access to the open space area and the City's adjacent Bluffs Park. The property also is only a short distance from Fire Station 88 at 23720 W. Malibu Road, and is appropriate for a camping use given the concerns raised about having campsites close to roadways and developed in a manner that facilitates monitoring.**~~, but its location immediately adjacent to and parallel of Pacific Coast Highway (PCH) could detract from the tranquil, minimal disturbance visitor experience sought for the camping program and could not be connected~~ **While the property would not directly connect** to the five coastal parks and the proposed trail system that would link the parks (Malibu Bluffs is located opposite PCH from the other parklands), **it nonetheless would be accessible from the other parks via the MTA and by vehicle, bicycle, and other means,** and thus would ~~not~~ meet the project objectives and public needs addressed by the LCP Amendment**, including the provision of high-quality, low-cost overnight camping, accessibility for visitors and recreationists with disabilities, hiking trails and beach access**.

Tuna Canyon Park - This is a 1256-acre park owned by the Conservancy located between Las Flores Canyon on the west and Tuna Canyon on the west. This park is not a feasible alternative because it is not accessible from PCH. Tuna Canyon Road at PCH is a windy, single-lane, one-way road that outlets at PCH. Access to Tuna Canyon Park is several miles inland at the juncture of Saddle Peak Road and Ferndale Pacific Road, a couple miles from Topanga Canyon Boulevard and therefore could not be connected to the five coastal parks included in the Overlay and the proposed trail system that would link the parks, has no potential for direct access to the shoreline, and thus would not meet the project objectives and public needs addressed by the LCP Amendment.

Solstice Canyon Park and the Zuma/Trancas Canyon Units of the Santa Monica Mountains National Recreation Area (SMMNRA) - These coastal parklands are owned by the National Park Service and have many of the same qualities as the parklands included in the Overlay, and portions of the planned trail system extend through the federal property at Solstice Canyon Park and to Zuma/Trancas Canyons at the westernmost end of the Overlay. However, under NPS' SMMNRA General Management Plan, the uses permitted do not include camping, and therefore neither park is a feasible alternative.

The Conservancy and MRCA have also addressed alternative locations for administrative uses and special programs uses at Ramirez Canyon Park. The Ramirez Canyon Park provides the Conservancy/MRCA a unique centralized location to administer the many park properties located in this region. The Conservancy/MRCA administrative functions were moved from Solstice Canyon Park to Ramirez Park after the sale of the Solstice Canyon to the National Park Service. The Conservancy/MRCA adaptively reuses the buildings on its properties it acquires. Ramirez Canyon Park property was donated to the Conservancy. The Conservancy/MRCA does not have the funds to expend for rental or acquisition of office space or for construction of other office facilities. The MRCA reused a limited number of residences for administrative and ranger staff. California State Parks and the National Park Service all utilize existing structures on their properties for administrative and ranger staff. There are no other available feasible affordable locations in Malibu for MRCA administrative staff and ranger staff that offers this critical centralized location.

The Ramirez Canyon Park also offers a unique and well –suited location for the types of programs and special events conducted on the site. The primary buildings at Ramirez Canyon Park have all been used as "recreational facilities" and as a location to conduct or manage recreation uses at the Park. The Barn serves as the main indoor venue for senior and disabled tours of the Park and its grounds. The Staff who operate and plan for outreach programs – including programs for senior citizens, disabled and disadvantaged persons, inner-city and at-risk youth, veterans, and battered women – operate out of the Barn, as do volunteer docents. By agreement with the City, pending resolution of the LCP amendment, Garden Tours by reservation to the general public have been suspended. However, the LCP amendment proposes to resume the Garden Tours by reservation to the general public, and the Barn is the central meeting location for tour participants. The Peach House has in the past and will again be part of the Garden Tour visits. The Barwood and Art Deco Houses similarly have been part of the Garden Tours. Additionally, all three buildings have been and will be used for park-related conferences, retreats, recreational events, and paid reserved events. The site also includes a residence for an on-site ranger, and it also operates as the command center for Conservancy/MRCA fire safety for this and the Conservancy or MRCA-owned properties in this area. Other employees with no linkage to the day-to-day operations of the Park, such as the accountants and lawyers, are located at the River Center in downtown Los Angeles. Interestingly, no concerns or comments were expressed over the Conservancy's previous office uses at Solstice Canyon Park, a parkland located within the City and subject to the ESHA overlay designation. It appears it is acceptable for the Conservancy administrative personnel to occupy parklands within the City, as long as it is not Ramirez Canyon Park.

Therefore, as addressed in this report, the proposed Overlay includes policies that are designed to avoid and minimize any significant adverse environmental impacts and if adverse impacts are unavoidable the Overlay, as revised, includes policies that require appropriate mitigation. In addition, the Overlay policies require that project alternatives must be addressed to avoid or minimize adverse environmental impacts. Finally, alternative parkland locations in the Malibu area were analyzed and**, except for Malibu**

Bluffs Park, were found not to be feasible alternatives due to various site constraints and could not accommodate for the proposed overnight camping, administrative uses and special uses/ events proposed in this overlay.

With respect to Malibu Bluffs Park, not only was it found to be a feasible location for the sorts of low impact development at issue in this amendment, but Mr. Edmiston, the Executive Director of the Conservancy and the Executive Officer of MRCA, officially amended the agencies' proposal during the hearing to add the Malibu Bluffs Park as an additional area to be made subject to the Overlay. Since the addition of this area did not change any of the analysis above regarding the proposed amendment's satisfaction of the findings required by 14 CCR Section 13666.4, the Commission certified the LCPA with this addition. Specifically, the addition did not change the analysis in Section IV.E.1, as it did not change the purpose or the fundamental effect of the proposal (meeting the needs of the larger public); it did not change the analysis in Section IV.E.2, as the specific policies and standards in this LCPA will ensure that the subject development will be consistent with the policies of the Coastal Act in the Malibu Bluffs Park area just as they would in the other areas; it did not change the analysis in Section IVE.3., as the same alternatives analysis applies equally to this new area; and it did not change the analysis in Section IV.E.4, as the failure to add this area would adversely affect the public welfare by lessening available camping, and there is an overwhelming, unmet demand for camping resources along the California Coast as discussed in Section IV.E.2.

4. Failure to approve an amendment designed to satisfy the needs at issue would adversely affect the public welfare

The subject LCPA creates an Overlay that provides policies and implementing measures to clarify and expand upon the public access and recreation policies of the Malibu LCP. The purpose of the Overlay is to facilitate future park and trail improvements that will enhance public access and recreation opportunities to and within park facilities in the City of Malibu. While the City's certified LCP allows development of trails, camping, and park support facilities, there is some confusion about the specialized programs at Ramirez Canyon Park. The Overlay clarifies what programs are allowed and at what level of use. In addition, the Overlay clarifies that "low-impact" campsites, and specific associated support facilities, are a resource dependent use that can be sited in ESHA (subject to policies that protect ESHA to the maximum extent feasible and require mitigation for unavoidable impacts). The Overlay also clarifies that camping is a permitted use in the OS zone without a conditional use permit or other special permits. Finally, the City of Malibu has recently taken the position that camping is not an appropriate activity in the City. The Overlay clarifies that there is a need for camping – especially a need for accessible camping – and that camping is an appropriate and permitted activity in public parks within the City.

Thus, LCPA MAJ-1-08 is beneficial to the public welfare because it clarifies and expands existing public access and recreation policies in order to maximize public recreational opportunities (consistent with sound resources conservation principles and constitutionally protected rights of property owners) in the City of Malibu. Disapproval of LCPA MAJ-1-08 would adversely affect the public welfare as identified in the Legislative findings and declarations (PRC 30000 et seq.) as development of camping facilities and specialized programs at Ramirez Canyon Park will be delayed and possibly never developed.

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.9 of the California Public Resources Code – within the California Environmental Quality Act (CEQA) - exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program (LCP). The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an EIR for each LCP. Nevertheless, the Commission is required in approving an LCP submittal to find that the LCP does conform with the provisions of CEQA, including the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. 14 C.C.R. Sections 13542(a), 13540(f), and 13555(b). The City of Malibu LCP Amendment MAJ-1-08 consists of an amendment to both the Land Use Plan (LUP) and the Local Implementation Plan (IP) portions of the certified LCP.

As outlined in this staff report, the LCP amendment, as revised, is consistent with the Chapter 3 policies of the Coastal Act and the certified Land Use Plan. Therefore, the Commission finds that approval of the LCP amendment will not result in significant adverse environmental impacts under the meaning of CEQA. Therefore, the Commission approves LCP amendment request MAJ-1-08 as revised.

LCPA MAL-MAJ-1-08 - List of Exhibits

Due to budget and staffing constraints, only Exhibit 21 is included with printed copies of the staff report. All of the exhibits are available on the Coastal Commission's website : www.coastal.ca.gov

Exhibit 1. Malibu Parks Public Access Enhancement Plan Overlay
Proposed LCP Amendment Comparison
City of Malibu (MAJ-3-07)/Conservancy/MRCA (MAJ-1-08)

Exhibit 2. Proposed LCPA establishing the Malibu Parks Public Access Enhancement Plan Overlay including LUP and LIP policy revisions and additions and the Malibu Parks Public Access Enhancement Plan Overlay District Public Parkland Map and Proposed Trail Resources Map
NOTE: The Public Parkland Map and the Trail Resources Map (now City of Malibu Park Lands Maps 5 and 6 respectively) have been revised to include Malibu Bluffs Park pursuant to the Commission's action on June 10, 2009 and are included here as Exhibit 21.

Exhibit 3. Santa Monica Mountains Conservancy (SMMC) and Mountains Recreation and Conservation Authority (MRCA) Resolutions authorizing submittal of the proposed LCPA pursuant to the override provisions of the Coastal Act

- Resolution No. 07-114 of the SMMC
- Resolution No. 08-05 of the MRCA
- Resolution No. 08-08 of the SMMC
- Resolution No. 08-20 of the MRCA

Exhibit 4. Public Participation, Agency Coordination, Alternatives, and Public Comment Summary

- Written Summary of Public hearings, agency coordination, alternatives, and processing options considered and reviewed for the Malibu Parks Public Access Enhancement Plan Overlay
- Copies of meeting minutes, noticing lists, and correspondence received regarding the Conservancy/MRCA proposed LCPA

Exhibit 5. Detailed Policy Consistency Analysis of the proposed LCPA

Exhibit 6. Supporting Documentation

- Assessment of current demand for overnight camping opportunities and public access to trail resources in the Malibu coastal area
- Description and History of affected Parklands
- Summary of the purpose and intent of the proposed Overlay
- Description of planning constraints considered during preparation of the proposed Overlay

Exhibit 7. DUDEK LCPA submittal letter – July 15, 2008

Exhibit 8. CCC preliminary determination letter re MAJ-1-08 – May 15, 2008

Exhibit 9. CCC filing letter re MAJ-1-08 – July 29, 2008

Exhibit 10. Brownstein/Hyatt/Farber/Schrek letter re MAJ-1-08 – November 24, 2008

Exhibit 11. Brownstein/Hyatt/Farber/Schrek letter re MAJ-1-08 – December 23, 2008

Exhibit 12. Brownstein/Hyatt/Farber/Schrek letter re MAJ-1-08 and MAJ-3-07 – May 19, 2009

Exhibit 13. Brownstein/Hyatt/Farber/Schrek letter re MAJ-1-08 and MAJ-3-07 – May 22, 2009

Exhibit 14. City of Malibu (Jenkins and Hogin) letter re LCP override with exhibits – June 23, 2008

Exhibit 15. City of Malibu Resolution 08-44

Exhibit 16. SMMC letter re LCP override – July 14, 2008

Exhibit 17. SMMC letter in response to Brownstein/Hyatt/Farber/Schrek letter dated November 24, 2008 – May 14, 2009

Exhibit 18. Ex Partes

Exhibit 19. Comment letters

Exhibit 20. SMMC/MRCA (DUDEK) Malibu Parks Public Access Enhancement Plan Overlay Alternatives Analysis

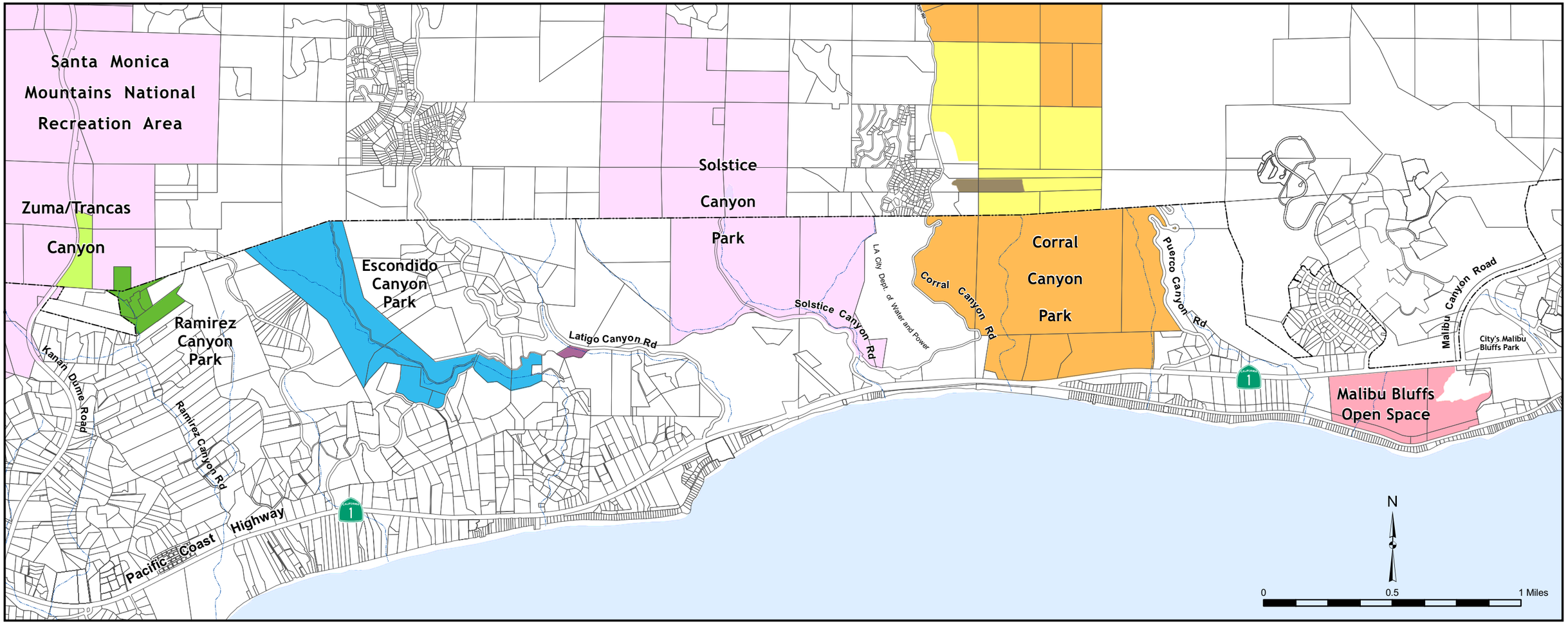
Exhibit 21 City of Malibu Park Lands Maps 5 and 6 (as revised by the Commission on June 10, 2009)

Exhibit 22 Additional comment letters (previously included in the addendum to the Commission meeting for MAL-MAJ-1-08 held on June 10, 2009)

Exhibit 21

City of Malibu Park Lands Maps 5 and 6 (as revised by the Commission on June 10, 2009)

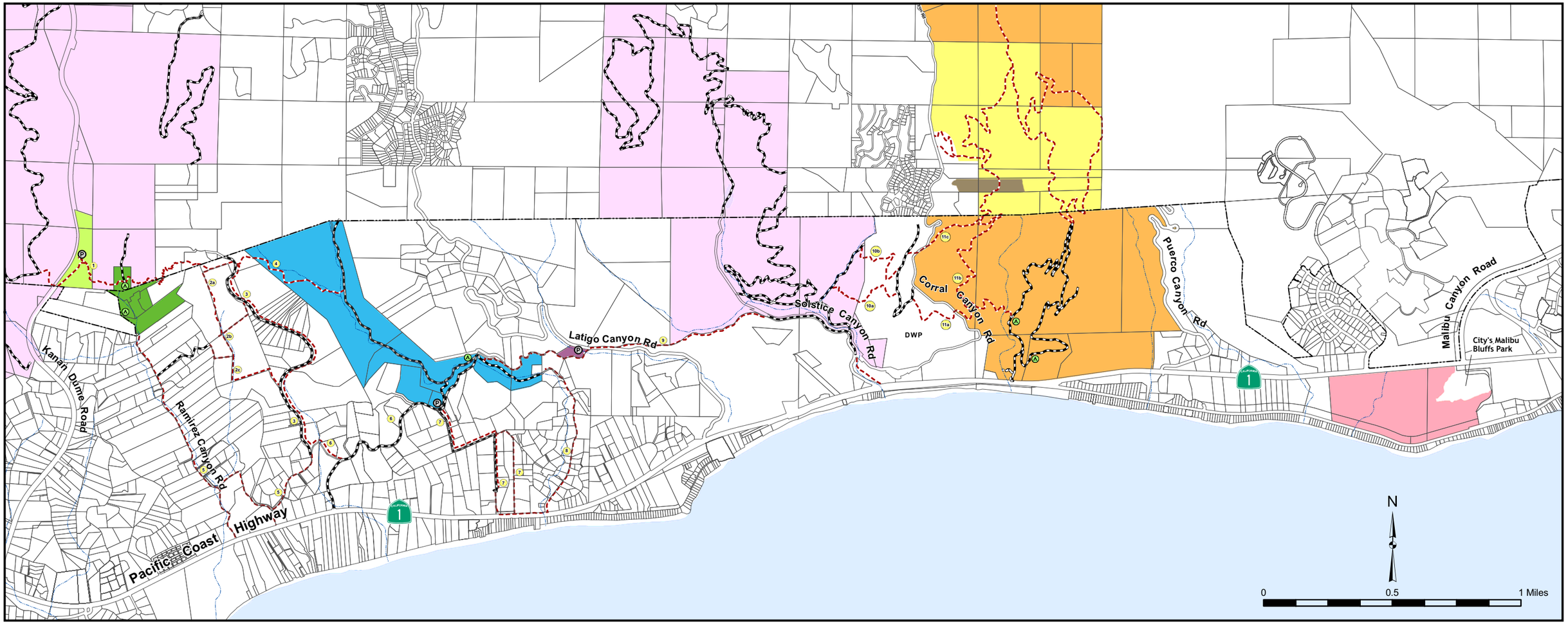
Park Lands Map 5:
Malibu Parks Public Access Enhancement Plan
Public Parkland Map



DUDEK

- National Park Service Owned Land
- LA County Owned Land to be Acquired by MRCA
- TPL Owned Land to be Acquired by MRCA
- Other MRCA Owned Land
- Other Protected Land
- Corral Canyon Park (SMMC/MRCA - 772.2 acres)
- Escondido Canyon Park (SMMC - 138.4 acres)
- Ramirez Canyon Park (SMMC - 21.7 acres)
- Malibu Bluffs Open Space (SMMC - 83.7 acres)
- Malibu City Limits

Park Lands Map 6:
Malibu Parks Public Access Enhancement Plan
Proposed Trail Resources



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- Malibu Bluffs Open Space (SMMC - 83.7 acres)
- Malibu City Limits
- Proposed Parking
- Proposed Camp Areas
- Existing Trail Segment
- Trail Segment per Public Access Enhancement Plan

This map includes those public parklands, recreation areas and trail segments subject to the Malibu Parks Public Access Enhancement Plan Overlay, the specific boundaries of which are as described in Section 3.4.2.B of the City of Malibu Local Coastal Program-Local Implementation Plan. Proposed trail alignments are approximate and may vary slightly within public lands/easements due to site constraints. Trail alignments between the beach and Backbone Trail are currently shown through public park property in Corral Canyon. Other alternatives with more spectacular views from ridgelines on private property should be considered during the regulatory process.