



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Ramirez Canyon Park
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Malibu, California 90265
Phone (310) 589-3230 Fax (310) 589-3237

Agenda Item 12
SMMC
6-28-2010

June 16, 2010

Santa Monica Mountains Conservancy
5750 Ramirez Canyon Road
Malibu, California 90265

Request for Augmentation and Scope Change to SMM-0776 Malibu Parks Public Access Enhancement Plan - Public Works Plan

Dear Chairperson Schafer and Conservancy Members:

At its June 2, 2010 meeting, the Governing Board of the Mountains Recreation and Conservation Authority adopted a resolution requesting an augmentation to, and a scope change of, SMM-0776 for the above-referenced multi-year Malibu project.

Two and a half years of work by staff and a consultant team on the Malibu Parks Public Access Enhancement Plan - Public Works Plan has advanced this landmark project close to the release of a Final Environmental Impact Report (July-August 2010) and consideration of a Public Works Plan by the California Coastal Commission early this fall. In addition the MRCA has closed on two key Coastal Slope Trail properties that link Ramirez Canyon Park to Escondido Canyon Park. Substantial progress has been made on two other Coastal Slope Trail acquisitions. In addition, the California Coastal Commission approved the groundbreaking Malibu Local Coastal Plan Amendment (LCPA) last June. Major strides have also occurred to provide a potential new Coastal Slope Trail parking lot and Ramirez Canyon Park access road on the Lauber property located between the park and Kanan Dume Road. The work embodied in the 3,000 page Draft Environmental Impact Report is emblematic of the detail and caution necessary to support the development of a multi-park Public Works Plan in a highly litigious environment.

The Santa Monica Mountains Conservancy (Conservancy) amended the scope of work for grant SMM-0776 to the Mountains Recreation and Conservation Authority (MRCA) in December 2007 to work full force on project planning and design for the Malibu Public Parks Access Enhancement Plan - Public Works Plan. To date the Conservancy has approved \$2,200,000 for SMM-0776 for this purpose.

The full \$2,200,000 has now either been expended or is encumbered by contracts with at least five consultants. The complexity, difficulty, and expected legal challenges to the project have required extraordinary amounts of work to assure the quality and viability of the project. The project components are continually being refined or eliminated both to

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reduce implementation costs, to respond to Draft EIR comments, and to reduce legal exposure. This extensive front end work effort should pay great dividends in regards to reducing both litigation and implementation costs.

The requested augmentation for SMM-0776 is for an additional \$1.1 million to complete the project permitting including final overarching California Coastal Commission permitting through a Public Works Plan. Of that amount, approximately \$450,000 would be budgeted for potential legal costs at various stages of the project's EIR and California Coastal Commission approval process. The remaining \$650,000 requested from the Conservancy, in approximate order of proportionate cost, would cover the main EIR consultant, staff time, the principal engineering firm, geology and geotechnical consultants, coastal planning consultants, an ADA consultant, and printing costs. This budget request is staff's best assessment of a funding amount that we believe will be adequate, even under unfavorable circumstances, to deliver a certified FEIR, an approved Public Works Plan, and a conclusion of legal challenges. Favorable circumstances--such as acceptable legal settlements--would lead to substantially reduced costs.

This request is also to consolidate all project work under one grant by including all necessary project planning and design and legal work associated within the Malibu Bluffs park portion of the project to the grant's scope of work. The Malibu Bluffs project planning and design work to date has been covered under a separate Conservancy grant.

On behalf of the Governing Board, I respectfully submit this proposal for consideration by the Santa Monica Mountains Conservancy. Attached is a formal grant application. Please address any questions you may have to our primary project manager for the project Judi Tamasi at 310-589-3200 ext. 121.

Sincerely,

A handwritten signature in black ink, appearing to read "George Lange", written over a horizontal line.

George Lange
Chairperson