
4.0 CONSISTENCY WITH PLANS & POLICIES

This section evaluates the preliminary consistency of the proposed Malibu Parks Public Access Enhancement Plan with relevant plans and policies, including the Coastal Act and the City of Malibu Local Coastal Program, and other regional planning programs.

Discussion of any potential compatibility conflicts with adjacent land uses is included in Section 5.14, *Land Use and Planning*.

4.1 Local, Regional and State Governing Land Use Plans and Policies

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.

Regional policy documents include the Southern California Association of Governments' (SCAG) Regional Comprehensive Plan and Guide (RCPG) and Regional Transportation Plan (RTP), the South Coast Air Quality Management District Air Quality Management Plan (AQMP), and the Congestion Management Program (CMP). The AQMP and the CMP are described below; however, the proposed Plan's potential impact to the AQMP and the CMP are discussed in Section 5.3, *Air Quality* and Section 5.15 *Transportation, Circulation, and Parking*, respectively. Other applicable plans are discussed below.

4.1.1 California Coastal Act

The State of California Legislature adopted the California Coastal Act in 1976 to implement the federal Coastal Zone Management Act of 1972. The California Coastal Act is the foundation of the California Coastal Management Program (CCMP), which

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includes the basic policies for managing and balancing the use of resources for state and national interests in the California Coastal Zone. The enforceable policies of the CCMP are the Chapter 3 policies of the California Coastal Act. These policies address critical coastal resource issues including public coastline access, coastal and inland recreation, low-cost visitor activities, protection and enhancement of sensitive habitat and species, water quality, protection of agricultural and visual resources, archaeological and paleontological resources, and natural hazards.

4.1.2 City of Malibu Local Coastal Program

The entire City of Malibu lies within the Coastal Zone. On September 13, 2002, the California Coastal Commission adopted the City of Malibu's Local Coastal Program (LCP), which is the standard of review for all projects requiring a coastal development permit in the City. The City LCP identifies the location, type, densities, and development standards for development in the City. Each LCP includes a land use plan and its implementing measures. These programs govern decisions that determine the short and long term conservation and use of coastal resources. While each LCP reflects unique characteristics of individual local coastal communities, regional and statewide interests and concerns must also be addressed in conformity with Coastal Act goals and policies. In addition, The City's LCP includes a special Overlay (the Malibu Parks Public Access Enhancement Plan Overlay) that 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.

4.1.3 Southern California Association of Governments (SCAG)

The Plan area is located within the jurisdiction of the Southern California Association of Governments (SCAG), which is a regional planning agency that serves as the Metropolitan Organization for Los Angeles, Ventura, Orange, San Bernardino, Riverside, and Imperial Counties. SCAG is mandated by federal law to prepare regional plans for transportation, growth management, hazardous waste management, and air quality. To facilitate planning activities for such a large region, SCAG has divided its jurisdiction into a number of sub-regions. The Plan area is located within the Las Virgenes – Malibu Council of Governments sub-region, which includes the Cities of Agoura Hills, Calabasas, Hidden Hills, Westlake Village, and Malibu.

SCAG has adopted a Regional Comprehensive Plan and Guide (RCPG) to provide direction to local governments in addressing regional issues such as population growth for the six-county region. The RCPG is a comprehensive planning document intended

to serve the SCAG region as a framework for decision making over the next 20 years. This plan consists of a set of broad goals for the region and identifies strategies designed to guide local decision-making and policy guidance with respect to such issues as mobility, quality of life, equity, air quality, and water quality. The RCPG includes five core chapters (Growth Management, Regional Mobility, Air Quality, Water Quality, and Hazardous Waste Management), which respond directly to the federal and state requirements placed on SCAG and form the basis for certification of local plans.

On May 8, 2008, the Regional Council of the Southern California Association of Governments (SCAG) adopted the 2008 Regional Transportation Plan (RTP). The 2008 RTP presents the transportation vision for this region through the year 2035 and provides a long-term investment framework for addressing the region's transportation and related challenges. The Plan is the culmination of a multi-year effort focusing on maintaining and improving the transportation system through a balanced approach that considers system preservation, system operation and management, improved coordination between land-use decisions and transportation investments, and strategic expansion of the system to accommodate future growth.

4.1.4 Air Quality Management Plan

The City of Malibu is located within the South Coast Air Basin and is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). In conjunction with SCAG, the SCAQMD is responsible for formulating and implementing air pollution control strategies. SCAG assists SCAQMD in fulfilling these responsibilities. Section 5.2, *Air Quality*, provides a discussion of the Plan's consistency with the AQMP.

4.1.5 Congestion Management Program

The Congestion Management Program (CMP) is a state-mandated program enacted by the state legislature to address the increasing concern that urban congestion is affecting the economic vitality of the state and diminishing the quality of life in many communities. As a new approach to addressing congestion, the CMP was created to: 1) link land use, transportation, and air quality decisions; 2) develop a partnership among transportation decision makers on devising appropriate transportation solutions that include all modes of travel; and 3) propose transportation projects that are eligible to compete for state gas tax funds. The CMP, adopted in 1992 and revised in 1995, includes a system of highways and roadways with minimum level of service (LOS) standards, transit standards, a trip reduction and travel demand management element, a program to analyze the impacts of local land use decisions on the regional transportation system, a seven-year capital improvement program, and a countywide computer model to evaluate traffic congestion and recommend relief strategies and actions. The CMP incorporates procedures for meeting deficiency plan requirements, or strategies that mitigate or improve congestion and air quality. Proposed Projects that have the potential to affect the designated CMP network (mostly main-line freeway segments) are required to identify and mitigate their adverse effects on the network.

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Section 5.10, *Transportation, Circulation, and Parking*, provides an analysis of the proposed Plan's consistency with the CMP.

4.2 Plan Consistency with Plan Goals, Policies, and Objectives

California Coastal Act and Local Coastal Program Policies

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

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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 (See Section 5.4, *Biological Resources*).
- 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 (See Section 5.4, *Biological Resources*).

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 (See Section 5.4, *Biological Resources*).

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 (See Section 5.7, *Geology, Soils, and Seismic Hazards*, and additional analysis of policies addressing geologic hazards below).

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

4.0 Consistency with Plans & Policies

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 (See Section 5.4, *Biological Resources*).

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

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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.

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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 (See Section 5.4, *Biological Resources*).

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.

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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

4.0 Consistency with Plans & Policies

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 (See Section 5.4, *Biological Resources*, and Section 5.10, *Hydrology, Drainage and Water Quality*)

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.

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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

4.0 Consistency with Plans & Policies

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 an 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

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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*

4.0 Consistency with Plans & Policies

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*

4.0 Consistency with Plans & Policies

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

4.0 Consistency with Plans & Policies

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;*

4.0 Consistency with Plans & Policies

- *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*

4.0 Consistency with Plans & Policies

- *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 (See Section 5.4, *Biological Resources*).

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.

4.0 Consistency with Plans & Policies

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 (See Section 5.4, *Biological Resources*).

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 (See Section 5.7, *Geology, Soils, and Seismic Hazards*).

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

4.0 Consistency with Plans & Policies

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

4.0 Consistency with Plans & Policies

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 in the Plan's DEIR is based on the *Biological Technical Report (BTR) for Malibu Parks Public Access Enhancement Plan*, January 2010, which includes the 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,

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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 (See Section 5.4, *Biological Resources*).

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

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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

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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.

Notwithstanding 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 (See Section 5.4, *Biological Resources*).

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

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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.

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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 of 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 RWOCB. 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

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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

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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

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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 included 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 to: 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

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levels consistent with the native tree protection policies of the City LUP and Overlay (See Section 5.4, *Biological Resources*).

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

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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

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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 30231 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 bioretention 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

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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 (1) 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

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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 OSTs 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,

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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.

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*

4.0 Consistency with Plans & Policies

- *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.

4.0 Consistency with Plans & Policies

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 split 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 determines 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.

4.0 Consistency with Plans & Policies

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.

4.0 Consistency with Plans & Policies

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 be 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.

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.

4.0 Consistency with Plans & Policies

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., discovery 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

4.0 Consistency with Plans & Policies

ensure that any new discoveries associated with identified archaeological sites are adequately recorded, evaluated, and if significant, mitigated (See Section 5.5, *Cultural Resources*).

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-foot 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.

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

4.0 Consistency with Plans & Policies

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.

4.0 Consistency with Plans & Policies

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.

4.0 Consistency with Plans & Policies

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. (See Section 5.4, *Geology, Soils and Seismic Hazards*).

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.*

4.0 Consistency with Plans & Policies

- *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*

4.0 Consistency with Plans & Policies

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

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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.

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:*

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- *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*

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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

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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.

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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.

Southern California Association of Governments' (SCAG) Regional Comprehensive Plan and Guide (RCPG)

Policy 3.21: Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.

Consistent with RCPG Policy 3.21, 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.

Policy 3.22: Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.

Consistent with RCPG Policy 3.22 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.

Policy 3.23: Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.

Consistent with RCPG Policy 3.23 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.

Policy 3.27: Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.

Consistent with RCPG Policy 3.27, the Plan identifies public access, recreational facility, and program improvements for the three park properties in the Plan area. The Plan's primary objective is to enhance public access and recreation opportunities to the park areas for both local and non-local visitors, and for visitors with diverse backgrounds, interests, ages, and abilities.

Policy 9.1: Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region and to promote tourism in the region.

Policy 9.2: Increase the accessibility to open space lands for outdoor recreation

Policy 9.3: Promote self-sustaining regional recreation resources and facilities.

Consistent with RCPG Policies 9.1, 9.2, and 9.3, the Plan provides for an interlinking network of parks, trails, and open space for diverse public use and wildlife habitat, and ensuring future preservation of open space and recreational lands.

Policy 9.4: Maintain open space for adequate protection to lives and properties against natural and manmade hazards.

Policy 9.5: Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipments.

Consistent with RCPG Policies 9.4 and 9.5, the Plan includes a comprehensive Fire Protection Plan for the Plan area and individual park properties included in the Plan. The Fire Protection Plans include measures to reduce potential risk of fire hazards. Furthermore, the plan requires that all park improvements be developed outside of known hazards, including specific Plan policies and implementation measures that ensure emergency access to each of the park areas is maintained and enhanced where necessary. The Plan would not involve development on hillsides, canyons, or other areas susceptible to flooding and earthquake hazards.

Principle 4.1: Preserve rural, agricultural, recreational and environmentally sensitive areas.

Consistent with RCPG Principle 4.1, the Plan provides opportunities to enhance public access to several public recreation lands, while at the same time ensuring preservation of the natural habitat located throughout the Plan area. The Plan includes a detailed biological evaluation, Habitat Mitigation Program, and tree protection plan to ensure that future park improvements minimize any potential impacts to the environmentally

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sensitive areas. The Plan also includes several policies and implementation measures that ensure environmentally sensitive areas are preserved.

Southern California Association of Governments' (SCAG) Regional Transportation Plan (RTP)

Goals:

- *Maximize mobility and accessibility for all people and goods in the region*
- *Ensure travel safety and reliability for all people and goods in the region*
- *Preserve and ensure a sustainable regional transportation system*
- *Maximize the productivity of our transportation system*
- *Protect the environment, improve air quality, and promote energy efficiency*

Consistent with RTP Goals, the Plan provides for use of alternative transportation modes to access the Plan area that include walking, biking, shuttle vans, and transit stops.